



AGENDA

CORTE MADERA TOWN COUNCIL
AND SANITARY DISTRICT NO. 2 BOARD
TOWN HALL COUNCIL CHAMBERS
300 TAMALPAIS DRIVE
TUESDAY, APRIL 5, 2016
7:30 P.M.

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

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

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. Approval Of The Plans And Specifications And Authorization To Bid - Paradise West Sewer Improvements
(Report from Nisha Patel, Senior Civil Engineer)

Documents: [5.I.I PARADISE WEST SEWER IMPROVEMENTS.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. Second Reading And Adoption Of Ordinance 952 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: [5.II.II NOISE ORDINANCE AMENDMENT.PDF](#)

- 5.II.iii. Second Reading And Adoption Of Ordinance 955, 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), 15162 And 15168.
(Report from Adam Wolff, Director of Planning and Building)

Documents: [5.II.III ZONING ORD AMENDMENTS C3.PDF](#)

- 5.II.iv. Approval Of Resolution 06/2016 Authorizing Additional Locations For Display Of Centennial Banners
(Report from Phil Boyle, Senior Planner)

Documents: [5.II.IV ADDITIONAL LOCATIONS FOR CENTENNIAL BANNERS.PDF](#)

- 5.II.v. Approval Of Resolution 07/2016 Authorizing 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)

Documents: [5.II.V REVISED JPA FOR MAJOR CRIMES TASK FORCE.PDF](#)

- 5.II.vi. 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, Planning Commission Meetings And Other Town Board And Commission Meetings As Requested;
And

Approval of a Supplemental Appropriation in the Amount of \$5,000 to Fund the Program for the Remainder of the 2015-2016 Fiscal Year;

And

Approval of a Supplemental Appropriation in the Amount of \$20,000 to Fund the Program in Fiscal Year 2016-2017

(Report from Rebecca Vaughn, Town Clerk)

Documents: [5.II.VI PRODUCTION SVCS AGREEMENT WITH CMCM.PDF](#)

- 5.II.vii. Approval Of Warrants And Payroll For The Period 3/11/16 Through 3/27/16:
Warrant Check Numbers 213209 through 213277, Payroll Check Numbers 5155 through 5176, Payroll Direct Deposit Numbers 29053 through 29238, and Payroll Wire Transfer Numbers 1983 through 1990.

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

Documents: [5.II.VII PAYROLL AND DEMANDS 3.11.16 TO 3.27.16.PDF](#)

- 5.II.viii. Approval Of Warrants And Payroll For The Period 3/28/16 Through 3/31/16:
Warrant Check Numbers 29239 through 29242, Payroll Check Numbers 5177 through 5177, Payroll Direct Deposit Numbers 29239 through 29242, and Payroll Wire Transfer Numbers 1991 through 1993.

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

Documents: [5.II.VIII PAYROLL AND DEMANDS 3.28.16 TO 3.31.16.PDF](#)

6. PUBLIC HEARINGS: None

7. BUSINESS ITEMS

- 7.I. Consideration And Possible Action To Authorize Mayor Bailey To Sign Letter To Sonoma-Marin Area Rail Transit (SMART) In Support Of The North/South Greenway Project
(Verbal Report from Councilmember Furst)

Documents: [7.I DISC REGARDING LETTER OF SUPPORT TO SMART FOR](#)

[NORTH SOUTH GREENWAY.PDF](#)

- 7.II. Consideration And Possible Action To Approve The Plans And Specifications And Authorization To Bid- Mariner Cove And Marina Village Storm Drainage Improvements (Report from Kelly Crowe, Associate Civil Engineer)

Documents: [7.II MARINER COVE MARINA VILLAGE STORM DRAINAGE IMPROVEMENTS.PDF](#)

- 7.III. Consideration And Possible Action To Ratify Town Council Subcommittee Recommendation To Appoint Robert Bundy To Fill A Current Vacancy On The Planning Commission;
And

Discussion and Possible Action Regarding Filling the Terms of the Seats Which Will Expire on June 30, 2016.

(Rebecca Vaughn, Town Clerk, and David Bracken, Town Manager)

Documents: [7.III APPOINTMENT TO PLANNING COMMISSION.PDF](#)

- 7.IV. Consideration And Possible Action To Approve "Off The Grid" Food Truck Event In Corte Madera Town Park
(Report from Mario Fiorentini, Director of Recreation and Leisure Services)

Documents: [7.IV OFF THE GRID FOOD TRUCK EVENT.PDF](#)

- 7.V. Review Of Draft April 19, 2016 Town Council Agenda

Documents: [7.V 4.19.16 DRAFT AGENDA.PDF](#)

- 7.VI. Approval Of Minutes Of March 15, 2016 Town Council Meeting

Documents: [7.VI DRAFT MINUTES 3.15.16 TOWN COUNCIL MTG.PDF](#)

8. CLOSED SESSION

- 8.I. PUBLIC EMPLOYEE APPOINTMENT [Govt. Code Sec. 54957]
Title: Town Manager

9. 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

**SANITARY DISTRICT NO. 2 OF MARIN COUNTY
STAFF REPORT**

REPORT DATE: March 29, 2016
MEETING DATE: April 5, 2016

TO: DISTRICT MANAGER, BOARD PRESIDENT, AND BOARD OF DIRECTORS
FROM: NISHA PATEL, SENIOR CIVIL ENGINEER
SUBJECT: CONSIDERATION OF APPROVAL OF THE PLANS AND SPECIFICATIONS,
AND AUTHORIZATION TO BID- PARADISE WEST SEWER IMPROVEMENTS
PROJECT (PROJECT NO. 13-201)

This project will improve sanitary sewer main lines that were identified as the highest in priority in the District's most current approved Sewer Master Plan (2013 update).

* * * * *

PURPOSE:

Action on this item allows the Board to review the plans, specifications, and estimated cost of the project before the construction documents are released to the public for bid.

STAFF RECOMMENDATION:

Staff recommends the Board approve the project plans and specification and authorize staff to advertise for bids.

OPTIONS:

The Board may approve the project and authorize staff to advertise for bids, direct staff as appropriate, or take no action at this time.

DISTRICT MANAGER'S RECOMMENDATION:

Support staff's recommendation.

GOVERNING POLICIES:

Action on this item is consistent with the implementing policies found in Section 2.9, "Public Utilities", of the General Plan.

- Install 1903 feet of a new 18” diameter PVC sewer in Paradise Dr. from Golden Hind Passage to Upland Circle (at the Marin Country Day School) removing approximately 1800 feet of Asbestos Cement Pipe.
- Remove and reconstruct approximately 275 LF of storm drain and manhole and one road monument conflicting with the Paradise West sewer.
- Install 363 feet of 8” sewer on Westward and Prince Royal Drive, connected to the trunk sewer, to correct sags and broken pipes.
- Install 145 feet of 12” PVC sewer and 135 feet of CIPP (Cured In Place Pipe) liner in the Paradise Shopping Center, connected to the trunk sewer to correct sags and broken pipes.
- Pothole and abandon the existing 12” sewer main behind the Paradise Shopping Center.
- Remove 8 corroded manholes and install 7 PVC lines new manholes, several about 14 feet deep in bay mud.
- Install 37 feet of 18” PVC sewer and 496 feet of 18” CIPP liner the restoring the existing HWY 101 crossing and the pipe in front of Marin Joes.
- Complete an additional pipe connection to parallel sewers in Paradise Drive to offer flexibility in flow direction to both improve cleaning access and reduce overflow risk on high flow days on Casa Buena and Paradise Drive.
- Abandon approximately 100 feet of existing 18” RCP sewer and two manholes on Casa Buena Drive.
- Reconnect and improve the lower laterals and lateral connections of 6 laterals.
- Restore approximately 100 vertical feet of corroded manholes (about 8 manholes) by restoring the concrete structure and lining them with an inert coating material.
- Final Cleaning and CCTV of mainline and lateral pipes totaling about 3150 feet.

Note: The plans, specifications, and contract documents are available for review at Public Works Engineering office.

ATTACHMENT A: LOCATION MAP

ATTACHMENT A

LOCATION MAP



**CORTE MADERA TOWN COUNCIL
STAFF REPORT**

REPORT DATE: MARCH 31, 2016
MEETING DATE: APRIL 5, 2016

TO: TOWN MANAGER, MAYOR AND COUNCIL MEMBERS

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

SUBJECT: SECOND READING AND CONSIDERATION OF APPROVAL OF
ORDINANCE NO. 952, 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, approve Ordinance No. 952, amending 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:

At the March 1, 2016 Town Council meeting, 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.

At the March 15, 2016 Town Council meeting, public comment regarding draft Ordinance 952 was heard during a Public Hearing, and the Town Council voted to introduce the Draft Ordinance.

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).

OPTIONS

1. Approve Ordinance No. 952 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 and direct Staff to make requested changes and reintroduce a draft ordinance at a later date.

ATTACHMENT

1. Town of Corte Madera Proposed Ordinance No. 952, Noise Ordinance Section 9.36.030
2. Staff Report from March 15, 2016 Town Council meeting

ATTACHMENT 1:

**TOWN OF CORTE MADERA PROPOSED ORDINANCE NO. 952,
NOISE ORDINANCE SECTION 9.36.030**

AN ORDINANCE OF THE TOWN OF CORTE MADERA
AMENDING THE TOWN OF CORTE MADERA MUNICIPAL CODE
CHAPTER 9.36 NOISE

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

WHEREAS, on August 4, 2015, Town Council considered changes to the Town of Corte Madera Municipal Code, Chapter 9.36 Noise, concerning leaf blowers.

WHEREAS, at the meeting on August 4, 2015, Town Council received a report from the Central Marin Police Authority (CMPA) to either ban leaf blowers or consider modified hours for the operation of leaf blowers.

WHEREAS, on March 1, 2016 Town Council considered changes to the language in Section 9.36.030 of the Town Municipal Code.

WHEREAS, based on direction from Town Council to limit the hours of operation for gas powered leaf blowers, on March 15, 2015 an Ordinance was introduced that amended Section 9.36.030 of the Town of Corte Madera Municipal Code restricting the hours for use of gas powered leaf blowers and to make violations an infraction.

NOW THEREFORE, the Town Council finds and ORDAINS as follows:

Section 1. Section 9.36.030 of Chapter 9.36 (Noise) of the Corte Madera Municipal Code is hereby amended to read as shown on Attachment A (amendments indicated through deletions and underlining).

Section 2. CEQA Findings. Based upon all of the above findings and the entire record of this proceeding, the Town Council finds that the adoption of the ordinance amending the regulations set forth herein does not constitute a project under the California Environmental Quality Act.

Section 3. 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 this ordinance.

The Town Council of the Town of Corte Madera hereby declares that it would have passed this and each section, subsections 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 4. Effective date. This ordinance shall become effective 30 days after the date of adoption.

Section 5. Posting. The Clerk of the Town shall cause this ordinance to be published and/or posted within fifteen days after its adoption.

This ordinance was adopted on the ____ day of April, 2016 by the following vote:

AYES: Council Members:

NOES: Council Members:

ABSENT: Council Members:

ABSTAIN: Council Members:

APPROVE:

MAYOR

ATTEST:

TOWN CLERK

ATTACHMENT 2:

STAFF REPORT FROM MARCH 15, 2016 TOWN COUNCIL MEETING

DB

**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 31, 2016

MEETING DATE: APRIL 5, 2016

TO: TOWN MANAGER, MAYOR AND COUNCIL MEMBERS

FROM: ADAM WOLFF, DIRECTOR OF PLANNING AND BUILDING

SUBJECT: SECOND READING AND CONSIDERATION OF ADOPTION 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 required to have a second reading of proposed Ordinance amendments. At the March 15, 2016 Town Council meeting, the Corte Madera Town Council motioned to approve draft Ordinance No. 955.

STAFF RECOMMENDATION:

Staff recommends that the Town Council adopt the draft Ordinance No. 955 amending Section 18.12.020 of the Zoning Ordinance (Attachment 1).

TOWN MANAGER'S RECOMMENDATION:

Town Manager supports staff recommendations.

FISCAL IMPACT:

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

BACKGROUND AND DISCUSSION:

Relevant background related to the proposed amendment to the Zoning Ordinance is included in the staff report for the March 15, 2016, Town Council meeting. The staff report (without attachments) is included in Attachment 2 for reference.

ENVIRONMENTAL ASSESSMENT

The Planning Department recommends that the project 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 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.

ATTACHMENTS

1. DRAFT ORDINANCE 955
2. STAFF REPORT FROM MARCH 15, 2016, TOWN COUNCIL MEETING (W/O ATTACHMENTS)

TOWN COUNCIL OF THE TOWN OF CORTE MADERA
ORDINANCE NO. 955

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, accepted the recommendation of the Planning Commission, and made motion to approve the proposed Zoning Ordinance Amendment as expressed in draft Ordinance No. 955; and

WHEREAS, on April 5, 2016, the Corte Madera Town Council held a second reading on draft Ordinance No. 955; 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 955 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 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 Zoning Ordinance 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 Zoning Ordinance 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		⌘	

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 April 5, 2016, by the following vote:

AYES:

NOES:

ABSTAIN:

ABSENT:

Sloan C. Bailey, Mayor

Rebecca Vaughn, Town Clerk

**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



**CORTE MADERA TOWN COUNCIL
STAFF REPORT**

REPORT DATE: MARCH 28, 2016
MEETING DATE: APRIL 5, 2016

TO: TOWN MANAGER, MAYOR AND COUNCIL MEMBERS

FROM: PHIL BOYLE, SENIOR PLANNER

SUBJECT: CONSIDER ADOPTION OF RESOLUTION NO. 06/2016 APPROVING A NEW TEMPORARY 4 FOOT BY 7 FOOT HORIZONTAL BANNER TO PUBLISIZE THE TOWN'S YEAR LONG CENTENIAL CELEBRATION AT THE INTERSECTION OF SAN CLEMENTE DRIVE AND REDWOOD HIGHWAY FROM APRIL 15, 2016 TO DECEMBER 31, 2016 AND DETERMINING THAT THE PROJECT IS EXEMPT FROM THE CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA) PURSUANT TO CEQA GUIDELINES 15061(B)(3)

* * * * *

PURPOSE:

This is a request from the Town of Corte Madera's Centennial Committee to place temporary stanchions and a horizontal banner at the intersection of San Clemente Drive and Redwood Highway facing southeast, from April 15, 2016 through December 31, 2016 advertising the Town's yearlong centennial celebration (Attachment 2).

STAFF RECOMMENDATION:

Staff recommends that the Town Council adopt the Resolution (Attachment 1).

OPTIONS:

The following options are available to the Council:

1. Deny the request.
2. Refer the request to staff for further study.

TOWN MANAGER'S RECOMMENDATION:

Support staff's recommendation.

CEQA STATUS:

The activity is covered by the general rule that CEQA does not apply where it can be seen with certainty that there is no possibility that the activity will have a significant effect on the environment (CEQA, Article 5, Section 15061(b)(3)).

BACKGROUND:

The Zoning Ordinance allows signs, including banners, in the public right-of-way or on public property if:

- (1) they are advertising Town-sponsored or Town-endorsed events; and
- (2) they are displayed no more than forty-five days prior to an event and no more than five days after an event (total 50 days).
- (3) if they are approved by the Town Council.

DISCUSSION:

The Centennial Committee has requested that the Town Council add a horizontal banner at the intersection of San Clemente Drive and Redwood Highway. The size of the banner would be the same (4 feet by 7 feet) as the other horizontal banners in town and utilize the same mounting system. The banner would be installed by public works and have the same text and graphics as the other previously approved centennial banners. The banner and the banner sanctions will be removed and this location will not be used for the display of horizontal banners in the future.

The Centennial Committee is also requesting that this banner, along with the other Centennial Banners previously approved by The Council be displayed for the remainder of the year. This is an exception to the requirement that banners not be displayed for more than the 50 days per the Corte Madera Municipal Code.

ATTACHMENT:

1. Town Council Resolution No. 06/2016
2. Location of proposed banner

cc:

Centennial Committee

Kevin Kramer, Director of Field Maintenance and Operations (via e-mail)

Subject file copy

RESOLUTION NO. 06/2016

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF CORTE MADERA APPROVING A NEW TEMPORARY 4 FOOT BY 7 FOOT HORIZONTAL BANNER TO PUBLISIZE THE TOWN’S YEAR LONG CENTENIAL CELLEBRATION AT THE INTERSECTION OF SAN CLEMENTE DRIVE AND REDWOOD HIGHWAY FROM APRIL 15, 2016 TO DECEMBER 31, 2016 AND DETERMINING THAT THE PROJECT IS EXEMPT FROM THE CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA) PURSUANT TO CEQA GUIDELINES 15061(B)(3)

WHEREAS, on January 5, 2016, the Centennial Committee requested permission to place temporary stanchions and a horizontal banner at the intersection of San Clemente Drive and Redwood Highway facing southeast, from April 15, 2016 through December 31, 2016 advertising the Town’s yearlong centennial celebration; and

WHEREAS, the Centennial Committee has requested that the new banner be display beyond the 50 day maximum from April 15, 2016 through December 31, 2016; and

WHEREAS, on November 2, 2015, the Town Council endorsed the Centennial events; and,

WHEREAS, Corte Madera Municipal Code Section 18.22.050(10)(A) permits such banners with the approval to the Town Council.

NOW, THEREFORE, BE IT RESOLVED, that the Corte Madera Town Council does hereby approve the Centennial Committee’s request to place temporary stanchions and a four foot seven foot horizontal banner at the intersection of San Clemente Drive and Redwood Highway facing southeast, from April 15, 2016 through December 31, 2016 advertising the Town’s yearlong centennial celebration subject to the following conditions:

- 1. The banner is permitted to be displayed from April 15, 2016 to December 31, 2016.
- 2. The applicant shall coordinate with Kevin Kramer, Director of Field Maintenance and Operations, to install and remove the necessary hardware for the new location.

CALIFORNIA ENVIRONMENTAL QUALITY ACT(“CEQA”) DETERMINATION

The activity is covered by the general rule that CEQA does not apply where it can be seen with certainty that there is no possibility that the activity will have a significant effect on the environment (CEQA, Article 5, Section 15061(b)(3)).

* * * * *

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 5th day of March, 2016, by the following vote, to wit:

AYES: Councilmembers:
NOES: Councilmembers:
ABSENT: Councilmembers:

Sloan C. Bailey, Mayor

ATTEST:

Rebecca Vaughn, Town Clerk



Banner Location - Intersection of Redwood Highway and San Clemente Drive

O:\Planning Department\Planning Admin\BANNER REQUESTS\2011 to 2016\Centennial Celebrations\Request for new Banner April 5 2016 SR and Reso.doc



Central Marin Police Authority
Staff Report

TO: Corte Madera Mayor and Town Council
FROM: Chief Todd A. Cusimano
REPORT DATE: March 10, 2016
MEETING DATE: April 5, 2016

RE: 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)

RECOMMENDATION:

Authorize the Town Manager to execute the revised Joint Exercise of Powers Agreement (JPA) between the Town of Corte Madera and the County of Marin and the other member municipalities comprising the Marin County Major Crimes Task Force (MCTF), attached as Exhibit A.

TOWN MANAGER'S RECOMMENDATION:

Support the Central Marin Police Authority's Recommendation

SUMMARY/DISCUSSION:

In 1979, the County of Marin and all of its incorporated cities and towns authorized the creation of the MCTF, a specialized undercover investigative unit comprised of specially trained detectives whose primary mission was to identify, prevent, and/or prosecute drug-related criminal activity occurring throughout the County of Marin.

In 2014, the Town of Ross elected to withdraw from participation in the MCTF JPA, but earlier this year signaled their intention to once again become a member municipality. On February 1st, 2016, the MCTF's Oversight Committee unanimously approved an amended Joint Exercise of Powers Agreement authorizing the reinstatement of the Town of Ross as an MCTF member agency.

Because any change to the JPA Agreement requires approval from each member jurisdiction, the revised JPA is being submitted for your review and ratification.



Central Marin Police Authority
Staff Report

FISCAL/STAFFING IMPACT:

The MCTF JPA describes the formula for distributing the annual MCTF operating costs among the member agencies. The County of Marin funds 50% of those costs and the member cities and towns are responsible for funding the balance.

The re-admittance of the Town of Ross to the MCTF JPA requires no additional staffing to handle the increased workload expected as a result of that action.

The recommended actions will represent no new net Town costs during the remainder of FY 2015-16.

Respectfully Submitted,

A handwritten signature in blue ink, appearing to read "Todd A. Cusimano".

Todd A. Cusimano
Chief

Attachments:

1. MCTF JPA Agreement
2. Resolution No. 07/2016

ATTACHMENT 1:

MCTF JPA AGREEMENT

Marin County Major Crimes Task Force

JOINT EXERCISE OF POWERS AGREEMENT

February 25, 2016

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**MARIN COUNTY MAJOR CRIMES TASK FORCE
JOINT EXERCISE OF POWERS AGREEMENT**

RECITALS:

1. The COUNTY OF MARIN (hereinafter "COUNTY") and the CITIES/TOWNS OF BELVEDERE, CORTE MADERA, FAIRFAX, LARKSPUR, MILL VALLEY, NOVATO, ROSS, SAN ANSELMO, SAN RAFAEL and TIBURON (hereinafter "MEMBER AGENCIES") have authority to perform law enforcement functions for their respective communities and desire to help each other in the detection, investigation and apprehension of major crimes, including highly mobile criminal narcotic trafficking, thus reducing major narcotic activity and combating its influence throughout the County.,
2. MEMBER AGENCIES are authorized to contract with each other for the joint exercise of any common power pursuant to California Government Code Sections 6500-6514.
3. MEMBER AGENCIES are authorized to conduct activities in a manner set forth in California Penal Code Section 830.1.
4. MEMBER AGENCIES previously entered into a Joint Exercise of Powers Agreement in 1979 for the purpose of creating a Major Crimes Task Force. That Joint Exercise of Powers Agreement and its subsequent amendments were repealed and replaced through the adoption of an updated Joint Exercise of Powers Agreement on July 1, 1985. That 1985 Joint Exercise of Powers Agreement and its subsequent amendments were repealed and replaced through the adoption of updated Joint Exercise of Powers Agreements in 1995, 2009, 2012, and on May 19, 2015. Those Joint Exercise of Powers Agreements are hereby terminated and replaced through the adoption of this Joint Exercise of Powers Agreement. Notwithstanding the foregoing, the July-August, 2009 Addendum to Joint Powers Agreement with the CHP shall remain in full force and effect.

MEMBER AGENCIES, THEREFORE, MUTUALLY AGREE AS FOLLOWS:

**ARTICLE 1
GENERAL PROVISIONS**

Section 1.1 Purpose.

- (a) The purpose of this Agreement is the joint funding and policy direction of a unit of peace officers and support personnel, herein called the Marin County Major Crimes Task Force (hereinafter "Task Force"), for investigation, detection and apprehension in connection with major crimes including highly mobile criminal narcotic traffickers thus reducing major narcotic activity and combating its influence throughout the County.
- (b) It is understood by the parties to this Agreement that the Task Force will function as an adjunct to the basic police services provided by the individual police agencies and is not intended to supplant existing local police services. It will be funded and staffed only to the extent that the general budgets of the member agencies and supplemental funding sources are able and available.

Section 1.2 Creation of Task Force.

- (a) There is hereby created a public entity to be known as the Marin County Major Crimes Task Force, herein called the "Task Force." The Task Force is a public entity separate and apart from the member cities and county and shall administer this Agreement.
- (b) Exercise of the common powers of the parties hereto shall be subject to such restrictions as may exist for each of them independently.

Section 1.3 Terms of Agreement.

This Agreement shall be effective upon the date the Agreement is last executed by the parties as attested by the signatures of the Mayor and Clerk of each city/town and of the President of the County Board of Supervisors and shall continue in effect until terminated as herein provided.

ARTICLE 2
OVERSIGHT COMMITTEE

Section 2.1 Government Board.

- (a) The Task Force shall be administered by a Board of Directors consisting of nine members, one to be a City Councilmember appointed by the Marin County Council of Mayors and Councilmembers, one to be a member of the Marin County Board of Supervisors appointed by the President of the Board of Supervisors; two to be City Managers appointed by the Marin Managers Association; one to be the Marin County Administrator; two to be Chief Law Enforcement Officials appointed by the Marin County Police Chiefs Association; and two to be residents of Marin County who are not members of any City Council or the Board of Supervisors, not the County Administrator and not a city manager or chief law enforcement official in Marin County. One resident member shall be appointed by the Marin County Council of Mayors and Councilmembers, and one resident member shall be appointed by the Marin County Board of Supervisors

- (b) Each appointing agency may appoint an alternate board member who may act in the absence of a board member appointed by that agency. The Marin County Administrator may designate an alternate who may act in his or her absence.

- (c) The Board of Directors shall be called the “Oversight Committee.” All voting power of the Task Force shall reside with the Oversight Committee.

Section 2.2 Terms of Office.

- (a) The Marin County Administrator shall serve as long as he or she holds the position of County Administrator. All other members of the Oversight Committee shall serve terms of two years.

- (b) The City Councilmember, one City Manager, one Chief Law Enforcement Official, and the resident appointed by the Board of Supervisors shall serve terms beginning January 1 of even numbered years.

- (c) The County Supervisor, one City Manager, one Chief Law Enforcement Official, and the resident appointed by the Marin County Council of Mayors and Councilmembers shall serve terms beginning January 1 of odd numbered years.

- (d) Members may be reappointed without limitation.

- (e) All vacancies on the Oversight Committee shall be filled by the appointing entity as soon as possible to complete the unexpired term of the Committee member being replaced.

Section 2.3 Members of the Oversight Committee.

The Oversight Committee shall provide for regular quarterly meetings at a fixed date, time, and place. All regular and special meetings shall be called, noticed, and conducted in accordance with the provisions of Section 54950, et seq., of the California Government Code.

Section 2.4 Voting Procedures.

- (a) A quorum shall consist of at least a majority of the voting members of the Oversight Committee and shall be required for all meetings of the Oversight Committee.
- (b) All decisions and actions shall be by a majority vote of a quorum.
- (c) Each member of the Oversight Committee shall have one vote.

Section 2.5 Bylaws.

The Oversight Committee may adopt, from time to time, such bylaws, rules and regulations for the conduct of its meetings and affairs as are necessary for the purposes hereof.

Section 2.6 Chairperson and Vice-Chairperson.

- (a) The Oversight Committee annually shall elect a Chairperson and Vice-Chairperson from among its members for one year terms beginning January 1. The Chairperson and Vice-Chairperson shall not serve more than two consecutive one-year terms.
- (b) The Chairperson shall sign all contracts on behalf of the Task Force and shall perform such other duties as may be imposed by the Oversight Committee.
- (c) The Vice-Chairperson shall perform all of the Chairperson's duties in the temporary absence of the Chairperson.

Section 2.7 Secretary.

- (a) The Chief Law Enforcement Official of the designated policy agency, pursuant to Section 3.1(a), shall serve as Secretary to the Oversight Committee. The Secretary shall cause minutes to be kept of Oversight Committee meetings and shall cause a copy of the minutes to be forwarded to each member of the

Oversight Committee and to each member agency as soon as possible after each meeting.

- (b) The Secretary shall cause a copy of this Agreement to be filed with the Secretary of State and the State of California pursuant to Section 6505.3 of the California Government Code.

Section 2.8 Powers and Duties of the Oversight Committee.

Policy direction of the Task Force shall be vested in the Oversight Committee. The Oversight Committee shall have the duty and power:

- (a) To review and determine that program priorities, policies, operational scope, size and budget of the Task Force.
- (b) To monitor and report to member agencies and appointing associations or legislative bodies on operations of the Task Force.
- (c) To monitor the operations and supervision of the Task Force by the Designated Policy Agency to assure that the Task Force targets major crimes violators and that incursions on civil rights and injury to innocent persons are avoided.
- (d) To provide direction to the Designated Police Agency regarding Task Force activity in a non-member municipality and regarding requests from the Chief Law Enforcement Official of a member agency for assignment of all or part of the Task Force to investigate a specific local problem.
- (e) To designate the Controller/Treasurer of the Task Force.
- (f) To designate the policy agency to run the Task Force.
- (g) To adopt such policies and regulations that in its judgment may be of value in providing adequate direction for financial and administrative matters to carry out the provisions of this Agreement.
- (h) To enter into contracts for services as authorized in the Task Force's budget.
- (i) To establish policies and procedure for the allocation and use of asset forfeiture funds consistent with applicable State and Federal law and with the purposes of this Agreement.

ARTICLE 3
TASK FORCE

Section 3.1 Designation of the Task Force.

The Oversight Committee shall designate the police agency of one of the MEMBER AGENCIES as the Designated Police Agency under this Agreement. The Task Force established pursuant to Section 1.1 of this Agreement shall be comprised of personnel from the Designated Police Agency, personnel from police agencies of such other MEMBER AGENCIES, personnel from State or Federal law enforcement agencies, and support personnel from other outside agencies, subject to the approval of the Task Force Commander and the President of the Task Force Oversight Committee to include as Task Force personnel. It is agreed by the parties to this Agreement that the Designated Police Agency shall be one of the following police agencies: Marin County Sheriff's Office, Novato Police Department, or the San Rafael Police Department, since these three agencies are large enough and best suited to handle the functions of a Major Crimes Task Force.

Section 3.2 Powers of the Task Force.

In carrying out the purpose of this Agreement as set forth in Section 1.1 herein, a peace officer member of the Task Force shall be and is hereby deemed to have prior consent, within the meaning of Penal Code Section 830.1, of the Chief Law Enforcement Official of each member agency, or the person authorized by the Chief Law Enforcement Official, to exercise peace officer authority within the boundary of every party hereto, and said peace officer is hereby empowered to act in the same manner and to exercise the same powers as any peace officer of said party; and his or her actions shall be governed by the laws of the State of California and the generally accepted practices and procedures for law enforcement of the designated police agency.

Section 3.3 Organization of the Task Force within the Designated Police Agency.

- (a) The Task Force shall be established as a separate organizational entity within the Designated Police Agency, allowing for multi-jurisdictional participation. Separate budget, income and expense records, equipment inventories, and fund accounts for the Task Force shall be maintained by the City or County whose police agency manages and supervises the Task Force.
- (b) The Task Force shall not be used to supplant any service or service deficiencies of the Designated Police Agency, or Member Police Agency, but shall remain totally focused on it's mutually agreed upon countywide purpose.

Section 3.4 Assignment of Personnel to the Task Force.

- (a) The Designated Police Agency shall have sole responsibility for selecting and the right to select which of its own employees will perform Task Force assignments and be members of the Task Force. The Designated Police Agency shall have sole responsibility for disciplining and removing its own employees in compliance with applicable policies and procedures of the Designated Police Agency.

Should the Task Force Commander and the President of the Task Force Oversight Committee allow personnel from another MEMBER AGENCY to participate in the Task Force, that MEMBER AGENCY shall select its own employee(s) to be members of the Task Force. The Task Force Commander or his designee may participate in this process if agreed to by both parties. The MEMBER AGENCY shall have sole responsibility for disciplining and removing its own employee(s) in compliance with applicable policies and procedures of the member agency.

The Designated Police Agency shall consent to the selection of employees from another MEMBER AGENCY to work on the Task Force. If consent is denied the Oversight Committee shall vote on the proposed selection at a regularly scheduled meeting. The Oversight Committee decision shall be final.

- (b) Personnel serving in the Task Force, while governed by the rules and regulations of the designated City or County or MEMBER AGENCY, shall be assigned to the Task Force for reasonable periods of time in order that expertise is developed and applied in accomplishing the purpose of this Agreement.
- (c) Assignment of personnel to the Task Force shall not be subject to any impacts of the regular operating budget of the designated police agency or member agency, since funding for the Task Force is dedicated by action of all member agencies.

Section 3.5 Operational Control.

Except as provided in Section 3.7, below, responsibility for the operational control, direction and administration of the Task Force shall be vested in the Chief Law Enforcement Official of the Designated Police Agency who shall be responsible for direct supervision of the Task Force and shall provide coordination with and liaison to the Oversight Committee as necessary to ensure that Task Force priorities and goals are being properly implemented.

Section 3.6 Exercise of Task Force Powers in Nonmember Jurisdictions.

The Task Force shall not operate in, assist, or serve municipalities in Marin County not signatory to this agreement except pursuant to direction of the Oversight Committee. In providing such direction, the Oversight Committee shall consider situations where an investigation commenced elsewhere cannot otherwise be concluded without crossing the boundaries of a non-participating jurisdiction.

Section 3.7 Investigation of Specific Local Problems

In the event that a request for assistance to a MEMBER AGENCY is approved pursuant to direction of the Oversight Committee, the Chief Law Enforcement Official of the requesting City or County may assume overall supervision of Task Force members so assigned solely with respect to Task Force involvement in that specific assignment. Task Force employees so assigned shall remain under the agreed to supervision of the Chief Law Enforcement Official of the requesting City or County for the duration of the specific assignment approved by the Oversight Committee.

Section 3.8 Administrative Support for the Task Force

Administrative support for the Oversight Committee shall be provided by the Designated Police Agency which shall include in its annual budget costs associated with administrative support tasks including, but not limited to, meeting notices, preparation of minutes, compliance with the Brown Act, office supplies for Task Force business, insurance, and an annual financial audit.

ARTICLE 4
FISCAL MATTERS

Section 4.1 Annual Budget.

The Designated police agency shall prepare annually and submit to the Oversight Committee by April 1 of each year, a budget for the Task Force setting forth proposed service levels, staffing expenses and anticipated grant funding or other outside funding (including, but not limited to asset forfeiture funds) and the proposed amount of Net Local Costs (total budget less grant funding and other outside funding) to be shared among the parties. After review and any modification deemed necessary by the Oversight Committee, said budget shall be adopted by the Oversight Committee and submitted to the parties hereto not later than May 1 of each year, and shall be deemed approved by the parties pursuant to their individual approval of their respective budget allocations to the Task Force for the ensuing fiscal year

Section 4.2 Controller/Treasurer.

The Oversight Committee shall designate the Controller/Treasurer of the Task Force who shall serve as depository and custodian of all Task Force funds and who shall perform all authorities, duties, and obligations set forth in Section 6505, 6505.5 and 6505.6 of the California Government Code. The designated Controller/Treasurer shall be responsible for the establishment of procedures for the disbursement of funds in accordance with the approved annual budget of the Task Force and shall maintain and make available to the parties hereto complete records of all income, disbursements and other financial information regarding the Task Force. These responsibilities shall include maintenance of financial records, cooperation in the preparation of an annual independent audit and preparation of reports pursuant to any and all applicable regulations for any and all funds including asset forfeiture and grant funds received by or on behalf of the Task Force.

Section 4.3 Member Contributions.

The contributions made by each party to this agreement to fund the Net Local Costs of the approved Task Force Budget shall be prorated in accord with the following formula:

A minimum of fifty percent (50%) of the cost of the first six (6) Task Force employees, plus attendant expenses, shall be borne by Marin County; and the balance shall be borne by the participating cities prorated on a formula giving equal weight to each member city's population, using the most current annual State Department of Finance census data, and the most current total assessed property valuation for each member city, as determined by the March 1 valuations established each year by the Marin County Assessor's Office.

Section 4.4 Contributions In-Kind.

Subject to the approval of the Task Force Commander and the President of the Task Force Oversight Committee, a member agency may seek to satisfy their annual operating budget cash commitment by assigning an officer to the Unit and applying their fully salaried/benefitted Full Time Employee (FTE) cost as an offset to that required cash contribution. In the event the value of the full cost FTE cost is less than the required annual contribution, the member agency shall offset that difference by making a cash payment equal to the balance owed. In the event the value of the full cost FTE is more than the member agency's required annual contribution, no credit shall accrue to the agency.

Requests to provide an in-kind contributions of staff shall be for no less than one full fiscal year and shall be renewed each fiscal year thereafter, subject to the approval of the Task Force Commander and the President of the Task Force Oversight Committee. Should an agency move terminate its in-kind contribution agreement prior to the end of a fiscal year, a prorated credit equal to 1/12th of the member agency's total annual cash contribution shall accrue to the agency for each full month the member agency's officer was assigned to the Task Force during that particular fiscal year. The balance of any required payment necessary to meet the agency's annual obligation shall then become immediately due.

Section 4.5 Funds and Accounts.

At a minimum, the Controller/Treasurer shall establish and maintain separate funds and/or accounts for income and disbursements from the following sources: Department of Treasury Asset Forfeiture account; Department of Justice Asset Forfeiture account; member contributions (Task Force operating account).

Section 4.6 Investment.

The Controller/Treasurer is hereby authorized to invest any and all funds received by the Task Force in any investment medium authorized for local government pursuant to State law and in such investment media and in such limited amounts as may be established in the written investment policy of his or her agency. Interest earnings shall be credited to the appropriate Task Force account pursuant to Section 4.3, above, and may be used for any purpose consistent with authorized uses for which the principle amount may be used.

Section 4.7 Procedure for Approval of Demands.

The Controller/Treasurer shall implement procedures as adopted by the Oversight Committee, for the approval of all demands against the Task Force.

Section 4.8 Property Records and Control.

- (a) The Controller/Treasurer shall maintain an inventory of all capital equipment and other property contributed for Task Force use by any party hereto or by any other person or organization and of all capital equipment purchased with Task Force funds, including, but not limited to, funds contributed by parties to this Agreement, grant funds, and asset forfeiture funds.
- (b) The Secretary shall have charge of, handle and have access to all records of the Task Force, other than those financial records under the control of the Controller/Treasurer, and of all physical properties of the Task Force.

Section 4.9 Bonding.

The Oversight Committee shall designate the respective amounts of the official bonds of the Secretary and Controller/Treasurer and of such other persons who may from time to time be designated by the Oversight Committee as having charge of, handling or having access to any funds and/or property of the Task Force.

ARTICLE 5
INSURANCE AND INDEMNITY

Section 5.1 Indemnity.

The Task Force shall defend, indemnify, and hold harmless MEMBER AGENCIES and their employees, agents and elected officials, in connection with any and all claims, lawsuits, liability, or damages arising out of Task Force activities.

Section 5.2 Liability Insurance.

- (a) A General Liability insurance policy with a minimum combined single limit of at least one million dollars (\$1,000,000) and an aggregate of at least one million dollars (\$1,000,000) will be maintained in force at all times, covering, at a minimum, the Marin County Major Crimes Task Force, all personnel assigned to the Task Force or engaging in Task Force activities, all MEMBER AGENCIES, and the members and alternate members of the Oversight Committee, for any liability arising out of Task Force activities. The policy shall include costs of investigation and defense as covered items. The annual premium for said insurance will be made a part of and paid from the annual budget of the Task Force.
- (b) A public officials liability insurance policy with a minimum combined single limit of at least one million dollars (\$1,000,000) and an aggregate of at least one million dollars (\$1,000,000) will be maintained in force at all times, covering, at a minimum, the members and alternate members of the Oversight Committee. The policy shall include costs of investigation and defense as covered items. The premium for said insurance will be made a part of and paid from the annual budget of the Task Force.
- (c) Any deductibles included in the General Liability Insurance policy shall be paid first from asset forfeiture funds, to the maximum extent allowed by applicable State or Federal law. If use of asset forfeiture funds to pay the deductible amount is prohibited by applicable law for the particular claim and/or if available asset forfeiture funds are insufficient to pay the deductible amount then the deductible amount shall be paid from the Task Force annual budget and/or from Task Force reserve funds as may be authorized for this purpose by the Oversight Committee.

Section 5.3 Uninsured Claims and Losses.

Should the Task Force's General Liability insurance policy fail to cover any claims, losses or expenses arising from any and all activities undertaken pursuant to this Agreement, or if such policy is not available for a premium deemed appropriate by the Oversight Committee in relation to the budge of the Task Force, then the Oversight

Committee shall immediately notify in writing each of the parties to this Agreement of the status of the insurance policy or lack of coverage and the cost of claims, loss or expenses shall be apportioned among the parties to this Agreement as provided in Section 5.5 herein.

Section 5.4 Workers' Compensation Insurance.

Unless otherwise provided in the service agreement between the Designated Police Agency and the Task Force, the Designated Police Agency is solely responsible for payment of any and all workers' compensation benefits for an employee of the Designated Police Agency assigned to the Task Force. Each MEMBER AGENCY is solely responsible for payment of any and all workers' compensation benefits for an employee of the MEMBER AGENCY assigned to the Task Force.

Section 5.5 Apportionment.

To the extent that any claim, action, liability, damage settlement or award is not covered for any reason by insurance policies, either in part in or whole, the parties to this Agreement agree to pay these costs as follows:

- (a) Any deductibles included in the General Liability Insurance policy shall be paid first from budgeted, but as of yet, unexpended funds from the Task Force annual budget.
- (b) Second, if the available Task Force annual budget funds are not enough to cover the claim, assets belonging to and owned by the Task Force may be sold as authorized for this purpose by the Oversight Committee to meet any financial obligations.
- (c) Finally, if the Task Force and its members are unable to satisfy any and all claims and judgments through the above listed means, the Task Force, as an entity has no choice but to disband and sell off any and all assets. The funds generated from the sale of the assets shall then be used to satisfy any outstanding claims or judgments. Any monies leftover shall be distributed to the membership agencies using the same formula as contributions are calculated.

Section 5.6 Exception.

The provisions of Sections 5.2, 5.3 and 5.5 of this Agreement, wherein the Task Force and its members agree to accept responsibility for claims not covered by insurance, shall not apply when liability is caused by a negligent or wrongful act or omission of an employee or agent of the Designated Police Agency or the employee or agent of another MEMBER AGENCY while such employee or agent is not involved in carrying out the provisions of this Agreement.

Section 5.7 Claims Handling.

In the event of a dispute regarding whether or not an exception as contemplated in Section 5.6 herein applies, the dispute resolution procedure set forth in Section 8.3 of this Agreement shall be used.

The chief law enforcement official or his designee shall, upon receipt of a “notice of claim” naming the Major Crimes Task Force, initiate the claims handling process. The notice document will be forwarded to representatives of the Task Force’s General Liability Insurance Company designated by that insurance company (as of the date of this agreement, claims shall be scanned and sent via email to IOA Insurance Services: jeff.mann@ioausa.com) with copy to County Counsel.

In the event a claim may be reported to the County through either Risk Management, the Clerk of the Board of Supervisors or County Counsel, such claims shall be directed to the specific designated County of Marin counsel for the Major Crimes Task Force who shall proceed to notify parties and commence evaluation of claim.

Designated County Counsel shall review information provided in the notice of claim against the County of Marin and determine if the claim involves alleged actions of the Major Crimes Task Force, in which case designated County Counsel shall issue the standard County rejection letter, including a statement advising claimant that in taking the actions alleged in the claim, the officers were acting on behalf of the Marin County Major Crimes Task Force, not the County of Marin, providing direction to claimant to present the claim to the Task Force for further consideration.

Upon notice of a claim by either of the above means, Task Force Commander shall conduct his standard investigation and forward his report with attachments to Designated County Counsel. This report may be sent on to representatives designated by the Task Force’s General Liability Insurance Company (as of the date of this agreement, IOA Insurance Services) based on the criteria for claim reporting. If it is not forwarded, it will be retained.

ARTICLE 6 WITHDRAWAL

Section 6.1 Notice.

Any party may withdraw from this Agreement by filing written notice of intention to do so with the Oversight Committee. The rights and obligations of such party hereunder shall terminate six months after the date of filing such notice. The Committee, within fifteen (15) days of the filing of a withdrawal notice, shall mail a notice thereof to all parties to this Agreement. Removal of any party from this Agreement shall in no manner affect the rights and obligations hereunder of the remaining parties.

Section 6.2 Rights and Obligations.

In the event of a withdrawal from this Agreement by any party, such party shall not be entitled to the return of any funds contributed to the Task Force, nor to any share of asset forfeiture funds nor to the return in cash or in kind of any materials or supplies until termination of this Agreement as herein specified. A party withdrawing from the Agreement shall continue to be liable for its proportionate share of any liability incurred during the period of this party's participation in the Agreement as set forth in Section 5.5 herein.

ARTICLE 7
TERMINATION

Section 7.1 Required Notice.

This Agreement shall be deemed terminated when the agencies representing Fifty Percent (50%) or more of the population of Marin County file a notice of intent to withdraw.

Section 7.2 Distribution of Assets.

Upon termination, all non-monetary assets held by the Task Force shall be liquidated and the proceeds, combined with all monetary assets (including asset forfeiture funds and any moneys received through State or Federal grants), shall be distributed to the parties hereto in proportion to the contribution of the parties.

ARTICLE 8
MISCELLANEOUS

Section 8.1 Definitions.

Unless the context otherwise requires, the words and terms defined in this Article shall, for the purpose hereof, have the following meaning herein specified:

- (a) Agreement. “Agreement” means this joint exercise of powers agreement.
- (b) Chief Law Enforcement Official. “Chief law enforcement official” means the highest ranking police manager of a member agency. This is usually the Police Chief of a city or town or the County Sheriff.
- (c) Designated Police Agency. “Designated Police Agency” means the Marin County Sheriff’s Office, the Novato Police Department or the San Rafael Police Department, whichever is selected by the Oversight Committee to organize and operate the Task Force.
- (d) Major Crimes. “Major Crimes” means illegal activities, primarily felonies such as, but not limited to, narcotic trafficking, whose characteristics include such features as high mobility, complex organization and widespread incidence throughout the County and for which effective detection, investigation and apprehension are demonstrably enhanced by the removal of artificial jurisdictional, organizational and geographic limitations that are likely to inhibit efficient utilization of police resources and application of up-to-date police methods that can be directed at such activities.
- (e) Member Agency. “Member Agency” means Marin County or one of the cities or towns which has signed this joint exercise of powers agreement.
- (f) Net Local Cost. “Net local cost” means the amount of the annual budget of the Task Force which is funded by contributions of the Member Agencies after the amount of funding for the annual budget from any grants, use of asset forfeiture funds, use of investment earnings and use of any other direct income generated by the operation of the Task Force have been deducted.
- (g) Oversight Committee. “Oversight Committee” means the governing board of the Task Force established by this joint exercise of powers agreement.
- (h) Task Force. “Task Force” means the unit of peace officers and support personnel which is created by this Agreement to accomplish the purpose of the Agreement.

Section 8.2 Legal Counsel.

Unless the Oversight Committee determines otherwise, the Marin County Counsel shall serve as legal consultants to the Task Force and provide all routine legal advice and service including attendance at Oversight Committee meetings if necessary. County Counsel is not used for claims against the Task Force. Please refer to Section 5.7 "Claims Handling" for lawsuits and claims.

Section 8.3 Dispute Resolution.

Any dispute among the parties to this Agreement shall be decided by neutral binding arbitration and not by court action, except as provided by California law for judicial review of arbitration proceedings. In the event of such dispute, the parties shall attempt, by unanimous agreement, to select a neutral arbitrator. In the event of their inability to reach unanimous agreement on an arbitrator such dispute shall be submitted to an arbitrator selected by the presiding judge of the Marin County Superior Court.

Section 8.4 Amendment.

This Agreement may be amended from time to time by its Oversight Committee, with an Agreement reflecting the amendment to be executed by the MEMBER AGENCIES.

Section 8.5 Execution in Counterparts.

This Agreement may be executed in counterparts.

IN WITNESS WHEREOF, the parties hereto have set their hand the day and year below written.

Dated: _____

COUNTY OF MARIN

Title: _____

Title: _____

Dated: _____

CITY OF BELVEDERE

Title: _____

Title: _____

Dated: _____

TOWN OF CORTE MADERA

Title: _____

Title: _____

Dated: _____

TOWN OF FAIRFAX

Title: _____

Title: _____

Dated: _____

CITY OF LARKSPUR

Title: _____

Title: _____

Dated: _____

CITY OF MILL VALLEY

Title: _____

Title: _____

Dated: _____

CITY OF NOVATO

Title: _____

Title: _____

Dated: _____

TOWN OF ROSS

Title: _____

Title: _____

Dated: _____

TOWN OF SAN ANSELMO

Title: _____

Title: _____

Dated: _____

CITY OF SAN RAFAEL

Title: _____

Title: _____

Approved as to form:

CITY ATTORNEY

Dated: _____

TOWN OF TIBURON

Title: _____

Title: _____

ATTACHMENT 2:

DRAFT RESOLUTION NO. 07/2016

RESOLUTION NO. 07/2016

**RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF CORTE MADERA
AUTHORIZING THE TOWN MANAGER TO SIGN A REVISED JOINT EXERCISE OF
POWERS AGREEMENT BETWEEN TOWN OF CORTE MADERA AND THE COUNTY OF
MARIN AND THE OTHER MEMBER MUNICIPALITIES COMPRISING THE MARIN COUNTY
MAJOR CRIMES TASK FORCE**

WHEREAS, a Joint Exercise of Powers Agreement (JPA) entered into in 1979 between the County of Marin and all 11 incorporated cities and towns authorized the creation of the Marin County Major Crimes Task Force (MCTF), a specialized undercover investigative unit comprised of specially trained detectives whose primary mission was to identify, prevent, and/or prosecute drug-related criminal activity occurring throughout the County of Marin; and.

WHEREAS, in FY 2013-2014 the town of Ross elected to withdraw from participation in the MCTF JPA, but in FY 2015-2016 signaled a desire to rejoin; and

WHEREAS, On February 1st, 2016, the MCTF's Oversight Committee unanimously approved an amended Joint Exercise of Powers Agreement authorizing the reinstatement of the Town of Ross as an MCTF member agency,

NOW, THEREFORE, BE IT RESOLVED that the Town Council for the Town of Corte Madera hereby authorizes the Town Manager to sign the revised Joint Exercise of Powers Agreement between the the Town of Corte Madera, the County of Marin, and each participating MCTF JPA member.

PASSED AND ADOPTED at a regular meeting of the Town Council held on this 5th day of April, 2016, by the following vote:

AYES:

NOES:

ABSENT:

Sloan C. Bailey
MAYOR

ATTEST:

Rebecca Vaughn

TOWN CLERK

This material has been reviewed
by the Town Manager:



CORTE MADERA TOWN COUNCIL
STAFF REPORT

Report Date: March 30, 2016
Meeting Date: April 5, 2016

TO: TOWN MANAGER, MAYOR AND TOWN COUNCIL

FROM: REBECCA VAUGHN, TOWN CLERK

SUBJECT: 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, PLANNING COMMISSION MEETINGS AND OTHER TOWN BOARD AND COMMISSION MEETINGS AS REQUESTED; APPROVAL OF A SUPPLEMENTAL APPROPRIATION IN THE AMOUNT OF \$5,000 TO FUND THE PROGRAM FOR THE REMAINDER OF THE 2015-2016 FISCAL YEAR, AND APPROVAL OF A SUPPLEMENTAL APPROPRIATION IN THE AMOUNT OF \$20,000 TO FUND THE PROGRAM IN FISCAL YEAR 2016-2017

STAFF RECOMMENDATION:

Direct the Town Manager to sign the Production Services Agreement with the Community Media Center of Marin (CMCM) to provide professional video production support for cablecasting of Town meetings and approve the requested supplemental appropriations for the Fiscal Year 2015-2016 and 2016-2017 budgets in the amounts of \$5,000 and \$20,000, respectively, from the General Fund (excluding the General Fund Sales Tax Override).

OPTIONS:

The Council may choose not to approve the supplemental appropriations and provide other direction to staff

TOWN MANAGER'S RECOMMENDATION:

Support staff's recommendation.

FISCAL IMPACTS:

Approval of the recommendation would require funding in the amount of \$5,000 in Fiscal Year 2015-2016 and \$20,000 in Fiscal Year 2016-2017, from the General Fund (excluding the General Fund Sales Tax Override). These amounts are estimated based on anticipated quantity and average length of meetings, and may increase if videography is requested for additional Town board, commission, or other special meetings.

BACKGROUND:

At the February 2, 2016 Town Council meeting, the Town Council directed staff to work with the Community Media Center of Marin (CMCM) to install cameras and other hardware in the Town Council Chambers, and provide video production services. At that time, it was noted that a Production Services Agreement would need to be approved, and would be brought back to the Town Council for consideration and approval at a later date.

On March 24, 2016, CMCM's electrical contractor completed the installation of wiring and other necessary electrical work. The installation of the cameras and other video production equipment began on April 1, 2016. The goal, pending testing of equipment, is to have full live streaming and cablecasting of meetings available to the public for the April 19, 2016 meeting. Live-streaming of video feed from the meeting, and archival of meetings on the Town's Government YouTube Channel, will be available at that time. The cablecasting of the meetings will likely be tape delayed due to conflicts with currently scheduled meetings with other CMCM clients. CMCM is exploring the possibility of adding additional channels to accommodate the increase in meetings.

As stated previously, the equipment, and the installation of the equipment, was financed with PEG (public, educational, or government access) funds through the telecommunications franchise agreements administered by the Marin Telecommunications Agency (MTA). CMCM will provide trained and experienced staff to operate the video switching console and transmission equipment at a cost of \$75 per hour to MTA members, with a minimum 2 hour charge per meeting. If the Town were to hold a meeting at the Community Center, CMCM could provide staff to film the meeting. The Town would pay a higher rate for this service, since field production work would be required. The current production service rates are noted in Appendices A and B of the attached agreement.

In order to fund the videography program for the remainder of the fiscal year, staff is requesting a supplemental appropriation in the amount of \$5,000. A supplemental appropriation in the amount of \$20,000 is requested to fund the program in Fiscal Year 2016-2017.

ATTACHMENTS:

1. Production Services Agreement with Community Media Center Of Marin

ATTAC HMENT1

C MC M- MTA PRODUCT IONS ERVICES AG RE EMENT

**PRODUCTION SERVICES AGREEMENT
Town of Corte Madera**

THIS AGREEMENT is made and entered into this 5th day of April, 2016, by and between the Town of Corte Madera (hereinafter referred to as "Town") and Community Media Center Marin (hereinafter referred to as "Consultant").

RECITALS:

WHEREAS, Town desires to retain the services of Consultant to provide professional video production support for the cablecasting of Town Council meetings; and

WHEREAS, Consultant is qualified by virtue of experience, training, education and expertise to provide such services.

NOW, THEREFORE, Town and Consultant mutually agree as follows:

Section 1. Scope of Work.

CONSULTANT shall perform the duties and/or provide services as follows:

A. Consultant will provide video production services during all regularly-scheduled and special meetings of the Town Council, and all other meetings as agreed upon in advance

(1) Consultant will provide any additional equipment (such as video switcher, etc) if necessary for production services during meetings and events and not located in the room where the meeting is being held.

(2) Consultant will schedule personnel and any additional equipment to ensure they arrive in a timely fashion .

(3) Consultant personnel will operate cameras and related equipment during meetings to enable recording and/or live cablecast and/or web streaming of proceedings.

(4) Consultant will provide "gavel to gavel" coverage of meetings and will not edit content (other than to remove recesses or solve technical problems) without prior approval from the Town Manager.

(5) Consultant personnel will advise and assist Town personnel as needed to isolate any system problems and obtain assistance from Town information technology team members, web streaming service technicians, or other vendor personnel as appropriate. (If CMCM must engage outside vendors or consultants to solve problems, CMCM will inform and obtain approval Town in advance of additional charges if any that are necessary to troubleshoot or resolve problems.)

B. Consultant will record and provide delayed playback of normally-scheduled meetings on the local Government Cable Channel (Comcast Cable channel 27). Live cablecasts may be provided upon request depending on scheduling availability.

(1) Consultant will coordinate with Town' s PROJECT MANAGER (Town staff member specifically designated by Town to work with the Consultant on behalf of the Town) to establish a mutually agreeable schedule for broadcasting previously recorded meetings on the Government Cable Channel (Comcast Cable channel 27)..

C. Consultant will make video production services available to other agencies and organizations that

use the Council Chambers for their meetings and events, at no additional cost to the Town.

(1) Responsibility for approving and scheduling the use of the Town Council Chambers by other agencies and organizations is the responsibility the Town.

(2) Consultant will work directly with other agencies and organizations as needed to schedule production services and handle billing requirements.

Consultant warrants that all of its services shall be performed in a competent, professional and satisfactory manner and in accordance with the prevalent standards of its profession.

Section 2 Duties of Town

Town shall perform the duties as follows:

A. Town will provide Consultant with reasonable work space in the Town Council Chambers as needed to perform video production services.

B. Town will provide Consultant with a copy of the regular meeting schedule as it becomes available and notify CMCM as needed when changes occur.

(1) Town will notify Consultant's PROJECT DIRECTOR by email or phone call at least 72 hours prior for any new or rescheduled meetings added to the schedule.

(2) Town will notify Consultant's PROJECT DIRECTOR by email or phone call at least 48 hours prior for any canceled meetings.

Section 3. Term.

This Agreement shall commence on April 5, 2016, and continue until terminated as provided in Section 14 herein.

Section 4. Compensation.

4.1 Rate Schedule.

A. Town will pay Consultant according to their standard rate sheet (Appendix A) for multi-camera video coverage of normally-scheduled meetings in the Town Council Chambers.

B. Town will pay Consultant according to their standard rate sheet (Appendix B) for services provided outside the Town Council Chambers and for any optional/additional post-production work requested (see rate schedule).

C. Town will pay Consultant a cancellation fee for any meetings canceled without proper notice being given as covered in Paragraph 2.B.(2)

D. CMCM will provide routine inspection, maintenance, troubleshooting, and repairs of CMCM installed equipment in Town facilities at no expense, and will provide additional services at an additional charge (Appendix A). This does not include cost of major hardware or equipment replacement/upgrades which can be provided at cost.

E. Payment will be made monthly upon receipt by TOWN's designated PROJECT MANAGER of itemized invoices submitted by Consultant.

Included within the above compensation are all the Consultant's expenses. No expenses of Consultant shall be chargeable to the Town without the prior written approval of the Town Manager.

4.2 Method of Payment.

Payment shall be made in compliance with the terms of the payment schedule set forth in the approved task order.

Section 5. Independent Contractor.

It is agreed that Consultant shall act and be an independent contractor and not an agent or employee of Town and shall obtain no rights to any benefits which accrue to those agencies' employees.

When the services to be provided under this Agreement are "design professional" services to be performed by a design professional CONSULTANT shall, to the fullest extent permitted by law, indemnify, protect, defend and hold harmless Town, and its employees, officials, agents and volunteers ("Indemnified Parties") for all claims, demands, costs or liability that arise out of, pertain to, or relate to the negligence, recklessness, or willful misconduct of CONSULTANT, its officers, employees, agents, in said performance of professional services under this Agreement, excepting only liability arising from the sole negligence, active negligence or intentional misconduct of Town.

Other than in the performance of professional services by a design professional and to the full extent permitted by law, CONSULTANT shall indemnify, defend and hold harmless Town and any Indemnified Parties, from and against any liability, (including liability for claims, suits, actions, arbitration proceedings, administrative proceedings, regulatory proceedings, losses, expenses or costs of any kind, interest, defense costs, reasonable attorneys fees and expert witness fees), where same arises out of the performance of this Agreement by CONSULTANT, its officers, employees, agents, and sub-consultants, excepting only that resulting from the sole negligence, active negligence or intentional misconduct of Town, its employees, officials, or agents.

If any licensed professional performs any of the services required to be performed under this Agreement, a professional liability insurance policy in the minimum amount of one million (\$1,000,000) dollars to cover any claims arising out of the CONSULTANT's performance of services under this Agreement.

Section 6. Changes to Scope of Work.

Changes in the Scope of Work may occur from time to time, within the general framework of the Scope that has already been outlined. In the event of a change which exceeds the general framework as outlined in the Scope of Work as set forth in Section 1, the Parties hereto shall execute an addendum to this Agreement setting forth with particularity all terms of the new agreement, including but not limited to any additional Consultant's fees.

Section 7. Familiarity with Work.

By executing this Agreement, Consultant warrants that it has investigated the work to be performed and is capable of performing that work.

Section 8. Time of Essence.

Time is of the essence in the performance of this Agreement.

Section 9. Compliance with Law.

Consultant shall comply with all applicable laws, ordinances, codes and regulations of federal, state and local government.

Section 10. Conflicts of Interest.

Consultant covenants that it presently has no interest and shall not acquire any interest, direct or indirect, which would conflict in any manner or degree with the performance of the services contemplated by this Agreement.

Section 11. Copies of Work Product.

All reports submitted shall be in electronic reproducible format.

Section 12. Ownership of Documents.

All reports, information, data and exhibits prepared or assembled by Consultant in connection with the performance of its services pursuant to this Agreement are confidential to the extent permitted by law, and Consultant agrees that they shall not be made available to any individual or organization without prior written consent of the Town. All such reports, information, data, and exhibits shall be the property of the Town and shall be delivered to the Town upon demand.

Section 13. Insurance.

Consultant shall provide evidence of liability, workers compensation and automobile insurance coverage reasonably acceptable to the Town prior to commencing work.

Section 14. Termination.

Town shall have the right to terminate this Agreement for any reason by giving thirty (30) days' advance written notice of termination to Consultant. Consultant shall be entitled to full payment for services performed prior to the effective date of termination

Section 15. Notice.

All notices shall be personally delivered or mailed to the below listed addresses, or to such other addresses as may be designated by written notice. These addresses shall be used for delivery of service of process:

To Town: Town of Corte Madera
David Bracken, Town Manager
300 Tamalpais Drive
Corte Madera, CA 94925

To Consultant : CMCM c/o Michael Eisenmenger, Executive Director
819 A Street, suite 21
San Rafael, CA 94901

Section 16. Attorneys' Fees.

If any action at law or in equity is necessary to enforce or interpret the terms of this Agreement, the prevailing party shall be entitled to reasonable attorneys' fees, costs and necessary disbursements in addition to any other relief to which he may be entitled.

Section 17. Dispute Resolution.

In the event of a dispute arising between the parties regarding performance or interpretation of this Agreement, the dispute shall be resolved by binding arbitration under the auspices of the Judicial Arbitration and Mediation Service ("JAMS").

Section 18. Entire Agreement.

This Agreement constitutes the entire understanding and agreement between the parties and supersedes all previous negotiations between them pertaining to the subject matter thereof.

IN WITNESS WHEREOF, the parties hereto have executed this Agreement.

TOWN OF CORTE MADERA

By: _____, Town Manager
David Bracken

CONSULTANT

By: _____, Consultant
Michael Eisenmenger

**Appendix A
Regular Meeting Rates**

The Media Center shall record and cablecast the following meetings of the Town/Town of Corte Madera

- 1) Town Council Meetings – First and third Tuesdays of each month, unless noted
- 2) Planning Commission Meetings – Second and Fourth Tuesdays of each month, unless noted
- 3) Other Town Boards and Commissions, as requested on an as needed basis

Special meetings may be requested with 72 hours advance notice.

Meeting Production Rates – 2016

Meeting Coverage (2 hour minimum plus 60 minutes setup) Meeting coverage includes the use of four cameras with identifying graphics/lower thirds identifying the meeting and date. Meeting are billed for the actual duration of the meeting including recesses with an additional 30 minutes added for consultant travel, setup and takedown after.	\$75 hr
Cancellation Fee Cancellation of scheduled meeting coverage with less than 48 hours notice	\$200 flat fee
DVD Archive Copy A DVD of the complete Meeting	\$75 flat fee
Replacement Granicus File Should the Town contract with Granicus and have a mishap with recording a web archived file, CMCM can provide a properly encoded file for this purpose from the master recording.	\$75 flat fee

Appendix B

CMCM Production Services – 2016 Rates

Free Services

Program Playback on Channel free

Community Calendar Submissions free

Consultation for Field/Studio Production free

Organizational Membership \$25/35 year individuals
\$75/\$150 organizations

Training/Class Fees Varies, see specific class information

Field Productions (off site)

Single Camera Videotaping \$150 (up to 3 hours)
Includes operator, professional camera and mic, lights optional \$263 (3-5 hours)
\$337 (5-7 hours)

3 Camera Switched Production \$600 (up to three hours)
Includes Anycast Switcher, live or post-produced graphics, web copy and DVD \$112 each additional hour

Live Web Streaming \$75 per event
Add live web streaming to a field production. Requires an adequate internet connection. Streams viewable on cmcm.tv website

In-House Productions

Studio Production \$187 hour
Includes two CMCM crew members for technical production

Studio Show Producer \$112 per 30-60 min program
Responsible for show production, crew, graphics, etc. (optional)

Editing/Post Production/Graphics \$56 hour

DVD Creation \$56 per master
Includes DVD menus and cover \$7.50 per copy

Tape Duplication \$7.50 per program
SVHS, DVD, DV, DVCAM, Beta

TOWN OF CORTE MADERA
RATIFICATION AND APPROVAL OF
PAYROLL AND DEMANDS (ACCOUNTS PAYABLE)
PERIOD 03/11/16 – 03/27/16

Submitted herewith are the Payroll and Demands (Accounts Payable) paid during the period of 03/11/16 through and including 03/27/16 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 (02/29/16 – 03/13/16)			
Payroll Check Numbers	5155 - 5162	\$	18,718.00
Payroll Direct Deposit Numbers	29053 - 29127		169,909.22
Payroll Wire Transfer Numbers	1983 - 1985		<u>93,787.90</u>
	<u>Total Payroll</u>	\$	282,415.12
Payroll (03/01/16 – 03/31/16)			
Retiree Vested Rights Health Insurance Reimbursement			
Payroll Direct Deposit Numbers	29128 - 29172	\$	<u>27,663.19</u>
	<u>Total Payroll</u>	\$	27,663.19
Payroll (03/14/16 – 03/27/16)			
Payroll Check Numbers	5163 - 5176	\$	25,087.80
Payroll Direct Deposit Numbers	29173 - 29238		177,937.21
Payroll Wire Transfer Numbers	1986 - 1990		<u>165,573.10</u>
	<u>Total Payroll</u>	\$	368,598.11
Warrant Check Numbers	213209 - 213277	\$	256,491.57
Wire – Central Marin Police Monthly Payment (00/00/00)		\$	0.00
Wire – Semi-Annual Debt Park Madera Ctr (00/00/00)		\$	0.00
Wire – CalPERS CERBT Payment (00/00/00)		\$	<u>0.00</u>
	<u>Total Demands (Accounts Payable)</u>		256,491.57
TOTAL PAYROLL AND DEMANDS		\$	935,167.99

David James Bracken
Town Manager

Date

George T. Warman, Jr. 03/30/16

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

APPROVED AT MEETING OF 04/05/16

SLOAN C. BAILEY, MAYOR

DIANE FURST, VICE MAYOR

JAMES ANDREWS, COUNCIL MEMBER

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.

Voucher List
TOWN OF CORTE MADERA

Bank code : bom

Voucher	Date	Vendor	Invoice	PO #	Description/Account	Amount
213209	3/17/2016	af020c AFLAC, REMITTANCE PROCESSING	335118		INTOSCHI	
					INTOSCHI	68.04
					KRAMER	21.98
					RAVINA	21.96
					SANTOS	29.72
					ROSE	29.74
					MEJIA	29.72
					QUADROS	29.72
					RUSSELL	21.96
					GABBARD	29.82
					DOWNING	39.96
					PALMER, M.	119.82
					SCHROTH	39.96
					FISCHER	174.74
					MCGOVERN	22.44
					Total :	679.58
213210	3/17/2016	ar125c ARAMARK UNIFORM SERVICES'	02/29/2016STMT		BUILDING MAINTENANCE	
					BUILDING MAINTENANCE	171.00
					BUILDING MAINTENANCE	247.50
					BUILDING MAINTENANCE	108.00
					MISC. SUPPLIES	243.75
					CLOTHING & UNIFORMS	201.76
					CLOTHING & UNIFORMS	184.28
					CLOTHING & UNIFORMS	243.75
					CLOTHING & UNIFORMS	243.75
					JANITORIAL SUPPLIES	248.75
					Total :	1,892.54
213211	3/17/2016	at075c AT & T - CALNET 3	000007760856		UTILITIES - TELEPHONE	
					UTILITIES - TELEPHONE	134.74
			000007768467		UTILITIES - TELEPHONE	
					UTILITIES - TELEPHONE	134.88
			9391023426		UTILITIES - TELEPHONE	

Voucher List
TOWN OF CORTE MADERA

Bank code : bom

Voucher	Date	Vendor	Invoice	PO #	Description/Account	Amount
213211	3/17/2016	at075c AT & T - CALNET 3	(Continued)			
					UTILITIES - TELEPHONE	302.15
					UTILITIES - TELEPHONE	54.15
					UTILITIES - TELEPHONE	55.54
					UTILITIES - TELEPHONE	14.18
					UTILITIES - TELEPHONE	14.34
					UTILITIES - TELEPHONE	136.43
			9391023427		UTILITIES - TELEPHONE	
					UTILITIES - TELEPHONE	0.05
					UTILITIES - TELEPHONE	25.61
					UTILITIES - TELEPHONE	0.10
					UTILITIES - TELEPHONE	14.31
					UTILITIES - TELEPHONE	10.80
			9391023428		UTILITIES - TELEPHONE	
					UTILITIES - TELEPHONE	618.63
			9391023429		UTILITIES - TELEPHONE	
					UTILITIES - TELEPHONE	15.53
			9391026356		UTILITIES - TELEPHONE	
					UTILITIES - TELEPHONE	18.09
			9391033626		UTILITIES - TELEPHONE	
					UTILITIES - TELEPHONE	17.99
			9391033629		UTILITIES - TELEPHONE	
					UTILITIES - TELEPHONE	42.20
					UTILITIES - TELEPHONE	102.73
					UTILITIES - TELEPHONE	49.91
					UTILITIES - TELEPHONE	0.97
					UTILITIES - TELEPHONE	83.89
					Total :	1,847.22
213212	3/17/2016	ba550c BAY AREA BARRICADE SERVICE,INC	0335808-IN		2' U-CLAMPS	
					2' U-CLAMPS	98.05
					Total :	98.05
213213	3/17/2016	be050c BENEFITS STORE, INC., THE	FEBRUARY-16		ADMINISTRATION	
					ADMINISTRATION	8.17

Bank code : bom

Voucher	Date	Vendor	Invoice	PO #	Description/Account	Amount
213213	3/17/2016	be050c BENEFITS STORE, INC., THE	(Continued)		FINANCE	24.51
					FIRE	16.34
					FIREFIGHTERS	24.51
					FIREFIGHTERS	65.26
					PLANNING	8.17
					BUILDING	8.17
					PUBLIC WORKS-CORP	8.17
					PUBLIC WORKS	16.34
					PUBLIC WORKS	40.85
					PUBLIC WORKS	8.17
					RECREATION	16.34
					Total :	245.00
213214	3/17/2016	bo032c BOYLE, PHIL	R-33832		BRIDGE TOLL & MILEAGE	
					BRIDGE TOLL & MILEAGE	57.72
					Total :	57.72
213215	3/17/2016	co136c CODE SOURCE	8246		421 MANZANITA AVE	
			8253		421 MANZANITA AVE	1,145.00
			8580		TI 211 CORTE MADERA TOWN CEN	305.00
			8718		TI 211 CORTE MADERA TOWN CEN	
			8719		FIELD INSPECTION SERVICES - SE	
			8720		FIELD INSPECTION SERVICES - SE	920.00
			8721		FIELD INSPECTION SERVICES FEB	
			8722		FIELD INSPECTION SERVICES FEB	4,560.00
			8723		TCCM CLOCKTOWER - INSPECTIO	
					TCCM CLOCKTOWER - INSPECTIO	140.00
					INSPECTION SERVICES FE - 2016 -	
					INSPECTION SERVICES FE - 2016 -	580.00
					TCCM MEP UTILITY	
					TCCM MEP UTILITY	80.00
					INSPECTION SERVICES - JANUARY	
					INSPECTION SERVICES - JANUARY	1,920.00
					INSPECTION SERVICES JANUARY	

Voucher List
TOWN OF CORTE MADERA

Bank code : bom

Voucher	Date	Vendor	Invoice	PO #	Description/Account	Amount
213215	3/17/2016	co136c	CODE SOURCE		(Continued)	
			8724		INSPECTION SERVICES JANUARY	40.00
			8725		INSPECTION SERVICES JANUARY	2,000.00
			8726		INSPECTION SERVICES - JAN 2016	1,160.00
			8727		INSPECTION SERVICES JAN - 2016	3,240.00
			8729		INSPECTION SERVICES - JANUARY	960.00
			8730		INSPECTION SERVICE - FEB 2016	1,560.00
			8731		INSPECTION SERVICES - FEB 2016	1,920.00
			8732		INSPECTION SERVICE - FEB 2016	1,520.00
			8733		INSPECTION SERVICE - FEB 2016	3,920.00
			8740		INSPECTION SERVICES - FEB - 201	1,240.00
					TI - 1822 REDWOOD HWY - POTTEI	2,630.00
					Total :	29,840.00
213216	3/17/2016	co165c	COMCAST - 0208565, 0055313, FIRE DEF 03/06/16-04/05/16STM		FIRE STATION #13 "DSL" LINE	
					FIRE STATION #13 "DSL" LINE	111.20
					Total :	111.20
213217	3/17/2016	co173c	COMCAST - 0209597, 0209571 &, 005632 03/10/16-03/31/16STM		CORP. YARD "DSL" LINE	
					CORP. YARD "DSL" LINE	115.95
					Total :	115.95
213218	3/17/2016	dc115c	DC ELECTRIC GROUP, INC.	25523	M5005-SL ROUTINE	
				25543	M5005-SL ROUTINE	1,085.76
					M5006-SL RESPONSE	
					M5006-SL RESPONSE	1,661.00

Voucher List
TOWN OF CORTE MADERA

Bank code : bom

Voucher	Date	Vendor	Invoice	PO #	Description/Account	Amount
213218	3/17/2016	dc115c dc115c DC ELECTRIC GROUP, INC.	(Continued)			Total : 2,746.76
213219	3/17/2016	do113c DOWNING, GARY	R-33893		MEETINGS MEETINGS	126.88 Total : 126.88
213220	3/17/2016	fi102c FIORENTINI, MARIO	R-35037		REIMBURSEMENT FOR BAG PIPER REIMBURSEMENT FOR BAG PIPER	300.00 Total : 300.00
213221	3/17/2016	fi047c FISHMAN SUPPLY CO. - (P/P/B)	03/01/2016STMT		OFFICE SUPPLIES OFFICE SUPPLIES	296.39 Total : 296.39
213222	3/17/2016	ga107c GABBARD, NICHOLAS - FLEX	01/04/2016STMT		FLEX - 125 FLEX - 125	732.30 Total : 732.30
213223	3/17/2016	gl104c GLICKSMAN CONSULTING, LLC	03/14/2016STMT		ACTUARIAL STUDY OF THE SELF-II ACTUARIAL STUDY OF THE SELF-II ACTUARIAL STUDY OF THE SELF-II	1,750.00 1,750.00 Total : 3,500.00
213224	3/17/2016	gr064c GRAINGER (REC.)	9042523705		MISC. SUPPLIES MISC. SUPPLIES	9.61 Total : 9.61
213225	3/17/2016	gr060c GRAINGER, INC. W.W.-(P.W.)	9045152247		MISC. SUPPLIES MISC. SUPPLIES	67.20 Total : 67.20
213226	3/17/2016	he024c HEGARTY, TRACY	01/04/2015STMT		FLEX - 125 FLEX - 125	238.10 Total : 238.10
213227	3/17/2016	he105c HERTZ EQUIPMENT RENTAL	28489012-001		LOG SPILITTER LOG SPILITTER	125.96

Voucher List
TOWN OF CORTE MADERA

Bank code : bom

Voucher	Date	Vendor	Invoice	PO #	Description/Account	Amount
213227	3/17/2016	he105c he105c HERTZ EQUIPMENT RENTAL	(Continued)			Total : 125.96
213228	3/17/2016	ja124c JACOBSEN WEST	90058570		EQUIPMENT, MACHINERY REPLAC EQUIPMENT, MACHINERY REPLAC EQUIPMENT, MACHINERY REPLAC	200.00 218.54 Total : 418.54
213229	3/17/2016	ka117c KAISER FOUNDATION HEALTH PLAN	03/08/2016STMT		MEDICAL BENEFITS MEDICAL BENEFITS	750.00 Total : 750.00
213230	3/17/2016	la275c LARKSPUR, CITY OF	03/14/2016STMT		FUEL - DIESEL FUEL - DIESEL	130.82 Total : 130.82
213231	3/17/2016	lb107c LOCAL GOVERNMENT PUBLICATIONS	03/02/2016STMT		BOOKS & BOUND PERIODICALS BOOKS & BOUND PERIODICALS	118.66 Total : 118.66
213232	3/17/2016	ma600c MARIN COUNTY SHERIFF'S OFFICE	16147		DISPATCH SVCS. DISPATCH SVCS.	4,809.00 Total : 4,809.00
213233	3/17/2016	me069c MENDOZA, MONICA	0044594		SPRING 2016 - BROCHURE SPRING 2016 - BROCHURE	980.00 Total : 980.00
213234	3/17/2016	me068c METROPOLITAN PLANNING GROUP	2364		TAMAL VISTA EAST CORRIDOR TAMAL VISTA EAST CORRIDOR	7,031.25 Total : 7,031.25
213235	3/17/2016	mi111c MISSION COMMUNICATIONS LLC	1000855		GATES & PUMPS REPAIRS GATES & PUMPS REPAIRS	2,431.80 Total : 2,431.80
213236	3/17/2016	mi013c MITCHELL, MATTHEW	R-33894		MEETINGS MEETINGS	147.79

Bank code : bom

Voucher	Date	Vendor	Invoice	PO #	Description/Account	Amount
213236	3/17/2016	mi013c mi013c MITCHELL, MATTHEW			(Continued)	Total : 147.79
213237	3/17/2016	ne040c NELSON PERSONNEL SERVICES	6109436		PART TIME HELP - LISA HARPER	818.07
					PART TIME HELP - LISA HARPER	1.85
					PART TIME HELP - ACA	
					Total :	819.92
213238	3/17/2016	ne100c NERVIANI PAVING, INC.	4688		ENDEAVOR COVE - REMOVE AND I	
			4690		ENDEAVOR COVE - REMOVE AND I	11,560.00
					ENDEAVOR RD - REMOVE AND REI	
					ENDEAVOR RD - REMOVE AND REI	4,250.00
					ENDEAVOR RD - REMOVE AND REI	2,050.00
			4694		LAKESIDE DR - ASPHALT	
					LAKESIDE DR - ASPHALT	2,000.00
					Total :	19,860.00
213239	3/17/2016	pa175c PACIFIC GAS & ELECTRIC	03/14/2015STMT		ELECTRICITY - TRAFFIC SIGNALS	
					ELECTRICITY - TRAFFIC SIGNALS	37.67
					MAIN CLEAN ENERGY	15.09
					Total :	52.76
213240	3/17/2016	pe140c PEROZZI, CARLO	6026		FEBRUARY MAINTENANCE	
					FEBRUARY MAINTENANCE	400.00
					FEBRUARY MAINTENANCE	200.00
					Total :	600.00
213241	3/17/2016	ph108c PHYSIO CONTROL, INC.	416088626		ANNUAL FOR MAINTENANCE AGRE	
					ANNUAL FOR MAINTENANCE AGRE	1,392.48
					Total :	1,392.48
213242	3/17/2016	pr040c PRIME STRIPE, INC.	50282		RECREATIONAL SUPPLIES	
					RECREATIONAL SUPPLIES	1,719.93
					Total :	1,719.93
213243	3/17/2016	ri041c RICOH USA, INC. - CORP YARD, 89846-10	96478090		PHOTOCOPYING EQUIP. MAINT.	
					PHOTOCOPYING EQUIP. MAINT.	205.16

Bank code : bom

Voucher	Date	Vendor	Invoice	PO #	Description/Account	Amount
213243	3/17/2016	ri041c	ri041c RICOH USA, INC. - CORP YARD, 8984 (Continued)			Total : 205.16
213244	3/17/2016	ro275c	ROSS RECREATION EQUIP.CO.,INC.	98204	TOWN PARK BUCKET SEATS TOWN PARK BUCKET SEATS	572.64
						Total : 572.64
213245	3/17/2016	sh100c	SHAMROCK MATERIALS, INC. 11735	909559	CLASS II A.B. CLASS II A.B.	248.51
						Total : 248.51
213246	3/17/2016	ta025c	T & B SPORTS, INC.	253041-00	REC. SUPPLIES REC. SUPPLIES	88.07
						Total : 88.07
213247	3/17/2016	ti124c	TIFCO INDUSTRIES	71130037	MISC. SUPPLIES MISC. SUPPLIES	128.51
						Total : 128.51
213248	3/17/2016	bo101c	TOWNSEND, MICHAEL D.	03/12/2016STMT	ENDEAVOR COVE ENDEAVOR COVE	15,341.00
				03/12/2016STMT1	1495 CASA BUEAN DRIVE 1495 CASA BUEAN DRIVE	9,447.00
				03/12/2016STMT2	502 MANZANITA DRIVE 502 MANZANITA DRIVE	16,980.00
				03/12/2016STMT3	498 TAMALPAIS DR - COMMUNITY (12,187.00
					498 TAMALPAIS DR - COMMUNITY (Total : 53,955.00
213249	3/17/2016	tr050c	TRANSBAY SECURITY SERVICE, INC	61660	KEYS KEYS	78.59
						Total : 78.59
213250	3/17/2016	tu200c	TURF STAR, INC.	353407-00-CREDIT	EQUIPMENT, MACHINERY & REPLA	-107.23
				6927480-00	EQUIPMENT, MACHINERY & REPLA	
				6927970-00	EQUIPMENT, MACHINERY & REPLA	30.05
					EQUIPMENT, MACHINERY & REPLA	

Bank code : bom

Voucher	Date	Vendor	Invoice	PO #	Description/Account	Amount
213250	3/17/2016	tu200c TURF STAR, INC.	(Continued)		EQUIPMENT, MACHINERY & REPLA	107.23
					Total :	30.05
213251	3/17/2016	va036c VAUGHN, REBECCA - FLEX BENEFITS	01/04/2016STMT		FLEX - 125	192.30
					FLEX - 125	192.30
					Total :	192.30
213252	3/17/2016	ve125c VERIZON WIRELESS 670722771-2	9761591366		UTILITIES - TELEPHONE	38.01
					UTILITIES - TELEPHONE	38.01
					UTILITIES - TELEPHONE	38.01
					Total :	76.02
213253	3/17/2016	ve023c VERIZON WIRELESS-6707227710001	9761591365		TELEPHONE - CORP. YARD	700.95
					TELEPHONE - CORP. YARD	53.81
					TELEPHONE - CORP. YARD	53.81
					Total :	754.76
213254	3/17/2016	we127c WESCO GRAPHICS, INC.	41520		SUMMER 2016 BROCHURE	2,245.99
					SUMMER 2016 BROCHURE	2,245.99
					Total :	2,245.99
213255	3/17/2016	we275c WEST END NURSERY, INC.	02/29/2016STMT		PLANT MAINTENANCE	67.21
					PLANT MAINTENANCE	1,502.40
					PLANT MAINTENANCE	489.18
					PLANT MAINTENANCE	3,000.00
					PLANT MAINTENANCE	2,141.81
					Total :	7,200.60
213256	3/17/2016	wi025c WILLIAMS USA, LLC	7315		MOBILE ANTENNA & MOUNTING	224.62
					MOBILE ANTENNA & MOUNTING	224.62
					Total :	224.62
48 Vouchers for bank code : bom						Bank total : 150,294.23

Voucher List
TOWN OF CORTE MADERA

Bank code : bom

Voucher	Date	Vendor	Invoice	PO #	Description/Account	Amount
213257	3/22/2016	at095c AT & T U-VERSE, #117724553	02/10/16-03/09/16		ON LINE STORAGE LINE TO TCPA ON LINE STORAGE LINE TO TCPA	80.00
					Total :	80.00
213258	3/22/2016	al048c ALHAMBRA AND SIERRA SPRINGS, 28756 5135078 031616			WATER WATER	100.35
					Total :	100.35
213259	3/22/2016	ce075c CENTRAL MARIN SANITATION AGEN.	16-8066		JANUARY INVOICE FOR CMSA ROL JANUARY INVOICE FOR CMSA ROL	35,170.79
					Total :	35,170.79
213260	3/22/2016	cl026c CLIFT, SANDY	R-34873		CLASS CANCELATION FEE CLASS CANCELATION FEE	10.00
					Total :	10.00
213261	3/22/2016	co136c CODE SOURCE	8728		JAN 2016 - SITE IMPROVEMENTS/F JAN 2016 - SITE IMPROVEMENTS/F JAN 2016 - SITE IMPROVEMENTS/F JAN 2016 - SITE IMPROVEMENTS/F	80.00 120.00 200.00
			8734		FEB 2016 - SITE IMPROVEMENTS/F FEB 2016 - SITE IMPROVEMENTS/F FEB 2016 - SITE IMPROVEMENTS/F	240.00 320.00
					Total :	960.00
213262	3/22/2016	cu106c CUPP, NANCY	R-34874		EASTER CANDY FOR SENIOR BING EASTER CANDY FOR SENIOR BING	40.00
					Total :	40.00
213263	3/22/2016	su103c DANIEL MUTISO MUIHYA	1525		JANITORIAL SVCS. JANITORIAL SVCS.	2,200.00
			1526		JANITORIAL SVCS. JANITORIAL SVCS.	2,200.00
					Total :	4,400.00

Bank code : bom

Voucher	Date	Vendor	Invoice	PO #	Description/Account	Amount
213264	3/22/2016	fi102c FIORENTINI, MARIO	R-35035		PARTY FOR KARLA PARTY FOR KARLA	184.61
					Total :	184.61
213265	3/22/2016	fi075c FIRE KING FIRE PROTECTION, INC	WO-3328		SEMI-ANNUAL FIRE SUPPRESSION	450.00
			WO-3329		SEMI-ANNUAL FIRE SUPPRESSION ANNUAL INSPECTION	75.20
					Total :	525.20
213266	3/22/2016	fi046c FISHMAN SUPPLY CO. (REC-7856)	1026908.1		JANITORIAL SUPPLIES JANITORIAL SUPPLIES	54.41
					Total :	54.41
213267	3/22/2016	go055c GOPHER-IT TRENCHLESS-	G1105		SEWER REPAIRS	4,500.00
			G1129		SEWER REPAIRS SEWER REPAIRS SEWER REPAIRS	28,250.00
					Total :	32,750.00
213268	3/22/2016	he102c HERNANDEZ, BRIAN	R-35039		PAYMENT FOR BULK MAILING PAYMENT FOR BULK MAILING	260.00
					Total :	260.00
213269	3/22/2016	jo124c JOHNSON, ROBERT B.	6537		MISC. HARDWARE MISC. HARDWARE	989.00
					Total :	989.00
213270	3/22/2016	kb100c KBA DOCUSYS	INV419975		COPIE SERVICE COPIE SERVICE COPIE SERVICE COPIE SERVICE	382.13 191.07 191.06
					Total :	764.26
213271	3/22/2016	mc145c MC MAHON PLUMBING	4657		PLUMBING REPARIS TAMAL VISTA,	1,875.00
			4668		PLUMBING REPARIS TAMAL VISTA, REC CENTER	

Voucher List
TOWN OF CORTE MADERA

Bank code : bom

Voucher	Date	Vendor	Invoice	PO #	Description/Account	Amount
213271	3/22/2016	mc145c MC MAHON PLUMBING	(Continued)			
			4678		REC CENTER	2,474.39
			4698		SAN CLEMENTE PARK BATHROOM	335.00
			4703		PARK MADERA CENTER - CAFE VE	395.00
			4704		SAN CLEMENTE PARK BATHROOM	510.00
			4708		WATER FOUNTAIN REPAIRS	885.00
			4712		PUBLIC WORKS YARD/OFFICE BLC	598.20
					PUMP STATON - MADERA DEL PRE	7,530.00
					Total :	14,602.59
213272	3/22/2016	pi115c PITNEY BOWES GLOBAL FIN SVCS L	8365405-MR16		LEASE AGREEMENT	897.19
					LEASE AGREEMENT	897.19
					Total :	897.19
213273	3/22/2016	pi109c PITNEY BOWES INC.	512353		RED INK FOR POSTAGE MACHINE	94.99
					RED INK FOR POSTAGE MACHINE	94.99
					Total :	94.99
213274	3/22/2016	re141c RENNE SLOAN HOLTZMAN SAKAI	30562		CORTE MADERA INN	877.50
			30563		GENERAL PLANNING	4,525.00
			30564		MARIN COUNTRY DAY SCHOOL	130.00
			30565		NON-LITIGATION	5,175.00
			30566		RESTORATION HARDWARE	2,340.00
					Total :	13,047.50

Bank code : bom

Voucher	Date	Vendor	Invoice	PO #	Description/Account	Amount
213275	3/22/2016	sh100c SHAMROCK MATERIALS, INC.	11735	910167	DELTA FILL SAND	
					DELTA FILL SAND	216.13
				910167-DISC	DISCOUNT TAKEN	
					DISCOUNT TAKEN	-3.96
					Total :	212.17
213276	3/22/2016	us126c U.S. POSTMASTER		R-35038	PAYMENT FOR BULK MAILING PER	
					PAYMENT FOR BULK MAILING PER	500.00
					Total :	500.00
213277	3/22/2016	wo117c WOODBURN, RICK		FOLIO# 241099	TRANSIENT OCCUPANCY TAX	
					TRANSIENT OCCUPANCY TAX	92.40
					TRANSIENT OCCUPANCY TAX	92.40
					TRANSIENT OCCUPANCY TAX	369.48
					Total :	554.28
21 Vouchers for bank code : bom						Bank total : 106,197.34
21 Vouchers in this report						Total vouchers : 106,197.34

TOWN OF CORTE MADERA

**RATIFICATION AND APPROVAL OF
PAYROLL AND DEMANDS (ACCOUNTS PAYABLE)
PERIOD 03/28/16 – 03/31/16**

Submitted herewith are the Payroll and Demands (Accounts Payable) paid during the period of 03/28/16 through and including 03/31/16 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 (Council-March)		
Payroll Check Numbers	5177 – 5177	\$ 273.00
Payroll Direct Deposit Numbers	29239 – 29242	729.76
Payroll Wire Transfer Numbers	1991 – 1993	<u>326.39</u>
<u>Total Payroll</u>		\$ 1,329.15
Warrant Check Numbers	213278 – 213343	\$ 240,220.27
Wire- Central Marin Police Monthly Payment (00/00/00)		0.00
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>		\$ 240,220.27
TOTAL PAYROLL AND DEMANDS		\$ 241,549.42

David James Bracken
Town Manager

Date

George T. Warman, Jr. 03/31/16
George T. Warman, Jr. Date
Director of Administrative Services/
Town Treasurer

APPROVED AT MEETING OF 04/05/16

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 oncerning the check register should be directed to George Warman at 927-5055. In his absence, ask for Jonna Intoschi or Lina Azevedo.

Bank code : bom									
Voucher	Date	Vendor	Invoice	PO #	Description/Account	Amount			
213285	3/30/2016	at110c AT & T MOBILITY-287016673845	(Continued)		UTILITIES - TELEPHONE	125.25			
					UTILITIES - TELEPHONE	72.87			
			287245897656X031716		UTILITIES - TELEPHONE	41.59			
					UTILITIES - TELEPHONE	166.34			
					UTILITIES - TELEPHONE	41.58			
			876700579X032316		UTILITIES - TELEPHONE	107.87			
					UTILITIES - TELEPHONE	100.00			
					UTILITIES - TELEPHONE	100.00			
					UTILITIES - TELEPHONE	100.00			
					UTILITIES - TELEPHONE	100.00			
					UTILITIES - TELEPHONE	100.00			
					Total :	955.50			
213286	3/30/2016	at079c AT&T - 119112770-7	02/16/16-03/15/16		PROGRAMMING SERVICE	90.00			
					PROGRAMMING SERVICE	90.00			
					Total :	90.00			
213287	3/30/2016	au021c AUSLEN, CLAIRE	FOLIO #240660		TRANSIENT OCCUPANCY TAX	93.02			
					TRANSIENT OCCUPANCY TAX	93.02			
					TRANSIENT OCCUPANCY TAX	371.96			
					TRANSIENT OCCUPANCY TAX	558.00			
					Total :	558.00			
213288	3/30/2016	ba172c BAY ALARM COMPANY-1795028	12820148		SERVICIES FOR SYSTEM	153.21			
					SERVICIES FOR SYSTEM	153.21			
					Total :	153.21			
213289	3/30/2016	bo105c BOUND TREE MEDICAL, LLC	82092968		MEDICAL SUPPLIES	1,959.11			
					MEDICAL SUPPLIES	1,959.11			
					Total :	1,959.11			
213290	3/30/2016	bs102c BSN SPORTS	97729964		RECREATIONAL SUPPLIES	300.82			
					RECREATIONAL SUPPLIES	300.82			

Voucher List
TOWN OF CORTE MADERA

Voucher	Date	Vendor	Invoice	PO #	Description/Account	Amount
Bank code : bom						
213290	3/30/2016	bs102c	bs102c BSN SPORTS			
			(Continued)			
213291	3/30/2016	ca210c	CAPFF, CALF. ASSN. OF PROF. F.F.	03/29/2016STMT	MARCH 2016 PREMIUM	300.82
					MARCH 2016 PREMIUM	16.96
					Total :	16.96
213292	3/30/2016	ce075c	CENTRAL MARIN SANITATION AGEN.	16-7023	FOR PERSONNEL SERVICES	2,585.68
					FOR PERSONNEL SERVICES	
					FEBRUARY INVOICE FOR CMSA RC	27,907.26
					FEBRUARY INVOICE FOR CMSA RC	
					Total :	30,492.94
213293	3/30/2016	ch250c	CHEVRON & TEXACO BUSINESS CARD	03/22/2016STMT	FUEL - GASOLINE	106.48
					FUEL - GASOLINE	193.84
					FUEL - GASOLINE	366.43
					FUEL - GASOLINE	979.76
					FUEL - GASOLINE	295.91
					FUEL - GASOLINE	916.01
					FUEL - GASOLINE	327.50
					FUEL - DIESEL	51.75
					FUEL - DIESEL	452.50
					FUEL - GASOLINE	27.16
					FUEL - DIESEL	100.96
					TAX FEES - LATE CHARGES	1,014.73
					FUEL - GASOLINE	63.73
					FUEL - DIESEL	366.55
					Total :	5,263.31
213294	3/30/2016	ci115c	CIT - CUSTOMER #2000304630	28346794	COPIER - SERVICE	301.46
					COPIER - SERVICE	301.46
					COPIER - SERVICE	150.10
					COPIER - SERVICE	433.29
					COPIER - SERVICE	622.08

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TOWN OF CORTE MADERA

Voucher	Date	Vendor	Invoice	PO #	Description/Account	Amount
Bank code : bom						
213294	3/30/2016	ci115c	ci115c CIT - CUSTOMER #2000304630			
					(Continued)	
213295	3/30/2016	co008c	COASTLAND CIVIL ENG., INC.	38986	403255 CORTE MADERA 2015/2016	1,808.39
					403255 CORTE MADERA 2015/2016	9,139.05
					Total :	9,139.05
213296	3/30/2016	co121c	COMCAST-028617, 0208847, 5594, 0010(03/169/16-04/18/16		REC. CTR. "DSL" LINE	111.20
					REC. CTR. "DSL" LINE	111.20
					Total :	111.20
213297	3/30/2016	co195c	CORPORATE PAYMENT SYSTEMS	03/14/2016STMT	BUILDING MAINT.	10.24
					BUILDING MAINT.	125.00
					EDUCATION	129.08
					TRAINING/EDUCATION	285.10
					FOOD	327.18
					EDUCATION	60.99
					REFERENCE MATERIAL	21.28
					TOOLS & SAFETY	58.17
					VEHICLE MAINT.	210.19
					FOOD	1,426.00
					EDUCATION	438.60
					EDUCATION	268.98
					REFERENCE MATERIAL	42.50
					O'HEHIR/MARES LUNCH	85.00
					O'HEHIR/MARES LUNCH	21.67
					O'HEHIR/MARES LUNCH	63.33
					O'HEHIR/MARES LUNCH	42.50
					O'HEHIR/MARES LUNCH	94.25
					EVENTS	165.57
					RECREATION SUPPLIES	75.00
					TRIPS, ETC.	1,576.59
					CONFERENCE	295.33
					MISC. SUPPLIES	13.96
					SUPPLIES	10.00
					GASOLINE	

Bank code :	Date	Vendor	Invoice	PO #	Description/Account	Amount
213297	3/30/2016	co195c CORPORATE PAYMENT SYSTEMS	(Continued)		BLDG. MAINT.	49.99
					EVENTS	284.20
					SUPPLIES	2,840.80
					SUPPLIES	73.12
					MEETINGS	43.00
					SUPPLIES	475.66
					SUPPLIES	278.99
					OFFICE SUPPLIES	1,899.50
					MARKETING	322.00
					SENIOR PROGRAMS	322.55
					MARKETING	49.99
					KARLA'S PARTY	141.20
					SUPPLIES	258.39
					SUPPLIES	182.69
					EVENT	3,420.00
					GASOLINE	128.06
					EDUCATION	1,636.00
					BLDG. MAINT. SUPPLIES	1,923.26
					BLG. MAINT. SUPPLIES	1,190.69
					MISC. SUPPLIES	45.80
					BLDG MAINT. SUPPLIES	130.71
					MISC. SUPPLIES	47.92
					SERVICES	49.00
					MEETINGS	125.00
					RECREATION SUPPLIES	562.10
					OFFICE SUPPLIES	145.64
					OFFICES SUPPLIES	145.65
					REFERNECE MATERIALS	70.00
					REFERENCE MATERIALS	48.00
					SENIOR PROGRAMS	1,153.35
					RECREATION SUPPLIES	262.36
					OFFICE SUPPLIES	247.33
					MEETING EXPENSE	89.96

Bank code :	born										
Voucher	Date	Vendor	Invoice	PO #	Description/Account	Amount					
213297	3/30/2016	co195c CORPORATE PAYMENT SYSTEMS	(Continued)		MARKETING	185.84					
					SUPPLIES	54.00					
					MISC. SUPPLIES	233.78					
					RENTAL	552.84					
					OFFICE	186.78					
					SCFCPS	744.96					
					BLDG. MAINT.	450.00					
					SAFETY	232.00					
					SAFETY	232.00					
					SAFETY	398.91					
					SCFCPS	144.61					
					MEETING	56.50					
					POSTAGE	171.12					
					TOOLS & SAFETY	90.66					
					Total :	28,223.42					
213298	3/30/2016	co755c CORTE MADERA CHAMBER OF COMM., FEBRUARY 2016			CONTRIBUTION & SUBSIDIES	14,071.60					
					CONTRIBUTION & SUBSIDIES	172.00					
					ADMIN	-172.00					
					COST RECOVERY						
					Total :	14,071.60					
213299	3/30/2016	pe176c CORTE MADERA-PERS HEALTH BENEF 03/29/2016STMT			SERVICE CHARGE	355.66					
					SERVICE CHARGE	5,875.00					
					RETIRED	746.47					
					LAPPER, MICHAEL	-133.53					
					PRETE	-133.53					
					QUADROS	-133.53					
					MARES, KARLA	1,940.82					
					Total :	8,650.89					
213300	3/30/2016	ma120c COUNTY OF MARIN	FEBRUARY 2016		MARIN TOURISM IMPROVE DISTRIK	14,071.60					
					MARIN TOURISM IMPROVE DISTRIK	172.00					
					ADMIN						

Bank code : bom									
Voucher	Date	Vendor	Invoice	PO #	Description/Account	Amount			
213300	3/30/2016	ma120c COUNTY OF MARIN	(Continued)		COST RECOVERY	-172.00			
					Total :	14,071.60			
213301	3/30/2016	cs000c CSW/STUBER-STROEH ENG.GRP.INC.	47349		SENIOR DESIGNER	268.75			
					Total :	268.75			
213302	3/30/2016	da025c D & K AUTO SERVICES	50003		EXHAUST FLUID 2.5 GAL	17.43			
			50004		EXHAUST FLUID 2.5 GAL	34.86			
			50005		EXHAUST FLUID 2.5 GAL	226.67			
					INTERSTATE BATTERY	278.96			
					Total :	278.96			
213303	3/30/2016	dc115c DC ELECTRIC GROUP, INC.	25557		M1005-TS ROUTINE	1,952.26			
					Total :	1,952.26			
213304	3/30/2016	de105c DE FRANCIS, TONI	03/21/2016STMT		MINUTES CLERK	240.00			
					Total :	240.00			
213305	3/30/2016	de305c DELTA DENTAL OF CALIFORNIA	APRIL 2016 PREMIUM		RETIREE HEALTH BENEFITS	1,560.09			
					RETIREE HEALTH BENEFITS	132.48			
					LAPPERT, ANDREW (CHILD)	111.03			
					MARES, KARLA	1,803.60			
					Total :	1,803.60			
213306	3/30/2016	en050c ENTENMANN-ROVIN CO.	0116408-IN		CLOTHING, UNIFORMS	244.06			
					Total :	244.06			
213307	3/30/2016	ev109c EVERBANK COMMERCIAL FINANCE	3643416		PHOTOCOPY EQUIPMENT MAINT.	799.23			
					PHOTOCOPY EQUIPMENT MAINT.				

Voucher List
TOWN OF CORTE MADERA

03/30/2016 2:48:05PM

Bank code :	bom		Invoice	PO #	Description/Account	Amount
Voucher	Date	Vendor	Invoice	PO #	Description/Account	Amount
213307	3/30/2016	ev109c EVERBANK COMMERCIAL FINANCE (Continued)			Total :	799.23
213308	3/30/2016	fa110c FASTENAL	CASAR18802		HAND TOOLS, MINOR EQUIPMENT	40.92
					HAND TOOLS, MINOR EQUIPMENT	40.92
					Total :	40.92
213309	3/30/2016	go031c GOLDEN STATE EMERGENCY	WI000409		MOTOR VEHICLE MAINTENANCE	9,598.40
					MOTOR VEHICLE MAINTENANCE	9,598.40
					Total :	9,598.40
213310	3/30/2016	he138c HEGARTY, TRACY	R-18844		TONER FOR MICROFICHE	169.00
					TONER FOR MICROFICHE	169.00
					Total :	169.00
213311	3/30/2016	in065c INTOSCHI, JONNA - FLEX BENEFITS	03/23/2016STMT		FLEX BENEFITS	15.27
					FLEX BENEFITS	15.27
					FLEX BENEFITS	48.50
					FLEX BENEFITS	48.50
					FLEX BENEFITS	106.93
					FLEX BENEFITS	106.93
					Total :	170.70
213312	3/30/2016	kb100c KBA DOCUSYS	INV413814		BLACK TONER FOR - ENG	12.95
					BLACK TONER FOR - ENG	12.95
					WASTE TONNER BOTTLE -PLANNII	12.95
					WASTE TONNER BOTTLE -PLANNII	12.95
					Total :	25.90
213313	3/30/2016	lr117c LINCOLN NAT'L LIFE INS CO, THE	PREMIUM - MARCH		PLANNING	2.89
					PLANNING	2.89
					BUILDING	59.52
					PUBLIC WORKS - 731	-3.11
					RECREATION	-2.18
					Total :	57.12
213314	3/30/2016	ma550c MARIN MUNICIPAL WATER DISTRICT	03/21/2016STMT		WATER	275.31
					WATER	275.31

Voucher	Date	Vendor	Invoice	PO #	Description/Account	Amount
Bank code : bom						
213314	3/30/2016	ma550c MARIN MUNICIPAL WATER DISTRICT	(Continued)		WATER	1,091.84
					WATER	3,048.04
					WATER	137.60
					WATER	426.85
					Total :	4,979.64
213315	3/30/2016	en105c MARTIN, CHRISTINA	R-35041		CRAFT SUPPLIES	31.07
					CRAFT SUPPLIES	31.07
213316	3/30/2016	mc145c MC MAHON PLUMBING	4744		ENGINEERING	284.26
					ENGINEERING	284.26
213317	3/30/2016	mc039c MCDANIEL, BRIAN J.	R-35040		KOOLWHIP BAND PAYMENT FOR M	550.00
					KOOLWHIP BAND PAYMENT FOR M	550.00
213318	3/30/2016	mu125c MUNICIPAL MAINT.EQUIP., INC.	0108473-IN		WELD, WATER TANK HANGER	120.00
					WELD, WATER TANK HANGER	120.00
213319	3/30/2016	ne040c NELSON PERSONNEL SERVICES	6111621		PART TIME HELP - HARPER LISA	552.75
					PART TIME HELP - HARPER LISA	1.25
					PART TIME HELP - HARPER LISA - /	554.00
213320	3/30/2016	nu040c NUTE ENGINEERING	16086		8336-PARADISE WEST PROJECT	6,728.00
					8336-PARADISE WEST PROJECT	
					8336-PARADISE WEST PROJECT	
					8336-PARADISE WEST PROJECT	13,007.00
					Total :	19,735.00
213321	3/30/2016	of029c OFFICE DEPOT-FIRE-89507905, FILE #81 828875874001			OFFICE SUPPLIES	305.18
					OFFICE SUPPLIES	

TOWN OF CORTE MADERA

Bank code : bom							
Voucher	Date	Vendor	Invoice	PO #	Description/Account	Amount	
213321	3/30/2016	of029c OFFICE DEPOT-FIRE-89507905, FILE #81 (Continued)			OFFICE SUPPLIES	119.89	
					Total :	425.07	
213322	3/30/2016	on025c ONGARO & SONS, INC., ERNEST	163993		TEST 38 BACKFLOWS	2,130.00	
					TEST 38 BACKFLOWS	Total :	2,130.00
213323	3/30/2016	pa175c PACIFIC GAS & ELECTRIC	03/22/2016STMT		UTILITIES-ELECTRICITY	571.87	
					UTILITIES-ELECTRICITY	507.33	
					UTILITIES-ELECTRICITY	339.06	
					UTILITIES-ELECTRICITY	3,375.08	
					UTILITIES-ELECTRICITY	234.28	
					UTILITIES-ELECTRICITY	420.92	
					UTILITIES-ELECTRICITY	722.36	
					UTILITIES-ELECTRICITY	2,347.07	
					UTILITIES-ELECTRICITY	4,374.69	
					UTILITIES-ELECTRICITY	625.09	
					UTILITIES - NATURAL-GAS	287.17	
					UTILITIES - NATURAL-GAS	27.76	
					UTILITIES - NATURAL-GAS	288.66	
					MARIN CLEAN ENERGY	319.47	
					MARIN CLEAN ENERGY	297.43	
					MARIN CLEAN ENERGY	171.22	
					MARIN CLEAN ENERGY	1,701.77	
					MARIN CLEAN ENERGY	88.82	
					MARIN CLEAN ENERGY	203.01	
					MARIN CLEAN ENERGY	326.29	
					MARIN CLEAN ENERGY	2,170.00	
					MARIN CLEAN ENERGY	2,004.51	
					MARIN CLEAN ENERGY	335.61	
					UTILITIES - NATURAL-GAS	159.93	
					UTILITIES - NATURAL-GAS	205.62	

Voucher	Date	Vendor	Invoice	PO #	Description/Account	Amount
Bank code : bom						
213331	3/30/2016	ro151c ro151c ROSTAD, KIKI K.	(Continued)			
213332	3/30/2016	ro005c ROUND STAR WEST, LLC	11297		WINTER (1) 2016 ACTIVITY (1/3-2/2; WINTER (1) 2016 ACTIVITY (1/3-2/2; Total :	1,045.00 126.65 126.65
213333	3/30/2016	ro450c ROY'S SEWER SERVICE, INC.	193043		VILLAGE CM- BOCA RESTAURANT VILLAGE CM- BOCA RESTAURANT CRESCENT & REDWOOD CRESCENT & REDWOOD Total :	1,770.00 885.00 2,655.00
213334	3/30/2016	sa100c SAFETY-KLEEN SYSTEMS, INC., TAX DE 69176693			HAZARDOUS WASTE DISPOSAL HAZARDOUS WASTE DISPOSAL Total :	415.13 415.13
213335	3/30/2016	sp109c SPARK	MARCH 2016		SLOAN BAILEY - DONATION OF MC SLOAN BAILEY - DONATION OF MC Total :	350.00 350.00
213336	3/30/2016	st024c STRAHM COMMUNICATIONS	55269		OFFICE SUPPLIES OFFICE SUPPLIES Total :	1,084.63 1,084.63
213337	3/30/2016	ti124c TIFCO INDUSTRIES	71094122-A		GATES, PUMPS & REPAIRS GATES, PUMPS & REPAIRS HAND TOOLS & MINOR EQUIPME HAND TOOLS & MINOR EQUIPME GATES & PUMPS REPAIR Total :	40.00 94.26 700.00 834.26
213338	3/30/2016	ic100c VANTAGEPOINT TRANSFER AGENT -, 800: RHS-803431			RHS - RETIREE HEALTH SAVINGS / RHS - RETIREE HEALTH SAVINGS / Total :	1,332.00 1,332.00
213339	3/30/2016	va036c VAUGHN, REBECCA - FLEX BENEFITS	03/23/2016STMT		FLEX - 125 FLEX - 125	576.90

Bank code : bom		Invoice		PO #	Description/Account	Amount
Voucher	Date	Vendor	Invoice	PO #	Description/Account	Amount
213339	3/30/2016	va036c	va036c VAUGHN, REBECCA - FLEX BENEFIT (Continued)			
213340	3/30/2016	jp135c	VICTOR M. ROJAS, DBA JON'S BUILDING MARCH 2016-ENG MARCH 2016-TH		JANITORIAL SERVICE - ENG JANITORIAL SERVICE - ENG JANITORIAL SERVICE - TH JANITORIAL SERVICE - TH	576.90 750.00 1,600.00 2,350.00
213341	3/30/2016	vi100c	VSP (CA) #00 114728 0001 MAPE, ATTN: / APRIL 2016 PREMIUM		MEJIA, GUILLERMO MEJIA, GUILLERMO RAVINA, JAMES SANTOS, VERNON VELAZQUEZ, ODILON DOWNING, GARY PAYES, EDWIN MITCHELL, MATTHEW	17.01 17.01 17.01 17.01 17.01 17.01 17.01 119.07
213342	3/30/2016	vi099c	VSP (CA) ACCT: 12 220077 0001, ATTN: A 03/29/20165STMT		RETIREE HEALTH BENEFITS RETIREE HEALTH BENEFITS MARES, KARLA	280.11 28.73 308.84
213343	3/30/2016	ze025c	ZEE MEDICAL SERVICE 723701262 723701348		SAFETY & PROTECTIVE ITEMS SAFETY & PROTECTIVE ITEMS SAFETY & PROTECTIVE ITEMS SAFETY & PROTECTIVE ITEMS	93.64 147.39 241.03
66 Vouchers for bank code : bom						Bank total : 240,220.27
66 Vouchers in this report						Total vouchers : 240,220.27

Agenda Item 7.I: Consideration and Possible Action to Authorize Mayor Bailey to Sign Letter to Sonoma-Marín Area Rail Transit (SMART) in Support of the North/South Greenway Project

* * * * *

There is no staff report for this item. A verbal report and request for discussion and possible action will be given by Vice Mayor Diane Furst.


Town Manager

**CORTE MADERA TOWN COUNCIL
STAFF REPORT**

REPORT DATE: March 28, 2016

MEETING DATE: April 5, 2016

TO: TOWN MANAGER, MAYOR AND MEMBERS OF THE TOWN COUNCIL

FROM: KELLY CROWE, ASSOCIATE CIVIL ENGINEER

SUBJECT: CONSIDERATION OF APPROVAL OF THE PLANS AND SPECIFICATIONS
AND AUTHORIZATION TO BID FOR PROJECT 15-001, MARINER COVE
AND MARINA VILLAGE STORM DRAIN IMPROVEMENTS

PURPOSE:

Action on this item allows the Council to review the plans, specifications and estimated cost of the project before the construction documents are released to the public for bid.

RECOMMENDATION:

Staff recommends that the Council authorize staff to advertise for bids.

OPTIONS:

The Town Council may:

1. Authorize the request to advertise for bids from contractors
2. Direct staff as appropriate
3. Take no action at this time

TOWN MANAGER'S RECOMMENDATION:

Support staff's recommendation.

GOVERNING POLICIES:

Action on this item is consistent with the guiding policies found in Section 7.4, Goals, Policies and Implementation Programs for Flooding and Floodplain Management of the 2009 Town of Corte Madera General Plan.

ENVIRONMENTAL IMPACT:

Pursuant to Section 15302 of the California Environmental Quality Act, this project is categorically exempt from the provisions of that Act.

FISCAL IMPACT:

Estimated Contract Expenditures:

Project Administration, Contract Administration, and Construction Management Services	40,000
Construction	
<i>Engineer's Estimate: Base Bid</i>	685,000
<i>Engineer's Estimate: Add Alternate #1</i>	110,000
Total Estimated Expenditures	\$835,000

Budgeted Funds:

FY 2015-16 Storm Drainage Tax Fund	<u>890,000</u>
Total Project Budget	\$890,000

It should be noted that the Town has the right to reject all bids if the low bid comes in over budget or for any other reason.

Future Maintenance

Estimated maintenance costs for this project are unknown at this time; however, maintenance will be performed once annually in August/September along with routine catch basin cleaning. Additional grate cleaning is performed on an as-needed basis. The work effort is not considered difficult and typically involves a 3 person crew that removes only the end grates and flushes the system with water. The debris is captured at the downstream catch basin and disposed of.

BACKGROUND:

This project is part of an ongoing effort to mitigate curb ponding issues within the Mariner Cove and Marina Village neighborhoods. The project proposes to install up to approximately 3,000 lineal feet of grated line drain (GLD) to improve drainage performance

within the existing curb and gutter system. A similar system was installed along the southeast portion of Golden Hind Passage, a portion Tradewind Passage and a portion of Foremast Cove in 2011. Over the past 5 years, the system has significantly reduced curb ponding in the areas that received the GLD's.

The project is proposed to be bid as a base bid consisting of installing GLD along a majority of Price Royal Passage, a portion of Harbor Drive and a portion of Echo Drive with an add alternate consisting of a portion of Seawolf Passage from Paradise Drive to Key Largo Course. The design for both the base bid and add alternate are complete. The lowest responsible bidder will be determined by the base bid.

Staff recommends bidding the Seawolf Passage improvements as an add alternate in order to allow staff to review the performance of an inline check valve that will be installed downstream of the improvements prior to the award of the contract. It is suspected that the cause of the ponding in this area is a result of tidal backwater. The inline check valve is anticipated to improve the curb ponding issues along that section of Seawolf Passage. If this work is not performed with this project, the design can be utilized as part of a future project as needed.

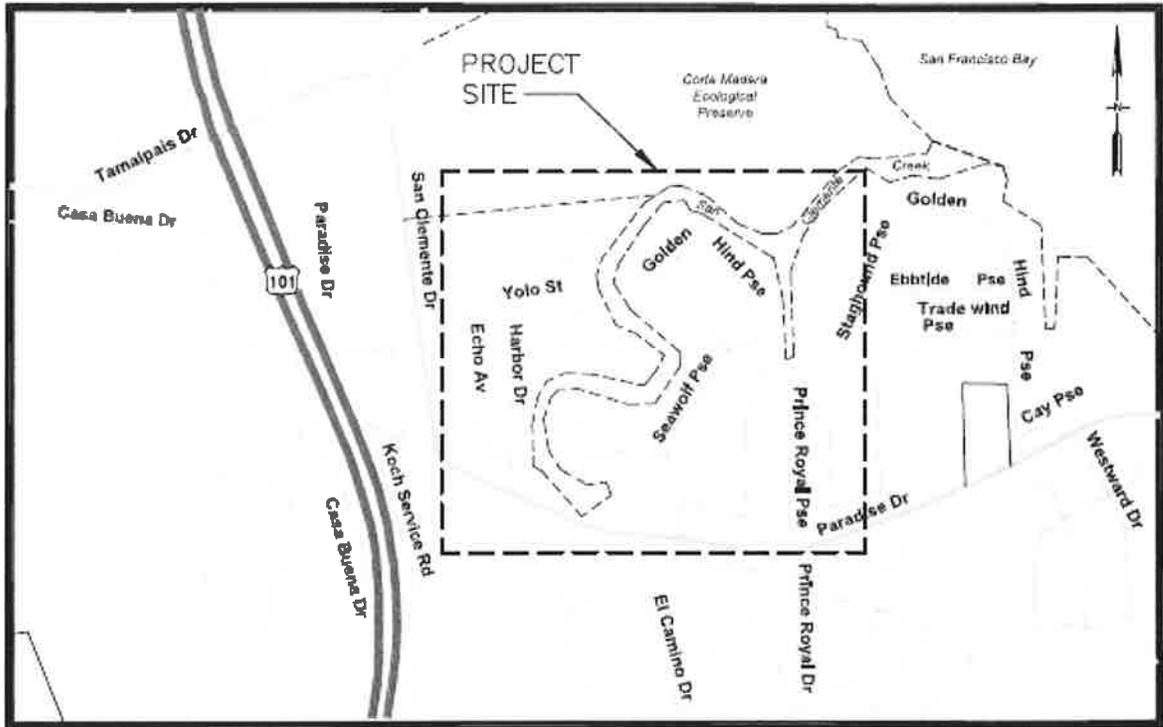
Note: The plans and contract documents are available for review at Public Works office,

ATTACHMENTS:

- A. Location Map

ATTACHMENT A

LOCATION MAP



LOCATION MAP
NO SCALE



**CORTE MADERA TOWN COUNCIL
STAFF REPORT**

Report Date: April 1, 2016
Meeting Date: April 5, 2016

TO: TOWN MANAGER, MAYOR AND MEMBERS OF THE TOWN COUNCIL

FROM: REBECCA VAUGHN, TOWN CLERK
DAVID BRACKEN, TOWN MANAGER

**SUBJECT: DISCUSSION AND CONSIDERATION TO RATIFY TOWN COUNCIL
SUBCOMMITTEE RECOMMENDATIONS TO FILL A CURRENT VACANCY
ON THE PLANNING COMMISSION; AND TO DISCUSS FILLING THE TERMS
OF THE SEATS WHICH WILL EXPIRE ON JUNE 30TH OF THIS YEAR**

SUBCOMMITTEE RECOMMENDATION:

That the Town Council ratify the shared recommendation of the Planning Commission Sub-committee, consisting of Mayor Sloan Bailey and Councilmember Michael Lappert, and fill an immediate vacancy by appointing applicant Robert Bundy to the Town of Corte Madera Planning Commission to serve the remainder of an unexpired term ending on June 30, 2016; and that the Town Council discuss filling the terms of the seats expiring this coming June 30th.

BACKGROUND:

The sub-committee of the Town Council, made up of Mayor Sloan Bailey and Council Member Michael Lappert, on March 31, 2016, conducted interviews of applicants for the Town of Corte Madera Planning Commission for a two-year term commencing on July 1, 2016. The applicants (applications attached) interviewed were:

- Phyllis Metcalfe (incumbent)
- Marcus Berry
- Robert Bundy
- Jennifer Freedman

The sub-committee recommends that Robert Bundy be appointed effective immediately to complete the unexpired term of Tom McHugh that ends on June 30, 2016.

Mayor Bailey would also like to recommend that the application period for the two-year term on the Town of Corte Madera Planning Commission commencing on July 1, 2016, be extended until May 6, 2016 because an additional incumbent did not file for reappointment. In addition he recommends that before advertising future requests for applications to Town commissions, incumbents in expiring terms must inform the Town Clerk if they are applying for reappointment two weeks prior to the advertising of requests. This will enable requests for applications to be advertised showing the number of seats with expiring terms and the number of incumbents who intend to reapply.

The recommendation to appoint Planning Commissioners is in compliance with Municipal Code section 2.16.020, which reads in pertinent part: "[Planning Commission members shall] be appointed by the mayor with the approval of the Town Council."

ATTACHMENTS:

1. Agenda and Packet (Applications Received) for 3/31/16 Special Town Council Subcommittee Meeting for Planning Commission Applicant Interviews
2. Notice Inviting Applications to Serve on Town Boards and Commissions Dated February 26, 2016.

ATTACHMENT 1:

**AGENDA AND PACKET (APPLICATIONS RECEIVED) FOR
3/31/16 SPECIAL TOWN COUNCIL SUBCOMMITTEE MEETING
FOR PLANNING COMMISSION APPLICANT INTERVIEWS**

SPECIAL AGENDA

CORTE MADERA TOWN COUNCIL SUBCOMMITTEE

TOWN HALL COUNCIL CHAMBERS
300 TAMALPAIS DRIVE

THURSDAY, MARCH 31, 2016

5:00 P.M.



THE TOWN OF
CORTE MADERA

MARIN COUNTY CALIFORNIA

www.townofcortemadera.org

1. CALL TO ORDER – ROLL CALL

2. PUBLIC COMMENTS

3. INTERVIEWS OF PLANNING COMMISSION APPLICANTS - *The Town Council's Planning Commission Subcommittee of Mayor Sloan Bailey and Councilmember Michael Lappert will interview the following applicants for future recommendation to the Town Council.*

5:00 p.m. – 5:30 p.m.	Marcus Berry
5:30 p.m. – 6:00 p.m.	Jennifer Freedman
6:00 p.m. – 6:30 p.m.	Robert Bundy
6:30 p.m. – 7:00 p.m.	Phyllis Metcalfe

4. ADJOURNMENT

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.

RECEIVED

MAR 25 2016

TOWN OF CORTE MADERA

**TOWN OF CORTE MADERA
APPLICATION
FOR APPOINTMENT TO BOARDS, COMMISSIONS AND COMMITTEES**

NAME: Marcus E. Berry III

DATE: 3/25/16

ADDRESS: (Home)
35 Lakeside Drive, Corte Madera, CA 94925

PHONE: 415-715-7098

ADDRESS: (Business)
Prudential Real Estate Investors
4 Embarcadero Center
Suite 2700
San Francisco CA 94111

PHONE: 415-486-3832

EMAIL ADDRESS: [mehplanning@gmail.com](mailto:mebplanning@gmail.com)

BOARD, COMMITTEE OR COMMISSION DESIRED: Planning Commission

STATEMENT OF INTEREST AND/OR QUALIFICATIONS:

The opportunity to be a steward of growth and preservation within Corte Madera is an honor and a privilege. My education, professional experience, and sincere commitment to the envisioned future of the General Plan uniquely qualify me to serve as Planning Commissioner.

My wife Kim and I moved to Corte Madera over a year ago. Our move to Marin County from Los Angeles was a thoughtful decision to pursue new career opportunities and a specific quality of life which we found in Corte Madera. My wife works for a company based in Corte Madera while I oversee public pension fund client relations for Prudential Real Estate Investors in San Francisco. We love Corte Madera's unique small town and neighborhood character with its access to the outdoors, great schools, walkability to retail, public transportation, and diverse neighbors that made us feel welcome the day we moved into our house. There is no other town in the Bay Area we would rather live and raise a family.

I am a graduate of the University of Colorado and earned an MBA of real estate finance from the University of Southern California with much of my real estate curriculum taught through the School of Public Policy. I have built a career in real estate investment management having acquired, managed, sold, developed and redeveloped real estate investments throughout California. I have worked with local/state governments on real estate related matters, led industry leading sustainability initiatives, and am an active member of the State Association of County Retirement Systems and the California Association of Public Retirement Systems. This education and experience allows me to provide a measured and insightful evaluation of the topics and concerns related to the General Plan and future development of Corte Madera.

STATEMENT REGARDING KNOWLEDGE OF CORTE MADERA AND ANY PAST OR PRESENT COMMUNITY INVOLVEMENT:

My wife and I have lived in Corte Madera for over one year. With the realization that this is our ideal community in which to raise a family, I have proactively sought a meaningful way to be involved civically through which I can apply my education and experience for the greater good of our city. I consider non-profit volunteerism a core value and have exhibited a long history of volunteerism, fundraising, and leadership for organizations related to cancer research, cancer survivorship, hospital development, wildlife conservation, public pension oversight, and at-risk-youth sports programs. While continuing some of those efforts, I will primarily be committed to role of planning commissioner during my tenure.

PERSONAL INFORMATION (How long have you lived in Corte Madera, family size, etc.)

My wife and I have lived in Corte Madera for over one year after moving to Marin County from Southern California. This is my second time living in the Bay Area and my wife and I feel blessed to have discovered such a warm community. In fact we are lucky enough to live on the the same street as my old college roommate from the University of Colorado and his wife and kids. They have been very gracious and have introduced us to many members of the Corte Madera community. We enjoy walking out our front door to hike, run, bike, shops eat, or, when feeling adventurous, heading into the city or exploring the endless small towns to our north.

If you are not selected at this time, may we keep your application on file for future consideration?

YES: _____ NO: x__

MAIL OR DELIVER TO: Rebecca Vaughn, Town Clerk/300 Tamalpais Drive/Corte Madera 94925

OR EMAIL TO: rvaughn@tcmmail.org

RECEIVED

MAR 10 2016

TOWN OF CORTE MADERA
APPLICATION
FOR APPOINTMENT TO BOARDS, COMMISSIONS AND COMMITTEES

TOWN OF CORTE MADERA

NAME: Jennifer K. Freedman

DATE: March 10, 2016

ADDRESS: (Home) 18 Council Crest Dr.
Corte Madera, CA 94925

PHONE: 646-379-1704

ADDRESS: (Business) c/o BlackRock
400 Howard St.
San Francisco, CA 94105

PHONE: 415-670-4191

EMAIL ADDRESS: jenniferkfreedman@gmail.com

BOARD, COMMITTEE OR COMMISSION DESIRED: Planning Commission

STATEMENT OF INTEREST AND/OR QUALIFICATIONS:

SEE ATTACHED

STATEMENT REGARDING KNOWLEDGE OF CORTE MADERA AND ANY PAST OR PRESENT COMMUNITY INVOLVEMENT:

SEE ATTACHED

PERSONAL INFORMATION (How long have you lived in Corte Madera, family size, etc.)

SEE ATTACHED

If you are not selected at this time, may we keep your application on file for future consideration?

YES: NO:

MAIL OR DELIVER TO: Rebecca Vaughn, Town Clerk/300 Tamalpais Drive/Corte Madera 94925
OR EMAIL TO: rvaughn@tcmmail.org

J. Freedman – Planning Commission Application – March 10, 2016

1. STATEMENT OF INTEREST AND/OR QUALIFICATIONS

I moved to Corte Madera because my husband and I fell in love with the people. Corte Madera is a wonderfully small town, and neighbors enjoy knowing each other. Like everywhere in the Bay Area, our town is in a constant state of evolution. The Planning Commission is one of the key ways we determine what kind of evolution we want.

I have a young family and intend to live here and raise my children here. As a mother of two, I have a personal interest in responsible (re)development in the area as well as an interest in improving the community and physical spaces where we spend our time.

I met with Commissioner Dan McCadden several weeks ago to discuss my interest in joining the Corte Madera Planning Commission, and he encouraged me to apply given the upcoming vacancy with Tom McHugh's departure in April.

I have nine years of real estate investment management and development experience at Prudential and Blackrock. I have managed every asset type: office, retail, multi-family, hotels, and industrial. I understand the unique characteristics of each and what economic and design drivers result in successful projects. I also understand the importance of the public hearing and approval process. Conflicts can arise between developers/investors and the public when projects are not appropriately vetted. I understand that the role of the Commission is to actively listen and address the desires and concerns of its residents, while also making judicious decisions about projects that will have a lasting, positive impact on the community.

Additionally, I am very familiar with the LEED certification process, USGBC green building standards, Title 24, and other sustainability measures that can be taken to lessen the negative environmental impacts of developments. I think this knowledge would be very valuable to the Commission as we evaluate major projects like the Corte Madera Inn redevelopment, the Tamal Vista Corridor, The Village at Corte Madera (Restoration Hardware) project, and the need for additional affordable housing development. I have reviewed the Town's General Plan and Housing Element and understand the importance of thoughtful decision making consistent with their intent.

I want to help the Town of Corte Madera evolve carefully, maintaining the character that brought me and my family here. I believe that my familiarity with the public hearing and approval process, my ability to read building and engineering plans, and my development and real estate investment experience would make me a valuable contributor to the Planning Commission.

2. STATEMENT REGARDING KNOWLEDGE OF CORTE MADERA AND ANY PAST OR PRESENT COMMUNITY INVOLVEMENT:

Our family moved to Madera Gardens from San Francisco last October and we intend to be very active community members. We love Corte Madera and for years have been coming here to shop at Town Center and The Village, to bike ride on Paradise Loop, and to take our daughter to play at the Corte Madera Town Park. We spend most weekends biking and hiking in the area and love Corte Madera for its small town charm and accessibility to San Francisco.

I have joined the Southern Marin Mom's Group and have already met many moms in the area. I have never held a public office but I have served on many boards and have been an active community member wherever I have lived.

3. PERSONAL INFORMATION (How long have you lived in Corte Madera, family size, etc.)

- My husband Jason and I moved to Madera Gardens in October 2015 with our 18 month old daughter Alexandra. In February, we welcomed Caroline Ruby to our family.
- I work at Blackrock, a large institutional investment management company in their real estate group. My husband runs a technology start up called 42Floors.
- I am originally from the East Bay (Lafayette) and went to college at the University of Colorado, Boulder. I moved to New York City where I lived for seven years after graduating CU and attended NYU Stern School of Business where I received my MBA, focusing on finance and real estate.
- Jason is originally from Denver, CO and we met in San Francisco in 2010.

TOWN OF CORTE MADERA
APPLICATION
FOR APPOINTMENT TO BOARDS, COMMISSIONS AND COMMITTEES

RECEIVED
MAR 09 2016
TOWN OF CORTE MADERA

NAME: ROBERT BUNDY DATE: 3/9/2016
ADDRESS: (Home) 89 GOLDEN HIND PASS PHONE: 415-924-8186

ADDRESS: (Business) RETIREN PHYSICIAN PHONE: _____

EMAIL ADDRESS: bundyworld@comcast.net

BOARD, COMMITTEE OR COMMISSION DESIRED: PLANNING

STATEMENT OF INTEREST AND/OR QUALIFICATIONS: I AM FAMILIAR WITH THE GENERAL PLAN AND CURRENT CODES. AVAILABLE TO ATTEND MEETINGS AND MAKE SITE VISITS. UNDERSTAND GENERAL CONSTRUCTION PLANNING AND NEED TO UPGRADE RESIDENTIAL AND COMMERCIAL STATEMENT REGARDING KNOWLEDGE OF CORTE MADERA AND ANY PAST OR PRESENT COMMUNITY INVOLVEMENT: PROPERTIES TO MEET ENVIRONMENTAL AND AESTHETIC CONCERNS.

HAVE SERVED AS CORTE MADERA REPRESENTATIVE FOR THE RUPA 87-05 WORKING ON FLOOD BOARD (WHICH I WOULD CONTINUE)

PERSONAL INFORMATION (How long have you lived in Corte Madera, family size, etc.)

LINDA AND I HAVE LIVED IN CORTE MADERA FOR 38 YEARS. INVOLVED WITH THE LIONS, CENTENNIAL COMMITTEE, CORTE MADERA COMMUNITY FOUNDATION.

If you are not selected at this time, may we keep your application on file for future consideration?

YES: NO:

MAIL OR DELIVER TO: Rebecca Vaughn, Town Clerk/300 Tamalpais Drive/Corte Madera 94925
OR EMAIL TO: rvaughn@tcmmail.org

RECEIVED

MAR 01 2016

TOWN OF CORTE MADERA
APPLICATION
FOR APPOINTMENT TO BOARDS, COMMISSIONS AND COMMITTEES
TOWN OF CORTE MADERA

NAME: Phyllis Metcalfe DATE: 1 March 2016

ADDRESS: (Home) 23 Parkview Circle PHONE: 415.891.4141
Corte Madera, CA 94925

ADDRESS: (Business) _____ PHONE: _____

EMAIL ADDRESS: plmetcalfe@comcast.net

BOARD, COMMITTEE OR COMMISSION DESIRED: Planning Commission

STATEMENT OF INTEREST AND/OR QUALIFICATIONS:

see attached

STATEMENT REGARDING KNOWLEDGE OF CORTE MADERA AND ANY PAST OR PRESENT COMMUNITY INVOLVEMENT:

see attached

PERSONAL INFORMATION (How long have you lived in Corte Madera, family size, etc.)

see attached

If you are not selected at this time, may we keep your application on file for future consideration?

YES: NO:

MAIL OR DELIVER TO: Rebecca Vaughn, Town Clerk/300 Tamalpais Drive/Corte Madera 94925

OR EMAIL TO: rvaughn@tcmmail.org

APPLICATION FOR RE-APPOINTMENT TO CORTE MADERA PLANNING COMMISSION

STATEMENT OF INTEREST AND/OR QUALIFICATIONS:

I ask to be re-appointed to the Planning Commission to continue serving and giving back to our unique community.

During my tenure, I've appreciated being part of a hard-working group, made up of commissioners who bring a broad diversity of expertise to addressing planning matters in a businesslike way that enhances our environment. This group has worked well with the town's professional staff and with the residents who will live with the results of our decisions that can affect quality of life.

In addition to the knowledge and skills I've gained through my studies of architecture at Pratt Institute and of interior architecture and design at the Academy of Art University, my experience includes working with land use, environmental and traffic issues, knowledge of EIRs, the use of negative declarations in lieu of EIRs and with ADA issues. During my 24-year tenure as a local elected official I have worked with many of the same issues that are seen in Corte Madera. The combination of my knowledge, skills and experience should be an asset on our Planning Commission.

STATEMENT REGARDING KNOWLEDGE OF CORTE MADERA AND ANY PAST OF PRESENT COMMUNITY INVOLVEMENT:

I live in Corte Madera because of my appreciation of how the town has maintained its small-town ambiance while being close and convenient to an urban center. The great variety of architectural styles that appear in the neighborhoods, which range from upscale to some more affordable sub-divisions and well-designed multifamily units, gives the town much of its charm and uniqueness.

Even though the town is built out from Christmas Tree Hill eastwards towards the Bay, the provision of workforce and affordable housing units is encouraged through in-fill on the few available individual lots and by the creation of second-units in appropriate locations. Elements of good and careful planning are being used to address the upgrading and renewal of commercial properties that contribute in many ways to the quality of our town's environment.

It should be noted Corte Madera has been a pioneer in land preservation using public resources as well as private donations from caring citizens to protect its ridges and wetlands.

While living in Marin County, in addition to being an elected official, my community involvement includes having served on the boards of several non-profit, service and educational organizations. I am grateful for the opportunities that have enabled me to be an active participant in the Marin County community.

PERSONAL INFORMATION (How long have you lived in Corte Madera, family size, etc.):

I have lived in Marin County since 1967. I have been a resident of Corte Madera since 2001 when, as an empty-nester, I moved to Meadowcreek Station on the eastside of Corte Madera.

Phyllis Metcalfe
23 Parkview Circle

ATTACHMENT 2:

**NOTICE INVITING APPLICATIONS TO SERVE ON TOWN BOARDS AND
COMMISSIONS DATED FEBRUARY 26, 2016**



THE TOWN OF
CORTE MADERA
MARIN COUNTY CALIFORNIA

PUBLIC NOTICE

COMMISSION AND BOARD RECRUITMENTS

The Corte Madera Town Council is requesting applications from Corte Madera citizens who may be interested in serving on the Town's Planning Commission, Parks and Recreation Commission, Flood Control Board, and Accessibility Advisory Commission. With few exceptions, all Corte Madera residents who are registered voters of the Town are eligible to apply for appointment.

The **Planning Commission** is a vital component of our community. It is a five member body to oversee the Town's planning process. Currently the two-year terms of three Commissioners will expire on June 30, 2016. One of the three seats will be vacated as of April 1, 2016, allowing for an interim appointment to be made for the final two months of the term, after which the selected appointee could be appointed to a full two-year term. Much of the Commission's time is devoted to reviewing permit applications for home remodels and additions. The Commission works to balance the needs of individual families for more living space with the need to protect neighborhood character. The Planning Commission also works on longer range issues. The Commission meets twice a month on the second and fourth Tuesday of each month in the Council Chambers at 7:30 p.m.

The **Parks and Recreation Commission** is an advisory board that recommends policy and procedures for parks and recreational facilities, recreation programs, park development and park maintenance. Members of the Parks and Recreation Commission must be registered voters of the town. The two-year terms of three Commissioners are expiring on June 30, 2016. Meetings are held on the 4th Monday of each month at 7:00 p.m. The Commission is also involved with the State's Recreation and Parks Society.

The **Flood Control Board** advises the Town Council on all matters affecting flooding in Corte Madera. Examples of duties of the board are to review and report on the flooding impact of current and proposed flood control and storm drain projects, and to review and report on flood management plans in order to define what actions are necessary to reduce flood conditions in the Town. The two-year terms of three Board members are expiring on June 30, 2016, and there is currently one vacant seat. The Flood Control Board meets the first Monday of each month at 7:30 p.m. in the Town Council Chambers at Town Hall.

The **Accessibility Advisory Commission** advises the Town Council on matters addressed by the Council that may be subject to federal and State disability laws; advise and report to the Town Council on town policies, programs, procedures, activities, services, and facilities that may affect persons with disabilities, and provide assistance to, and advise all commissions, boards and ad hoc committees as they may address disability issues. The two-year terms of all four current Board members are expiring on June 30, 2016, and there is currently one vacant seat. The Accessibility Advisory Commission meets on the third Thursday of each month as needed.

If you are interested in serving on one or more commissions or boards, you may obtain an application from Town Offices at 300 Tamalpais Drive, Corte Madera, CA 94925 between the hours of 8a.m. and 4p.m., on the website at <http://townofcortemadera.org/494/Commission-or-Committee-Appointment>, by calling 415-927-5050 or via email at rvaughn@tcmail.org.

PLEASE SUBMIT YOUR APPLICATIONS BY 5:00pm ON FRIDAY, MARCH 25, 2016.

Dated: February 26, 2016
Rebecca Vaughn, Town Clerk

DD

**CORTE MADERA TOWN COUNCIL
STAFF REPORT**

Report Date: March 29, 2016
Meeting Date: April 5, 2016

TO: TOWN COUNCIL OF CORTE MADERA

FROM: MARIO FIORENTINI, DIRECTOR OF RECREATION AND LEISURE SERVICES

**SUBJECT: DISCUSSION AND POSSIBLE ACTION ON THE TOWN OF CORTE
MADERA HOSTING AN "OFF THE GRID" FOOD TRUCK EVENT IN
TOWN PARK**

STAFF RECOMMENDATION:

STAFF RECOMMENDS HOSTING THE FOOD TRUCK EVENT IN TOWN PARK

OPTIONS:

1. Accept the staff recommendation,
2. Make modifications to the recommendations,
3. Take no action.

TOWN MANAGERS RECOMMENDATION:

Supports Staff's recommendation

BACKGROUND/DISCUSSION:

As part of The Centennial Celebration for the Town of Corte Madera, the Parks and Recreation Department has sought to bring new and different types of events to the community. For the past several months, staff has connected with several food truck vendors in order to look at the feasibility of having this type of event in Corte Madera.

Off The Grid, a popular food truck broker in California, has submitted a proposal to hold a food truck event in the Eastman Parking Lot of the Community Center. Staff has worked closely with

event organizers to put together a meaningful destination for the community to enjoy the diverse variety of cuisines that Off The Grid vendors are able to provide.

Several different models, days of the weeks, time slots, and locations have been considered and we have narrowed those down to what we believe is the best option. This would be a Monday evening event that would begin at 5pm and end at 9pm in the Eastman Parking Lot, and run for approximately 6 months from June to November (there would not be a food truck event on July 4). Seven food trucks would make up the event, and live music would be also be provided by Off the Grid. They would also provide the tables and chairs. No alcohol would be sold at these events.

Off the Grid has requested 1.5 hours of setup and 1.5 hours of breakdown on either side of the event times. In order to provide a safe and effective space for the event attendees it will be necessary to close off the lot completely during the event. Staff would prefer that the lot remain open; however Off the Grid has insisted that it be closed for the reasons stated above. Parks and Recreation staff will block off the necessary parking spots the morning of the event or the night before. Off The Grid would be responsible for cleaning the parking lot after the event.

The event will be permitted through the Special Event Permit process. One of the conditions of the permit would be that the Town would withhold the right to cancel the event at any time. The Town Attorney and Town Manager would review and approve the language of the permit and the requirements to be placed on Off the Grid. It should be noted that the Parks and Recreation Commission voted to recommend the event to the Town Council at their February meeting.

FISCAL IMPACT:

Staff time would be required to block off the necessary parking spaces and the entry each Monday. There would not be any financial compensation to the Town during the 2016 year, with the express understanding that if any future food truck events were planned, financial compensation would be required.

CONCLUSIONS:

Staff believes that the Off the Grid Food Truck Event would be successful in Corte Madera and welcomed by the community. It is a part of our mission is to create community, and we anticipate that the food truck event would provide an environment to do just that.

ATTACHMENTS:

-Site Plan

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
CORTE MADERA COMMUNITY CENTER
498 TAMALPAIS DRIVE**

**TUESDAY, APRIL 19, 2016
6:00 P.M.**

6:00pm – 8:30pm: JOINT TOWN COUNCIL / PLANNING COMMISSION MEETING

1. Open time for public discussion
2. The Town Council and Planning Commission will meet in joint session to discuss general priorities and set objectives for the upcoming fiscal year.
3. Discussion of aesthetic improvements (color options) to the east elevation of building No. 1 at 195-205 Tamal Vista Boulevard (Tam Ridge Residences)
4. Tamal Vista Corridor Study: Discussion of Draft Planning Principals, Community Feedback and Policy Direction

8:30pm: 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 Waive Further Reading and Authorize Introduction and/or Adoption of Ordinances by Title Only. (Standard procedural action – no backup information provided)
- 5.II Approval of a Supplemental Appropriation in the Amount of \$15,000 to the Fire Department Budget for Mobile Data Terminals
(Report from George T. Warman, Jr., Director of Administrative Services/Town Treasurer)
- 5.III Approval of a Supplemental Appropriation in the Amount of \$11,000 to the Fire Department Budget for Turnout Gear for Two New Fire Department Employees
(Report from George T. Warman, Jr., Director of Administrative Services/Town Treasurer)
- 5.IV Receive and File Investment Transactions Monthly Report
(Report from George T. Warman, Jr., Director of Administrative Services/Town Treasurer)
- 5.V 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:

7. BUSINESS ITEMS:

- 7.I Consideration and Possible Action to Select Aesthetic Improvements (Color Options) to the East Elevation of Building No. 1 at 195-205 Tamal Vista Boulevard (Tam Ridge Residences)
(Report from David Bracken, Town Manager)

- 7.II Housing Element Annual Report
(Report from Adam Wolff, Director of Planning and Building)

- 7.III Consideration and Possible Action to Authorize the Town Manager to Sign a Letter of Public Convenience or Necessity Regarding Liquor License Application from Stang's Hot Dogs in The Village at Corte Madera
(Report from Phil Boyle, Senior Planner)

- 7.IV Review of Draft May 3, 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.

<p>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.</p>

1 DRAFT

2
3 MINUTES OF MARCH 15, 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 15, 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: Acting Town Manager/Director of Planning and Building Adam
20 Wolff
21 Town Attorney Randy Riddle
22 Senior Civil Engineer Nisha Patel
23 Director of Recreation and Leisure Services Mario Fiorentini
24 Police Chief Todd Cusimano, CMPA
25 Town Clerk/Assistant to the Town Manager Rebecca Vaughn
26

27 **SALUTE TO THE FLAG:** Mayor Bailey led in the Pledge of Allegiance.

28
29 **CLOSED SESSION**

30
31 1.I Report out of Closed Session from March 1, 2016 Town Council Meeting
32 regarding the following items:

33
34 **CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION**

35 Initiation of litigation pursuant to paragraph (4) of subdivision (d) of Section
36 54956.9:
37 Number of potential cases: One
38

39 Town Attorney Randy Riddle reported that the Council voted not to intervene in the quiet
40 title action entitled Silber vs. Doherty which is the matter related to 210 Morningside and
41 Laurel Lane.

42
43 **CONFERENCE WITH REAL PROPERTY NEGOTIATORS**

44 Property: Gravel overflow parking lot on Redwood Highway (north of
45 Nordstrom at The Village at Corte Madera) APN 024-032-19
46 Agency negotiator: David Bracken

1 Negotiating parties: Macerich (Garrett Newland and Cecily Barclay)
2 Under negotiation: Whether, and under what terms, the property could
3 potentially be leased or sold.
4

5 With respect to the real estate negotiations regarding the gravel overflow parking lot on
6 Redwood Highway (north of Nordstrom at The Village at Corte Madera gravel lot at Corte
7 Madera) the Council took no reportable action.
8

9 **2. PRESENTATION – None**

10
11 Mayor Bailey reported that an urgent matter has come to the Council’s attention and asked
12 the Town Attorney to explain how to proceed.
13

14 Town Attorney Riddle stated the City Council first should make a determination by a 2/3
15 vote that the matter needs immediate attention and that it came to the attention of the
16 Council after the posting of the agenda. If this were to pass, the Council would vote to
17 discuss the matter and also hold public comment on it.
18

19 Vice Mayor Furst provided a brief background on the matter, stating that it has come to the
20 Council’s attention after the posting of the agenda that the City of Larkspur has out for
21 public comment their Draft Bicycle and Pedestrian Master Plan and a couple of items
22 concern the Town of Corte Madera. In order to meet their deadline of today, the Town must
23 add the matter to the agenda and consider authorizing the Mayor to send a comment letter
24 to the City of Larkspur.
25

26 Mayor Bailey opened the public comment period and there were no speakers.
27

28 MOTION: Moved by Furst, seconded by Condon, and approved unanimously by the
29 following vote: 5-0 (Ayes: Andrews, Condon, Furst, Lappert and Bailey; Noes:
30 None)
31

32 To authorize agendaizing discussion and action regarding the City of Larkspur
33 Draft Bicycle and Pedestrian Master Plan and authorizing the Mayor to send
34 a letter to the City of Larkspur outlining the Town’s comments regarding the
35 plan
36

37 Mayor Bailey suggested discussing the emergency item as Item VII.I.
38

39 **3. OPEN TIME FOR PUBLIC DISCUSSION**

40
41 CLAYTON SMITH, Mill Valley, provided the Council with brochures and announced that the
42 Marin Coalition will host a meeting on April 6th and Professor Lynn Ingram, Professor of
43 Geography and EPS, UC Berkeley, will speak on the subject of water resources as they

1 relate to development and to emergency services. He said Professor Ingram has a team of
2 researchers specializing in Paleo-climatic and paleo-environmental reconstruction in
3 aquatic environments using sedimentological, paleontological, and geochemical data who
4 have spent 20 years in the field using very advanced scientific techniques to date the cycles
5 of climate. There is particular increased probability of another biblical flood occurring in
6 the State of California. The last flood occurred in the 1860's which literally bankrupted the
7 State of California and washed away the entire Central Valley including most of
8 Sacramento.

9
10 BOB BUNDY, Golden Hind Passage, Corte Madera Flood Control Board, said he was looking
11 at ponding issues after the rains in Mariner Cove and Marina Village. He drove out of
12 Harbor Drive and noticed broken asphalt. He drove back 4 hours later and reported that
13 the Town's Public Works and Engineering crews were out on the scene, along with Ghilotti
14 Bros. They discovered there was a break in the storm drain. He especially wanted to
15 recognize the work done in addressing the emergency before it became a major sinkhole.

16
17 GEORGE TOPOR stated that the Town is responsible for billing and the County of Marin is
18 responsible for collecting for four service tax items which are sewer, paramedics, storm
19 and the police bond. He reviewed property tax bills and sees a potential for the Town
20 gaining over \$1 million in refunds on over-charges and mistakes that have been made. He
21 noticed this some time ago when a neighbor had been incorrectly charged by the Town on
22 her property taxes for 16 years. The statute only allows for people to claim money back for
23 4 years, but he then began looking at property tax bills for the Village, Town Center, and a
24 couple of automobile dealerships and found the following:

- 25
26
- For paramedic taxes, Macys pays \$8,400; Nordstrom pays \$8,200; and Macerich pays \$16,700 a year.
 - For storm services Macys pays \$10,900, \$10,700 for Nordstrom and just under \$22,000 for Macerich.
 - For the police bond, Macys pays \$13,000, Nordstrom pays \$13,000 and Macerich pays \$53,000 a year.
 - For sewer taxes, Macys pays \$5,000, Nordstrom pays \$10,000, and Macerich pays \$90,000 a year, which he said seems inconsistent.
- 34

35 In the Town Center, there is a parcel that pays \$120,000 a year for the sewer tax. Another
36 property pays \$5500 a year, and Mr. Topor questioned whether mistakes have been made
37 in these numbers. He has spoken with staff of Macerich's Tax Department and they have
38 confirmed the numbers and are in the process of determining how many years to go back
39 to seek a refund. He therefore asked that the Town verify tax bills prior to the County
40 issuing them for next year.

41
42
43

1 **4. COUNCIL AND TOWN MANAGER REPORTS**

2
3 - Town Manager Report

4
5 Acting Town Manager/Director of Planning & Building Adam Wolff gave the following
6 report:

- 7
8 • A separation occurred in the San Clemente Flood Control Pump Station's 54" force
9 main line on Paradise Drive. Public Works staff worked diligently over the weekend
10 to repair it. The repair should be completed today and paving completed tomorrow.

11
12 Councilmember Condon asked Mr. Wolff to relay thanks to the incredible job of the Public
13 Works Department staff and Ghilotti Bros, as well as the Nugget Market who provided food
14 for the workers.

15
16 Regarding a fact about the Town of Corte Madera, Mayor Bailey read from Jana Haehl's
17 book, History of Corte Madera:

18
19 *"In and around 1915/1916, there was a piece posted about Corte Madera in a*
20 *publication called the Great Panama Pacific Exposition which stated: "In no other*
21 *part of the whole world do all the prerequisites to an ideal suburban community*
22 *combine so fully and so appropriately as they do in this charming locality. Nature*
23 *has been unusually generous in giving a most lavish and picturesque*
24 *combination of marine, mountain and sylvan landscape and scenery. The climate*
25 *is ideal. Transportation facilities are unexcelled. The school facilities are among*
26 *the best in the State."*

27
28 - Director of Planning & Building Report on Tamal Vista East Corridor Study

29
30 Director of Planning & Building Adam Wolff gave the following report:

- 31
32 • The next Community Workshop on the Tamal Vista East Corridor Study will be held
33 April 6th from 6:00 p.m. to 8:30 p.m. at the Community Center, and staff is working
34 on preparation of the agenda.
35 • By the end of the week and in preparation of the community workshop, staff will
36 post a Survey Monkey on the website on Tamal Vista East Corridor Study which has
37 identified eleven planning principles from the outreach conducted that summarizes
38 various comments, and staff is asking people to rank those.
39 • Additionally on the website will be background information provided on all of the
40 properties, some of the existing regulations and existing General Plan designations
41 in order to have people acquainted with this information.
42 • Staff will be sending out emails and notices through the email notification list to get
43 the word out.

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- Council Reports

Councilmember Lappert gave the following report:

- The Ross Valley Paramedic Authority (RVPA) continues to make fiscal strides to work on their viability. There will be a central focus on the Town work relating to shared services with the City of Larkspur.
- The Quality Assurance Nurse who works for Corte Madera and who ensures paramedics are doing their job properly reported at their last meeting that Corte Madera paramedic group has the best survival rate statistics in cardiac responses.
- The Disaster Preparedness Task Force was allotted \$20,000 from Larkspur and Corte Madera each to hire an employee to coordinate requirements of the neighborhood response groups so they work in unison. Interviews will be held at the end of the month.
- He attended a meeting of the Marin Telecommunications Authority, but had no report.

Councilmember Andrews gave the following report:

- Yesterday he attended a planning forum for the ABAG/MTC merger study. A consultant is evaluating whether the land use planning function should be combined with the transportation planning function. He noted MTC funds ABAG planning staff and MTC proposed to cut funding last year but have agreed to extend funding for much of this year. A joint committee will receive the consultant's report. They are unclear as to how voting on the committee will work and whether it is a majority of both the ABAG and MTC Board members or not. If combined, there has been no discussion of what governance will control the new combined entity. In 2017, ABAG will be working on RHNA which will affect cities, but MTC controls ABAG planning staff's budget.

Councilmember Condon gave the following report:

- Tomorrow night is the Chamber of Commerce's Mixer at Pig and the Pickle. The Chamber will hold an upcoming silent auction and she will provide more information on this at the next Council meeting.
- The Centennial Committee has been very busy and she urged everybody to go on the website at www.cortemadera100.com to view all events being planned. A few upcoming events include a celebration of the 20th anniversary of the Town Band, the Women's Club sponsorship of a Spring Tea, and the Classic Car Show. The committee is also in the process of creating an insert in one issue of the Twin Cities Times which will include all activities.
- Age-Friendly Corte Madera has been busy. On March 26th they will partner with the Lion's Club with what they call the *Lion's Share*. This is a program that assists those

1 aged 60 and older with small repairs at no charge. The website has more
2 information at www.cortemaderalions.com or www.agefriendlycortemadera.com.

- 3 • Marin LAFCO has just released a bound version of the Countywide Water Study. She
4 said growth projections are very different from what ABAG has forecasted and she
5 urged people to read the study which can be downloaded at www.marinlafco.org.
6

7 Vice Mayor Furst gave the following report:
8

- 9 • At the Central Marin Sanitation Agency (CMSA) meeting she learned about SB 163
10 (Hertzberg). If passed, it would require 50% wastewater re-use by 2026 and 100%
11 wastewater re-use by 2036. This would mean that all water going through the water
12 treatment plant would need to be re-used. It would require complete re-plumbing of
13 the MMWD's pipelines, additional treatment facilities which could become very
14 costly.
15 • There will be a TAM public workshop on the North/South Greenway Gap Closure
16 Project, which is the multi-use pathway from Sir Francis Drake Boulevard south to
17 Wornum Drive. The workshop will be held on March 22nd at the CMPA facility on
18 Doherty Drive at 6:00 p.m.
19

20 Mayor Bailey gave the following update regarding Fire Shared Services discussions:
21

- 22 • There have been discussions between Corte Madera and Larkspur for some time
23 about shared services with their fire departments. They have begun to take further
24 steps. Both towns are going through their due diligence to find the safest way and to
25 realize efficiencies with both towns to try and improve services and reduce costs.
26 They have identified the City of Larkspur as a good partner in this mission. They are
27 exploring whether it will make sense and under what conditions.
28 • The ad-hoc committee is made up of Councilmember Lappert and himself and City
29 of Larkspur Mayor Catherine Way and Councilmember Larry Chu, both Town
30 Managers David Bracken and Dan Schwartz, Chief Todd Cusimano, and Acting Fire
31 Chief in Larkspur Scott Shurtz who has 24 years with the department including 9
32 years as Deputy Fire Chief.
33 • In the short term the ad-hoc committee will work on determining whether
34 efficiencies can be provided, forces joined and benefits realized. The next step will
35 be presentations made to both Corte Madera and Larkspur in coming weeks.
36

37 5. CONSENT CALENDAR

38 5.I. SANITARY DISTRICT ITEMS

- 39 5.I.i Approve a Memorandum of Understanding Between Central Marin Sanitation
40 Agency, Ross Valley Sanitary District, and Sanitary District #2 of Marin
41 County for Wastewater Conveyance Asset Ownership, Operation, and
42 Maintenance
43
44

1 (Report from Nisha Patel, Senior Civil Engineer)

2
3 MOTION: Moved by Andrews, seconded by Furst, and approved
4 unanimously by the following vote: 5-0 (Ayes: Andrews, Condon, Furst,
5 Lappert and Bailey; Noes: None)

6
7 To approve the Sanitary District Consent Calendar Item 5.I.i

8
9 **5.II. TOWN ITEMS**

10
11 5.II.i Waive Further Reading and Authorize Introduction and/or Adoption of
12 Ordinances by Title Only.

13 (Standard procedural action - no backup information provided)

14
15 5.II.ii Adoption of Proposed Resolution No. 04/2016 Adopting the ICMA
16 Retirement Corporation VantageCare Retirement Health Savings (RHS) Plan
17 Number 803432 - Corte Madera Firefighters Association, Local 1775,
18 International Association of Firefighters

19 (Report from George T. Warman, Jr., Director of Administrative
20 Services/Town Treasurer)

21
22 5.II.iii AVON 39 The Walk to End Breast Cancer Event Use Request for July 22-24,
23 2016

24 (Report from Mario Fiorentini, Director of Recreation and Leisure Services)

25
26 5.II.iv Approval of Necessary Funds for Interested Councilmembers to Attend
27 League of California Cities Policy Committee Meeting on April 8, 2016 in San
28 Diego, California and Attend the League of California Cities Annual
29 Conference October 5-7, 2016 in Long Beach, California

30 (Report from Rebecca Vaughn, Town Clerk)

31
32 5.II.v Transmittal of December 31, 2015 Summary Financial Report (Interim
33 Reports on Cash Basis)

34 (Report from George T. Warman, Jr., Director of Administrative
35 Services/Town Treasurer)

36
37 5.II.vi Receive and File Investment Transactions Report for Month of January, 2016

38 (Report from George T. Warman, Jr., Director of Administrative
39 Services/Town Treasurer)

40
41 5.II.vii Approve Warrants and Payroll for the Period 2/26/16 through 3/10/16:
42 Warrant Check Numbers 213106 through 213208 Payroll Check Numbers
43 5141 through 5154, Payroll Direct Deposit Numbers 28987 through 29052,

1 Payroll Wire Transfer Numbers 1978 through 1982 and Wire Transfer of
2 4/01/16.

3 (Report from George T. Warman, Jr., Director of Administrative
4 Services/Town Treasurer)

5
6 MOTION: Moved by Andrews, seconded by Condon, and approved unanimously by the
7 following vote: 5-0 (Ayes: Andrews, Condon, Furst, Lappert and Bailey; Noes:
8 None)

9
10 To approve the Town Consent Calendar Items 5.II.i, 5.II.ii, 5.II.iii, 5.II.iv, 5.II.v,
11 5.II.vi and 5.II.vii

12
13 **6. PUBLIC HEARINGS**

14
15 6.I Public Hearing to Consider Introduction of an Ordinance to Amend the Town
16 of Corte Madera Municipal Code, Modifying Chapter 9.36 - Noise to Restrict
17 the Operation of Leaf Blowers

18 (Report from Town Attorney Randy Riddle and Assistant Town Attorney
19 Judith Propp)

20
21 Town Attorney Riddle stated before the Council is the ordinance which would amend the
22 noise ordinance to regulate gas-operated leaf blowers. This regulation takes two parts. It
23 would first restrict the time leaf blowers could be used during the week as 8:00 a.m. to 5:00
24 p.m. and during the weekend as 10:00 a.m. to 5:00 p.m. The second thing it would do if
25 adopted would be to require the operating leaf blowers to clean up the debris created by
26 that activity.

27
28 Staff has continued to hold discussion with the Central Marin Police Authority (CMPA) and
29 they have a couple of proposed amendments they would like the Council to consider as
30 well. He referred to page 3 of the proposed ordinance which is page 7 of the packet for the
31 item, and said the two clarifications that police requested would be to make clear the hours
32 during which motorized landscape equipment other than leaf blowers could be operated
33 and the Council will see this under subsection C.

34
35 The second amendment would be in subsection G which would be to give police more
36 flexibility in enforcement to provide that not only could it be a misdemeanor, which is the
37 way it is currently in the law, but they could also cite it as an infraction or issue a warning
38 for violations of the ordinance as well, and the Chief is available to comment on those two
39 proposed changes.

40
41 Chief Todd Cusimano said he appreciates the Town Attorney's Office for their work on the
42 ordinance, specifically encompassing the dates and times which helps officers. It also
43 reflects the intent in what they are trying to accomplish. The cleanup language regarding

1 motorized equipment is also helpful in enforcement, as well as the infraction specifying the
2 penalty. He said Captain Norton strongly urged him to endorse this and to support the
3 ordinance, as proposed.

4
5 Vice Mayor Furst said at the last Council meeting when the ordinance was discussed, the
6 Council discussed how they have yet to find another town's ordinance that meets all of
7 their needs including being easily enforceable by the police. She asked if the ordinance will
8 be easy to enforce and do what it needs to do.

9
10 Chief Cusimano said this is their goal and this puts them much farther ahead than most
11 cities and towns and it is something police can address specifically given some complaints
12 received in Corte Madera. He said on page 3 at the bottom, the general noise regulations
13 will still work towards state-wide to identify best practices and this is something they can
14 bring back to the Town Attorney's office for review.

15
16 Councilmember Andrews referred to page 3 under subsection C; it states Monday through
17 Friday, "non-leaf blowers" state 7:00 a.m. and under "leaf blowers" it states at 8:00 a.m. He
18 asked if both times should be consistent. Town Attorney Riddle noted that Section C deals
19 with motorized landscape equipment other than leaf blowers. He clarified that leaf blowers
20 are 8:00 a.m. to 5:00 p.m. and non-leaf blowers with a start time of 7:00 a.m. can be up to
21 the Council to change.

22
23 Chief Cusimano said under subsection C where it states 7:00 a.m., this is normal
24 construction and often by permit the Town allows construction to start at 7:00 a.m.
25 However, being consistent with 8:00 a.m. would make sense, and by permit for
26 construction, there could be an exception made.

27
28 Mayor Bailey opened the public hearing.

29
30 TED MACKEY, Madera Boulevard, stated he brought in a complaint to the Town Council in
31 November 2013 and again in 2014 and is raising it again as a complaint and does not think
32 it is being resolved. He has a condition of hyper-acoustics and said extreme noise bothers
33 him a lot and leaf blowers are a problem. Some people have this condition and in observing
34 and hearing leaf blowers, if they operate at the back of his house across at the Lagoon, he
35 sees people use them in a small area, and in the front area are Town maintenance staff with
36 leaf-blowers.

37
38 Along the Town Center property, leaf blowers are used and often they are left on and also
39 blow up a lot of dust in the air. He thinks a broom or rake could be used and noted that
40 towns such as Mill Valley and Belvedere ban leaf blowers. When looking at the ordinance,
41 it states, "restrict operation of motorized leaf blowers to Monday through Friday 8:00 a.m.
42 to 5:00 p.m. which he said are most daylight hours. The equipment is often not used earlier
43 than 8:00 a.m. or after 5:00 p.m. On Saturdays and Sundays they are allowed during certain

1 hours. It states that the Town's use of gas-powered leaf blowers is expressly exempted.

2
3 He questioned why the ordinance does not mention private property. It also states that if
4 they are in violation, they will be given a verbal warning. He therefore was opposed to the
5 ordinance and it does not do anything but empowering the use of leaf blowers.

6
7 BOB BUNDY, Golden Hind Passage, in reviewing the comments on NextDoor.com and
8 looking at the Internet, there are two types of people in the world—those really annoyed
9 by leaf blowers who find them noisy, cause pollution given the nature of two-cycle engines,
10 and also see them as inefficient tools for what they are designed to do as opposed to a rake
11 or an electric or battery-operated leaf blowers or vacuums. There are also people who
12 realize this is what landscapers do and they must be doing it for a reason.

13
14 He said in looking at this, the amount of noise, energy and pollutants that come from these
15 devices as opposed to what they actually accomplish by moving leaves around especially in
16 residential areas, it is hard to say they are justified, useful and energy-efficient from the
17 standpoint of cost-efficiency. Many communities have banned leaf blowers outright,
18 especially in residential areas.

19
20 He thinks the direction to go would be to ban leaf blowers in residential, allow them in
21 public and commercial areas for a period of time and see if more landscapers will go to
22 battery-operated or electric leaf blowers for some residential areas. He thinks there is a lot
23 of aggravation from these leaf blowers and the Council talked about the number of
24 complaints actually received. He finds them very annoying, has never complained because
25 they are legal, but he would like to see them banned.

26
27 VINCE JURM, Baltimore Avenue, said he uses a leaf blower regularly to clean both his
28 property and three neighboring properties, and he spends about 20 minutes doing that. He
29 is concerned that there is a small minority of people who want to change rules for the
30 majority of people. Many people are most likely unaware of the fact that the ordinance is
31 being proposed and he is hopeful they do not get to be like San Anselmo or other cities
32 where ordinances are mirrored based upon another city. He hoped Corte Madera will
33 continue to be normal and thinks the ordinance as proposed for 8:00 a.m. to 5:00 p.m.
34 Monday through Friday and 10:00 a.m. to 5:00 p.m. on weekends is a reasonable
35 accommodation. He thinks there is a lot of value and a reason for the Town who want to be
36 exempt from using leaf blowers.

37
38 KARL SPURZEM, Lakeside Drive, thanked the Council and Police Chief for taking so much
39 time on the ordinance. He does not think the ordinance does anything, as changes involve
40 hours of use which are minimal. He thinks electric leaf blowers can be just as loud as gas-
41 operated leaf blowers which cause a lot of pollution. He said he has provided the Town
42 with links to information about data from the American Lung Association. He is an
43 asthmatic and leaf blowers create so much pollution beyond any benefit, and while he

1 appreciates what the Council is doing but he suggested use of electric leaf blowers, stating
2 they are very strong.

3
4 Lastly, he is shocked this is where the matter has come and does not understand why the
5 Town Council is proposing to restrict it only a couple of hours per day. He works at home
6 and having the ordinance changed from 7:00 a.m. to 8:00 a.m. does nothing for him. He
7 cannot concentrate on work or hear people on the telephone when leaf blowers are
8 operating throughout the day and said the matter lacks complete common sense.

9
10 PHIL SIMON, Simon Ranch Road, said at times he has asked several of his neighbors to stop
11 using their leaf blowers and they have all complied, which is thoughtful. He thinks there
12 should be a decibel limit that must be met at the property line on any type of equipment,
13 but he does not know how that is attainable. There is also the question of sustainability and
14 there are more trees in Corte Madera now, more leaves and he sees this as something not
15 sustainable, as eventually there will be more leaf blowers.

16
17 Mayor Bailey closed public comments and returned discussion to the Town Council.

18
19 Councilmember Lappert said as a person who prides himself on efficiency, but a leaf blower
20 is the antithesis of that. He does not complain about them but thinks they are poor pieces of
21 equipment. He said the majority of the Council will most likely adopt the ordinance because
22 the majority of people like using them, but he wants everybody to know he hates them.

23
24 Mayor Bailey asked how Councilmember Lappert felt about the ordinance.

25
26 Councilmember Lappert said the ordinance is written so the majority of the people will still
27 be able to use leaf blowers. He agrees with Mr. Spurzem's comments on moving the time
28 one hour, which adds more farce to an already farcical piece of equipment.

29
30 Vice Mayor Furst said while the ordinance is not ideal, she supports it. She is not sure there
31 is an ideal ordinance with regard to something like this. She referred to the City being
32 exempt and said much of the City's landscape crews are not in residential areas but in
33 parks and large outdoor areas, and it is rare they would be operating outside of those
34 operating hours. She did not think it was easy to rake an area that has been mulched to
35 save water and she can see where landscaping crews need to use a leaf blower, as they are
36 a labor saving device.

37
38 In thinking back to what she experienced growing up in a suburb in the East Bay and 45
39 years ago there were many more lawn mowers operating on weekends, and now there are
40 not as many but more leaf blowers. Therefore, there has always been noise issues
41 associated with two stroke engines.

42
43 Eventually she said she would love to aim for electric operated leaf blowers and eliminate

1 two stroke engines entirely; however, she does not think the Town is there yet in terms of
2 battery technology. She thinks it would be extremely difficult for small landscaping
3 businesses to be able to work for all of their clients and be able to keep their batteries fully
4 charged. For now, she thinks the ordinance provides a good compromise.
5

6 Councilmember Condon said she thinks it is an issue where all of the people cannot be
7 please all of the time. She thought the ordinance was very reasonable. She thought the
8 hours, particularly if the Town is consistent and moves from 7:00 a.m. to 8:00 a.m., is
9 something that will not be disruptive early in the morning. She also thinks in Mr. Spurzem's
10 case, there are 3 houses close by and if homeowners are supportive of having electric leaf
11 blowers they can purchase them, but she knows many people depend on gardeners and it
12 is unreasonable to expect them to have to buy an electric leaf blower that may not be as
13 efficient or accessible to power.
14

15 Regarding raking, she thinks what the ordinance includes is clear. If someone will use a leaf
16 blower they will not just put everything in the street and leave. The ordinance requires
17 them to clean up and she thinks that the debris that is sometimes left is something that
18 bothers many people. She therefore thinks the ordinance is something the Town and police
19 can easily apply and enforce and because of the time restrictions it is not that punitive.
20

21 Councilmember Andrews said other than wanting the start times consistent to both start at
22 8:00 a.m., he has no other comment.
23

24 Councilmember Lappert noted that many contractor unions start operations at 7:00 a.m.
25 and they work until 4:00 p.m. Therefore, he would strongly recommend not changing the
26 time to 8:00 a.m.
27

28 Vice Mayor Furst noted Chief Cusimano commented on subsection C; the addition made in
29 red on page 3; that the 7:00 a.m. time matched with what was in the Town's ordinance for
30 construction hours and it would be a problem to change that.
31

32 Chief Cusimano said often when construction work is done, a permit is needed and in the
33 permit they would designate times. Often they will designate construction to start at 7:00
34 a.m., but if there were a complaint they would show proof of the permit for a start time of
35 7:00 a.m.
36

37 Vice Mayor Furst said therefore she would not support a change in the wording of
38 subsection C from 7:00 a.m. to 8:00 a.m.
39

40 Mayor Bailey thanked everybody for their comments and correspondence on the matter.
41 Even though the Council cannot always do what everybody likes, they take comments to
42 heart. He does not disagree that the ordinance tends to possibly not go far enough, but on
43 the other hand he believes the way to affect some kind of change is incremental, steady and

1 persistent rather than making the big leap at once. On balance, the ordinance imposes some
2 sort of reasonable regulation without going too far. He supports it as well.

3
4 He added that he is not in favor of an overabundance of laws and thinks Corte Madera has
5 enough; however, it is useful to simplify or streamline things so they can be better
6 enforced. He took to heart what Chief Cusimano said many years ago when he first came to
7 talk about the ordinance and that some uniformity of interpretation would be helpful and
8 ease in the consistency for officers enforcing the ordinance. That said, he suggested a
9 motion.

10
11 Councilmember Condon clarified that leaf blowers would start at 8:00 a.m. and not 7:00
12 a.m.

13
14 Councilmember Andrews asked if lawn mowers would be able to operate at 7:00 a.m.

15
16 Vice Mayor Furst thought that lawn mowers fall into the category of construction
17 equipment. Councilmember Andrews referred to the red lined section, which is the
18 provisions of subsection A; "shall not apply to motorized landscape equipment."

19
20 Vice Mayor Furst said as subsection C is written, she asked the Town Attorney as to how it
21 applies to other landscaping equipment such as lawn mowers, shears and similar
22 equipment.

23
24 Town Attorney Riddle stated their operating hours would be 7:00 a.m. to 5:00 p.m. during
25 the week with the exception of leaf blowers that begin at 8:00 a.m. He suggested the Chief
26 comment on how this coincides with other type of construction equipment. He thinks the
27 idea is that this type of equipment might also be used in the construction field and they
28 want everybody to be able to operate at 7:00 a.m.

29
30 Chief Cusimano said with this paragraph, he thinks the 7:00 a.m. should be for construction.
31 The additional provisions to A should not apply to motorized landscape equipment. They
32 were just trying to spell out and make it legal for someone to remember to use the
33 following equipment so their intent was not to allow shears and other landscape
34 equipment at 7:00 a.m. Powered construction equipment is allowed at 7:00 a.m. because it
35 should be, but all other landscape equipment should start at 8:00 a.m. as Councilmembers
36 Andrews pointed out.

37
38 Vice Mayor Furst asked the Chief if the first part of section C at the bottom of page 2 is
39 correct which applies to construction or demolition work and it references it is allowed
40 Monday through Friday from 7:00 a.m. to 5:00 p.m.

41
42 Councilmember Lappert suggested allowing all equipment to begin at 7:00 a.m., given the
43 fact that people usually cut and prune and by the time they blow the debris around, it is

1 past 8:00 a.m. anyway.
2

3 Town Attorney Riddle said he thinks the ordinance accomplishes what is intended. It
4 ensures that in addition to construction equipment which is already dealt with at the
5 beginning of subsection C, they are adding in these types of motorized landscape
6 equipment to be subject to the same type of rules that construction equipment is subject to;
7 however, the Chief may not agree with that.
8

9 Chief Cusimano said the way the ordinance was written it made it sound that lawn mowers
10 were illegal. It bans leaf blowers as it is written and police wanted to have the exception
11 where it is spelled out that they are allowing this type of equipment. He thinks the problem
12 is that he cannot think of a situation where they would have construction where someone
13 is using a lawn mower or shears. Their intent was to spell out what they are allowing and
14 not allowing which was important to them. As they see it, all landscaping equipment should
15 be consistent with the leaf blower times of use whether it is 7:00 a.m. or 8:00 a.m.,
16 recognizing that for construction as subsection C is written, this is only for construction.
17

18 Town Attorney Riddle said, therefore, the only change is changing 7:00 a.m. to 8:00 a.m. on
19 the last sentence.
20

21 Mayor Bailey noted there is subsection A that talks about construction equipment
22 generally. Subsection C through E deals with the exception which is landscaping
23 equipment, in particular, leaf blowers. This is intended to be different in that it is not
24 subject to the subsection A or the very specific sound level decibels but instead,
25 landscaping equipment can only be used certain times of the day without regard to decibel
26 levels which is between either 7-5 or 8-5 and that is the difference. Town Attorney Riddle
27 confirmed this is correct.
28

29 Councilmember Condon referred to the first sentence in red and suggested crossing out
30 “additionally” and then state, “The provisions of subsection A shall not apply to motorized
31 landscape equipment” and then list the items. After shears, she asked to insert “leaf
32 blowers” to not operate at the following times rather than excepting gas-powered leaf
33 blowers. That way all gardening or non-construction work starts at 8:00 a.m.
34

35 Mayor Bailey clarified that there is construction equipment which is one set of regulations
36 landscaping regulations which is a second set of regulations, and the third set which is leaf
37 blowers and this begins one hour later at 8:00 a.m. He confirmed that Councilmember
38 Condon’s point is to make all landscape equipment start at the same time, or 8:00 a.m.
39

40 Councilmember Lappert concurred, but he said he supported 7:00 a.m. because gardeners
41 also like to start early in the morning, but by the time they get to leaf blowing it will be later
42 or after 8:00 a.m.
43

1 Vice Mayor Furst said the Council is also talking about changing lawn mowers to start at
2 8:00 a.m. also and she asked if this is a problem. Councilmember Lappert said he thinks it is
3 and that everybody should start at 7:00 a.m.

4
5 Mayor Bailey said his own view is that the way it is written works for him because it says
6 they keep in place the construction start at 7:00 a.m., they have a different rule for
7 landscaping, and there is the third rule for leaf blowers which is that it starts one hour
8 later.

9
10 Vice Mayor Furst agreed this is safer because if they change things like mowers and shears
11 to 8:00 a.m. they may be truly creating a hardship for small business owners doing
12 landscaping.

13
14 MOTION: Moved by Furst, seconded by Lappert, and approved unanimously by the
15 following vote: 5-0 (Ayes: Andrews, Condon, Furst, Lappert and Bailey; Noes:
16 None)

17
18 To introduce Ordinance 952 to amending the Town of Corte Madera
19 Municipal Code, Modifying Chapter 9.36 - Noise to Restrict the Operation of
20 Leaf Blowers, as written in the staff report

21
22 6.II Public Hearing to Consider Adoption Of A General Plan Amendment (GPA 16-
23 001) to Make Properties Within Existing C-3 Zoning Districts Consistent With
24 Their Existing General Plan Land Use Designation;

25
26 And

27
28 Introduction of a Zoning Amendment (ZA 16-001) to Remove Residential
29 Uses As A Permitted Conditional Use, in C-3 Zoning Districts; and
30 Determination That These Actions Are Exempt From CEQA Pursuant to CEQA
31 Guidelines Section 15061(B)(3).

32 (Report from Adam Wolff, Director of Planning and Building)

33
34 Director of Planning and Building Adam Wolff gave a PowerPoint presentation and stated
35 items for Council consideration involve two proposed actions. The first is a General Plan
36 Amendment to add the C-3 Zoning District into the list of applicable zoning districts in the
37 Mixed Use Commercial land use designation of the 2009 General Plan.

38
39 The second item is a proposed Zoning Ordinance Amendment to remove an existing
40 conditional use for residential units in locations and at densities determined by the
41 Planning Commission to conform to the General Plan from the list of allowable conditional
42 uses in the C-3 zoning district. For the purposes of discussion purposes, Mr. Wolff said he
43 will break the matter into two separate discussions; the first regarding the proposed

1 General Plan Amendment and thereafter, the Zoning Ordinance Amendment.
2

3 Mr. Wolff said on the General Plan Amendment, there are several pages of background
4 information in the staff report all to do what is clearly a cleanup to the existing General
5 Plan that was adopted in 2009. As explained in the staff report, in 2009 the General Plan
6 changed the land use designation of several commercial properties in Corte Madera from a
7 variety of different land use designations such as Region Serving Commercial, Commercial
8 Services, Local Serving Commercial, Office and Industrial as those were defined in the 1989
9 General Plan to a Mixed Use Commercial land use designation. That land use designation is
10 shown in blue on the General Plan map which he displayed.
11

12 The Mixed Use Commercial land use designation is one of 15 land use designations
13 identified in the General Plan and its language was intended to allow both commercial and
14 residential uses. At the bottom of every land use designation in the General Plan there is a
15 section entitled "Applicable Zoning Districts." This section is there to let the reader know
16 what zoning districts are consistent or compatible with that Mixed Use Commercial
17 designation.
18

19 He displayed the list which he said clearly does not include the C-3 Highway Commercial
20 zoning district. In fact, the C-3 Highway Commercial District does not exist as an applicable
21 zoning district in any of the 15 land use designations that were identified in the 2009
22 General Plan. By State law, the Town is required to have the zoning ordinance consistent
23 with the General Plan, and this was left to be inconsistent with any of the General Plan land
24 use designations.
25

26 Staff looked at the record of the 2009 General Plan and the policies included in that
27 document, all related documents including the EIR notes and whatever they could find and
28 there was no indication that there was any intent to omit the C-3 Highway Commercial
29 District from this list of applicable zoning districts. He spoke with former planning staff and
30 it appears that this was an inadvertent error that omitted that zoning district from this
31 section of the General Plan. Staff has outlined the reasons that lead staff to this conclusion.
32

33 Nonetheless, importantly this has the effect of precluding or hindering the ability for
34 property owners located in the C-3 district from processing applications for design review
35 or changes of uses, signs or any potential permit that requires findings to be made that a
36 proposed project that would comply with the C-3 district regulations would be consistent
37 with the General Plan because it is not listed in this section. This gained some greater
38 urgency because there are two pending applications before the Planning Department, one
39 anticipated application and a more recent conversation with another property owner who
40 owns property in the C-3 district which seeks to redevelop or otherwise change the
41 conditions on their property which would require some discretionary action from the
42 Town.
43

1 Those properties include a redevelopment project at 200 Nellen Avenue. This is a used car
2 lot at the corner of Nellen and Fifer at the south bound highway entrance, and is a proposal
3 for a new two-story, 8,400 square foot retail and office building. That applicant is present
4 this evening and may be speaking. The Budget Inn came with a proposal to extensively
5 remodel their existing hotel and this would go through design review which requires a
6 finding as to whether it is consistent with the General Plan. The Denny's restaurant site has
7 also inquired as to a potential tenant that would need to make changes to the exterior of
8 the building, which would also require design review.

9
10 Mr. Wolff stated the brown color on the map shows the existing C-3 zoning district.
11 Obviously, there are other activities going on such as the Tamal Vista East Corridor Study is
12 underway which can take care of consistency issues in that process and through the
13 regulations developed, and there are other affected commercial areas within the C-3
14 district.

15
16 Lastly, Mr. Wolff referred to Attachment 1 to the staff report which is the resolution which
17 adds C-3 Highway Commercial District to the list, thereby making it consistent.

18
19 Mayor Bailey asked if the other two perspective applicants indicated any comments either
20 for or against the proposal. Mr. Wolff said once this was brought to the attention of the
21 applicants and expressed the situation with regards to the inconsistency finding, the
22 applicants expressed a desire that this be fixed quickly.

23
24 Councilmember Andrews asked why the Budget Inn remodel not be covered under the
25 Hotel/Motel ordinance which is currently going through the Planning Commission process.
26 Mr. Wolff explained that the ordinance is proposed to rezone one property and not all four
27 hotels in town. He noted that all three projects propose development that would comply
28 with the C-3 commercial development regulations as they exist to date.

29
30 Councilmember Condon asked if the C-3 Highway Commercial district provides for housing
31 as well. Mr. Wolff said this relates to the second item; the Zoning Ordinance Amendment
32 which is proposed to remove a conditional use that exists within the C-3 district. As with all
33 commercial districts the Town has an extensive list of uses allowed by right and in the C-3
34 district there are 76 permitted uses and 24 conditionally permitted uses. Residential units
35 in locations and at densities determined by the Planning Commission must conform to the
36 General Plan are allowed as a conditionally permitted use in the C-3 district today.

37
38 Councilmember Condon asked if staff will be extracting the conditional use of housing from
39 the C-3 district.

40
41 Mr. Wolff said the second action is to propose a Zoning Ordinance Amendment that would
42 remove this particular conditional use from the list of conditional uses allowed in the C-3
43 district. As explained in the second part of the staff report here, this has to do with

1 maintaining the intent and the processes and implementation programs of the 2009
2 General Plan and it is counter-intuitive because the General Plan clearly says there are
3 mixed use districts, many of which are currently zoned C-3. To encourage residential uses;
4 however, the General Plan explains and discusses several policies and implementation
5 programs as to how to achieve that outcome, which is either through community plans or
6 creation of a new mixed use zoning district, and that ultimately would need to be analyzed
7 in terms of determining in detail how to allow for mixed use, including residential uses in
8 these areas.

9
10 In staff's opinion, currently allowing residential units through this conditional use permit
11 circumvents the processes outlined in the 2009 General Plan in order to carefully consider
12 mixed use districts and allowing residential use in those areas.

13
14 Councilmember Condon stated that if Councilmembers wish to extract that, it would
15 behoove the Town to do that. Her concern is that if someone were to come in and there is
16 the conditional use for the C-3 district as housing and they applied for permits, and the
17 Planning Commission or Town Council decided they feel there should be a more
18 appropriate use, she would be concerned the applicant could return and indicate the
19 Council was impeding development of housing since the C-3 zoning allows for it that way it
20 currently stands.

21
22 Mr. Wolff said he believes that in a sense there is a unique opportunity presented by the
23 fact that the C-3 was omitted from the list of applicable zoning districts in 2009 and it has
24 not been put back in yet. It would be taking away a conditional use permit that essentially
25 was inapplicable and could not be applied for prior to 2009 because again, the General Plan
26 and land use designations in the General Plan prior to 2009 did not allow residential uses.
27 It was only after 2009 with the creation of the Mixed Use Commercial districts that
28 residential uses was allowed, but C-3 was omitted from the list of applicable zoning district.

29
30 Mr. Wolff said again, the General Plan encourages and is very clear on the intention that
31 residential uses should be allowed in these mixed use commercial areas, and so it is more a
32 matter that even if the conditional use is removed, someone might request to construct a
33 mixed use development consistent with what the General Plan states. The Town would
34 then be in the position of creating a mixed use district for that particular project or as they
35 are doing in the Tamal Vista East Corridor, thinking about a Community Plan or something
36 similar to that process to create regulations for that property.

37
38 The other option would be to proactively start to do this in advance of any development
39 coming in seeking residential use. Therefore, this does not change the General Plan intent
40 but it changes what comes under the more immediate C-3 regulations relating to housing.

41
42 Councilmember Condon thanked Mr. Wolff and noted that her concern was that the Town
43 not expose itself to being accused of creating impediments with zoning.

1
2 Mayor Bailey opened the public comment period.
3

4 BARBARA GARCIA, Walnut Avenue, asked if the changes by removing the residential use as
5 a conditional use permit mean that a private property owner could not change their unit to
6 a multiple or double unit without some sort of design review, or she asked if this would still
7 be consistent with the General Plan.
8

9 Mayor Bailey asked and confirmed with the Town Attorney that the Planning Director
10 could respond to questions if able to do so.
11

12 Mr. Wolff said in looking at all of the properties currently zoned C-3 district, there is only
13 one property that currently has residential uses on it, which is on Casa Buena next to
14 America's Best Motel which was developed when it was County property in the early
15 1960's. It would not change any regulations outside of the C-3 district. He clarified that
16 Tamal Vista Boulevard is in the C-3 district on the eastern side and not the western side
17 and this change would not alter that in any way or negatively affect individual property
18 owners with single family housing.
19

20 SEBASTIAN JAKOVICH, Nellen and Fifer Avenues, said his family owns multiple properties
21 and they have worked with the Town Council in the past. The project at 200 Nellen was
22 previously fully approved as C-3 zoning in 2008 after the Caltrans project was finally
23 completed. They revived their plans and approached Planning Director Wolff and Senior
24 Planner Phil Boyle who told them they did not have any zoning at their properties. They
25 involved their legal counsel at that point and it is illegal in the State of California to take
26 away someone's zoning and not reinstate it.
27

28 As Mr. Wolff stated, it was probably an error that C-3 was not listed, but they have now for
29 almost 2 years tried to get a project and this is the fix under California law to reinstate their
30 zoning and everybody's else's property that has no current C-3 zoning. Mr. Jakovich said he
31 urged the Town Council's approval as the Planning Commission had done in their previous
32 meetings recommending that C-3 zoning be adopted.
33

34 Mr. Wolff said he failed to mention that the Planning Commission did hear this item on
35 February 23rd and voted to recommend approval of the General Plan Amendment by a vote
36 of 5-0 and the Zoning Ordinance Amendment by a vote of 3-2.
37

38 JANE LEVINSOHN, Tamal Vista, said she finds the matter confusing and does not
39 understand it. She asked to make sure that whatever happens with the Corte Madera Inn,
40 the Town not get commercial development, high rise buildings or anything else in that area
41 that would mirror the Tamal Vista Residences. She also asked not to put an automobile
42 showroom on the corner of Madera Avenue and the freeway if the renovation for the Corte
43 Madera Inn does not get approved or if the owners are forced to sell their property. She

1 thinks the Town needs to be sure that one of the main entrances to Corte Madera is
2 attractive and does not have any kind of commercial development on it.

3
4 LINDA STEIDL, 5839 Paradise Drive, former Denny's restaurant, thanked the Town for
5 adding the C-3 zoning. They have plans to move forward with a new tenant occupy that
6 space and are on hold, and therefore, she fully supports adding the C-3 zoning to the
7 General Plan.

8
9 Mayor Bailey closed the public comment period.

10
11 Vice Mayor Furst thanked Mr. Wolff for a well-written and cogent staff report, given the
12 issue is incredibly complex and difficult. She said she absolutely supports the
13 recommendation and thinks it will restore the C-3 district and will take care of the zoning
14 to what was originally intended when the 2009 General Plan update was adopted.

15
16 MOTION: Moved by Lappert, seconded by Furst, and approved unanimously by the
17 following vote: 5-0 (Ayes: Andrews, Condon, Furst, Lappert and Bailey; Noes:
18 None)

19
20 To adopt a General Plan Amendment (GPA 16-001) to Make Properties
21 Within Existing C-3 Zoning Districts Consistent With Their Existing General
22 Plan Land Use Designation

23
24 Councilmember Condon referred to the second item; the zoning amendment and clarified
25 that the Town was going to remove housing from that designation as a conditional use. She
26 asked and confirmed that this applies to all other C-3 districts in town.

27
28 MOTION: Moved by Furst, seconded by Condon, and approved unanimously by the
29 following vote: 5-0 (Ayes: Andrews, Condon, Furst, Lappert and Bailey; Noes:
30 None)

31
32 To introduce Zoning Amendment (ZA 16-001) to remove residential uses as a
33 permitted conditional use, in C-3 Zoning Districts; and determination that
34 these actions are exempt from CEQA pursuant to CEQA guidelines Section
35 15061(B)(3)

36
37 **7. BUSINESS ITEMS**

38
39 **7.1 City of Larkspur Draft Bicycle and Pedestrian Master Plan**

40
41 Vice Mayor Furst stated she brought this matter forward because the City of Larkspur has a
42 draft Bicycle and Pedestrian Master Plan out for public comment and today is the deadline,
43 which the Town just learned of and authorized the matter to be added as an emergency

1 item to tonight's agenda.
2

3 There are a few items of interest to Corte Madera, either omissions or things included that
4 were felt not appropriate and warranted a letter to the City of Larkspur outlining concerns.
5

6 Senior Civil Engineer Nisha Patel stated TAM has funded all local agencies in Marin to
7 produce a Bicycle and Pedestrian Master Plan. The City of Larkspur over the last couple of
8 months has developed their plan as Corte Madera is, and they are at a point of a final draft
9 plan. The plan was put out for public comment and the Town just learned of it and noticed
10 there were some things missing or additions the Town was unaware of that affect Corte
11 Madera.
12

13 Ms. Patel presented an overhead presentation and stated the Council was provided with a
14 set of plans to follow along with. The first addition relates to a project that Corte Madera
15 jointly submitted in a grant application with Larkspur for the Central Marin Regional
16 Pathway Gap Closure Project. This project makes some bicycle and pedestrian
17 improvements on Wornum Drive, changing the multi-use path on the south side of
18 Wornum Drive, adding a cycle track on the north side of Wornum Drive, adding a cycle
19 track on Nellen Avenue, as well as opening up Nellen Avenue and making improvements at
20 a bus stop.
21

22 Vice Mayor Furst asked Ms. Patel to explain the Larkspur jurisdictional line around the
23 intersection. Ms. Patel pointed to Larkspur's City limit line and it jogs a bit which grabs the
24 intersection of Wornum and Nellen. The City of Larkspur did not include any
25 improvements at this intersection nor did they include the Wornum corridor, and the Town
26 wants to request that they include improvements at this intersection as well as in the
27 Wornum corridor, and when she displays the next project the Council will understand why
28 it is important.
29

30 Ms. Patel moved onto the next project and said currently TAM is managing the northern
31 section of the North/South Greenway Gap Closure project which widens the multi-use path
32 along what she calls the on/off-ramp from Redwood Highway to Sir Francis Drake
33 Boulevard. At the touchdown, the plan crosses over into private property around the
34 mobile home park and will come south through SMART right-of-way and continue into
35 Corte Madera. It will terminate at Redwood Highway and Wornum Drive.
36

37 The project proposes to also cross over, improve and add a sidewalk along the east side of
38 Redwood Highway down to the pedestrian overcrossing. She said the City of Larkspur did
39 not include any improvements at the pedestrian overcrossing, and their jurisdictional line
40 is somewhere in the middle of the pedestrian overcrossing. The Town of Corte Madera did
41 include improvements at the pedestrian overcrossing. It did not include any kind of
42 maintenance or the potential for making it ADA compliant in the future.
43

1 Vice Mayor Furst asked if this was something that Caltrans suggests periodically in updates
2 to both cities.

3
4 Ms. Patel stated Caltrans inspects bridges in jurisdictions and will just make
5 recommendations for either improvements or maintenance. The pedestrian overcrossing is
6 mostly within Larkspur. Therefore, Larkspur should be including it in their plan because it
7 is within their jurisdiction. Larkspur did include it on page 96 as “potential future
8 improvements” but she said that the North South Greenway Gap Closure Project ~~this~~
9 project will start construction in the fall of 2017 and be complete in the fall of 2018.
10 Larkspur also did not include any improvements at the intersection of Nellen Avenue and
11 Wornum Drive and this (the North South Greenway Gap Closure) project will bring in many
12 more bicyclists and pedestrians to Redwood Highway and Wornum Drive and that would
13 direct them across Wornum Drive to connect to the Sandra Marker Trail.

14
15 Councilmember Condon asked why the Town just learned of the plan now. Ms. Patel stated
16 the City of Larkspur does not inform the Town and conversely, the Town of Corte Madera
17 did not inform them of the Town’s Bicycle and Pedestrian Master Plan.

18
19 Councilmember Andrews asked if the Town’s General Plan suggests that the Town consult
20 with their twin city.

21
22 Councilmember Condon stated Larkspur’s plan has the Corte Madera logo on the plan so it
23 appears it is a joint project.

24
25 Vice Mayor Furst clarified that this is a TAM project. The previous project was worked on
26 together with the task force and she was perplexed as to why the City of Larkspur did not
27 include it on their draft Bicycle and Pedestrian Master Plan, given the Town co-partnered
28 with them on the plan.

29
30 Ms. Patel stated that Councilmember Condon points out very accurately that Larkspur does
31 have Corte Madera’s name and logo on the Central Marin Gap Closure Plan but they did not
32 include it in their bike plan.

33
34 Ms. Patel continued and stated the County is actually managing the southern portion,
35 although this is a moot point which does not affect the letter the Mayor will be asked to
36 forward to the City of Larkspur.

37
38 Ms. Patel then stated the City of Larkspur has secured a Safe Pathways grant for
39 improvements on Doherty Drive to meet bicycle and pedestrian improvements. This also
40 includes the intersection of Doherty Drive and Lucky Drive. About this time last year the
41 City of Larkspur approached Corte Madera to make improvements to coordinate with their
42 bicycle improvements and they had a plan prepared for Class II bike lanes to be added to
43 Lucky Drive.

1
2 The Town was open to making those improvements once Larkspur is complete with their
3 construction and will stripe the bike lanes. They did not make any reference to the Class II
4 bike lanes; however, on page 96 which lists out their potential futures projects as well as
5 future projects they would like other jurisdictions to make and they included a Class IV
6 cycle track on Lucky Drive which is more involved and the Town knew nothing about.
7 Therefore, the Town is asking them to remove anything the Town did not know about and
8 to add the Class II bike lanes.

9
10 Also on page 96 under Appendix F, Larkspur's plan adds facilities on Tamal Vista
11 Boulevard, modifying the intersection of Tamalpais Drive, San Clemente Drive and
12 Redwood Highway. Ms. Patel said the Town is already in the middle of conceptual design of
13 facilities on Tamal Vista Boulevard so if they had something in mind for Corte Madera to
14 add on Tamal Vista Boulevard it would have been important to know because the Town is
15 moving ahead. Therefore, the Town is asking that to be either removed at this time or for
16 them to coordinate and discuss what those improvements are.

17
18 Lastly, regarding modifying the intersection of Tamalpais Drive, San Clemente Drive and
19 Redwood Highway, the Town of Corte Madera had no plans to make any improvements
20 there so she was not sure what Larkspur had in mind there, as well.

21
22 Councilmember Condon repeated that she finds it very disturbing that the City of Larkspur
23 was planning to submit this without appropriate input or follow-through with what was
24 supposed to be a partnership on this project. She commended Vice Mayor Furst for
25 bringing this to the Council tonight, as well as Ms. Patel, given the Council was blind-sighted
26 by these items.

27
28 Vice Mayor Furst stated a person who attended the Larkspur Council meeting got the
29 impression that the City of Larkspur was intentionally handing over to Corte Madera
30 responsibility for things like improvements along Wornum Drive, including at Wornum
31 Drive and Nellen Avenue which is in their jurisdiction, and that they conveyed that Corte
32 Madera has accepted that. She wants to make it clear that Corte Madera has not accepted
33 responsibility for taking on projects within the jurisdictional boundaries of Larkspur. They
34 have partnered with them to come up with plans and partnered with them on two different
35 applications to an active transportation grant process. They did not receive funding for
36 either one of them.

37
38 Vice Mayor Furst said she would also like to share something that she very recently found
39 out that she finds very disturbing which is that the City of Larkspur refused to co-sign the
40 application to the State for the ATP grant that Corte Madera signed and Larkspur was
41 supposed to sign and failed to do so even though it was a joint project and also something
42 that their joint Traffic Task Force of both cities had been working on. She thinks it is
43 important for the Town to stay on top of these issues and make sure all bases are covered

1 and all they are doing is cooperative, and that planning documents reflect that they are
2 each involved in these kinds of improvements within their jurisdictions and working with
3 the other city, as well.

4
5 Councilmember Condon suggested the Town have clear documentation about what
6 brought this to be agendized as an urgent matter tonight.

7
8 Councilmember Lappert asked if the grant was brought about because of a grant
9 application. Ms. Patel stated one or two items staff saw that was missing was because the
10 Town submitted a grant application for a project that they had a shared interest in doing,
11 but they did not include it in their Bicycle and Pedestrian Plan. They wrote support letters
12 just as Corte Madera did and it could affect the Town's chances of receiving the grant even
13 though both cities were applying jointly for it.

14
15 Councilmember Lappert asked if these grant applications were such that they would ask
16 for more than they think they would get to be able to settle for what they really want.

17
18 Ms. Patel said no, this is a federal grant. They will award the grant for what was asked for
19 usually and for the full scope of the work, which cannot be changed. But, they want to see it
20 is in an approved plan and this is one of the things that will assist in achieving points to
21 apply and be awarded the grant. If a city is applying with another agency, she thinks both
22 would want to have the improvements in their bicycle and pedestrian plans when this is a
23 bicycle and pedestrian improvements plan.

24
25 Vice Mayor Furst stated this is a key point. This project was the most highly ranking project
26 of all Marin projects but none of them got funded. But, because it was two jurisdictions
27 coming together which is of regional significance and multi-jurisdictional, this moved up
28 both cities in the rankings. Therefore, it is extremely important that it gets included in both
29 cities' Bicycle and Pedestrian Master Plans.

30
31 Mayor Bailey opened the public comment period.

32
33 JANE LEVINSOHN, Tamal Vista, said Tamal Vista is looking more and more the most
34 unpleasant place to live in Corte Madera and it seems to her that the Town ought to at least
35 wait to see what will happen with Tamal Visa Residences and what traffic will be like when
36 people are living there. She questioned whether there was discussion about putting a signal
37 at the end of Nellen Avenue to get the traffic from the Rose Garden onto Highway 101
38 without coming down Tamal Vista Avenue to go southbound on Highway 101.

39
40 Mayor Bailey asked if the grant application was still pending or was it denied.

41
42 Ms. Patel said the Town did not get funding from the grant application for the last cycle
43 even though they were the highest scoring in Marin. There is another cycle opening up later

1 this month or next month which is Cycle 3. What she was told is that TAM is encouraging
2 Corte Madera to apply for it because they were very close and if they were disadvantaged
3 they may have gotten funding given that points are given for the disadvantaged. Mayor
4 Bailey thought it would be in Larkspur's interest to all get along here.

5
6 SEBASTIAN JAKOVICH, Nellen Avenue and Fifer Avenue, stated their family is in favor of
7 safety improvements along Nellen Avenue, Wornum Drive and the entire area because they
8 have always encouraged working with the local jurisdictions to come up with common
9 sense solutions for bicycle and pedestrian safety. It makes a lot of sense to route traffic
10 through here instead of Tamal Vista which Ms. Levinsohn mentioned. Therefore, he thinks
11 there are ample opportunities along Nellen right now which is being used as a parking lot
12 for construction workers and for commuters. In a quick review, he welcomed being able to
13 work with the Town of Corte Madera and the City of Larkspur to assist as a private
14 property owner that fronts much of this area set for improvements. He said they will be
15 presenting some future projects now that the C-3 zoning looks like it is back and he will be
16 working with the Town together.

17
18 Councilmember Andrews asked if he was correct in interpreting Mr. Jakovich's comments
19 that he has no objection to removing the cul-de-sac at the end of Nellen and turning that
20 into Spruce Street.

21
22 Mr. Jakovich said no, they do not. Before that was done and shut off it was always a through
23 street, but because of the way the intersection worked, it was very dangerous. This was
24 always brought up during the Caltrans Greenbrae Corridor Improvement Project that this
25 was an opportunity to re-route traffic that may have otherwise gotten stuck on the
26 highway. People would sometimes end up backing up there, turn into the car lot and
27 making illegal U-turns, but otherwise this could be favorable and help ease up another
28 avenue to get around if signaled properly.

29
30 Vice Mayor Furst presented a display and said this is the proposal for the north end of
31 Nellen Avenue on the Central Marin Regional Gap Closure project that Corte Madera and
32 Larkspur jointly cooperated on and which failed to get ATP funding so far. What they are
33 looking at is the corner where the used car lot is and the Council will see the on-ramp from
34 Highway 101 southbound. She asked Ms. Patel to point to how cars coming from downtown
35 Larkspur eastbound on Fifer Avenue would be able to, if they wanted to, turn right onto
36 Nellen Avenue. Northbound it turns into a cul-de-sac and they cannot have traffic exiting
37 Nellen Avenue northbound because it interferes with the freeway on-ramp and Caltrans
38 would never approve that.

39
40 She said what this does is it allows traffic coming from Larkspur to choose to take Nellen
41 Avenue down to Wornum Drive rather than having to take Tamal Vista and go through the
42 Tamal Vista/Wornum Drive interchange. This would require a new stop light at Wornum
43 Drive and Nellen Avenue which is within Larkspur's jurisdiction.

1
2 Vice Mayor Furst said someone also asked about Doherty Drive and she said this is a
3 project that Larkspur is currently undertaking. It includes some improvements to get traffic
4 moving more smoothly through Larkspur up by Redwood High School. The morning traffic
5 backup is not due to Tamal Vista but all high school and middle school traffic backing up all
6 the way from the stop sign at the first entrance to the east parking lot at Redwood High
7 School. She said Larkspur has funding for their project along Doherty and up by Redwood
8 High School and they will be breaking ground this summer.

9
10 Vice Mayor Furst said lastly, the Council received a letter from Cindy Winter regarding her
11 concerns about the failure of the Larkspur Bicycle and Pedestrian Plan to address some of
12 these, which are well addressed in the letter Ms. Patel drafted for the Mayor's signature.

13
14 Councilmember Andrews stated he heard from a couple of Councilmembers in Larkspur
15 raising the issue of a possible Corte Madera-Larkspur joint Council meeting regarding
16 issues of mutual concern. He also said tonight there was a meeting at Kent Middle School
17 where they talked about re-designing Sir Francis Drake Boulevard which means two years
18 of construction, and he thinks the Town should start to think about how to handle the
19 excess traffic on Magnolia during this time.

20
21 In terms of the letter to the City of Larkspur, Councilmember Andrews stated he supported
22 sending it, but suggested adding a comment to schedule a joint meeting of the Bicycle and
23 Pedestrian Advisory Committees so both cities are on the same page or determine how
24 communications might be improved.

25
26 Vice Mayor Furst stated both cities have a joint Traffic Task Force and she questioned why
27 their Bicycle and Pedestrian Plan did not include improvements that that joint task force
28 approved. She said both cities work jointly and she questioned why the information was
29 not incorporated into the plan. She thinks another joint Traffic Task Force meeting is being
30 scheduled, but as the Safe Routes to School representative for the Town of Corte Madera,
31 she has been working with their representative, Ann Morrison and David Parisi Associates
32 to address some of the school related issues to be studied and evaluated in conjunction
33 with other things. Therefore, there is a fairly decent amount of cooperation currently
34 underway between the two cities.

35
36 She thinks once Larkspur gets their new Public Works Director it might be the time to have
37 staff discussing things, but she worries that at this point a joint Council meeting with both
38 cities would not be productive, as the Council is addressing everything that needs to be
39 addressed tonight.

40
41 Ms. Patel noted that the City of Larkspur does not have a Bicycle and Pedestrian Advisory
42 Committee, and Vice Mayor Furst noted that Larkspur came up with their Bicycle and
43 Pedestrian Master Plan without an advisory committee.

1
2 MOTION: Moved by Furst, seconded by Condon, and approved unanimously by the
3 following vote: 5-0 (Ayes: Andrews, Condon, Furst, Lappert and Bailey; Noes:
4 None)

5
6 To authorize the Mayor to send the draft letter to the City of Larkspur
7 regarding comments on the City of Larkspur's Bicycle and Pedestrian Master
8 Plan
9

10 7.II Review of Draft April 5, 2016 Town Council Agenda

11
12 Mayor Bailey said he would like the Town Clerk to provide an update report at the April 5th
13 meeting regarding a video camera system. He said he also has another idea to move
14 elections to coincide with the General Election and asked if this would merit a discussion.
15

16 Councilmembers concurred and he asked the Clerk to discuss this with the Town Manager
17 as to when this could be agendized.
18

19 7.III Approval of Minutes of March 1, 2016 Town Council Meeting

20
21 Vice Mayor Furst requested the following amendments:
22

- 23 • Page 10, Lines 6, 13 and 15: Replace "Mr. Bitters" with "Councilmember Andrews".
- 24 • Page 10, end of Line 8, revised to read: "She suggested there may be times when it is
25 appropriate for Councilmembers to provide their own slides, but she would
26 generally like them to be put together by staff."
- 27 • Page 10, Line 15: Replace the word "document" with "Climate Action Plan"
- 28 • Page 10, Line 23: Replace everything after "policies" and insert "within the plan".
- 29 • Page 11, Line 22: "She did not want to burden staff to create extra PowerPoints."
- 30 • Page 28, Line 35: "Town applied for regional and state ATF funding. ~~to ATF and to~~
31 ~~State ATF.~~
- 32 • Page 28, Line 38: After "might be" add: "a related Safe Routes to School discussion,
33 as well."
34

35 MOTION: Moved by Furst, seconded by Condon, and approved unanimously by the
36 following vote: 5-0 (Ayes: Andrews, Condon, Furst, Lappert and Bailey; Noes:
37 None)
38

39 To approve the minutes of March 1, 2016 Town Council meeting, as
40 amended.
41

42 **8. ADJOURNMENT**
43

- 1 The meeting was adjourned at 9:55 p.m. to the next regular Town Council meeting on April
- 2 5, 2016 at Town Hall Council Chambers.