

MINUTES OF FEBRUARY 2, 2016

REGULAR MEETING
OF THE
CORTE MADERA TOWN COUNCIL

Mayor Bailey called the Regular Meeting to order in the Town Hall of the Town of Corte Madera on February 2, 2016 at 7:30 p.m.

1. ROLL CALL:

Councilmembers Present: Mayor Bailey, Vice Mayor Furst and Councilmembers Andrews, Condon and Lappert

Councilmembers Absent: None

Staff Present: Town Manager/Town Engineer David Bracken
Town Attorney Randy Riddle
Director of Planning and Building Adam Wolff
Director of Recreation and Leisure Services Mario Fiorentini
Senior Planner Phil Boyle
Capt. Jim Shirk, CMPA
Town Clerk/Assistant to the Town Manager Rebecca Vaughn

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

2. PRESENTATIONS

- 2.I. Valerie Pitts, Ed.D., Superintendent of Larkspur-Corte Madera School District
Subject: Local Education Funding Update

Larkspur-Corte Madera School District Superintendent Valerie Pitts thanked Councilmembers for attending the event for her 10-year anniversary and thanked the Town in its support of schools.

Ms. Pitts presented a recent mailer sent from the school district to all homeowners, stating the Board of Trustees approved placing a parcel tax measure on the May 3rd mail-in ballot for renewal of the 2009 parcel tax which does not expire until 2018. At that time of the measure's last renewal the tax was a straight renewal for homeowners. At this time there will be a slight increase for homeowners and the District will be additionally correcting the structure which has found to be not in compliance with current Government Code. An increase of \$185 is proposed to homeowners as well as eliminating the current tiered structure and rate approved in 2009.

Dan Durkin, Trustee, Larkspur-Corte Madera School District, stated the parcel tax renewal has been on their agenda since September and a study session regarding its renewal was held in December. They were sensitive to the change in the interpretation in law in that they had to eliminate the tiered rate or the difference between the commercial versus residential rate, and this would not be revenue neutral. They also have been reaching out to community and business members about

Ms. Pitts stated the increase is revenue neutral and the increase will help them maintain a \$3 million revenue level for the District or 16% of their budget, which is very important in terms of maintaining the quality of current programs.

Councilmember Lappert said towns are under a lot of pressure to cut costs and to bring things into efficiency. He has always been irritated by the number of districts in the school system within a very small geographic area and the number of items on property tax bills from different school districts. He asked what the district is doing to look at this issue for a more efficient school district.

Mr. Durkin commented that he was surprised in the number of school districts here, having come from a San Francisco district and having grown up in Maryland where school districts are organized by county. The districts have a number of shared services within Marin County. He said they have reached out and have invited the public to send comments, but few have been received. As far as costs, influence over the District's budget relates to who is elected to the Board of Trustees. He has reviewed the amount of expenditures per the Average Daily Attendance (ADA) which dates back to 2005 and it shows that in 2008 the economy crashes and they dipped down. They are slowly ramping up year to year or a 1% growth every year and building up to where they are now. Their total funding includes the parcel tax, revenue from their Foundation, as well as the state-contributed funds.

Councilmember Lappert said when he looks at the overall country and California school systems almost being at the bottom with the highest expenditure per student, he is concerned.

Mr. Durkin said in reality, when looking at what states are spending per student, it is well above California. He noted that California schools rank 45th in the state and other states are approaching them as to how they are efficient, given what they spend per student.

Ms. Pitts recognized Councilmember Lappert's request and said they will agendize this for discussion.

3. OPEN TIME FOR PUBLIC DISCUSSION

TREVOR MEYERS, Golden Hind Passage, said in October he began a petition to save the Corte Madera Cinema which has been overwhelmingly positive. The night before the new Star Wars came out he obtained signature from everybody in line which reached the back of the parking lot. He referred to the sale of the theater to Scandinavian Designs and said the Town does not need more retail. By taking away the movie theater, there are no arts in Corte Madera. He presented the Council with 4,000 signatures taken from 3 different petitions and asked to save the movie theater.

PETER HENSEL, Willow Avenue, said the theater is a cultural asset for the community and noted that he visited Scandinavian Design's store in San Rafael which is a very high class store. He then drove into the movie theater lot which is huge and he wondered if it was possible to work out a public/private partnership to save the theater, as the Town is getting walled in with development.

BOB BUNDY, Golden Hind Passage, said he would like to see the theater be able to be saved and utilized by the community for many years. He realizes they are in a capitalistic society and they cannot ask people not to make money or lose money, but he thinks there would be many individuals in Marin County that would support a subscription service to the movie theater, where one could purchase a book of tickets which would provide them with better financial footing and allow the theater to remain in Corte Madera.

RUBEN CHANG, Corte Madera, thanked Trevor Meyers for his work obtaining petition signatures, said he loves the theater and was shocked the Town would think of replacing it with housing or a store.

NICK JAVARIS, Willow Avenue, said he has been in the shopping center business for 35 years and noted that Scandinavian Designs only needs 10 parking spaces, they do not need the large parking lot, and he suggested the Town further explore this issue.

4. COUNCIL AND TOWN MANAGER REPORTS

- Town Manager Report:

Town Manager Bracken gave the following report:

- He attended the Marin Managers Meeting last Thursday but had no report.
- He attended the monthly Central Marin Police Managers meeting last week and discussed personnel issues.
- He attended the annual meeting of the Fire Flow Improvement Program Technical Advisory Oversight Committee at MMWD. He reported that the meeting was interesting.
- He attended a Major Crimes Task Force Oversight Committee meeting and reviewed the FY 2016/17 proposed budget. They will meet again in April to review the budget again.

Mr. Wolff gave the following report regarding the Tamal Vista East Corridor Study:

- Today, he and the consultant project manager, Dave Javid met with the Chamber of Commerce and discussed a stakeholder meeting to discuss the proposal and any input and comments the Chamber might have on the proposal at this time.
- He also discussed with the consultant potential meeting dates for the next public workshop, which is tentatively scheduled for mid-March.
- In response to Mayor Bailey's question, Mr. Wolff clarified that the current moratorium expires in October and the Town was on track to consider new rules and regulations.

- Council Reports

Councilmember Andrews had no report.

Councilmember Condon gave the following report:

- She attended the Housing Community and Economic Development meeting in Sacramento as representative to the League of California Cities. They received a briefing on the state budget and issues, which included:
 - The Governor's initial budget is a conservative budget with reserves.
 - The finances for the state are better now than they have been for the past 10 years as the state is in a moderate recovery period.
 - In case of a recession or a sudden dip the state has anticipated that they would have the revenue to compensate for this.
 - Proposition 30's tax which is an increase in sales tax and income tax ends December 31, 2016. Currently the Governor does not have plans to have that renewed, anticipating that sales tax will remain steady. However, groups are discussing placing it back on the ballot and if this is done it is projected to have a negative impact on big business in California.
 - The Governor has provided funding for K-12 grades, and reserves will be limited to one-time expenses and to pay down debt.
 - Another priority is to budget for health and human services, particularly terms of managed health care.
 - Another priority is housing for the homeless which includes permanent supportive housing for mentally ill individuals.
 - None of the Governor's budget included significant funding for affordable housing.
 - \$26 million has been allocated to police enforcement and nearly \$1 billion would go to cities and counties for road maintenance.
 - The federal government discussion focused on FAA's development of legislation for drones, as well as legislation that will allow for flight plans to be altered without contacting any local jurisdictions affected.
 - A presentation was given by Cindy Cavanaugh, Assistant Deputy Director of HCD on homeless and housing policies. The goals for this year of the Policy Committee are to try to develop legislation and prevention for over-concentration of group homes, which is primarily an issue in Sausalito and in San Rafael.

- The Policy Committee will work towards RHNA reform, CEQA reform and the state has an energy efficiency retrofit fund for state government buildings and they will try to develop legislation that will offer such funding to city buildings, as well.
- Today she attended the Chamber of Commerce Board meeting and reported the following:
 - Mr. Wolff and David Javid gave a great presentation on the Tamal Vista East Corridor Study. Points brought out by the Chamber were concerns about bicycles encroaching on automobile traffic along Tamal Vista.
 - A suggestion was made that more of a time lapse occur between when Hall Middle School and Redwood High School which would reduce impacts of traffic.
 - It was pointed out that the Tamal Vista area is a difficult area for boutique businesses.
 - A recommendation was made that more aesthetic attention should be given to the pedestrian thoroughfares from Larkspur Ferry on over to the other side of Corte Madera.
- On March 30, 2016, the State of the Town luncheon will be held which is sponsored annually by the Chamber of Commerce and it will be held at the Best Western. The Council and staff will be represented and she invited those interested in attending to contact the Chamber of Commerce and reserve a seat.
- The Centennial Committee is moving along well. Ragtime Night was held on Saturday night which was a fun event, with 200 people in attendance. For additional events and information, she directed people to www.cortemadera100.com.

- Councilmember Lappert had no report.

- Vice Mayor Furst gave the following report:
 - She attended the Transportation Authority of Marin (TAM) meeting and reported the following:
 - Construction of the third lane of the Richmond-San Rafael Bridge is tentatively scheduled to begin in May or June with completion in the summer/fall of 2017.
 - There are some additional improvements because they have found some cost savings. These improvements are inexpensive and mostly paint on East Sir Francis Drake, which will hopefully ease some of the traffic heading towards the bridge. Right past the east loop of Larkspur Landing Drive where two lanes merge into one they will push this 1,000 feet further east to provide additional room for cars to merge, as well as an improved stop light at the western Larkspur Landing loop/Sir Francis Drake intersection and other improvements.
 - Some improvements will also be done at the Bellam exit, making an additional lane at the off-ramp from northbound Hwy 101 down to Bellam.
 - MTC funding for these improvements is not definite but the improvements are good candidates.
 - The TAM Citizens' Oversight Committee has their annual report out which is on-line. There are a few things the Town should be proud of, such as:
 - Improvements prior to the Cove School opening and safe routes to school efforts.
 - An 8% increase in students biking and walking to school, given that approximately one-quarter of the area's traffic is school related.
 - Measure A is in its 10th year and is a 20 year sales tax. In those 10 years Corte Madera has been provided with about \$767,000 for local roads.
 - Chris Leggy was the Marin County Crossing Guard of the Year and he works by Cove School at Spindrift and Prince Royal Passage.
 - A meeting will be held in two weeks regarding the North/South Greenway and they have a budget concern. There is quite a bit of money slated to go to SMART

- because they will have to give up small portions of their existing leases. They believe those leases do not involve significant funds, and they question why there are millions of dollars set aside to make SMART whole.
- Nisha Patel from the Town's Public Works Department made it clear to the County that the \$200,000 is not adequate to ensure getting people coming off of the Greenway where Wornum and Redwood Hwy intersects safely up to the Sandra Marker Trail.
 - There is talk about diverting some of the funds for the Greenway up to the reconstruction/relocation of the Bettini Transit Center which goes against what the original legislation called for in Regional Measure 2.
 - Regarding bike and pedestrian safety along Tamal Vista, a project put together by both Larkspur and Corte Madera is slated to improve circulation in the Tamal Vista/Fifer/Nellen area, and including Doherty Drive up to Redwood. It went out for funding through the Active Transportation Program and they did not receive it, but scored highest in the whole county. Nothing in Marin got funded in this round, but the next round is coming up and they will submit again with the hopes of being funded.
 - She echoed comments of Councilmember Condon about the Ragtime Show which was great and she thanked the Lions Club and the Centennial Committee.

Mayor Bailey gave the following report:

- He attended the MCCMC's Legislative Committee meeting one week ago and presentations were made by both aids to Senator McGuire and Assemblymember Levine who spoke about upcoming legislation. He will keep the Council advised if and when there is a Town issue. They had an animated debate at the meeting about proposed Airbnb legislation where no consensus was made. He suggested considering it on an upcoming Council agenda.
- He received a request from the Town of Larkspur from Mayor Way to get together to reinvigorate the latest discussions regarding shared services with fire and emergency medical services. They will be meeting in the near future as to whether this is possible.
- He attended the most recent Centennial Committee meeting and thanked the committee and Councilmembers Condon and Furst for their excellent work. Many members are in the audience and he thanked them for their service.

5. CONSENT CALENDAR

- 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 Transmittal of September 30, 2015 Summary Financial Report (Interim Reports on Cash Basis)
Report from George T. Warman, Jr., Director of Administrative Services/Town Treasurer
- 5.III Approve Warrants and Payroll for the Period 1/15/16 through 1/27/16: Warrant Check Numbers 212800 through 212916, Payroll Check Numbers 5108 through 5122, Payroll Direct Deposit Numbers 28680 through 28800, and Payroll Wire Transfer Numbers 1958 through 1966
Report from George T. Warman, Jr., Director of Administrative Services/Town Treasurer

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

To approve the Consent Calendar Items 5.I, 5.II, and 5.III

6. PUBLIC HEARINGS - None

7. BUSINESS ITEMS

7.I Consideration and Possible Action to Approve Specific Expenditures Related to the \$50,000 Budgeted for Centennial Activities
(Report from David Bracken, Town Manager)

Town Manager Bracken stated last May a budget was set of \$50,000 for festivities associated with the Centennial celebration. At that time the Council asked staff to return with more specifics on how the funds would be spent. Initially, there was the following set for expenditures:

- \$16,000 dedicated for fireworks
- \$4,000 dedicated for banners
- \$30,000 dedicated for other events to be determined

Based on information from the Centennial Committee, staff is requesting this be changed to the following and he was available for questions of the Council:

- \$20,000 for fireworks
- \$15,000 for banners
- \$7,000 for advertising
- \$8,000 to be determined

Mayor Bailey asked if the committee or staff have been provided with bids for items. Mr. Bracken stated he received an estimate on banners and advertising.

Mayor Bailey opened the public comment period.

BECKY REED, Council Crest, said she is Co-chair of the Centennial Committee along with Susan Betty and Janna Haehl. She thanked the Council for its support of the funding. She said her husband is the Treasurer and he is very specific and wants receipts for everything and believes the funding will be spent wisely. They have 60+ members on the committee, as well as Lions Club members putting on events, 27 businesses, organizations and schools which are growing. They watch expenditures carefully and are very frugal and having businesses and others pay when possible. She spoke of the standing-room only New Year's Eve party, Ragtime Night and many other events planned for the year and are keeping virtually everything free to the public which is why they need to request funds.

Councilmember Lappert said he has always been of the opinion that those involved on the Committee do not need much oversight and said the work has been well managed and he supported the request.

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

To approve specific expenditures related to the \$50,000 budgeted for Centennial activities

7.II Consideration and Possible Action to Approve The Expenditure Related to the Centennial Event "Pint of Luck Beer Garden"
(Report from Mario Fiorentini, Director of Recreation and Leisure Services)

Director of Recreation and Leisure Services Mario Fiorentini said in the same vain as the Centennial Committee approached the Council for funds for various activities, in October

under the capital budget, the Council earmarked funds for the Parks and Recreation Department to put on various Centennial activities throughout this fiscal year and next fiscal year. Under the same understanding, staff would come to the Town Council for various funding for activities.

The first event proposed is slated to be held on March 12th which is the "Pine of Luck Beer Garden." They would work in conjunction with the Centennial Committee if approved and with the Lions Club to put on a beer garden in Town Park, most likely in the parking lot depending on weather. There will be entertainment, Irish dancers, bag pipes, etc. to provide a spirited St. Patrick's Day event for the community. The Lion's Club will be selling beer in an appropriate manner in a tented, fenced off area that has security and I.D. checks. The Parks and Recreation staff would be selling food for the public. The event is free to attend, but people would be able to purchase beer, soft drinks and food at the event.

Originally for the fiscal year, staff had budgeted \$5,000 for Centennial activities and they are proposing an entire budget of \$7,000 for this event, \$3,500 of which would come from Centennial funds and the other \$3,500 from the Parks and Recreation Department operational budget, and he was available to answer questions about the event and budgets.

Vice Mayor Furst said the item looks like a budget for the expenditures and she asked if staff had an estimate of revenues from the event. She also asked if staff expected this to be revenue neutral.

Mr. Fiorentini said he did not anticipate it to be revenue neutral and said in order to appropriately separate the Town from selling alcohol, the Lion's Club would handle this so that revenue would go to the Lion's Club and they have agreed in general that the funds would return to the Centennial Committee and possibly donated back to the Parks and Recreation Department by way of camp scholarships and other things. He said there would also be some revenue gained from food sales, but again, in the spirit of keeping things cost affordable for the community, staff does not expect the event to be revenue neutral.

Vice Mayor Furst asked if there was consideration to making the event more family friendly and doing something such as a bracelet for those who wish to drink, similar to Oktober Fest is handled.

Mr. Fiorentini said several discussions were held regarding this and staff felt in general that the Parks and Recreation Department puts on many family-oriented events but not many adult-only events. Therefore, they wanted to provide an adult-only event and do not want wish to provide child care for the event.

Mayor Bailey asked how the budget is formed and asked if it is based on past experience. Mr. Fiorentini said they do a lot of decorating inside the Community Center and have a lot of in-house supplies they keep over the years that they add to and replace. From what they have in-house and adding to that amount, this is where they arrive at the number.

Mayor Bailey opened the public comment period.

JIM ROBINSON, Ash Street, said he supports both recommendations for the expenditures for the Centennial celebration, but questioned the 2016/2017 suggestion of \$110,000 to be budgeted for this event and what this would be spent on. The Town has always had an excellent reputation of maintaining streets and roads and when he sees various roads that need improvement he gets concerned about spending that much money on events. He knows the Town can only celebrate the Centennial every 100 years; that he will not be present for the next celebration, and therefore would encourage the Council to exercise some prudence based on other needs in the Town.

Councilmember Lappert supported the request for \$3,500 in funding the event.

Vice Mayor Furst said the amount sounds reasonable but she was a bit uneasy about the event being a beer garden type of event and thought this was essentially what Oktober Fest is, but it did occur that Oktober Fest is more of a family type of event. This event includes food, beer and entertainment, but would trust it would be handled well and she supported the majority of the Council's vote.

Councilmember Condon shared Vice Mayor Furst's apprehension noting that with the events that were celebrating the Centennial, many things seemed to be family oriented. She thinks having the event be something where children and families could participate, it would be more in the spirit of the Centennial celebrations. Other than purchasing beer and food, she confirmed the event will be free, and suggested root beer possibly be provided for kids.

Councilmember Andrews said he had no comment other than having lived in Chicago he would ask, facetiously, to dye the Upper Canal green.

Mayor Bailey concurred with the sentiments of Councilmembers Condon and Furst. He does not have a problem with all events being family-friendly, recognizes the utility of having some things available where adults can enjoy themselves without family obligations.

Councilmember Lappert commented the point is the bliss of sometimes not having kids around adults all the time and at a brief beer event, it will be nice for the adults.

Mayor Bailey said sometimes he is mindful of the effect that adults send a message to their children if everything they do is connected with alcohol, and he thinks it might be better to have an event where it is not connected in that way. He said he may be supportive with adults-only in that way. He said one thing the Council might consider is approving the funding and returning it to staff for reconsideration about what it will cost to hire day care staffing and other things that kids may need.

Councilmember Lappert suggested not over-thinking it and said the event will cost more money if this is done.

Vice Mayor Furst suggested approving the request and staff can consider whether or not it is feasible to have it family-oriented. If not, she could also support it. Councilmember Condon voiced her support.

Councilmember Andrews asked what would happen if kids showed up at the event. Mr. Fiorentini noted they would not be permitted in the beer garden.

Councilmember Condon said it was amazing what department staff did for the Ragtime event and she suggested approving the request.

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

To approve the expenditure related to the Centennial Event "Pint of Luck Beer Garden" and allow staff to determine whether or not the event can be made family-friendly

- 7.III Discussion of Information Related to the Gravel Parking Lot and Status Report on Proposed Restoration Hardware Project at the Village. Discussion Will Include Brief Description of the Project, the Application Process for the Project, and Information Related to Ownership and Use of the Gravel Lot.
(Report from Adam Wolff, Director of Planning and Building and David Bracken, Town Manager)

Town Manager Bracken provided an historical account of how the Town acquired the lot and said he will refer to the 7 staff report attachments, after which time Mr. Wolff will provide a description on the proposed Restoration Hardware improvements and the process the Town could go through in dealing with that application. He then reviewed the attachments, as follows:

Attachment 1: An agreement to pay \$100,000 for extension of right to purchase habitat site, which is an agreement between the Town and the three owners of the shopping center at the time which were Macy's, Nordstrom and JMB Properties; now Macerich. There are 3 separate parcels in the Village Shopping Center. The agreement stipulates the owners' desire for the Town to purchase the gravel lot to be used for specific purposes, mainly for public parking. It also stipulates they would approve assessment districts and issue bonds for acquisition, improvement and maintenance of the habitat site. Mr. Bracken noted that at the time it was called the Habitat site and this name came from Habitat for Humanity who wanted to develop the property for housing. Since that time, the Town has referred to it as a gravel lot. Mr. Bracken described the following attachments:

Attachment 2: A purchase and sale agreement which was made late 1995 between the Town and General Electric Corporation who owned the gravel lot property at the time. It stipulates terms of sale and a purchase price of \$1.3 million.

Attachment 3: A grant deed between General Electric Corporation (grantor) and the Town of Corte Madera (grantee) and a resolution.

Attachment 4: A parcel map of the Village showing the gravel lot site as Parcel 1. The other 3 parcels are the parcels owned by Macy's, Macerich and Nordstrom.

Attachment 5: A series of resolutions which set up the assessment district, the issuance of bonds for the acquisition, improvements and maintenance of the gravel lot. In Resolution 2856 that the bond purchase contract was for \$2.2 million; the difference between the purchase price of \$1.3 million and \$2.2 million which was the cost of improvements, the cost of issuing bonds and approximately 9% interest rate placed on those bonds.

Also resolutions set up a separate assessment for maintenance and this was \$10,000 per year in perpetuity. Again, the parcels assessed for maintenance and the acquisition were the three owners of the Village Shopping Center at the time, and it was divided up by ~25% for Macy's and Nordstrom and ~50% for Macerich based on the retail square footage at the time in each parcel.

Attachment 6: Letter of interest from Macerich dated November 9, 2015 which expresses Macerich's interest in acquiring the gravel lot from the Town.

Attachment 7: An email from Perkins Coie which is the attorney representing Macerich, expressing the need for Restoration Hardware to acquire the gravel lot in order to proceed with their expansion plans.

This is important because Macerich indicated they cannot move forward with the expansion without acquiring the lot for parking.

Their plan is to expand on the existing parking in the mall which will take up spaces that already exist and increase their retail floor area which will create a requirement for more parking.

Director of Planning and Building Adam Wolff presented an east elevation of the proposed 2-story building with a third level scenery loft. The first level has about 27,000 square feet, 22,000 square feet on the second level and about 2,000 to 3,000 square feet of floor area on the third level which will also be proposed as planted with trees. Also, there is the potential for about a 5,000 square foot café in either the first or second floor of the building. He said the heights are a maximum of 38 feet to the parapet, 48 feet to the top of the scenery loft and 52 feet to the elevator overrun.

Mr. Wolff stated the building as shown is in the middle of the existing parking lot. It would displace 181 existing parking spaces. The proposed building at 53,000 square feet have parking requirements that require one space per every 250 square feet of retail area, or 212 new spaces for a total of 393 total spaces.

Mr. Wolff next displayed a plan showing the location of the building in relation to the existing Village Shopping Center, the main entrance and the gravel lot in relation to the rest of the parking area and the Village. He displayed a close-up view on the next slide and a look from inside the Village out towards the new store.

Mr. Wolff then displayed a plan showing the proposed layout of the gravel lot with spaces marked and other features such as bio-swales on the edges of the parking lot. It mirrors and uses the outline of the existing gravel lot to create this proposed plan with about 428 spaces which is more than the required 393 spaces. There is a bit more room in terms of the amount of parking spaces required for the entire Village Shopping Center and just for this site, as well.

Councilmember Lappert asked what the center would plan to do with the need for overflow parking during the holiday season. Mr. Wolff suggested the applicant address this question.

Mr. Wolff said in terms of process, the next item on the agenda speaks to the entitlement process and next steps. The Town has received applications and several applications are needed from Macerich to ultimately approve the application. Those involve a lengthy process of application review and Senior Planner Phil Boyle is leading.

He noted that preparation of an EIR was approved by the Council to get the project started and to the point where the Town's consultant could develop a scope of work for the EIR, and this is the following agenda item, given they have completed this task and they are presenting the scope of work for the EIR. This will lead the timeline for moving the application forward, as it takes many months or longer to get to the point where the Town is ready for formal public hearings before the Planning Commission and Town Council.

He said the discussion with the gravel lot will have a significant impact on this process and it has been made clear that Macerich is proceeding at their own risk in this process and they recognize the project is dependent upon coming to agreement on the disposition of the gravel lot.

He said staff has also been clear with Macerich that any agreement that the Council might come to terms with on the gravel lot should not be mistaken for any approval of the land use applications. These are two parallel and distinct paths and they are entirely independent of each other. The project itself will be viewed entirely on the basis of whether or not the findings for the different applications, including the EIR, the General Plan Amendment, design review and other applications can be made, and this would happen well into the future. Also, any agreement that might be made for the disposition of the gravel lot would be conditioned upon any sort of ultimate approval of the applications themselves.

Councilmember Lappert stated that if the Town sold it, leased it or modified the existing agreement, as part of the modification, he asked and confirmed with the Town Attorney that the Town could impose conditions as to what they do with the property.

Vice Mayor Furst asked how many parking spaces are identified on the illustration. Mr. Wolff stated there are 428 spaces and the requirement is 393 spaces.

Councilmember Andrews asked what the retail square footage is for each of the three parcels currently and what the existing parking is. Mr. Wolff displayed a slide which breaks up the shopping center into the three lots which Mr. Bracken described earlier and which also shows the existing parking count for the entire Village site which is 1761 spaces.

Regarding the retail square footage, Macy's is 110,000 square feet and Nordstrom is 127,000 square feet with the 2012 approval to expand, with 237 spaces each. The Macerich area is 237 spaces as well, so the 25%/25%/50% plays out in terms of the assessment discussed earlier.

Councilmember Andrews asked if the parking could be broken down for adequacy, noting that for restaurants, one parking space is needed for every 75 square feet. Mr. Wolff clarified that Macerich has discussed capping the number of seats for a restaurant and basing it on square footage and noted there are different ways to parse the parking numbers.

Councilmember Andrews referred to the gravel lot stakes are broken up three ways, half of which go to Macy's and Nordstrom's and the other half going to Macerich. If the Town is able to put in 428 spaces, he believes the Town would be providing Macerich with a disproportionate share of those extra spaces. Mr. Wolff clarified that based on history, the Town's requirements for parking have not been based on a lot by lot assessment of square footages each of those stores have, but based on a total square footage of the entire center. Parking is assumed to be shared amongst them all in terms of requirements and where those spaces go.

Councilmember Andrews said given his experience, he thinks there is a need for more parking now, and he voiced concern that the Town is missing an opportunity to achieve more parking.

Vice Mayor Furst asked if the bonds still being paid off by the assessment district. Mr. Bracken said they are by Macerich. Macy's and Nordstrom's paid off their amounts up front.

Mayor Bailey opened the public comment period.

PATTY STOLIAR, Casa Buena, referred to losing parking spaces nearby the entry and their relocation over by the egret landing, and asked if there will be a shuttle for the elderly or disabled to get to the center. She also agreed with Councilmember Lappert's comments.

NICK JAVARIS, Willow Avenue, referred to the existing lot and asked if there is a cross easement agreement that exists that allows anyone to park there to shop.

Mayor Bailey explained the public comment process and noted that the Council or staff will attempt to address questions when public comment has been completed.

Mr. Javaris noted the parking lot is being used by people who shop there. In his opinion, there is probably a cross easement agreement that allows for that to occur and he agrees there is not much parking there now. He is curious whether Macy's and Nordstrom's are involved in approval of this process or not; however, he does not see where any parking is being gained. He said he is a developer who built the Cost Plus center which was under-parked and this creates an atmosphere which is good, but in this situation, he questioned

where new parking is coming from. It would seem that any new parking would be deck parking, and he suggested the Council pay attention to that.

ROGER HARRIS, Echo Avenue, said he was on the Parks and Recreation Commission at one time and he studied the Corte Madera Shorebird Marsh and as a professional wildlife biologist he wrote the wildlife protocols for that marsh. He noted that the Town gets high marks for compliance and good stewardship of its marsh properties. He noted that the parking lot is adjacent to very sensitive environment and a number of endangered species live there and there will be a number of regulatory issues that will have to be addressed.

Mr. Harris said he was particularly interested in what has been informal use of the parking lot as opposed to permitted use and said at one time it was wetland but now filled. He asked if this has been properly permitted and if not, he would want to see the Town come into compliance with the U.S. Wildlife Service, the U.S. Army Corps of Engineers, the Regional Water Quality Control Board, the California Department of Fish and Wildlife and BCDC. One concern that will arise will be proper buffers between the marsh and development footprint. When he hears that the existing footprint is in place, he would urge further review because some of the cited agencies may require that further setbacks be given so there is more buffering between uses and the habitat. Another issue will be that of lighting because currently there is none as well as runoff.

BOB BUNDY, Flood Control Board and a member of Marin Bay Lands and Marin Audubon Society, said he has attended a couple of presentations on the overall project and has also heard the proposed functioning of the new improved lot at the Flood Board regarding drainage. His understanding from Marin Audubon is that they are supportive of the 100 foot buffer that has been put in, the agreement to remove invasive plants in the area and putting in a fence that would keep dogs from getting in the wetlands themselves.

Mr. Bundy said he has also been involved with the Coastal Clean-up where each year they set up kids and adults in the lot to gather debris, and there is a lot developed on the site in part because there is little fencing around there and it almost seems to be used as a permanent staging area for construction activities. He is tiring of seeing container boxes, equipment, dust, and he thinks the Town would benefit by having more designated parking spots in that area, having it landscaped, paved, and having the runoff re-directed so it is filtered before going into Shorebird Marsh.

JANE LEVINSOHN, Tamal Vista, said there are not many communities that have their own mountain and she noticed when looking at the east side of the building, the very peak of Mt. Tam can be seen from the parking lot. She thinks Mt. Tam is the kind of a mountain that should be seen by as many people as possible. As Councilmember Lappert said, Corte Madera is a very small town and she questioned why it needs two furniture stores. She thinks the idea of having to look at a furniture store depresses her. She asked if the building will have a name and said she has been told it will sell a combination of Sloan furniture and Gump's in San Francisco. She thinks there are enough furniture stores in Marin and she questioned why a park is needed on top of a building which will be maintained and watered. She referred to the WinCup development's grass installation and questioned how that came to be, and was depressed about what is occurring with their little community.

PHYLLIS GALANIS said she lives on the bay side and her office is on the west side. She echoed comments of Ms. Levinsohn, stating when looking at the parapet at 38 feet high and another 10 feet given the trees on top of that, the Town will lose the view of Mt. Tam. The Town is inadvertently saying that looking at a manmade structure is more desirable than looking at one that is naturally there.

She was supportive of Restoration Hardware's expansion in other cities because they are using existing buildings and repurposing them and echoed comments of Ms. Stoliar regarding concerns of those who cannot walk easily from far. During the holiday shopping season there are over 500 cars parked in the gravel lot and 100 to 200 cars parked now on

the weekends in the center. Therefore, Macerich is not replacing or adding parking but taking it away which is now already being used. Regarding the staging area, she believes it is being used by PG&E doing some very significant but temporary work for the Town, and she asked the Town not to sell the property and keep it for the Town.

STEVE STEIN, Granada Drive, said he was very interested when the Village Shopping Center was first built and when Habitat for Humanity wanted to build some houses there. There was an EIR for the project and ultimately they were unable to meet the challenges that the EIR indicated would be present. He understood from the presentation there is now discussion of whether to go to Phase 2 of the EIR. He was very much against that project given environmental issues, and he felt adamant that the environmental impacts were going to be devastating to this beautiful sanctuary that defines the Town. Therefore, his point is that a second phase EIR will provide the information the Council needs to make the hard decisions that must be made. He thinks the decisions must be made based on hard facts of scientists, engineers and qualified people, he encouraged the Town to move forward with Phase 2 of the EIR and take up these issues at that time and make a good decision.

Mayor Bailey commented to Mr. Stein that there is another agenda item coming up on this very issue.

PHYLLIS METCALF, Parkview Circle, said Nordstrom's is supposed to add more parking spaces with its expansion and this should be considered, as well as Macy's expansion and their need for parking. She heard figures regarding the plethora of cars that park in the gravel lot, but there are not many spaces there because there is no striping. She thinks the Council should consider how many more spaces there will be when the gravel lot is properly striped, divided up and landscaped.

CHERYL LONGINATTI, Tamal Vista Boulevard, said she shares concerns about safety that has already been voiced. The roadway between the gravel lot and the rest of the parking is 4 lanes with a signal, but for some people it will be difficult to get across without 4 lanes in the signal time. Secondly, most of the discussion is about parking and she thinks there are minimum requirements in the zoning code. She has looked at the ITE trip generation booklet based on generation of parking for various uses. This data is sometimes based on very few data points, and the Town has locked itself into minimum parking requirements as many jurisdictions have without a real rationale basis. They all know the world is changing as the CEO of GE said in the next 5 years transportation will change more than it has in the last 50 years. She now sees very few cars parked now, but noted it is the holiday season when parking is scarce, and the Council should not be making decisions based on this and asked for a broader view.

BECKY REED, Council Crest, she is fine with the plan, but the issue today is whether the Town should sell or lease the gravel lot. She trusts Bob Bundy, the scientists who have looked into it and she is fine with moving forward. She knows the idea is that the Town should never give up land but this is not buildable land, as the Town will never build a Town Hall there, and she asked that the Council move forward.

BARBARA GISLER, San Anselmo, said she found the parking lot as is crowded. She also has had a hip replacement and when not feeling well, it is a long way to walk to the stores. She thinks this should be considered and also that the Town is giving away its best parking so a "statement" can be made, which she disagreed with.

PETER CHASE asked from the community that the Town negotiates for the best possible deal for this property. He has heard from many community members that selling is possibly not the best revenue option for the Town. Perhaps there is a lease option back to Macerich that would stay in the Town's favor. He said the Town should hold onto the property as no one knows what will happen down the road. If the Town keeps the property within its jurisdiction, it can enforce whatever happens on the property and it might remain as a

source of revenue. This has not been discussed and he urged that the process be as public as possible so people know what the Town's position and availability of options are.

SUSAN SULLIVAN, El Camino Drive, said she thinks the Town should keep the gravel lot. She thinks the parking is already being used in the lot and that more than 393 spaces should be required. She questioned how 428 spaces will be added which will only leave 35 left for the overflow, so she did not believe the math was right.

Mayor Bailey the closed public comment period and returned discussion to the Council.

Councilmember Condon said she thinks it is hard to separate the project from the parking lot and this is something that many people are having difficulty with. She thinks that there is ample parking most of the time with a very limited time of the year when people cannot find a space, but she has never experienced this. There are some tricky areas in the shopping center where people can walk right up to a store and not have to travel far. Therefore, it is misleading when looking at the gravel lot today as it is not an efficient use of space, whereas if it is paved properly, this provides a good solution for more parking and is also environmentally acceptable.

Councilmember Condon added that when looking at the project and at Mt. Tam, if this were being built next door to someone's home and their view of Mt. Tam was blocked, this might be a problem. But, she thinks there is no other better place to put a store in a shopping center. People come to the Village to shop and she thinks that people should keep this in mind. Lastly, she thinks the lot would offer an efficient use of space where parking will be enhanced than what is provided now.

Councilmember Lappert asked and confirmed with the Town Manager that no matter what happens, if the Town does nothing, the gravel lot will be a parking area for people to use. Given this is the case, it is his opinion that the Town should make the most from it. In paving over it properly, they will remove a lot of motor oil, grease, and debris out of the gravel which may be going into the marsh right now.

He said another speaker indicated that this is also the Council's opportunity to bring this parcel up to standards which the Town is good at as far as habitat and restoration, which he also supports. He thinks the lot will be paved in an efficient manner, thinks the north side of Macy's should be double-decked, as it is on the freeway and would not impact views, but with this space he believes the parking should be decked so it could be brought in from the shoreline a bit and create more of a fenced green space around the structure which can be used for walking, hiking, dog runs, etc. and asked that the Planning Commission request the developer to do this. If the lot is sold, he thinks Macerich is not getting a deal. If they do not buy it and the Town gives them a lease he will want a parking structure built versus just a paved and striped lot.

Vice Mayor Furst said she is not going to begin to speculate on what precisely the final proposal will be or what the EIR will show the need for parking is. She agrees that whatever the Council does, it should always consider the environment. What they have now is gravel and vehicles may be leaking oils onto the ground and she thinks the area should be made more environmentally friendly. Doing this will involve a lot of agencies. There is also a pathway there which is not quite a sidewalk and bicyclists use it all the time and kids take it to and from school. Therefore, the Council will need to consider how that will interact with driveways or possibly the pathway could go around and provide a bit of a buffer.

In looking at the plan and at the architect's rendering of the proposed store, it is too soon to consider that this is something the Town will be faced with in her opinion. Therefore, whatever the Council does, it should take the environment into consideration and she did not think the Council had enough information to make an informed decision.

Councilmember Andrews disclosed he had been contacted by Restoration Hardware representatives asking to schedule a private meeting and he declined to meet. He has visited a Restoration Hardware store in Boston because it is one of their prototypes and was favorably impressed by it. He suggested if there was a representative from Restoration Hardware in the audience, he encouraged them to go on their website because they are currently disclosing it is 67,000 square feet and all of the documents he is seeing show 53,000 square feet.

In terms of the gravel lot, he would like to see it permeably paved for parking. His bias is to lease it rather than to sell it, but he is also very sensitive to his feeling about how the Town originally got into the parking lot business. There were three parties involved in the shopping mall and they did not trust each other enough to let any one of them own this lot so they gave it to the Town to hold it for them. In effect, the Town needs to look out for the interests of all three parties when making this decision, as he thinks two of them have dibs on half of the parking spaces, which means Macerich gets what is left over which might drive the size of their building.

Mayor Bailey said he believes strongly that the Council's primary obligation is to the Town as a whole and he gives great respect to businesses, but the Council is here for everybody. They are obliged to explore what available options there are for the Town. He received many emails which he tried to response to, some of which were strongly for and strongly against the project and some were in-between. Clearly, he thinks it is too early in the process to come down strongly one way or the other. It is important to him to find out more information.

There are some environmental issues as well as the Town must go through, but the primary issue is to see what benefits can go to the Town. The obvious one has to do with what money might be exchanged, its terms, and more importantly, improvements that are more substantive other than just the money such as what parking surfaces can be used or if there are some environmental benefits. He is encouraged that the Town is moving along the right path and he agrees with maintaining full transparency. He also agrees there is a need to understand whether or not there will be sufficient parking, but it is early for a decision.

This is the beginning of the Town Council being able to express both to the community and to Councilmembers what they think. He thought that the process needed to begin and it is the start of trying to solicit what is important and why, and he asked the public to voice their opinions at any time.

Mayor Bailey noted that the Council is not taking action tonight but is later holding a Closed Session and will report out any action taken, if any.

7.IV Consideration and Possible Action to Approve a Contract for the Environmental Consulting Firm of GHD to Prepare Phase 2 of the Environmental Impact Report (EIR) for the Village at Corte Madera 2016 Expansion Project (Restoration Hardware) Under the Direction of Town Staff and Paid for by the Applicant - Corte Madera Village, LLC
(Report from Phil Boyle, Senior Planner)

Senior Planner Phil Boyle introduced the item and noted one correction which the Town Attorney identified. The subject matter is a "contract" which is not correct. The contract is not attached to the Council packet as it was in Phase 1. Due to time constraints staff was not able to put this together. What the Council is considering this evening is the scope of services which is in the packet and the budget which is outlined in detail of what the consultant plans to do. The purpose is correct which is to consider approving the scope of services and budget proposed by GHD to prepare Phase 2 of the EIR for the Village at Corte Madera 2016 Expansion Project.

Mr. Boyle said he believes everybody is quite clear on what the project is, given the last discussion item. As background, in October 2015 he presented GHD's scope of services for Phase 1 of the EIR. GHD is an environmental consulting firm located in Santa Rosa and the lead for this project. They have numerous sub-consultants working under them to review traffic, biology, visual, and other items. The Council approved the scope of work in October and GHD completed Phase 1. The end product is the report provided in December 2015 called the Technical Memorandum which basically reviewed all of Corte Madera's pertinent documentation, focused intently on the General Plan EIR and determined to what extent the setting, the analysis and mitigation measures in the General Plan can or cannot be used for this project.

The Technical Memorandum also determined what additional and revised technical studies will be necessary to complete the CEQA process. Like most major projects in California, this project is undergoing an EIR which is the most stringent and detailed environmental analysis one can do under CEQA.

Mr. Boyle reiterated that as in Phase 1, Phase 2 is managed by Town staff and the consultants talk with staff and not the applicant, and the applicant pays the consultant for services.

Regarding the scope of services under Phase 2 which will take approximately one year, it is broken into 5 tasks as follows:

Task 1: To create a detailed project description as well as provide what is being proposed to be built, as well as providing possible alternatives. One obvious alternative is the No Project Alternative and what environmental impacts there are to do nothing. These alternatives cannot be completely flushed out at this time because the EIR needs to go through quite a bit of analysis, then impacts are determined and alternatives identified that may reduce those impacts. Some alternatives are identified in Task 1 and others will follow later.

Most importantly of Task 1 is the scoping meeting scheduled for April which will be open to the entire community. It will be well-noticed, will outline all segments of the EIR to be studied and receive public input.

Task 2: Preparation of the Administrative Draft EIR, which is a document that will be reviewed by Town staff.

Task 3: Preparation of the Draft EIR which will culminate in a public hearing scheduled in September 2016 before the Planning Commission and open to the public.

Task 4: The document will be put out for public review with a 45 day review period. After this, the Draft EIR will undergo review at two or more meetings before the Planning Commission and two or more meetings before the Town Council.

Task 5: Project management and administrative actions by the consultant.

Regarding transportation which is a hot topic in Corte Madera and other towns, a very detailed transportation impact study will be conducted by Fehr and Peers which is a sub-consultant to GHD.

Task 1: They will review the p.m. peak period which is the busiest time of the day. Unique to this project will also be school peak periods from 2PM to 4PM.

- Task 2: Fehr And Peers will review 13 different intersections as shown in the scope of work and 4 different roadway segments. After consulting with the Town Manager, a segment was added near Tam Ridge to ensure they capture any impacts of that area. Current volumes will be compared with existing volumes to see what the trends are.
- Task 3: Trip generation to determine what type of trips are generated by the store, which is fairly unique, given there are not many Restoration Hardware stores in the area as compared to other stores located nearby.
- Task 4: Look at cumulative conditions of traffic impacts in terms of what this project as well as potential future projects in the buildout of the General Plan. They will look at vehicle miles traveled (VMT) for how many trips the project is generating.

Mr. Boyle again stated the process will take 12 months and he reiterated that the entire process will be very transparent, with significant noticing, information for the public to be involved, and periodic updates will be given to the Council and the Planning Commission. He said he was available to answer questions, and representatives from Restoration Hardware were present, as well as representatives from the Town's consulting team.

Vice Mayor Furst asked if studies will be conducted about the number of pedestrians and bicyclists through the area, considering there is a pathway that goes between the gravel parking lot and the project. Mr. Boyle stated yes; this is on page 3 of the staff report under Task 3 of the Transportation Impact Study. Fehr and Peers will look at pedestrian, bicycle and transit facilities and how this project impacts those.

Mayor Bailey asked if there are additional phases before the EIR is done. Mr. Boyle said no; Phase 2 will end with the completion of the EIR.

Mayor Bailey opened the public comment period.

JENNIFER LARSON, Willow Avenue, stated Fehr and Peers was the traffic consultant that completed the WinCup traffic study which arrived at no significant impact based on the 180 units. She did not think there was any cross checking of information, and traffic keeps getting worse throughout the Town.

STEVE STEIN said he looked at the scope of work proposal on the Internet but he could not find it.

Mayor Bailey verified it was posted on the Internet and also said is the last attachment in the Council packet.

Mr. Stein said Councilmember Lappert indicated that if the Town is going to sell the property, it will be at a premium. His view is that if in fact that all conditions and standards are met, this will be a tremendous boom to Restoration Hardware and he hopes it passes muster. But, he thinks the project should be viewed as an upgrade for the Town and asked that the EIR be very expansive and comprehensive. He is worried that the scope of work and the funds being requested by the contractor may not be enough to include the expansive analysis the Town should have. He therefore urged that the Council ensure the scope of work is expansive enough for the upgrades that should be requested.

ROGER HARRIS, Echo, asked and confirmed with Mr. Boyle that if wetlands exist, there will be a determination and delineation made and identified.

Mr. Boyle noted that during the Phase 1 process, he had provided a brief outline of how Town staff chose GHD which was very open. The Town sent out RFP's requesting proposals. Staff and legal counsel interviewed the consultants and they chose GHD.

PHYLLIS METCALFE, Parkview, said she thinks the Council should go ahead and approve this application to go to Phase 2. She said this project is interesting which could be a boom to the community and she thinks the Town should look at all aspects of it without making any decisions before having all of the information. She has been told that members of the Audubon Society have said this is not a wetlands area and she asked to move forward with these studies, and she hopes a project that the entire community can be happy with.

Councilmember Andrews said when talking about expansive, he asked if Councilmember Lappert's idea of a structure and where the store is to be covered in the EIR. Mr. Wolff explained one idea of the scoping meeting is to discuss alternatives and that can be included in that discussion.

Vice Mayor Furst asked what are the alternatives being reviewed, and Mr. Boyle said in Task 1 is the scoping session and the task will also include a brief description of the potential alternatives that will be evaluated in the EIR including the No Project alternative. Because the environmental evaluation of the project has not been completed and is uncertain what impacts if any will be significant and unavoidable, the selection of alternatives may need to be modified after impacts have been identified. He said alternatives are designed to give another option to the project to reduce impacts.

Mayor Bailey said he thinks Vice Mayor Furst is asking who is providing staff with the alternatives to analyze. Vice Mayor Furst said she understands the alternatives to analyze will be determined later when they have a better idea of what the impacts are, so possibly the better question is whether they know when that might occur and what is the process for determining those alternatives, especially which bodies will hear that.

Mr. Boyle introduced Christine Gaspar, consultant with GHD, said during scoping they hope to hear from people as to not only what they think the impacts of the project will be but what some alternatives to consider are. As they go through the environmental analysis, they will then narrow that down. What CEQA says about alternatives is that people need to reduce their impacts. They are not going to have an alternative that do not help to reduce impacts, and people will have time to review this information during circulation of the EIR.

Vice Mayor Furst asked when that scoping will happen. Mr. Boyle said tonight is the scope of services for Phase 2. GHD has provided a list of things they will do, have determined how long it will take and how much it will cost. Staff is asking that the Council either approve the scope of services or revise it and direct Town staff to create a contract. He clarified that the scoping meeting is scheduled to occur in April and the meeting looks at the EIR, the project, and alternatives the Town wishes to look at.

Councilmember Andrews asked if just the gravel lot will be reviewed, or just the Restoration Hardware store, the two together, the gravel lot turned into wetlands, or others. Mr. Boyle said the EIR is focusing on the project description on page 2 of the staff report which is the creation of a retail store of approximately 53,000 square feet of gross floor area for a proposed Restoration Hardware Design Gallery and the paving, striping, lighting and landscaping of the gravel lot. He noted that discussions about the gravel lot are important in this process.

Mayor Bailey encouraged Mr. Stein, Mr. Harris, Ms. Metcalfe and Ms. Larson to stay involved, given it is the beginning of the process.

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

To approve the scope of services and budget proposed by GHD to prepare Phase 2 of the EIR for the Village at Corte Madera 2016 Expansion Project

7.V Consideration and Possible Action To Approve Utilization Of PEG Funds For Purchase Of Video Equipment For Town Council Chambers For Broadcasting And Webcasting Of Town Council Meetings And To Work With The Community Media Center Of Marin Regarding Setup, Installation And Video Production Services

(Report from Rebecca Vaughn, Town Clerk)

Town Clerk Rebecca Vaughn said before the Council are options for potentially moving forward with obtaining videographer services, camera equipment and hardware for the Council Chambers for videoing Council meetings. Staff was asked to look at options related to allowing for the videoing of Council meetings, whether live streaming or a cloud to access as video on demand.

She met with Michael Eisenmenger, Director of the Community Center of Marin and he had presented options to the Council in the past where there would be 3 cameras placed around the Council Chambers to view both the dais, speakers, and a tap into the overhead projector for any PowerPoint presentations would be viewable to those watching the video.

The cost Mr. Eisenmenger presented was \$32,000 which would be covered by PEG funds. The Town would not have to pay anything for the camera equipment and as a member of the Marin Telecommunications Agency, the Town would only pay a reduced rate for production services at \$75/hour. Community Center of Marin's camera technicians would come, set up in the media closet and would live stream those Council meetings and would upload audio and video to the Town's website for viewing later.

The second option would be to purchase a camera. It would likely be installed in the corner of the Chambers and it would record the dais and the back of a speaker. The Town would upload the video to the cloud and she would need to transfer it to a U-Tube video format and index it to be viewable in segments where agenda items can be hyperlinked to different parts of the presentation for easy access.

Both options would require \$325 worth of electrical upgrades and it was cost \$2,825 to purchase the camera in the single camera option. It would be somewhat significantly more time for staff to be trained to do that and that staff person would need to be available at each Council or Commission meeting in order to oversee the filming of the meeting and to ensure it starts on time, it is paused, that it ended and was uploaded.

For the first option with CCM handling it, they would handle all production, setup, transmission, live streaming, uploading, and in both instances she would still be the person who would need to index the meetings which would not change in either case. She thinks the pros as outlined in the staff report is that Option1 working with CCM would provide a significantly more professional look, but given that the Town does not know what their audience is yet, possibly the Council may not need to go this route yet. She has asked other agencies if they know who their audiences are. Most seem to get a couple of dozen hits per meeting. Some of the more controversial items will get more views on demand, so having it available on U-Tube would be a significant benefit to the community.

Mayor Bailey asked which other towns that have video contract with Community Center of Marin and which ones have it through some other method. Ms. Vaughn stated she believed all cities contract with CCM except for Mill Valley, who has been videoing their Council meetings for a long time and use their own cameras.

Vice Mayor Furst asked if PEG fees would be available to cover the cost of the camera under Option 2. Ms. Vaughn said she did not ask this question and was under the impression that it would only be something they procured and installed, but she can ask.

Vice Mayor Furst referred to page 3 of the staff report and the cost of the operator is \$75/hour for camera operators. If the Town at some point does not remain members of Marin Telecommunications Agency, would the Town still have this option. Ms. Vaughn said the cost would be \$100/hour and this is what Larkspur pays currently.

Vice Mayor Furst said Larkspur has a U-Tube channel, and she asked and confirmed that it would not be run through Granicus. Ms. Vaughn said the website the Town enlisted the services of last year has an agenda management component which she uses, and she has heard from people who use Granicus, Agenda Pal and Accela that this is to be expected regardless of who they use. The one benefit would be that they would streamline the process and it would have a video picture in the left corner and the agenda below it. One can click on any item and it would go right to the item.

Vice Mayor Furst said with either option, it would involve a City YouTube channel, and Ms. Vaughn said yes, and she believes this is the best.

Mayor Bailey opened the public comment period. There were no comments and he returned discussion to the Council.

Councilmember Lappert said he serves on the Marin Telecommunications Agency (MTA) Board and said he is not a proponent of videoing meetings, which he believes is overkill and not many people watching it. However, if the Council decides to approve it, he is a proponent of using the MTA for it. They are technically competent and can handle the recording efficiently, with real time broadcasting.

Vice Mayor Furst said she is supportive of either option, but her only concern with MTA has to do with the fact that it costs more if the Town decides to withdraw their membership, but this is negligible. Another thing to consider is that an operator will be needed for every Planning Commission meeting and she would want to see some option of video-taping meetings that occur in the Community Center. Ms. Vaughn said this is included in the last page of the report.

Ms. Vaughn pointed out that the City of Novato meets almost every Tuesday and they are trying to acquire potentially a third channel, so they could not guarantee that Corte Madera would be live cablecast initially, but simply live streamed through the website and U-Tube. Meetings would be aired, however, twice after each meeting and they can guarantee camera operators.

Councilmember Condon said she has never been in favor of recording meetings because it ends up being an opportunity for people to grandstand, but on the other hand, she was unsure of the number of people who want to watch this on television. Ms. Vaughn said Mr. Eisenmenger said he has not seen an increase or an incident of grandstanding at meetings that they are aware of. Their operators, however, are conscious of this and do not edit for reactions and do not pan the cameras from person to person.

Councilmember Condon said in the past when the Council considered this it was costly. Councilmember Lappert noted the cost is still about \$12,000 a year, and Ms. Vaughn clarified this is the estimate and it depends on usage and if the Town videos Planning Commission meetings which are sometimes canceled.

Vice Mayor Furst noted the Town is a public governing body and she thinks the cost is worth it. These days with everybody's schedules they cannot always come to meetings, so it is very important.

Councilmember Condon said every other jurisdiction is recording meetings, except for Corte Madera, and she could support it if the budget could be managed.

Councilmember Andrews said he thinks the Council should probably approve the first option, but asked if the Town would be locked into the precedent set for distribution of Council information via video.

Town Attorney Riddle noted there is no statute that would suggest that once beginning to video the Town would be required to continue to do it. The Brown Act requires that the meeting be public, but there is nothing that says it must be broadcasted, assuming there is something in the contract that provides for cancellation with some notice.

Councilmember Lappert said when publishing the meetings for the public, he asked how the minutes would be produced. Ms. Vaughn said the Council could either continue the practice of having the audio quasi-transcribed which is the current practice, or some agencies have moved toward action item minutes, which she supported. She thinks this would need to be phased in and considered as a separate Council action. She added that people do like to have the resource of summary minutes, as some Councils wish to maintain the record.

Councilmember Andrews said if the minutes were to change to action-only, he asked if the Council would be unable to search for historical information. Mr. Bracken stated the Council could refer back to the video and audio of it, but often when one item needs to be found many years ago, it is somewhat easier to have the minutes written out which happens occasionally.

Vice Mayor Furst said she supports retaining the current practice of summary minutes because it allows people to do Google searches and find what they need. If the Council is ever in such a financial quandary that costs need to be cut, they can find volunteers or have staff operate the cameras or set one camera filming and not the 3 cameras.

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

To Approve Utilization Of PEG Funds For Purchase Of Video Equipment For Town Council Chambers For Broadcasting And Webcasting Of Town Council Meetings And To Work With The Community Media Center Of Marin Regarding Setup, Installation And Video Production Services
(Report from Rebecca Vaughn, Town Clerk)

7.VI Ratification of Council Parks and Recreation Subcommittee Recommendation for Appointment of Nathan Blomgren to the Parks and Recreation Commission to Serve the Remainder of an Unexpired Term Ending on June 30, 2017.
(Report from Rebecca Vaughn, Town Clerk)

Town Clerk Vaughn stated the subcommittee of Councilmembers Lappert and Condon met on January 27, 2016 to interview four candidates and of the four candidates, Nathan Blomgren was the recommendation of the full Council for consideration.

Councilmember Condon stated the four candidates were excellent. Mr. Blomgren is here and grew up in Corte Madera. Part of his career took him to South America, but he has returned and is living in Town. He and his family have always been very involved in the Town and supported his appointment.

Mayor Bailey opened the public comment period. There were no comments and he returned discussion to the Council.

MOTION: Moved by Furst, seconded by Condon, and approved unanimously by the following vote: 5-0 (Ayes: Andrews, Condon, Furst, Lappert and Bailey; Noes:

None)

To ratify the Town Council's Parks and Recreation Subcommittee Recommendation for Appointment of Nathan Blomgren to the Parks and Recreation Commission to Serve the Remainder of an Unexpired Term Ending on June 30, 2017

Oath of Office

Town Clerk Vaughn then gave the Oath of Office to Nathan Blomgren to serve the remainder of an unexpired term on the Parks and Recreation Subcommittee ending on June 30, 2017.

7.VII Review of Draft February 16, 2016 Town Council Agenda

Mayor Bailey opened the public comment period. There were no comments.

Councilmember Condon asked if the Council to postpone the Public Employee Performance Evaluation until the next meeting agenda. Councilmembers suggested it remain on the agenda.

Councilmember Lappert asked to add an item for Council discussion of which subcommittees are needed, may need to be sunset or eliminated. Mayor Bailey concurred.

Ms. Vaughn noted that the discussion about Airbnb is listed at the end of the agenda under "Items to be Scheduled" as well as the "Noise Ordinance" which she said may be on the March 1, 2016 agenda.

7.VIII Approval of Minutes of January 19, 2016 Town Council Meeting

Councilmember Condon requested the following amendment:

- Page 14, Line 18: "Councilmember Condon noted it is too early to seek public input regarding negotiations."
- Page 15, Line 7: Change spelling to Sherry "Vigneron"

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

To approve the minutes of January 19, 2016 Town Council meeting, as amended

The Town Council convened to Closed Session at 10:16 p.m.

8. CLOSED SESSION

CONFERENCE WITH REAL PROPERTY NEGOTIATORS

Property: Gravel overflow parking lot on Redwood Highway (north of Nordstrom at The Village at Corte Madera) APN 024-032-19

Agency negotiator: David Bracken

Negotiating parties: Macerich (Garrett Newland and Cecily Barclay)

Under negotiation: Whether, and under what terms, the property could potentially be leased or sold.

PUBLIC EMPLOYEE PERFORMANCE EVALUATION

Pursuant to Government Code Section 54957

Title: Town Manager

OPEN SESSION

The Town Council reconvened its regular meeting at 11:06 p.m. Mayor Bailey announced there was no reportable action.

9. ADJOURNMENT

The meeting was adjourned at 11:06 p.m. to the next regular Town Council meeting on February 16, 2016 at Town Hall Council Chambers.