

1 DRAFT MINUTES OF FEBRUARY 7, 2017

2
3 REGULAR MEETING
4 OF THE
5 CORTE MADERA TOWN COUNCIL
6 AND THE BOARD OF SANITARY DISTRICT NO. 2,
7 A SUBSIDIARY DISTRICT TO THE TOWN OF CORTE MADERA
8

9 Mayor Furst called the Regular Meetings to order at Town Hall Council Chambers, 300
10 Tamalpais Drive, Corte Madera, CA on February 7, 2017 at 7:32 p.m.

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12 **1. CALL TO ORDER AND ROLL CALL**

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14 Councilmembers Present: Mayor Furst, Vice Mayor Condon and Councilmembers
15 Andrews and Bailey

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17 Staff Present: Town Manager Todd Cusimano
18 Acting Town Attorney Ivan Delvanthal
19 Director of Planning and Building Adam Wolff
20 Senior Planner Phil Boyle
21 Senior Civil Engineer Nisha Patel
22 Town Clerk/Assistant to the Town Manager Rebecca Vaughn
23

24 **2. OPEN TIME FOR PUBLIC DISCUSSION - None**

25
26 **3. PRESENTATIONS**

27
28 3.I Administration of Oath of Office to Newly Appointed Councilmember
29

30 Town Clerk Rebecca Vaughn administered the Oath of Office to Councilmember Bob
31 Ravasio, and Councilmember Ravasio joined the Council.
32

33 **BREAK**

34 Mayor Furst called for a brief break and thereafter resumed the meeting. She asked for a
35 roll call of Councilmembers present.
36

37 Councilmembers present were Mayor Furst, Vice Mayor Condon and Councilmembers
38 Andrews, Bailey and Ravasio.
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40 3.II Presentation of Awards to 2016 Holiday Home Decorating Contest Winners
41

42 Town Clerk/Assistant to the Town Manager Vaughn announced the winners of the 2016
43 Holiday Home Decorating Contest, as follows:

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3 Most Creative Lights 2016: 252 Golden Hind Passage

4 Most Twinkling Lights 2016: 8 Madera Boulevard

5 Most Original Lights 2016: 14 Foremast Cove

6 Honorable Mention 2016: 33 Ebttide Passage

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

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12 - Town Manager Report

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14 Town Manager Cusimano gave the following report:

- 15
16 • The Swearing-in Ceremony for CMPA's Police Chief, Police Captain, two Police
17 Lieutenants, Sergeants and Corporals was held last night and was well attended.
18 • He will be attending the PARMA (Public Agency Risk Management Association)
19 Conference Thursday through Sunday, hosted by PARMA to teach a class on best
20 practices, risk management and worker's compensation claims with public
21 safety, police and fire. Assistant Town Manager/Director of Public Works David
22 Bracken will be responsible for the Town's administration during this time.
23 • The ad-hoc committee regarding fire consolidation is scheduled to meet
24 February 27 or 28 which will be the first of 3 or 4 meetings.
25 • He will attend a LAFCO meeting on Thursday along with Vice Mayor Condon who
26 serves on the Board and reported the following:
27 ○ The Town must go before the LAFCO Board per SB 239 with any
28 potential consolidation of fire services.
29 ○ Any process the Town must go through with LAFCO requires a review
30 cost of \$10,000. Both managers believe this is a waste of taxpayer
31 money to charge local agencies for an extra review process to
32 supplement the analysis already being done by both agencies.
33 ○ They requested to be able to go through the process, accept the
34 information and return to the LAFCO Board to address and clarify
35 questions.
36 • He, Mayor Furst, Councilmember Andrews and Senior Civil Engineer Nisha Patel
37 attended a meeting regarding the Alto Tunnel geotechnical and structural
38 investigation on January 18, 2017. Under future agenda items, he will ask for
39 Council consideration to follow Mill Valley's model wherein that City adopted a
40 resolution in 2000. Mill Valley's Council had also requested a series of questions
41 they would want any feasibility study to answer which would help the Town
42 consider such an item. The report is set to be released in the summer and he will
43 bring this up, crucial timing.

44
45 - Council Reports

46

1 Councilmember Bailey gave the following report:
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- 3 • He gave the following report as representative on MCCMC's Legislative
4 Committee:
- 5 ○ The Committee met last week and had a spirited discussion about a
6 proposal put forward by TAM to seek an exemption from the sales tax cap
7 which all towns in Marin are nearing. Currently, the half-cent sales tax
8 expires in 2025. TAM believes it needs more funds to pursue some of the
9 largest projects.
 - 10 ○ Senator McGuire has offered to potentially sponsor legislation that would
11 exempt municipalities from that exemption which would allow a vote
12 from Marin cities as to whether or not they want to increase their taxes or
13 not. The first step is to notify the Senator that this is something cities
14 would be willing to put before voters.
 - 15 ○ Fairfax was given a presentation and approved the concept, as well as
16 Novato. The City of San Rafael refused on the basis that before they would
17 authorize an attempt to increase sales tax of any kind a full description of
18 what monies would be spent on would be required.
 - 19 ○ The Legislative Committee voiced a similar position as to San Rafael's, but
20 took no official position.
 - 21 ○ The issue was hotly debated amongst all members of MCCMC and there
22 have been many articles and editorials in the newspaper.
- 23

24 Mayor Furst added that she represents the Town on TAM's Board. A letter from the MCCMC
25 Chair Stephanie Moulton-Peters (Mill Valley) and TAM Executive Director Dianne
26 Steinhauser was submitted as an update on the status of the matter. She read excerpts
27 from the letter into the record, stating that the discussion focused on raising the sales tax
28 cap and not the actual sales tax, how to tackle the need for additional revenue for projects
29 in Marin, understanding what the sales tax pays for now and unmet needs, and ways to pay
30 for those needs and whether Marin should generate more local funds for meeting those
31 needs.

32
33 Mayor Furst said she had asked that TAM provide the Council with a presentation
34 regarding how much funding from state and federal for transportation has been eliminated
35 over the years with greater needs, and this is the dilemma.

36
37 Vice Mayor Condon gave the following report:
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- 39 • She attended the League of California Cities Housing Policy Committee Meeting
40 in Sacramento. The Governor's preliminary budget report was discussed and she
41 reported the following:
- 42 ○ State revenue is down.
 - 43 ○ Sales tax is flat.
 - 44 ○ There continues to be a \$1 to \$2 billion deficit.

- 1 ○ Governor Brown wants to retire with the budget in the black with a \$9
- 2 billion reserve. He wants to get to this by reducing the rainy day fund
- 3 and moving these funds to the General Fund.
- 4 ○ In order to amass funds, the Governor has reduced allocation to
- 5 education by \$1.7 billion and has eliminated all set aside money for
- 6 affordable housing.
- 7 ○ A representative from public safety representing statewide police
- 8 departments gave a report, stating declining resources for training
- 9 and intervention have been defunded. There is a move to not jail non-
- 10 violent criminals which has resulted in no deterrent for misdemeanor
- 11 offenses and increased crime.
- 12 ○ The Governor encouraged cities to ensure they develop their own
- 13 policies as far as controlling marijuana. Local jurisdictions have their
- 14 own power to regulate marijuana and can be exempted from state
- 15 law. Cities were encouraged to develop such laws before other laws
- 16 come into place.
- 17 • She attended the Annual LAFCO meeting with the Town Manager. Legislation
- 18 passed that all JPAs report their existence to their County LAFCO. She
- 19 requested more information be discussed regarding SB 239 where expansion
- 20 of fire consolidations outside of their own districts must go before LAFCO.
- 21 LAFCO will review contracts between consolidating partners to determine
- 22 whether it is financially viable. Just as the Town consolidated its financial
- 23 plan for the merger of Twin Cities Police, this plan would be turned over to
- 24 LAFCO.
- 25 • Consolidated services will be reviewed and its sufficiency determined, as
- 26 well as what will be done to compensate if each agency does not retain their
- 27 paramedic service.
- 28 • As an update for Age-Friendly Corte Madera:
- 29 ○ Twin Cities Village provides assistance to seniors. Volunteers need not
- 30 be seniors and the program has been quite successful.
- 31 ○ Age-Friendly Corte Madera has partnered with the Recreation
- 32 Department and Twin Cities Village to hold a speaker series. Events
- 33 are scheduled through June and next week's presentation will focus
- 34 on *Keeping Seniors Safe*. Captain Khalili will lead this discussion with
- 35 CMPA representatives also in attendance.
- 36 ○ Not only do seniors need programs but it is critical to the community's
- 37 well-being that inter-generational programs, services and facilities
- 38 exist. A 501(c)(3) has been created with the hopes of being able to
- 39 raise funds to help the Town to promote this philosophy.

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41 Councilmembers Andrews and Ravasio had not report.

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43 Mayor Furst gave the following report:

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- She attended the TAM Board Meeting and reported:
 - The Board discussed three potential projects that might be funded through a future Regional Measure 3 that MTC is planning on submitting to voters. It would be a toll increase on bridges (except the Golden Gate Bridge) with funds used for transportation purposes in toll corridors.
 - At their next meeting later this month, they will discuss four other types of projects.
 - In March, the TAM Board will begin deliberations about what projects they want to submit to MTC and the Bay Area Toll Authority for possible funding through an increase in tolls if this is taken to voters.
 - Projects discussed this month will be the construction of a new Bettini Transit Center in downtown San Rafael.
 - Also in need of funding is the Marin-Sonoma Narrows. Both counties have been working on expanding the freeway up north because there is a tremendous back-up every day.
 - State Route 37 was discussed which was closed for many days due to flooding and a significant portion of the flood areas are in Marin.
 - Next month, TAM will discuss a one-way Hwy 101/I-580 connector from northbound Hwy 101 to I-580 eastbound. It does not include the corresponding connector from I-580 westbound to Hwy 101 south which is the portion that created such opposition 15 years ago in San Rafael. They are hoping it could be done near Bellam Boulevard which would eliminate vehicles having to get off on East Sir Francis Drake Boulevard and going through Larkspur on the single lane heading towards the Richmond Bridge.
 - Also discussed were bicycle pedestrian pathway improvements, local roads in the toll corridor and transit capital improvements in the toll corridor and along Hwy 101.
 - She believes there will be contentious discussions in March given priorities of projects. When TAM had a strategic planning process and input from the community was received, the overwhelming response was voiced for TAM to address congestion on Hwy 101.

5. CONSENT CALENDAR

5.I. SANITARY DISTRICT ITEMS:

- 5.I.i Approval of a Supplemental Appropriation for the Fiscal Year 2016/2017 Sanitary District 2 (SD2) Pump Station Maintenance Budget
(Report from Nisha Patel, Senior Civil Engineer)

MOTION: Moved by Condon, seconded by Bailey, and approved unanimously by the

1 following vote: 5-0 (Ayes: Andrews, Bailey, Condon, Ravasio and Furst; Noes:
2 None)

3
4 To approve Sanitary District Consent Calendar Item 5.I.i

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6 **5.II TOWN ITEMS:**

7
8 Mayor Furst requested removal of Item 5.II.v. Councilmember Andrews requested removal
9 of Item 5.II.iii.

10
11 5.II.i Waive Further Reading and Authorize Introduction and/or
12 Adoption of Resolutions and Ordinances by Title Only.
13 (Standard procedural action – no backup information provided)

14
15 5.II.ii Second Reading and Possible Action to Adopt Ordinance No. 963,
16 an Ordinance of the Town Council of the Town of Corte Madera
17 Amending the Official Zoning Map of the Town of Corte Madera
18 Dated August, 1994 by Increasing the Area Designated Public
19 Semi-Public Facilities and Decreasing the Area Designated Rural
20 Residential on the Parcels Located at 5221 Paradise Drive (Marin
21 Country Day School) – APN 038-011-47 and 038-190-36
22 (Report from Phil Boyle, Senior Planner)

23
24 5.II.iv Second Reading and Possible Action to Adopt Ordinance No. 964, A
25 Zoning Ordinance Amendment Amending the Town Zoning Map
26 by Rezoning Property Located at 72 Industrial Way (APN 023-
27 040-15) from a Professional and Administrative Office District to a
28 Parks, Open Space, and Natural Habitat District
29 (Report from Adam Wolff, Director of Planning and Building)

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31 5.II.vi Consider Adoption of Resolution No. 09/2017 Endorsing the
32 Tidalwaves Swim Team Season, and Approving Two Temporary
33 Banners in the Public Right-Of-Way from February 8, 2017 to
34 March 24, 2017 Publicizing Tidalwaves Swim Team Registration;
35 and Determining that the Project is Exempt from the California
36 Environmental Quality Act (CEQA) Pursuant to CEQA Guidelines
37 15061(B)(3)
38 (Report from Doug Bush, Assistant Planner)

39
40 5.II.vii Receive and File Investment Transactions Monthly Report for
41 September 2016
42 (Report from George T. Warman, Jr., Director of Administrative
43 Services/Town Treasurer)
44

1 5.II.viii Approve Warrants and Payroll for the Period 1/12/17 through
2 01/18/17: Warrant Check Numbers 215393 through 215421,
3 Payroll Check Numbers 5402 through 5415, Payroll Direct Deposit
4 Numbers 31242 through 31311 and Payroll Wire Transfer
5 Numbers 2110 through 2114.

6 (Report from George T. Warman, Jr., Director of Administrative
7 Services/Town Treasurer)
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9 5.II.ix Approve Warrants and Payroll for the Period 1/19/17 through
10 02/02/17: Warrant Check Numbers 215422 through 215544,
11 Payroll Check Numbers 5416 through 5424, Payroll Direct Deposit
12 Numbers 31312 through 31437 and Payroll Wire Transfer
13 Numbers 2118 through 2121.

14 (Report from George T. Warman, Jr., Director of Administrative
15 Services/Town Treasurer)
16

17 MOTION: Moved by Bailey, seconded by Andrews, and approved unanimously by the
18 following vote: 5-0 (Ayes: Andrews, Bailey, Condon, Ravasio and Furst; Noes:
19 None)
20

21 To approve Town Consent Calendar Items 5.I.i, ii, iv, vi, vii, viii and ix
22

23 Items Removed from the Consent Calendar:
24

25 5.II.iii Ratification of Council's Decision to Amend the Current Use Permit
26 and Design Review for Additions and Modifications to Marin Country
27 Day School Located at 5221 Paradise Drive which was Adopted by the
28 Council on January 17, 2017 with the Addition of Two Conditions of
29 Approval

30 (Report from Phil Boyle, Senior Planner)
31

32 Senior Planner Phil Boyle stated there were a few changes in the resolution and conditions
33 of approval for Marin Country Day School (MCDS). At the Council's last meeting discussion
34 occurred regarding a path on the south side of Paradise Drive directly in front of the school.
35 Staff developed the suggested condition and in discussions with the applicant, the applicant
36 has requested the revisions which are before the Council.
37

38 Mr. Boyle described the revisions, as follows:
39

- 40 • At the bottom of Page 1, a sentence was amended to read, "Marin Country Day
41 School shall work with the Town to design a temporary pedestrian path."
- 42 • Page 2, end of paragraph regarding the path, more clarification was given to the
43 location of the path, to state: "The path shall be located between the edge of existing
44 asphalt and the existing drainage swale."

- Page 8 reiterates the same language but it is all in one paragraph and is in conditions of approval instead of in the resolution itself.

Councilmember Andrews stated when the pathway goes in, the Town will have to keep SUV drivers from parking on it, and he suggested installation of “no parking” signs or impediments or enforcement to restrict such parking.

Mr. Boyle stated staff will work with the school and police to ensure safety.

Mayor Furst opened the public comment period.

DAVID MCPHEARSON, Corte Madera Avenue, said he attended both Council meetings and spoke specifically about the path. He was pleased that MCDS would have to pay for the design, engineering and installation of the path but believed the word, “temporary” was inconsistent with the goals of the Town. He asked that the Council reject “temporary” because ultimately the design must be approved by the Town and there is an opportunity to create a multi-use path which will eventually continue on down towards Westward Drive and go back towards the Cove School.

Mr. Boyle explained that the path the Town is referring to in this resolution and what the Council brought up at the last meeting is not the multi-use path that the Town is proposing to build west of the site.

This proposal brought forward on January 17th is not for MCDS to build. It is for a temporary path that will allow safe movement in front of the campus when and if the multi-use path ever travels east to this location.

Mayor Furst suggested the word possibly be changed to reflect it is the “long-term temporary pedestrian path” because the ultimate goal is to continue the pathway further east that will be built. Mr. Boyle further clarified that the Town pathway project is significant and will be built in the future west of the site.

Councilmember Ravasio asked and confirmed that the temporary path would remain in place when MCDS completes construction of their buildings.

Town Manager Cusimano pointed out that the Town has also not yet designed the multi-use pathway. Secondly, the Town could also immediately install the path as soon as this summer.

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

To approve Town Consent Calendar Items 5.I.iii

1
2 5.II.v Adoption of Resolution No. 08/2017 Establishing Additional No
3 Parking Zones of 180 Linear Feet at Various Locations Along
4 Tamalpais Drive
5 (Report from Nisha Patel, Senior Civil Engineer)
6

7 Town Manager Cusimano introduced the item and suggested a brief discussion occur first
8 regarding the six locations to have red curbing and reasons the Town has identified these
9 locations. He explained that the Town is also not under a deadline and if the Council
10 wished to schedule the work based upon comments heard, staff could hold an open
11 comment period and return the matter to the Council for an ultimate decision.
12

13 Senior Civil Engineer Nisha Patel stated the Town has embarked on a Complete Streets
14 project on Tamalpais Drive where bike lanes, handicapped ramps, bulb-outs, rapid flashing
15 beacons and other improvements will be installed for all users of the corridor.
16

17 In order to execute this project, the Town will need to install red curbs at specific locations
18 on Tamalpais Drive and she displayed a slide showing the following locations and
19 information about the installation of red curbs:
20

- 21 • A new curb will be installed at the southeast corner of Willow Avenue and
22 Tamalpais Drive in order to improve motorists' visibility of pedestrians crossing at
23 that location; and
- 24 • Additional 13 feet of red curbing at the northeast corner of Tamalpais Avenue at
25 Willow Avenue (in front of Town Hall where there is already 7 feet of red curbing),
26 for a total of 20 feet of red curb at that corner
27

28 In response to Vice Mayor Condon, Ms. Patel clarified that a resident who drives along this
29 corridor had frequently alerted the Town that it was difficult to see pedestrians when a car
30 is parked along Tamalpais Drive. Municipal Code Section 10.40.040 Section VIII already
31 states the Town restrict parking 20 feet from a crosswalk regardless of whether it has red
32 curbing or not. Therefore, installing 20 feet of red curb will bring this to people's attention
33 and restrict parking.
34

35 In response to Councilmember Andrews, Ms. Patel clarified that 13 feet of space would be
36 red and one parking space would be removed.
37

38 Mayor Furst asked why this is a safety hazard. Ms. Patel explained that motorists' views are
39 impeded when pedestrians are crossing here.
40

- 41 • Establishment of red curb in front of the Fire Department building on Tamalpais
42 which would be an additional 60 feet. There is existing red curbing there which will
43 be extended for a total of 79 feet. This is required to install the Class II bike lane. The

1 Tamalpais Complete Streets project proposes a continuous bike lane going
2 westbound from Eastman Avenue to Sarah Drive (Mill Valley) and the Town would
3 not be able to install the bike lane without installation of the red curb.

- 4 • Staff is recommending a red curb extension by a fire hydrant just west of the fire
5 hydrant between Chapman Avenue and Eastman Drive, for a total of 47 feet of red
6 curb. The Town is only extending it 9 feet past the existing red curb west of the fire
7 hydrant. The Fire Code requires 15 feet of red curb on either side of the fire
8 hydrant.
- 9 • Staff is recommending red curb at the southwest corner of Madera Boulevard and
10 Tamalpais Drive to improve driver visibility of pedestrians. There is already 10 feet
11 of red curb there and the Town would like to extend this another 10 feet for a total
12 of 20 feet.
- 13 • The last location is in front of Café Verde at the northeast corner of Eastman Avenue
14 and Tamalpais Drive. There is already 43.5 feet of red curb and it needs to be
15 extended another 60 feet for a total of 108 feet which would remove three parking
16 spaces. This is to provide adequate clear space for Marin Transit and Golden Gate
17 Transit buses to pull in as well as to engage their handicap lifts for passengers in
18 wheelchairs. Both transit operators have several bus sizes up to 45 feet in length
19 and each bus has different clear zones. The buses have had trouble pulling in
20 because they are at a diagonal position. They have also had to go into Café Verde to
21 request motorists that are parked there to move their vehicles.

22
23 Mayor Furst said the total amount that would be here was dictated by Marin Transit and
24 Golden Gate Transit and she asked if there was flexibility in that based on the required
25 standards for their types of buses.

26
27 Ms. Patel stated staff overlaid all of their clear zones as well as performed bus turning
28 analysis so they could actually pull in and park in the area. They would be hitting cars if
29 they did not have 108 feet, so there is no flexibility.

30
31 Councilmember Andrews said since three parking spaces will be lost, he asked if there was
32 any way for part of the street next to the Community Center to not have red painted curbs
33 or alternatively move the centerline two feet over and to add parking there. Ms. Patel
34 stated staff could look into this.

35
36 Mayor Furst suggested Councilmember Andrews discuss this with the Town Manager as it
37 may be something the Council could review in the future.

38
39 Vice Mayor Condon referred to the red curbing other than near Café Verde and she asked if
40 these locations were in line with standard practice. Ms. Patel stated the Municipal Code
41 restricts parking within 20 feet from a crosswalk and while the Town does not have to do
42 this, but it is an additional safety mechanisms. As far as the red curb in front of the fire
43 hydrant, the Fire Department indicated they could get by with this, but typically they would

1 require the 15 feet on each side, given there is room and the ability to accomplish this.
2 However, the Town could still complete the project without that red curb.

3
4 She said the red curbs at Willow Avenue and Madera are those for drivers' sight visibility
5 which provides the 20 feet and the Town would not necessarily have to install these but
6 recommend it, as well as the red curbing by the fire hydrant.

7
8 The red curbing absolutely needed for this project would be the one in front of Café Verde
9 as well as the one in front of the fire station.

10
11 Town Manager Cusimano pointed out that outside of the curbing proposed outside of Café
12 Verde all of the others are covered under the Town's Municipal Code where the 20 foot
13 clearance is not being followed.

14
15 Mayor Furst stated she looked into best practices and said the 20 feet is required by the
16 Uniform Vehicle Code. It is recommended by the Federal Highway Administration Bicycle
17 and Pedestrian Program Best Practices Design Guide as recommendations for enhancing
18 pedestrian safety and access. It is also a recommendation through Safe Routes to Schools'
19 treatment for parking restrictions at corners. They all state 20 feet from across a crosswalk
20 is needed to enable adequate driver sight line to pedestrians. If a car is parked that close to
21 a crosswalk, the pedestrian must get in the crosswalk and one inch out and look past the
22 car to be able to see on-coming traffic and likewise the driver will not see the person until
23 this occurs.

24
25 Town Manager Cusimano added that he has been in discussions with the Town Engineer
26 about Eastman extension to determine whether two additional red curb areas might be
27 identified further north, and staff will return with this information.

28
29 Councilmember Andrews asked and confirmed with Ms. Patel that the red curb in front of
30 the Fire Station was needed to install the bike lane.

31
32 Mayor Furst opened the public comment period.

33
34 STEVE HOFFMIRE, Willow Avenue, applauded the Town for its thorough interview process,
35 said he has lived on Willow Avenue for 30 years and briefly described his interactions with
36 Town staff. He and his neighbors are not concerned about additional red curbing and loss
37 of parking, but voiced concerns with his experiences of being able to pull out onto
38 Tamalpais and people driving fast off the hill coming from Larkspur nearing Willow
39 Avenue.

40
41 He said cones actually made traffic speed up through the funnel area and he asked that the
42 white line of the crosswalk at Chapman Avenue be changed, noting there have been
43 fatalities at Safeway and on Willow Avenue when pedestrians stepped out beyond a car.

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2 Coming from the Sausalito direction it is a double nightmare to be the second lane over
3 with a car stopped on the left side and having someone step out. He therefore asked the
4 Council to change the white line to address this.

5
6 Mayor Furst stated this is part of the plan which staff has worked on and she thanked Mr.
7 Hoffmire for his comments.

8
9 DAVID MCPHEARSON, Corte Madera Avenue, said he is very pleased to see that the red
10 curbs will be consistent with the Municipal Code regarding distance from crosswalks. He
11 often contacted CMPA to report blockage and felt it was beneficial for enforcement and
12 making people aware they cannot block them. He relayed an incident with his bike and
13 said he was made painfully aware of the lack of sight lines for vehicles. Unless pedestrians
14 are exceptionally aware, this additional space is needed.

15
16 He referred to Lakeside near the mortuary and said he has noticed very large trucks parked
17 very close to the crosswalk when traveling northbound from the mortuary and making the
18 left turn to go westbound on Tamalpais. This makes it extremely difficult for vehicles to
19 pull out and almost impossible for pedestrians to cross. He recognized that there will be a
20 bulb-out which may solve it but he may return to request an additional red curb on that
21 corner, as well.

22
23 Lastly, he said the intersection at Chapman Avenue which has been very dangerous has
24 been more than adequately addressed with the re-design so traffic proceeding down
25 Tamalpais Avenue from Menke Park will be slowed down at that intersection.

26
27 Mayor Furst returned discussion to the Town Council. She said she was remiss in not
28 mentioning that BPAC worked very hard on this and noted Mr. McPhearson is a member, as
29 well as Councilmember Ravasio.

30
31 She said a request has been made from a member of the community as well as comments of
32 concern that the Town is rushing this. However, there is time and she suggested that the
33 Council re-agendize this so there is plenty of time for public comments. Parking is an issue
34 in town and she thought it would be beneficial for added time to review and comment.

35
36 Councilmember Andrews agreed with postponement and asked that “no parking” signs be
37 put up at the more controversial sections such as Bank of Marin and Café Verde so people
38 can see what conditions will be like, as well as in front of Town Hall.

39
40 Councilmember Ravasio concurred and referred to Mr. Hoffmire’s comments about the
41 intersection at Chapman Avenue and said there are many safety improvements in the
42 entire corridor and traffic lanes will be narrowed to increase safety.

43

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

5 To continue the matter to the meeting of February 21, 2017 and to authorize
6 the Town Manager to determine whether the matter will be agendized on the
7 Consent Calendar
8

9 **6. PUBLIC HEARINGS** – None

10

11 **7. BUSINESS ITEMS**

12

13 7.1 Receive 2015-16 Annual Report from Sales Tax Citizens Oversight Committee
14 (Presentation by Karen Gerbosi, Chair of Sales Tax Citizens Oversight
15 Committee)
16

17 Karen Gerbosi, Chair of the Sales Tax Citizens Oversight Committee, stated the committee
18 met on December 1, 2016 and January 10, 2017 and reviewed the 2015/16 expenditures
19 that were paid from funds collected from sales tax revenue and found them consistent with
20 provisions and purpose of the tax.
21

22 Besides assessing if the expenditures were consistent, the committee also considered how
23 they related to the six categories stated in the Council’s resolution for Measure B passed by
24 voters in November 2013.
25

26 She said it was not in the committee’s mandate to instruct the Council on where to spend
27 sales tax funds. However, they feel it would be remiss to not point out that there are
28 categories that are under-represented in expenditures thus far, specifically disaster
29 preparedness, safe routes to school and senior and youth programs. Therefore, the
30 committee urges the Council to take steps to budget for increasing the use of the sales tax
31 resources in these areas.
32

33 She also commented that the sales tax was approved for six years under Measure B. These
34 funds will continue to be available for the expenses set forth in the measure until spends
35 are spent. Whatever funds not spent when the sales tax sunsets will continue to be
36 available as set forth in the Measure. The funds from the six-year half-cent sales tax were
37 first collected for part of FY 2013/14 and will continue to be collected through part of FY
38 2019/20.
39

40 Lastly, due to the nature of the committee’s objectives and their annual reporting, their
41 committee meets infrequently. They are very appreciative of the support and expertise of
42 the Town Manager, Town Clerk and Director of Administrative Services/Town Treasurer
43 that helped them to be effective, despite the time between their meetings.
44

1 Mayor Furst thanked Ms. Gerbosi for her willingness to serve on the committee as Chair as
2 well as committee members.

3
4 Councilmember Bailey asked and confirmed that the initial draft report was prepared by
5 the Town Clerk and information gathering from the Town's financial data. The Town
6 Manager and Director of Administrative Services assisted in determining which values
7 went in each category.

8
9 Councilmember Bailey commented that the report is a remarkable model of clarity.

10
11 Councilmember Andrews stated he sat in on the meeting and echoed comments of
12 Councilmember Bailey and commended the committee.

13
14 Councilmember Ravasio asked if the committee had any specific recommendations for
15 disaster preparedness.

16
17 Ms. Gerbosi stated that John Howard who serves on the committee has many suggestions.
18 Although the amount for disaster preparedness shows up as zero it is somewhat of a billing
19 anomaly but she said only \$20,000 has gone into disaster preparedness. She has
20 encouraged committee members to attend the Town's budget process to voice their
21 comments about potential projects that should be budgeted for from tax proceeds.

22
23 Mayor Furst said she remembers when the Council was discussing the sales tax override
24 and disaster preparedness and recalled that the Council sought to maintain some reserves
25 for recovery purposes.

26
27 Mayor Furst opened the public comment period.

28
29 PATI STOLIAR, Disaster Council and Age-Friendly Committee, commented that the 8%
30 spent for the Town's Youth and Senior Programs total went was spent on equipment and
31 vehicles for the Parks Department. She strongly encouraged the Council to move forward
32 and consider funding inter-generational concepts to benefit the young and old.

33
34 PHYLLIS METCALFE, Parkview Circle, cited the work of the half-cent sales tax ballot
35 measure which was clear, concise and people knew what they were voting for. They
36 understood categories and actual expenditures discussed in the literature which was all
37 developed by volunteers.

38
39 In comparing this to the report on TAM, people did not understand the subject and what
40 was happening. There was no discussion of how funds would be spent or what would be
41 done. She suggested work be done locally by Town staff and its departments versus raising
42 taxes and commended the committee for their work.

43

1 Mayor Furst said while she is not endorsing how TAM approached raising the cap and
2 recognized Ms. Metcalfe's comments regarding how TAM's proposal was received, the
3 existing Measure A half-cent sales tax that voters approved for TAM several years ago has
4 its own committee which produced a very good annual report. An actual sales tax measure
5 is different from raising the State's sales tax cap as it does not mean that sales tax will be
6 automatically increased. She said only voters can increase taxes.

7
8 Mayor Furst and Councilmembers thanked the committee for their report.

9
10 7.II Discussion and Possible Direction to Staff Regarding Recruitment Process
11 and Amending Position Allocation in the Finance Department
12 (Report from Todd Cusimano, Town Manager)
13

14 Town Manager Cusimano said the purpose of the staff report is to memorialize discussion
15 and direction by the Town Council to the Town Manager regarding a transition plan for the
16 Finance Department and for the Town Manager to provide an update on the recruitment
17 process schedule, draft job description and salary survey for the Director of Finance/ Town
18 Treasurer position.

19
20 At the October 1, 2016 meeting, the Council provided him direction to move forward and
21 work through financial options with technology and come up with a transition plan. The
22 Council also assigned Mayor Furst and Councilmember Andrews as the finance
23 subcommittee to assist him through this process and they will be assisting with the
24 upcoming audit process. He referred to a schedule which begins on page one and stated
25 this is the first of three meetings.

26
27 Today is an update of what they are doing and how they are doing it. He provided four
28 documents which is the position announcement flyer, the updated draft job description and
29 salary survey and the draft resolution that would ultimately return to Council at a third
30 meeting.

31
32 Mr. Warman's position will be one of the difficult positions to replace given his 40 years of
33 institutional knowledge and experience, and the finance subcommittee agreed that Mr.
34 Warman will continue as the Finance Director on this current budget and will oversee the
35 audit process.

36
37 The recruitment process for a new Finance Director will close on February 21, 2017. The
38 top candidates will be interviewed, hopefully a conditional job offer will be issued after the
39 Council's first meeting in March, discussion of salary and benefits package, and thereafter,
40 the action ratified.

41
42 Mr. Cusimano said the Town is hopeful it will be successful in hiring a Finance Director who
43 is familiar with technology, the process of transitioning, a people person, and understands

1 long-term planning. The goal is to rebuild the entire budget for this fiscal year's process
2 and that person will be working under him. Mr. Warman gave notice to him that he would
3 be retiring in 2018 and the current finance team has been outstanding in working with the
4 transition.

5
6 Vice Mayor Condon asked where the recruitment flyer was being circulated. Mr. Cusimano
7 stated they focused on the Bay Cities Risk Pool, the Marin/Sonoma County Bay Area
8 Finance Directors Group, and they are confident they will have a number of qualified
9 candidates. He has overseen a majority of the process with HR and feels confident in
10 identifying those he would be interested in.

11
12 Mayor Furst hoped the process would result in a pool of great applicants. She reiterated at
13 how grateful she was that the Town will have time for this transition, as it was not just the
14 transition of a position but implementation of a much improved process at the same time
15 which involves updating software, higher technology and budgeting processes.

16
17 Mayor Furst opened the public comment period and there were no speakers. She thanked
18 Mr. Cusimano for his report and confirmed staff direction.

19
20 7.III Continuation of Discussion and Possible Action Regarding Town Council
21 Committee Appointments
22 (Report from Rebecca Vaughn, Town Clerk)

23
24 Mayor Furst asked Councilmembers if there were changes from those discussed at the
25 previous meeting or changes to the current committee appointments:

26
27 Councilmember Bailey stated he was listed as a Larkspur School District liaison with Mayor
28 Furst. He suggested Councilmember Ravasio be considered to serve as representative, and
29 Mayor Furst directed staff to identify Councilmember Ravasio to serve as the Town's sole
30 liaison.

31
32 Councilmember Bailey said he was happy to be primary on MCCMC's Legislative
33 Committee, but suggested formalizing it, and he thanked Councilmember Andrews for
34 attending meetings in his stead.

35
36 Councilmember Bailey stated there is pending note for the Accessibility Advisory
37 Commission and he suggested discussion.

38
39 Mayor Furst stated if the Council was to finalize a change it would need to return; however,
40 the Council can discuss general direction. She asked whether the committee could be
41 merged with BPAC.

42
43 Vice Mayor Condon supported the merger, given accessibility issues fit into BPAC's charge

1 and did not want to see the committee disbanded. Mayor Furst concurred and suggested it
2 be re-designated as Bicycle Pedestrian Accessibility Advisory Commission, or BPAAC.

3
4 Councilmember Andrews questioned the State's requirement for agencies to have BPACs
5 Mr. Cusimano suggested maintaining BPAC and to add the duties of the Accessibility
6 Advisory Committee.

7
8 Councilmembers concurred and confirmed with Councilmember Ravasio that he would
9 serve as representative. Mayor Furst asked that this return to the Council in the future.

10
11 Mayor Furst reviewed the list of assignments and confirmed the following:

12
13 Town Council Committee Appointments:

14
15 ABAG: Andrews (primary); Condon (alternate)
16 Age-Friendly Corte Madera: Condon (primary)/Ravasio (alternate)
17 LAFCO: Furst (primary)/Bailey (alternate)
18 CMPA: Furst and Condon (primary)/Andrews (alternate)
19 Chamber of Commerce: Condon (primary)/Furst (alternate)
20 Disaster Council: Ravasio (it was noted that the Disaster Council now
21 meets quarterly)
22 Finance Audit Committee: Furst and Andrews
23 Flood Control Board: Andrews (primary)/Bailey (alternate)
24 Housing & Community Act
25 Priority Setting Committee: Condon
26 Joint Powers Authority Oversight
27 Committee: Condon
28 Land Use Committee: Condon (primary)/Andrews (alternate)-(Staff was
29 asked to determine whether committee should be
30 sunset)
31 Larkspur/Corte Madera School
32 District Liaison: Ravasio
33 League of California Cities
34 North Bay Division: Condon (primary)/Bailey (alternate) (and it was
35 recommended to consider rotating Councilmembers)
36 Marin Clean Energy: Bailey (primary)/Ravasio (alternate)
37 Agency: Andrews (primary)/Condon (alternate)
38 MCCMC Homeless Committee: Ravasio
39 Commission on Aging: Carol Zeller
40 MCCMC Sea Level Bay Wave: Furst (primary)/Andrews (alternate)
41 Parks & Recreation Commission
42 Liaison: Bailey asked why other Commissions were not listed as
43 having a liaison and Mayor Furst asked to remove the

- 1 Parks and Recreation Liaison and request a report from
2 the Commission at a future meeting
3 Refuse and Recycling Committee: Andrews (primary)/Ravasio (alternate)
4 Ross Valley Paramedic Authority: Furst (primary)/Bailey (alternate)
5 Safe Routes to School: Furst (primary)/Ravasio (alternate)
6 Sign Committee: Condon
7 TAM: Furst (primary)/Condon (alternate)
8 Fire Shared Services: Furst (primary)/Ravasio (alternate)
9 Traffic Committee to Study
10 Traffic in Tamal Vista: Furst (primary)/Andrews (alternate)

11
12 Committees to which the Town Council has appointed either Town staff or members of the
13 community to represent the Town:

- 14
15 BPAC: Ravasio (primary)/Furst (alternate)
16 Marin County Council on Aging: Carol Zeller (term expires June 30, 2017-Mayor
17 requested Clerk ask Ms. Zeller if she plans on re-
18 applying.
19 Marin County Solid Waste
20 Management: Town Manager-(However, if it is determined that only
21 Councilmembers attend this meeting, Town Manager
22 can return for re-assignment of Councilmember.
23 MERA: Town Manager)
24 Marin/Sonoma Mosquito and
25 Vector Control District
26 Representative: Town Clerk will soon open the recruitment-(Condon
27 asked to honor former representative, Nancy Barnard)
28 Twin Cities Coalition for Healthy
29 Youth: Ravasio

30
31 Subcommittee Representatives of Commissions:

32
33 Town Clerk Vaughn commented interviews will come up in late April/early May.

34
35 Mayor Furst asked if the Council wished to continue with subcommittees conducting the
36 interviews or return to the way the Council held interviews in the past before the entire
37 Town Council, similar to tonight's special meeting.

38
39 Councilmembers Andrews, Condon and Ravasio voiced their desire to continue with the
40 current practice for subcommittees to interview applicants for Commissions.
41 Councilmember Bailey stated he was neutral.

42
43 Vice Mayor Condon commented that it takes a lot of stress off of the applicant, cited the

1 uncomfotableness and said the process still allows latitude for the rest of the Council to
2 consider an alternate applicant.

3
4 Mayor Furst stated she thought it more awkward to second-guess the subcommittee's
5 recommendation than it was for the entire Council to interview and to ask questions;
6 however, Councilmember Andrews noted that Councilmembers could still sit in on
7 interviews.

8
9 The Council agreed to maintain the current practice of Council subcommittees interviewing
10 Commissioners and assigned the following:

11
12 Planning Commission: Bailey and Condon
13 Parks and Recreation Commission: Condon and Ravasio
14 Flood Control Board: Andrews and Furst
15 AAC: Remove
16 BPAC: Ravasio and Furst
17 Marin County Commission on Aging: Condon and Furst
18 Sales Tax Citizens Oversight Committee: Bailey and Condon

19
20 MOTION: Moved by Bailey, seconded by Condon, and approved unanimously by the
21 following vote: 5-0 (Ayes: Andrews, Condon, Bailey, Ravasio and Furst; Noes:
22 None)

23
24 To Approve the List of Town Council Committee Appointments, as amended

25
26 7.IV Review of Draft February 21 Town Council Agenda

27
28 Councilmember Andrews referred to Item 7.1 and asked if the committees had expiration
29 dates. Mr. Cusimano stated this committee has an expiration date for BPAC and at the next
30 meeting he will incorporate the Accessibility Access Committee operations discussed. Ms.
31 Vaughn added that the AAC was supposed to have a specific charge and it was going to
32 expire.

33
34 Councilmember Andrews said he believes BPAC is a mandatory committee of the Town and
35 Mr. Cusimano stated he will research this and include it in his staff report.

36
37 Mayor Furst referred to the Consent Calendar and suggested potentially adding Item 5.II.v
38 which was removed from tonight's Consent Calendar; Adoption of Resolution No. 08/2017
39 Establishing Additional No Parking Zones of 180 Linear Feet at Various Locations Along
40 Tamalpais Drive.

41
42 She stated she believes TAM will want to come at this meeting or in March to make a
43 presentation about transportation funding and Measure A which would not include the
44 sales tax cap discussion, and Ms. Steinhauser will contact the Town Manager to discuss this.

1
2 Mr. Cusimano asked if the Council should discuss the Alto Tunnel geotechnical analysis.
3
4
5 Councilmember Andrews suggested the Council identify broad policy questions regarding
6 the effects of the Alto Tunnel prior to that report being issued.
7
8 Mr. Cusimano noted that at some point the Town would be asked to provide comments and
9 questions on whether it supports the feasibility studies at the expense of the County and
10 not Corte Madera. He thinks Mill Valley's 2000 resolution provided that intent and he
11 suggested Corte Madera strategize accordingly.
12
13 Vice Mayor Condon questioned if the Town should come up with an estimation based on
14 the numbers about people using the tunnel, liability to the Town, maintenance, policing,
15 safety issues, impact on nearby residents along Willow and Tunnel Lane and suggested the
16 Town consider conducting its own analysis.
17
18 Councilmember Bailey suggested a similar agenda item be added at each meeting under the
19 Town Manager's report, similar to the Tamal Vista Corridor moratorium item so the public
20 and the Council can be involved. He said he dedicated a substantial amount of time being
21 educated on that matter and he believes it would be worthwhile to be similarly kept
22 abreast and educated regarding the Alto Tunnel issue.
23
24 Councilmember Andrews said his request would be that the Council work to formally
25 submit to the County questions and that the Council be able to receive answers prior to
26 finalization of the study.
27
28 Mayor Furst said this is fair but she did not want the Town to begin analyzing costs and
29 suggested only to hold a discussion about what questions the Council would like answered,
30 as the Town was nowhere close to having a feasibility study on the tunnel and the
31 geotechnical study will map what is there and its condition.
32
33 Mr. Cusimano clarified that staff would work with staff to understand what the report does
34 and does not do and to return to the Council with a discussion on whether there were
35 questions to forward onto the County regarding the narrow scope, as well as future study.
36 Mayor Furst asked to include the Mill Valley resolution in the staff report as a basis to start
37 the high level discussion.
38
39 Mayor Furst opened the public comment period.
40
41 PETER CHASE, Montecito Drive, referred to the recent presentation on the Alto Tunnel
42 study where some Councilmembers were present and where there was poor public
43 perception. He said the feasibility study is about what exists there. A slide pointed out the

1 various decisions and entities if the subject ever gets beyond the study phase as to who will
2 be involved, who will run it, its authority, how pathways are dealt with, etc.

3
4 Mayor Furst asked Mr. Cusimano to contact Carey Lando who is a Senior Project Planner
5 and ask whether she could provide information regarding the County's process and add
6 this to the staff report if it is found to be helpful.

7
8 **7.V Approval of Minutes of January 17, 2017 Town Council Meeting**
9

10 Mayor Furst stated she received a request from Phyllis Metcalfe to reword a paragraph of
11 her comments on Page 2, Line 9. She read the revisions into the record which were
12 submitted to the Town Clerk:

13 "PHYLLIS METCALFE, Parkview Circle, praised the Councilmembers for how well they
14 worked together and the mutual respect they show each other. She is concerned though
15 that not all Councilmembers have always shown respect towards members of the public
16 who speak before the Council. Additionally, some Councilmembers appear to be unaware
17 that those appointed to Commissions or elected to Councils or other jurisdictions do not
18 give up their right to speak for themselves under our First Amendment rights covering free
19 speech."
20

21 Vice Mayor Condon requested the following minor name spelling corrections:

- 22
- 23 • Page 9, Line 25, "Sue Durie" be changed to "Sue Duryee"
- 24 • Page 10, Line 1, "Allen Sander" be changed to "Alan Sandner"
- 25 • Page 10, "Trevor Sander" be changed to "Trevor Sandner"
- 26

27 MOTION: Moved by Condon, seconded by Andrews, and approved unanimously by the
28 following vote: 4-0-1 (Ayes: Andrews, Condon, Bailey and Furst; Noes: None;
29 Abstain: Ravasio)
30

31 To Approve the Minutes of January 17, 2017 Town Council Meeting, as
32 amended
33

34 **8. ADJOURNMENT**
35

36 The meeting was adjourned at 10:02 p.m. to the next regular Town Council meeting on
37 February 21, 2017 at Town Hall Council Chambers.