

MINUTES OF JULY 19, 2016
REGULAR MEETING
OF THE
CORTE MADERA TOWN COUNCIL

Mayor Bailey called the Regular Meeting to order at Town Hall Council Chambers, 300 Tamalpais Drive, Corte Madera, CA on July 19, 2016 at 7:00 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
Director of Administrative Services/Town Treasurer George T. Warman, Jr.
Director of Planning and Building Adam Wolff
Senior Planner Phil Boyle
Town Attorney Randy Riddle
Senior Civil Engineer Nisha Patel
Director of Public Works Maintenance and Operations Kevin Kramer
Assistant Superintendent of Public Works Michael Palmer
Director of Recreation and Leisure Services Mario Fiorentini
Police Chief Todd Cusimano, CMPA
Fire Chief Scott Shurtz
Town Clerk/Assistant to the Town Manager Rebecca Vaughn

CLOSED SESSION

The Town Council adjourned to Closed Session to discuss the following matter:

- I. **CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION**
Significant exposure to litigation pursuant to paragraph (2) of subdivision (d) of Section 54956.9: (One potential case)

OPEN SESSION

- II. Report Out of Closed Session

The Town Council reconvened the regular meeting at 7:30 p.m. Mayor Bailey reported that there was no reportable action taken in Closed Session.

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

Mayor Bailey requested amendment of the agenda to move the Town Manager Report, the Council Reports and the Consent Calendar to the end of the agenda, and move up Business Item 7.III to be heard immediately after Presentations.

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 amend the agenda per the Mayor's request

2. OPEN TIME FOR PUBLIC DISCUSSION

PATI STOLIAR, Age-Friendly Corte Madera, Casa Buena Drive, announced that the Rotary and Age-Friendly are working together this Saturday to provide free assistance to seniors' homes. She asked those interested to contact Age-Friendly Corte Madera at 415-480-9758.

3. PRESENTATIONS

- 3.I Letter from Vice President Joseph Biden congratulating the Town of Corte Madera on the Occasion of its Centennial Celebration
Corte Madera resident Rhett Krawitt will present the letter to the Town of Corte Madera and read it into the record

Corte Madera resident Rhett Krawitt read into the record the letter from Vice President Joseph Biden, dated July 19, 2016, congratulating the Town of Corte Madera on the occasion of its Centennial Celebration.

- 3.II Video from Congressman Jared Huffman congratulating the Town of Corte Madera on the Occasion of its Centennial Celebration

A video from Congressman Jared Huffman was played congratulating the Town on the occasion of its Centennial Celebration.

6. PUBLIC HEARINGS - None

7. BUSINESS ITEMS

Recusal: Vice Mayor Furst recused herself from participating in the matter, stating she lives in the Reed Union School District and her daughter takes the bus. She left the Council Chambers.

- 7.III Consideration and Possible Action to Approve a Supplemental Appropriation to Fund the Yellow Bus Challenge Program for the Reed Union School District (Report from David Bracken, Town Manager)

Tiburon Vice Mayor Jim Fraser introduced Claire McAuliffe, Belvedere Councilmember and thanked the Town Council for considering the matter. He explained that last year Belvedere, Tiburon and the Reed Union School District formed the "Tiburon Peninsula Traffic Relief Joint Powers Authority Yellow Bus Challenge" to manage and lead a transportation program for students. He relayed the following accomplishments of the program over the last year:

- Reduced travel time on main arteries by over 40%;
- Sold over 1329 one-way passes this year, with Corte Madera representing 15 of those purchases for 2015/16 school year;
- The municipalities of Belvedere, Corte Madera, Tiburon and Reed Union School District contributed towards funding the 2015/16 program; and
- They created new communities within their neighborhood of parents

He highlighted the following changes made based on the past year's learning experience:

- A new management team of Marin Transit is in place who oversee the bus program for School District;
- Mill Valley has a new program this year and Marin Transit will manage their program, as well as the Ross Valley School District program;
- They have developed a new app called "Find My Bus" to determine whether the bus is on-time, early or a few minutes late;
- They have a reserve backup bus on standby in case a bus breaks down;
- Bus pass sales are tracking at 67% of capacity, with an overall capacity at 59%;

- The County of Marin has joined this year by providing \$37,000 to help with funding of the program; and
- Letters are included in the Council's packet from Assemblymember Marc Levine, Senator Mike McGuire, and Supervisor Katheryn Sears supporting the program and asking Corte Madera to support them in their initiative

Belvedere Councilmember Claire McAuliffe said she recently joined as a boardmember for the JPA and said it has been a pleasure and learning experience for her to see the work done to make the bus program a success for everybody. Traffic has improved from those coming from Corte Madera to the school district, ridership is up, and the level of support at the State, County and local level is unquestioned.

She said Corte Madera made a generous and critical \$25,000 gift last year and is being asked to provide the same amount this year to continue the program. It has been a proven benefit to the Town as realized by its ridership and she pointed to a recent article in the Marin Independent Journal.

Councilmember Condon questioned the number of passes purchased by Corte Madera residents. Vice Mayor Fraser said ridership is tracking the same as last year with a total of sales year to date of 1,114 passes sold. Corte Madera has purchased 165, which is 15%.

Councilmember Andrews asked about the status of a permanent funding source for the program. Vice Mayor Fraser stated he and Supervisor Sears have met to discuss on-going funding which it is a work in progress. They are also engaged with Mark Levine and Mike McGuire, three municipalities working with Marin Transit to manage the program, as well as TAM. One of the first orders of business for the JPA is to form a subcommittee to further tap into resources from the entire county.

Councilmember McAuliffe said as the school bus program has gotten more and more successful with reduced rates, donations are coming in and people want to know how to participate. The first year was to get the program going. Now they have shown it has been successful two years in a row and they will turn to external fundraising.

Mayor Bailey asked for the metric used to determine whether this year will be considered successful. Vice Mayor Fraser said in past sales they have had a target goal, and he believes they will exceed sales for this year.

Mayor Bailey opened the public comment period.

CARL KRAWITT, Sonora Way, believed that the program was the best path forward towards solving traffic congestion and their metric is to reduce traffic. He noted that commute times have been cut by 40% at peak morning hours and 30% to 35% in afternoon hours, said Supervisor Rice is committed to finding long-term funding solutions for the program and he is working closely with elected officials to get state and county funding to move this program to the state level. He hoped Corte Madera would stand by the program and approve funding.

RHETT KRAWITT said he is 8 years old and will be a 3rd grader at Bel Aire next year. He thanked the Council for supporting the School Bus Challenge and said he likes riding the bus because he can play with his friends, the bus is better for the environment and because sometimes he needs "alone time" after school. They learn about global warming and climate change at school and he asked the Council to vote "yes" to make the Yellow School Bus Challenge even better.

Mayor Bailey reported on the receipt of letters of support from Senator Mike McGuire, Assemblymember Marc Levine and Marin County Supervisor Kate Sears.

PETER CHASE said the Planning Commission is looking at projects that require additional

bus efforts made within the design of the projects. He thinks it is important to ensure they allow for the addition of school buses. He thinks at some point the donations from municipalities will change and there will be funding sources and that the Town should prepare for, anticipate and create the opportunity for bus systems in the Town to a greater degree than they do now.

Councilmember Condon said she thinks there is terrific merit with the program and stated that the Council will also consider expenditure of funds to pay for a crossing guard. She sees the necessity for the program, as she knows there are safety concerns. She believes in busing children to and from school, but also believes a program is needed for Corte Madera. She said there are over 1,000 children on Paradise Drive during the morning commute and she questioned whether the Town could afford to pay for not only a crossing guard, but also support the Yellow Bus Challenge and establish and fund a program in Corte Madera.

Mayor Bailey asked the Town Manager if staff has analyzed the ability to pay for the crossing guard and the School Bus Challenge.

Town Manager Bracken said the Council will discuss its finances during another item on the agenda, but noted the Town was operating at a deficit in its General Fund just short of \$4 million. He thinks the question is whether the Town has cash on hand, and he said it does.

Mayor Bailey noted that when the Council considers the \$25,000 request for the bus program tonight, it is also being presented with a request relating to the Town's playground at a cost of between \$30,000 and \$40,000, a request by the School District for an additional \$16,000 for a crossing guard, and an additional allocation of \$16,000 for a fund set aside for the Centennial Committee to hold an Art Weekend. Therefore, the Town is aggregating significant requests this evening which will be part of the Council's decision-making process.

Councilmember Lappert said he has made his feelings known about the program, and the request is for \$1.52 per pass which is a significant amount of money to drive 152 students to and from school. He expressed his on-going concerns regarding the lack of communication and interaction by the school district with the Town and the Town having to subsidize those who choose to drive their kids to school alone in a vehicle. He suggested parents pay for the program and not taxpayers and questioned the accuracy of the metric used of a 40% reduction in traffic. While he was not supportive of the Town's contribution towards the program, he did recognize the importance of the program to those in attendance.

Mayor Bailey asked it would help if more information was provided regarding how 40% was arrived at as a metric.

Councilmember Lappert said the Council has asked for this information and he was not clear that the Town should pay for a problem caused by the school district.

Councilmember Condon stated that given that there are over 150 passes being sold in Corte Madera, she asked the Town Attorney if the \$25,000 contribution could be considered a gift of public funds.

Town Attorney Randy Riddle said in analyzing that issue, the question is always whether the legislative body has determined there is some public purpose to be served by that. In this case, there probably is a public purpose that would be served by this subsidy and therefore he did not believe it would be a gift of public funds.

Councilmember Andrews said he is very ambivalent about supporting the program this year mainly because he did not believe a solution would be in place to fund next year's program. He also researched median income levels of the two school districts and if

seemed that those living on the more prosperous side of town were being subsidized. He thought that if there was any plan for a permanent solution whereby the beneficiaries of the program would eventually fund it, he would feel better about supporting it.

He questioned whether the group thought about proposing a parcel tax in the Reed Union School District for bus service so that those using the program would pay for it as opposed to asking the rest of Corte Madera to subsidize this small part of town. Therefore, he was conflicted and urged the group to come up with a permanent funding source by next year.

Mayor Bailey agreed a long-term solution was needed and he continues to agree with Councilmember Lappert's views about those who are abusing the privilege pay for it; however, this is not what the Council is being presented with. What is unusual about the solution presented is that this is an innovative program being supported by multiple elected representatives to solve a problem that is not truly their responsibility. It is a problem larger than the Town and he thinks the Town has an opportunity to take responsibility for two problems which are realized as a benefit to not just the school bus children but to the entire community, which is traffic and related property values.

He thinks traffic problems are the single biggest issue in town and the program addresses congestion. The program is collaborative and he likes the fact that many jurisdictions are working together towards something that has worked for a couple of years. He therefore suggested a motion to consider the request.

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

To approve a Supplemental Appropriation in the amount of \$25,000 to Fund the Yellow Bus Challenge Program for the Reed Union School District

Noted Present:

Vice Mayor Furst returned to the dais to participate in the remainder of the meeting.

7.I Consideration and Possible Action to Approve a Supplemental Appropriation for Procurement of Sand for the Sandbox at Town Park Playground
(Report from Kevin Kramer, Director of Public Works Maintenance and Operations)

Director of Public Works Maintenance and Operations Kevin Kramer said several weeks ago someone vandalized the sandbox at Town Park Playground. Because there was no way to remove just the glass, staff had to remove all of the sand. The playground was closed for several hours only to find people were not adhering to signage and were climbing the fence and using it anyway. He therefore decided to have engineered wood fiber put in the sandbox which is what they use in the rest of the playground as a fall attenuator.

After doing this, staff opened the playground and began investigating buying more sand from the usual quarries he had previously purchased sand from. However, he found these companies would no longer certify the sand as dustless. One of the requirements in 1999 was that the sand be certified as dustless and the engineered wood fiber is certified as splinterless and dustless. Therefore, he chose to leave the engineered wood fiber inside the sandbox and after about a month, a complaint was received from a Lakeside Drive resident.

He relayed his concerns to the complainant and said he knew there were diseases associated from inhalation of silica. He left the engineered wood fiber in the sandbox and thereafter identified an alternative, naturally dustless product called Valspar sand. Valspar sand is very expensive and he said it would cost approximately \$40,000 to fill the sandbox.

Mayor Bailey asked if the Town Manager could introduce the new Town employee who has

worked on the matter. Town Manager Bracken introduced Rebecca Smalbach who will be senior at Redwood High School and with the Town as an intern to learn about city government. She is assisting all departments to learn how each functions.

Vice Mayor Furst asked Mr. Kramer to share what has historically been the wood, the sand, and if there is any possibility for making the sand area smaller or somehow changing its configuration while not rebuilding the entire playground.

Mr. Kramer said this is possible, but what the Town must adhere to are many stringent state regulations on anything they do inside the fence. He said any redesign would most likely have to go to an architect. He imagines something like a border could be installed of similar concrete material, reducing the size of the sandbox with one material in one compartment and another material in another compartment; however, it would need review by an architect, given the stringent regulations.

Vice Mayor Furst asked and confirmed with Mr. Kramer that all materials which are not sand in the play area are engineered wood fiber, which is certified dustless and splinterless. There is a small lawn and crushed granite, but engineered wood fiber is contained in all of the play areas for fall attenuation. He noted Skunk Hollow has sand and the volleyball area at San Clemente or Cove Park is sand. His concern is that because more problems are being identified with sand, at some point it will not be allowed in parks and held liable.

Mayor Bailey opened the public comment period.

AL LIKEMAN, Larkspur, questioned why staff cannot go to a beach and get some sand.

BOB BUNDY, Golden Hind Passage, stated when the issue was brought up a couple of weeks ago he thought that Public Works could go to a beach and fill their truck up with sand. However, in looking at literature and from the standpoint of medical issues, the silica is a problem, as well as other crushed rock which potentially is asbestos-like. Another concern is disease, as cameras placed at sandboxes at night reveal that cats and other animals use them. A recommendation for safe sand in sandboxes is sand from the beach which is certified as clean and for it to be covered at night so animals cannot get in it. He added that Mr. Kramer was right to look at the matter carefully.

LAURA VON WALDBURG, Lakeside Drive, read her letter into the record regarding the sandbox which summarized that bark in the sandbox makes it less fun and less attractive. She asked that the sand be put back, she visits the park often and no children play in the bark, and she relayed reasons for having sand back in the park. She presented a petition with 100 signatures asking that either Ollie II playground sand or Lapis Monterey Beach sand be put back in the sandbox. She received an overwhelming response when posting the request on *NextDoor.com* and noted that many people from outside the Town use the playground. She learned that playground equipment including sand is governed by California's Health and Safety Code. The CDC or EPA has no warnings about playground sand and she said every other city in Marin has playground sand. She did not find any lawsuits or new laws relating to playground sand and her research confirms sand is safe and is very much missed in this playground.

JANE LEVINSOHN, Tamal Vista, questioned what would happen if new sand is placed in the sandbox and whoever vandalized the box with glass does it again. She likened the problem to the Bus Challenge and being locked into having to replace sand.

BECKY REED, Council Crest, echoed Mr. Bundy's comments and said one job of parents in the morning was to scoop up sand and get all of the fecal matter out of it. While she loves the idea of sand, she supported a cover for the space.

Mayor Bailey asked Mr. Kramer if staff expected the box to be vandalized again. Mr. Kramer said it could very well happen, and said in the past they only had one broken bottle which

did not spread throughout the sandbox. He said he was not so concerned about the incident, but more concerned about the difficulty in finding sand the Town could use in the box. He noted that the Town has two employees who are certified by the State as playground inspectors and they indicated cities are getting away from using sand in boxes and moving to the rubberized material. When he could not find certified sand, staff investigated it further.

Mayor Bailey asked and confirmed that sand used in other towns is silica based and Councilmember Lappert commented that this is the material glass is made of.

Mayor Bailey asked if the Town could get a parent group to help keep the sandbox clean. Laura indicated there is no need for certification by law. All sand used in Larkspur, Mill Valley, and Belvedere is legal within the health code. She also said many people have mentioned safety risks and she has found no literature about playground safety risks with playground sand.

Councilmember Condon thanked Mr. Kramer for his work on the matter to remove the sand out of the box. She Googled "sand for playgrounds" and was overwhelmed with credible citations about various respiratory and health risks associated with sand. She did not believe there was a practical way to cover the sandbox to discourage it from the geese, cats, rodents and said they will get in the box. She suggested safety take priority over fun, agreed sandboxes were fun but she would be in favor of using a substitute material, knowing Mr. Kramer is thorough in his research.

Councilmember Lappert said he supported the least expensive sand be purchased and put into the sandbox.

Vice Mayor Furst said she recognizes there are many concerns about the silica sand but did not believe she had enough information to understand if there were similar concerns about the Valspar sand; however, the \$40,000 cost is unrealistic. She suggested a re-thinking about how to organize the playground and thought that perhaps wood chips are fine under the play structure and the sandy part could be a smaller part of the playground. Also, she likened the vandalized box as part of maintaining infrastructure and similar to the vandalism at the restrooms. She recommended sending the matter to the Parks and Recreation Commission to obtain a recommendation and possibly considering a smaller area that could be covered at night.

Councilmember Andrews said if it was a choice between wood fibers and sand he would choose sand. Regarding the type of sand he thinks the chief difference between the Valspar sand and the beach sand is the Valspar sand will come with a certificate. He noted that when going on their material safety sheet, a doctor who certified the material has also made his career writing articles about the risks of sand. Regarding the risks of the silica sand, he was mindful about the history of asbestos as a common material but then found it to cause mesothelioma. Therefore, he suggested using the washed beach sand.

Mayor Bailey recognized Rebecca Smalbach, the Town's new Intern for her work on the matter. He cited quotes from the Indiana Poison Center, as: "We just don't see children developing silicosis" and "he sees no risk in using sand in sandboxes." "Between 2001 and 2008 there are still no linked cases of children developing cancer by the US Consumer Product Safety Commission." "There are no conclusive studies on children's exposure; no convincing evidence."

He found this to be a difficult issue and while it may be simple to most people there is one learned professional who, in an effort to protect the town and provide for children, thinks the Town ought to consider using the Valspar sand. A mother also thinks the Town should use something different and not waste taxpayer money. In considering all comments he thinks the Town should consider going with the less expensive option and move on. He was not sure why the matter did not go to the Parks and Recreation Commission first but asked

wanted to solve it and move on.

Councilmember Lappert made a motion to approve the \$3,000 expenditure for sand, and Councilmember Andrews seconded the motion.

Councilmember Condon asked and confirmed with Mr. Kramer that the replacement sand will not be certified.

Mayor Bailey reopened the public comment period.

ROBBY PAULSON, Mohawk Avenue, thought a third option would be to ask the kids what they think about the space, given they are the primary stakeholders.

Vice Mayor Furst suggested that while staff is reviewing the silica sand options that they try to do their best to choose one that is as dust-free as possible. If it costs a bit more, she suggested this be authorized, as well.

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

To approve a Supplemental Appropriation of \$3,000 for Procurement of Washed Beach Sand for the Sandbox at Town Park Playground

7.II Consideration and Possible Action to Approve a Supplemental Appropriation to Fund a Crossing Guard at the Seawolf/Paradise Drive Intersection
(Report from David Bracken, Town Manager)

Town Manager Bracken stated there was a crossing guard funded by the TAM Crossing Guard program and they rate each intersection and have variations of how they determine how to spend money for crossing guards which is limited. That crossing guard was removed in TAM's budget for the coming year and the Larkspur-Corte Madera School District and Superintendent Valerie Pitts sent a letter asking the Town if they could fund the crossing guard at that intersection at a \$16,000 cost.

Valerie Pitts, Superintendent, said she was available for questions.

Councilmember Andrews questioned whether \$16,000 was the total cost of a crossing guard or was the district also paying for a portion of the cost. Superintendent Pitts said \$16,000 is the entire cost of a crossing guard. They pay for one guard and there are four others paid through TAM.

Superintendent Pitts stated that last year a committee was formed of educators and TAM and they identified they could only fund 71 locations across the county. One suggestion was to reinstate the crossing guard programs. Another suggestion was to operate a volunteer program and TAM would pick up the expense of training and providing Workers' Compensation insurance for those volunteers at a cost of \$8,000 from TAM for a substitute if the volunteer was absent. The programs are great and she explained those previously funded and shifting done to accommodate needs across the town.

Councilmember Lappert stated that CMPA has a cadet program and he asked if Cadets could provide crossing guard services. Police Chief Cusimano said it is possible as they are trained, but it is something police would need to review.

Vice Mayor Furst stated she represents the Town on the TAM Board and every year TAM prepares a study of the various intersections school districts have identified as potential crossing guard locations which are ranked. Many school districts have additional locations which did not make the cut and the municipalities are being asked to provide funding. If a

guard calls in sick the responsible agency makes sure there is a substitute to fill in. When considering Cadets she asked to ensure coverage could be guaranteed every day.

Mayor Bailey asked and confirmed that the annual district's budget was comparable to the Town's budget. When the Cove School was built, he asked if there was an expectation that crossing guards would always be paid for by TAM.

Ms. Pitts stated the District worked closely with TAM to fund the guard along with Safe Routes to Schools and the community. There are 122 students who ride Marin Transit and the District offsets that with \$12,000 they receive from the state. Therefore, they had no way of knowing how many kids would be walking, which they encourage. At the time, they did not know that TAM would not be funding the program; however, given the number of students countywide, there is only so much funding.

Mayor Bailey asked if the District has exhausted attempts to ask parent groups, police or any volunteers to fill the need other than Town money.

Ms. Pitts replied that the District is going to have volunteers run the front of the school and she would be willing to work more with CMPA, but the District would still need to come up with \$8,000 to have a backup volunteer. If the Town were to deny the request they would go back and work harder to dig deeper to address the issue.

Councilmember Lappert said if the Town were to provide a contribution of \$5,000, the problem would be taken care of by people trained in traffic enforcement. While he is not asking CMPA to do this now, he does not think the Town needs to spend \$16,000 for a crossing guard.

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

Councilmember Condon thinks a crossing guard is needed and thinks it should start as soon as possible. Over a period of time they can determine whether the Cadet program can replace the crossing guard.

Vice Mayor Furst supported the need for a crossing guard at that location and said she would be reluctant to rely on the Cadets to handle that role as they have other police-related work. Likewise, she would not like traffic enforcement officers providing crossing guard services but instead ticketing people who are not obeying the law.

She thinks TAM does a good job with the crossing guard program, thinks the program is very efficient and there is never a location that has been earmarked for a crossing guard that does not have coverage in the morning. She thinks this should be paid for by the school district, but they are already paying for one crossing guard and the Town can assist with providing \$16,000. Also, it encourages green trips. She asked the District keep in mind that in the future the Town will look to other means for funding the crossing guard but she could support the request now.

Mayor Bailey asked Vice Mayor Furst if she saw this as an annual request and asked if she would support it annually.

Vice Mayor Furst said if their school district can get funding from TAM they should. But if not, she thinks the District and the Town can work together to solve it and hopes the guard locations are fully funded by TAM in the future. She noted that Measure A was due to expire in a few years and would think TAM could propose another ballot measure. At that time it is very likely that the portion of the sales tax revenues earmarked for crossing guards will expire.

Councilmember Andrews also hoped that this will be a one-time request of the Town and that the District will budget for it for next year. He was familiar with crossing guards and

also recognized their importance.

Mayor Bailey said he thinks it is appropriate for the Town to assist when there is no alternative. He was not sure the District has exhausted its efforts for alternatives for him to be willing to contribute funding and suggested continuing the item one more meeting, as school does not begin until August 18th.

He asked that the District look at all of its options to fund the guard and if confronted with no other alternative, the Council can discuss whether or not it wishes to fund the guard.

Councilmember Condon voiced concern because the Town just approved the previous item for \$25,000 and the School District and traffic are not even in their jurisdiction. Here the Council is talking about its own Corte Madera students where an effort was made to get funding through TAM. While there might be a way to fundraise to help fund the program, school will soon be in session and there is not much time to prepare for an alternative. Therefore, she suggested the Council not delay the matter.

Mayor Bailey said he did not believe the Council received word that there is no other alternative, and since they do not have it he thinks it is the fiscal responsibility of the Town to try to do the best they can to manage the situation.

Councilmember Lappert said he feels badly about putting police on the spot but Cadets are trained in traffic control and are much better than a volunteer or contractor hired to provide services. He thinks the police department can be augmented by \$5,000 to cover the cost of it which takes care of the problem.

Mayor Bailey suggested this to be a creative solution.

Councilmember Andrews questioned what would happen if the other jurisdictions served by the police department also want crossing guards as well and want Cadets.

Mayor Bailey suggested Chief Cusimano return at the next meeting and determine whether or not utilizing Cadets will work.

Town Manager Bracken noted that the Council will meet on August 2nd, but thinks something like this should be vetted by the Police Council first.

Vice Mayor Furst said a program is in place supplying crossing guards around the county. What the Council is attempting to do is throw together a program through the police department for Cadets to handle this at approximately \$5,000 a year which is only an estimate. If there is ever an incident that will require traffic control, that means that Cadet will not be available to serve the police in their role. She thinks the Town can pay for the crossing guard, as the Town encourages kids to bike and walk and (they) are getting cars off of the road by ensuring safe passage.

Mayor Bailey questioned how the Town can guarantee the guard will be funded next year so the Town does not absorb the cost forever.

Vice Mayor Furst asked if the Council wanted to throw together a program by police, whether they want the School District to absorb the cost if this location does not make the TAM cut to be funded, and said she personally would like to table the police option given the Police Council will not be able to meet prior to school starting and fund the crossing guard. She suggested partnering this year and to indicate to the District that next year they will have to pick up the cost for unfunded locations.

Mayor Bailey questioned if there were other alternatives, stating the Town is again being put in the situation that it is irrational if they do not fund the program.

Councilmember Andrews made a motion to approve a supplemental appropriation to fund a Crossing Guard at the Seawolf/Paradise Drive intersection for this year and request that District staff look for alternative ways to fund the Crossing Guard for next year. There was no second and the motion died.

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

To Approve a Supplemental Appropriation to Fund a Crossing Guard at the Seawolf/Paradise Drive Intersection for Fiscal Year 2016/17.

Mayor Bailey took a poll to determine audience members in attendance for items on the agenda. He proposed re-arranging the agenda to hear Item 7.V ahead of Item 7.IV.

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 Re-Arrange the agenda to hear Item 7.V ahead of Item 7.IV

7.V Review and Possible Acceptance of the Draft Tamal Vista Corridor Study Report, Including Policy Recommendations
(Report from Adam Wolff, Director of Planning and Building)

Director of Planning and Building Adam Wolff stated staff's recommendation tonight is that the Council direct staff to take the recommendations in this report as modified by the Council and direct staff to prepare zoning amendments based on the report.

Mayor Bailey asked if there was any flexibility in the proposed schedule. Mr. Wolff said staff's goal is to get a zoning amendment adopted as close to as possible to the October 7th moratorium deadline. Practically speaking, the Town has some time after that date to get something adopted; however, he did not want to extend this too far, as the Town has begun environmental assessment and two readings of the ordinance are required.

Mayor Bailey interjected and apologized to both Libby Seifel and Craig Hill. He said while the upcoming matter is very important, the meeting will go late, and he suggested the item be continued to the next meeting.

7.IV Receive and Discuss Status Report on Long Term Financial Plan
(Report from David Bracken, Town Manager, and Presentation by Consultants Libby Seifel and Craig Hill)

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

To continue Item 7.IV; the Status Report on the Long Term Financial Plan to August 2, 2016

Mr. Wolff referred to the Draft Tamal Vista Corridor Study Report, stating that staff is recommending the Council accept the report and its recommendations with any modifications and direct staff to prepare the ordinance amendments for the Planning Commission's review. The Council will ultimately decide to take the next step and turn the recommendations in the report into new zoning regulations that will guide land use policy along the Tamal Vista Corridor in the near and long term. He said public hearings at both the Planning Commission and Town Council will be required for the proposed amendments, and staff expects documents will be ready for consideration in September and October.

Mr. Wolff said the purpose of the corridor study was to engage residents, business and property owners and other stakeholders in a very public, Town-led process to come up with a series of specific community-supported policy regulations that would directly inform new zoning regulations. The study was undertaken with the assistance Dave Javid from the Metropolitan Planning Group (M-Group) who attended the joint Town Council and Planning Commission meeting in April.

Staff feels the process has been successful to guide land use policies along the corridor and the process and outreach will make the new regulations following this report successful. He said he would not go through the entire report this evening, noting that it has been posted on the Town's website since June 7th and he expects the final report to be completed in July.

The report is broken down into 5 chapters with much of the content being a compilation of documents used during public outreach efforts to discuss existing conditions and regulations. Chapter 4 reviews those efforts made and the feedback received. The recommendations on pages 26 to 33 are where much of the attention this evening should focus on. He presented summary slides of the meetings held and a robust outreach effort occurred over the last 8 months.

Mr. Wolff said generally the recommendation chapter was organized into land use policy themes. The first three themes related to permitted land uses, intensity/density and development standards would be used to directly guide the development of new zoning regulations which can then be translated into zoning amendments. Other recommendations would complement recommended changes to the zoning regulations but would not have to be implemented in parallel with the zoning ordinance amendment.

He said the recommendations can be viewed as a menu of policies that can either be advanced as a whole or individually, given circumstances. Staff also included in the report under each recommendation the rationale and intention behind each recommendation to bring that sense of clarity as to why they are being proposed.

- Recommendation 1: To allow locally serving uses. This garnered widespread support, as well as removing some uses from the C3 district such as car washes, used car lots, etc. to make it more compatible with the residential character of the area.
- Recommendation 2: To allow residential uses in the area as a permitted use through a CUP. There were concerns expressed about housing in close proximity to the highway, and the CUP would provide that site specific analysis to evaluate the appropriateness of location of residential uses on a particular site.
- Recommendation 3: This relates to the intensity and density of development on the sites. Staff recommends preserving the existing allowable commercial floor area ratio. Regarding the concept of mixed use, staff recommends a maximum of 15.1 residential dwelling units per acre, which is the minimum range as stated in the General Plan and combining that density with an FAR cap. This provides more predictability in terms of the total size of a project built at that density would look like.

Also proposed is to require that a minimum of some commercial development is included in development that proposes residential at .04 FAR, which would have to occupy the same space and be locally serving commercial. This is to keep the commercial character of the corridor intact as development occurs.

Mr. Wolff stated the third recommendation acknowledged that more consideration or thought be given to the idea of allowing FAR to increase to .5. He noted that this is something the Planning Commission discussed and they thought the .5 FAR could be appropriate; however, as to how this density affects traffic and potential strains on the

infrastructure, it was not recommended at this time. If studies came back and showed it .5 FAR could be accommodated, it may be acceptable.

Regarding development standards most relate to an idea during the meetings held of creating three distinct zones on each property on the corridor, which most are narrow and deep, stretching from Tamal Vista Corridor to the highway. There is an idea of a front setback of 20 feet to allow for public use enhancements. Beyond that, there should be another setback beyond that before a building could be located, giving it more of a neighborhood zone, a maximum height of 25 feet and a higher intensity or height zone back towards the highway end of the properties which could have more height up to about 35 feet. The Planning Commission discussed getting up to 30 or 40 feet for architectural reasons, which could be flushed out during zoning ordinance amendments.

- Other standards were recommended for lighting, landscaping and parking in terms of development standards.
- There were also needs to consider special conditions for sites that did not conform to the standard.
- Other recommendations that could be helpful moving forward include: 1) Streetscape design guidelines and 2) considering mixed use in non-residential design guidelines.

Mr. Wolff stated throughout the process there were concerns about traffic both in and around the study area. These were cited as some of the most significant issues that should be addressed and staff emphasized they were dealing with 7 properties where new land use regulations needed to be developed for those properties and they could not address broader traffic issues in the entire area through this process. However, the Town could require traffic analysis to ensure proposals mitigate impacts, consider requiring project specific measures, and continue to work on broader issues and ways to try to help alleviate some of the traffic concerns in the surrounding area. These are expressed in the report, as well as in the Attachment 2 to the staff report which is a list of things which require funding.

Next steps are to move forward to get new regulations in place as quickly as possible and in consideration of the expiration of the moratorium. Another important result is that the Town should have a follow-up effort to determine which policies may be applicable to other areas in town that have similar situations.

The draft report was presented to the Planning Commission on June 14, 2016 and the minutes of that meeting are attached to the staff report, along with a staff summary. The Commission supported the recommendations in general as outlined in the draft report.

The main comments expressed included an interest in incentivizing rental housing versus for sale housing, further study an increase of FAR and encourage reinvestment in properties, additional setbacks beyond 20 feet given the use proposed, height maximums, identify funding opportunities, coordinate individual site and Town capital projects so implementation of streetscape improvements can be advanced as a comprehensive project, and to determine how best to implement bike and pedestrian improvements along Tamal Vista Boulevard, as this was seen as a way to enhance circulation and the corridor's aesthetic character. Lastly, there was support for parallel efforts to address traffic concerns.

In conclusion, Mr. Wolff said that given the extensive public outreach conducted, the report has resulted in a set of recommendations that is responsive and representative of the community's input. It sets forth sound and responsible land use policies that will allow redevelopment and reinvestment to occur but at a scale and with uses and improvements that better reflect and support the surrounding residential character of the area. It is consistent with policies and programs identified in the General Plan and Housing Element, it provides a potential blueprint for other areas in town and it will allow for successful implementation with the support of residents, businesses, property owners and other

stakeholders.

Mayor Bailey asked if an applicant could submit an application for development in the C-3 zone after the moratorium expires. Mr. Wolff explained that the Town has been in a process that is clearly stating an intention to change regulations. Staff has reviewed vesting rights and there is no viable way that an applicant can claim they can develop something under the C-3 regulations. No permits would be granted under those regulations and the Town is in the midst of changing those regulations.

Mayor Bailey asked for the Town Attorney's opinion.

Town Attorney Riddle said their firm discussed this today about this issue. The real issue is whether someone has a vested right to continue under the current rules when the moratorium expires. When that arises, where the risk lies is when someone has received some type of entitlement from the Town already under the current rules, such as a development agreement or permit of some type and pursuant to that entitlement they may have spent funds in furthering that project.

He said his view is that people have been on notice that the rules are changing and ultimately what gets approved will be governed by the new rules that are in place at the time that application is approved or permits are issued and not at the time they actually submit their application. He thinks it is unlikely someone will have a viable claim between the time that the zoning ordinance might be finally adopted and when someone submits an application that they are entitled to develop under the previous rules.

Councilmember Andrews asked and confirmed with Mr. Wolff that regulations under the C-3 zoning would be modified and only applicable to the 7 properties in town.

Councilmember Andrews questioned when the Town would implement a zoning ordinance amendment for hotels, as 2 of the 7 parcels are hotels/motels.

Mr. Wolff stated staff is proposing changing the rules to allow for more broad uses and not specify hotel zoning only for those particular sites. What is being proposed here is to clearly have zoning which would allow hotel uses as a permitted use.

Councilmember Andrews asked if hotel zoning could apply to all parcels in the study area to varying degrees. Mr. Wolff stated what is being recommended is a district where hotels are allowed and are zoned appropriately.

Vice Mayor Furst asked if what Councilmember Andrews was getting at could be accomplished through a change in conditional use and not through zoning. She thought Councilmember Andrews was trying to codify the FAR that is allowed for hotels and motels, and maybe that is not done through zoning but through another planning mechanism such as a CUP.

Councilmember Andrews asked that within the study area, the definition of mixed use be a variety of existing zonings, such as C-1, C-2 and C-3 so the Town is doing spot zoning in the area, and two additional zones would be a zone for hotels/motels and another one would be mixed use for housing with commercial.

Mr. Wolff said the idea here is to create a list of uses that should be allowed in this corridor, for example, ranging from bakeries to hotels. These are all things that are permitted or some conditionally permitted. When proposing a new development, they should all be governed with the new rules associated with the FAR and the intensity/density requirements, setbacks, and development standards proposed. He thinks they are recommending zoning for hotels here in this area as one of the permitted uses, and in fact, those uses would be conforming to the recommendations.

Councilmember Andrews said his idea is to take a parcel and if it is a hotel, to zone it as a hotel parcel, so within the study area there is a mosaic of different zonings to reflect the best use for a particular parcel.

Councilmember Condon referred to the hotel/motel parcels and said the Town is very strongly dependent upon the TOT from hotels/motels. She asked if the current Best Western and Marin Suites could be limited to just hotel/motel use and also asked what is considered as light industrial uses.

Mr. Wolff responded that light industrial uses could be such things as woodworking uses or certain types of warehouses.

Councilmember Condon asked not to be able to implement warehouse uses across the street from what is residential. She noted the variety of uses by the DMV, the Marin Suites and Century Theater. Such a use would invite large truck traffic, affect traffic circulation and negatively impact residential areas. She asked if staff could consider eliminating light industrial use.

Mr. Wolff said warehouses are currently allowed in C-4 districts; the commercial service area. He said staff can definitely eliminate light industrial or warehouse uses. Regarding restricting the zoning to the hotel/motel use, Mr. Wolff said he did not see anything preventing a zoning ordinance amendment recommending that sites should be zoned for hotel only. He does think the narrower the zoning the more limitations are placed on what can happen on any given site. There are concerns about potential unintended consequences, but potentially this would limit the uses that can go on a particular site.

Mayor Bailey opened the public comment period.

DAVID KUNHARDT, Hill Path, said he thinks the effort has been terrific in eliciting comments on what works for nearby neighbors and what constitutes what is called "local serving and community serving" but asked that car-oriented uses be eliminated. He noted that the area was downzoned over 20 years ago to .34 FAR and there are a number of mistakes in that which are both legal, organizational and design related. Two properties conform to the .34 FAR which are the movie theater and the DMV. He asked if this is the design the Town was going for its future.

Mr. Kunhardt also disagreed with the idea that the Town should separate the conditions and design for commercial and for housing. He would go to point 5 today which will make more of the properties in this zone legal. He referred to page 29 or what is also called 35, 5 of the properties are developed at .34 FAR or above, and the whole corridor is developed at .39 FAR. He asked that the town not continue the illegality of the FAR because it will take much more time to resolve. Lastly, if the Town is serious about developing senior or affordable housing, 15 units to the acre will not work. The Town already has an affordable housing project at 30 units to the acre here. The two senior properties in Marin that are most successful are at 28 units to the acre (The Redwoods) and 60 units to the acre (Tamal Vista Ridge Apartments.)

ROBBIE PAULSON, Mohawk, said recently he learned that someone who was the only homeowner left who grew up on the block sold his house, which he said is a cycle. No one on their block was born there except him and his brother and some of the children and he hopes the Town thinks about increasing the FAR for the residential use because it is important. If the Town does not move with the times, it causes unnecessary suffering and it takes a lot out of their community.

JANE LEVINSOHN, Tamal Vista, said she is very concerned as to what the Town will turn Tamal Vista into, stating the Tamal Ridge Apartment project will not be able to rent units until after January 2017. No one knows what traffic will result from that project, said the development reminds her of a container ship that has gone ashore, and questioned what

would happen with the motel property which extends down into Tamal Vista. She asked the Council to know details about what will happen with all 7 parcels, said she would like to see more residential on the west side of Tamal Vista, but cannot imagine anything that creates more traffic on Tamal Vista.

BARBARA GARCIA, Walnut Avenue, said some recommendations in the report are very thoughtful such as the long list of uses for C-3 zoning; however, she voiced concerns regarding density going from 15.1 to 25 dwelling units per acre and up to 31 dwelling units per gross acres and meeting State requirements for density bonuses. She likes the idea of smaller retail businesses along the Tamal Vista Corridor and ones that do not produce a lot of traffic. Another concern is reducing parking requirements if a development is within $\frac{1}{4}$ mile of a transit stop and she thinks people will still drive their cars

Vice Mayor Furst requested that Mr. Wolff comment on the reduced parking requirements when development is within $\frac{1}{4}$ mile of a transit stop.

BECKY REED, Council Crest, referred to the two hotels and possibly designating them to be hotels, she asked how the Town could retroactively designate the zoning if one is sold and said she did not know how this could be done.

PETER CHASE, Chair of the Planning Commission, said the Commission spent a lot of time reviewing the report and said the issue of the FAR was important to them, as well as traffic studies. Getting beyond the current .34 FAR and assigning a .50 density would be irresponsible without a proper traffic study in place, and it is Corte Madera's and Larkspur's responsibilities to help resolve congestion. He hoped for funding for a bicycle and pedestrian walkway and that it be overlaid on the corridor so when anything transpires, a plan is in place for anything along the corridor. He strongly supports the work that has been done on the study and as a blanket C-3 zone, new uses are covered and there is enough information to write the ordinances carefully and know the intent of the Commission and the Council.

Councilmember Andrews asked Mr. Chase if the Commission was looking at the area having a little bit of housing or housing with commercial.

Mr. Chase said community input revealed that bottom floors ought to be commercial and possibly up to the street or a bit back from the street, with some incentivized housing on top if possible. He thinks if someone brought that before the Town, a mixed use could work and it could be incentivized. Also, that if not used for housing, it could be office space or something similar.

JACK JACKOWSKI, Managing Partner of the Marketplace Shopping Center, thanked Mr. Wolff and others for examining the C-3 usage and making modifications. They have owned the center for 12 years and have been working 5 years with the Town to modify the zoning on the site because so much of the C-3 use has automotive or boat components which do not fit with the Marketplace has had and currently has. They are very much in favor of the work done to date in trying to get Book Passage out of its legal non-conforming status and get some of the other uses that are neighborhood serving within the C-1 and C-2 zoning which is where they should be, and he hoped that the Town will continue to work on this.

JIMMY TURNER, Store Designer for Scandinavian Designs, owner who purchased the Century Cinema site, said they recently purchased the property at the end of last year because the cinema could not operate profitably. They are currently operating as their tenant on the site and he has reviewed the draft plan which he thinks is flexible. They have no plans at this time, but want to relocate their downtown San Rafael furniture store to the site which will most likely be positioned against Highway 101 and stepping down with more public space and community-serving smaller tenants close to Tamal Vista Boulevard. He supported the draft plan and noted that since they took over the site it was in their deed that they are restricted from operating a cinema or theater on the site. Based on the size of

their furniture store, it should allow them to rent to two or three small tenants and he hoped to further work with the Town as to those businesses.

Mayor Bailey asked if Mr. Turner considered simultaneously having both the Scandinavian Design and continuing any entertainment or movie venue. Mr. Turner said they have considered entertainment but are not allowed to operate a theater per the deed put on it by Century Cinema.

Mayor Bailey announced that the Town's rules allow for the Town Council meetings to end at 11:00 p.m.; however, the meeting can be extended by motion for another one-half hour.

Mr. Wolff said in answering questions of speakers, he had the following comments:

- Regarding the density bonus question, the maximum density would be 15.1 units per acre. If one provides a certain number of units that are affordable depending on income levels and benchmarks, the State legislature approved allowing this to developers who would qualify automatically for a density bonus which can range from 20% to 35%.
- Regarding parking, generally there are provisions that allow for the reduction of parking when housing is located in proximity to public transit. He did not believe this was a requirement, but for instance if a second unit is within $\frac{1}{4}$ mile of a transit stop, the Planning Director may not require a parking space for that second unit. This could be changed or modified in this zoning district.
- Regarding designating hotels, staff is going through a lengthy process based on existing conditions and the Town's ability to designate sites as hotel sites. This is not to say there might not be challenge to this, but there is a case one could make that it is appropriate, and the Town would need to create a zoning district that only allows for hotels/motels. Staff is not recommending this approach, but he recognized this is part of the discussion.

Vice Mayor Furst asked the Town Attorney if the Town could designate the existing hotel sites could be designated as hotel only zoning, precluding other uses of those properties and legalities.

Town Attorney Riddle said if the Town is choosing particular parcels and saying for instance two parcels are going to be zoned in a different way as opposed to a larger area, he thinks the Town would want to review this in terms of whether that might constitute spot zoning which could create problems.

Vice Mayor Furst relayed the following comments:

- Signage was not addressed in the report at all for the Tamal Vista side and the freeway side, including the internally illuminated signage, and she thinks this would be useful to consider in a future draft.
- It is important to have a rear setback on the freeway side which is in the report to prevent massing up against the freeway. However, there has been talk about setting aside a space for a potential future multi-use path. The benefit on that side is that they are not directing all bicyclists in front of driveways. She suggested considering identifying the amount the Town might need for a multi-use path.
- She would want to ensure that the 20 foot front setback for pedestrians and pathways is sufficient to allow what the Town is envisioning, along with a green space buffer. There has been some talk about what exactly the Town would want, but now is the time to ensure it is enough space for bicyclists in both directions, as well as a walkway for pedestrians and that they are separated by a small planting area or other means.
- She appreciated including consideration of a .5 FAR for projects with desirable community benefits, and she thought about senior housing.
- She recognizes the Planning Commission was concerned about traffic, and she said there are several grant proposals the Town is working on. The last one listed in the

report referred to a David Parisi study of traffic along Tamal Vista. The report shows that single occupancy vehicles during the a.m. and p.m. peak hours constitutes about 70% of all vehicles. The Town needs to apply multiple solutions to reduce traffic in small increments with the goal of getting it back to free flowing.

- Encourage carpooling and ensure bike paths and walkways are used by students.
- The report was easy to read and she thanked staff for conducting all public outreach.

Mayor Bailey agreed with Vice Mayor Furst's comments, and confirmed with Mr. Wolff that the recommendation would be direction to staff to proceed with preparing ordinance amendments based on comments heard, as well as implement revisions and/or suggestions heard this evening.

EXTEND MEETING

MOTION: Moved by Furst, seconded by Condon, and approved unanimously by the following vote: 4-0-1 (Ayes: Andrews, Condon, Furst and Bailey; Noes: Lappert)

To extend the meeting for one-half hour to 11:30 p.m.

7.VI Consideration and Possible Action to Approve Agreement for Shared Fire Services (Report from Todd Cusimano, Chief of Police)

Chief of Police Todd Cusimano said he and Fire Chief Shurtz are present to answer any questions, stating the item is a follow-up from the last joint Council meeting with the City of Larkspur. He pointed out on page 2 at the top under Fiscal Impact, it speaks to Vice Mayor Furst's concerns and direction which is to ensure they manage and pay attention to how they spend and share monies to ensure it is equal on both sides. They have met with the managers and Chief Shurtz and they recommend managing reimbursement of overtime on a payroll basis. Also, on a monthly basis, they will evaluate the sharing of all costs.

They also recommend that on page 3, next steps of the Ad-Hoc Committee, that many items are concerns and expectations that were made clear from the last meeting and they will work towards these. On a monthly basis they recommend coming back to the Council and provide an update on work as well as ensuring the sharing of costs are equal. If they become unbalanced at a 5% or more increment, staff will work towards a solution and report back.

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

Councilmember Condon referred to number 13 on page 4, and said Chief Shurtz reports to the Larkspur City Manager and not to the Corte Madera Town Manager. She wanted to be sure this does not continue if there is consolidation.

Councilmember Condon also said she felt that doing a formal consolidation by December 31, 2016 may be premature, as she has not seen any fiscal benefits to the Town. Lastly, on number 14; "Shared Services of Battalion Chief and Fire Marshal", she asked that Marshal be spelled with one "L".

Chief Cusimano said he works closely with the Police Council Attorney, and he said the way the consolidation is set up is that he works closer with Fire Chief Shurtz than anyone in both cities and towns. In choosing the December date in Section 18 on page 6; "Evaluation of formal consolidation of fire services" they will not be able to consolidate in December 2016, but chose this date because they felt it was enough time to merge operations, evaluate the sharing of costs and service delivery and provide feedback and update to the Councils as to whether they believe a consolidation works or not.

Councilmember Andrews questioned the status of LAFCO's evaluation of the merger. Chief Cusimano stated they are attempting to meet with LAFCO and they will share the fiscal analysis with them to determine if it meets their criteria versus hiring an expensive outside consultant to conduct the same analysis. If not, they will evaluate appealing the decision and next steps with LAFCO.

Councilmember Condon noted that LAFCO worked with the consolidation of Sausalito and Southern Marin Fire. Chief Cusimano recognized City Manager Schwartz for providing his expertise with LAFCO.

Chief Shurtz noted that the LAFCO Executive Officers reached out to Fire Chiefs and has asked for input from the Marin County Fire Chief's Association as they try to develop and implement the new law. They are open to taking suggestions in streamlining the process, and fortunately the Chiefs are behind what Corte Madera and Larkspur are proposing.

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 Authorize the Town Manager to Execute an Agreement between the Town of Corte Madera and the City of Larkspur for Shared Fire Services

7.VII Consideration and Possible Action to Adopt Resolution 28/2016 Amending Resolution 05/2015 Parks and Recreation Fee Schedule to Reduce Fee for Filming Permit
(Report from Mario Fiorentini, Director of Recreation and Leisure Services)

Director of Recreation and Leisure Services Mario Fiorentini stated staff has received renewed interest in filming permits. Some have been executed and some have not. The consensus has been from those who have not pursued it was that fees required for filming in Corte Madera are too high.

Staff researched filming fees throughout the county and is proposing lowering the fees on a scaled version to fall in line with other cities. In terms of impacts to traffic, he thinks it is practical because there are many areas where small camera crews have interest with the park and higher productions where they are using homes with more vehicles and traffic. The revision allows staff to be flexible with the size of the production.

Currently the fee is \$2,000 per day which does not include charges to the police department for traffic control or public works or other departments. Staff would include those fees as needed, but the filming permit fee itself would be based on a scaled model of:

- 1-3 people on crew = \$150 per day
- 4-6 people on crew = \$200 per day
- 7-9 people on crew = \$300 per day
- 10+ people on crew = \$700 per day

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

Vice Mayor Furst made a motion and encouraged staff to approach filming companies and let them know the Town's fees have been lowered.

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 Adopt Resolution 28/2016 Amending Resolution 05/2015 Parks and Recreation Fee Schedule to Reduce Fee for Filming Permit

7.VIII Consideration and Possible Action to Allocate Centennial Funds in the Amount of \$16,000 for Art Weekend in Corte Madera
(Report from Mario Fiorentini, Director of Recreation and Leisure Services)

Director of Recreation and Leisure Services Mario Fiorentini stated in last year's CIP budget there was \$110,000 earmarked for Centennial activities for this current fiscal year. Staff moved \$5,000 to last year's budget and the intention and direction from the Town Council is to approach and vet the expenditures of those funds to the Council.

What is being proposed for the month of October is a cultural art event where outreach would be given to local artists in the Bay Area to bring their artwork to display for the weekend. They would involve as many local artists as well which is in the spirit of celebrating the 100th birthday of Corte Madera. Staff has worked with a group of artists out of Berkeley to curate the event who would be providing professional services and art contacts, organizing the various artists and putting together the shows for that weekend.

The venue would also be an opportunity for artists to sell their work and staff has met with SPARK to allow the Town to be able to donate a percentage of proceeds of those sales to SPARK to encourage their missions of art, music and technology in local schools. The proposed estimated budget of \$16,000 would come from those funds that are earmarked and the Town would be looking at holding the event the second weekend in October 2016.

Vice Mayor Furst said considering a couple of neighborhoods do not attend the Larkspur-Corte Madera schools and would not benefit to the contribution to SPARK, she asked if contributions could be made to another organization or making a token portion of it to the Reed Union School District schools and asking those families to participate in Town-related events.

Mr. Fiorentini said one thought was to talk with the Corte Madera Community Foundation and see if they could use it as a project to branch out; however, they have not reached out to the Reed Union School District but could do this.

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

Mayor Bailey asked and confirmed that weather conditions will be taken into account by Parks and Recreation staff.

Vice Mayor Furst asked and confirmed that curator professional services cost \$4,500 which is divided amongst three artists.

Councilmember Condon asked about the group putting on the event, and Mr. Fiorentini said they are familiar with the artist contacts, applications, open call, advertising venues, installation of shows, and the type of language which would encourage the types of artists participating in the events. The Centennial Committee would also be involved in choosing the different pieces of work.

Vice Mayor Furst asked and confirmed that the Centennial Committee met on the proposal, supported it as an official activity and asked that it not held on the Octoberfest event.

Vice Mayor Furst said her concern is that the Town does not have the population that would support weekend art program like this. However, she does love the idea and made a motion.

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 Allocate Centennial Funds in the Amount of \$16,000 for Art Weekend in Corte Madera

7.IX Review of Draft August 2, 2016 Town Council Agenda

The Council requested the following amendments to the agenda given Mayor Bailey's absence:

- Continue the election item to the next meeting; and
- The Report on the Long Term Financial Plan be agendaized first on the agenda.

7.X Approval of Minutes of June 21, 2016 Town Council Meeting

This item was continued to the August 2nd Town Council meeting.

7.XI Acceptance of Minutes of July 6, 2016 Joint Meeting of Corte Madera Town Council and Larkspur City Council

This item was continued to the August 2nd Town Council meeting.

4. COUNCIL AND TOWN MANAGER REPORTS

- Town Manager Report
- Council Reports

These items were continued to the August 2nd Town Council meeting.

5. CONSENT CALENDAR

5.I Waive Further Reading and Authorize Introduction and/or Adoption of Resolutions and Ordinances by Title Only.
(Standard procedural action – no backup information provided)

5.II Consideration and Possible Action to Adopt Resolution 25/2016 Approving a Complete Streets Policy, in Accordance with Requirements from the Metropolitan Transportation Commission (MTC)
(Report from Nisha Patel, Senior Civil Engineer)

5.III Adopt Resolution 26/2016 to Award a Contract and Authorize Expenditures for Mariner Cove and Marina Village Storm Drainage Improvements Project No. 15-001
(Report from Kelly Crowe, Associate Civil Engineer)

5.IV Approve Voting Delegate for League of California Cities Annual Conference
(Report from Rebecca Vaughn, Town Clerk)

5.V Adopt Resolution No. 27/2016 Endorsing the Twin Cities Girls Softball League and Allowing Temporary Signs in the Public Right-of-Way from October 12, 2016 to November 25, 2016 Advertising Registration for the League and Determining that the Project is Exempt from the California Environmental Quality Act (CEQA) Pursuant to CEQA Guidelines 15061(B)(3)
(Report from Doug Bush, Associate Planner)

5.VI Approve Warrants and Payroll for the Period 06/15/16 through 6/28/16: Warrant Check Numbers 213865 through 213940, Payroll Check Numbers 5229 through 5243, Payroll Direct Deposit Numbers 29711 through 29846, Payroll Wire Transfer Numbers 2022 through 2029, and Wire Transfer of

6/27/16.

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

5.VII Approve Warrants and Payroll for the Period 6/29/16 through 7/12/16: Warrant Check Numbers 213941 through 214057, Payroll Check Numbers 5244 through 5251, Payroll Direct Deposit Numbers 29851 through 29945, Payroll Wire Transfer Numbers 2030 through 2033, and Wire Transfers of 7/07/16 (3 total), 7/29/16 and 8/01/16

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

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 Town Consent Calendar Items 5.I, 5.II, 5.III, 5.IV, 5.V, 5.VI and 5.VII

8. ADJOURNMENT

The meeting was adjourned at 11:34 p.m. to the next regular Town Council meeting on August 2, 2016 at Town Hall Council Chambers.