

MINUTES OF JANUARY 16, 2018

REGULAR MEETING  
OF THE  
CORTE MADERA TOWN COUNCIL  
AND THE BOARD OF SANITARY DISTRICT NO. 2,  
A SUBSIDIARY DISTRICT TO THE TOWN OF CORTE MADERA

Mayor Furst called the Regular Meetings to order at Town Hall Council Chambers, 300 Tamalpais Drive, Corte Madera, CA on January 16, 2018 at 6:34 p.m.

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

Councilmembers Present: Mayor Condon, Vice Mayor Furst and Councilmembers Andrews and Ravasio

Councilmember Absent: Councilmember Bailey

Staff Present: Town Manager Todd Cusimano  
Town Attorney Teresa Stricker  
Director of Planning and Building Adam Wolff  
Public Works Director Peter Brown  
Finance Director Daria Carrillo  
Fire Chief Scott Shurtz  
Town Clerk/Assistant to the Town Manager Rebecca Vaughn

**SALUTE TO THE FLAG** – Mayor Condon led in the Pledge of Allegiance

**2. OPEN TIME FOR PUBLIC DISCUSSION**

BOB BUNDY, Golden Hind Passage, congratulated Marin Audubon Society for completing the restoration of the site at the end of Industrial Way, but questioned the purpose of the chain link fence. He did not recall its discussion by the Council and said it discourages dogs and people from accessing the small wetlands area.

**3. PRESENTATIONS - None**

**4. CONSENT CALENDAR**

Mayor Condon requested removal of Item 4.1.vii.

4.1.i Consideration and Possible Action to Waive Further Reading and Authorize Introduction and/or Adoption of Resolutions and Ordinances by Title Only.  
(Standard procedural action – no backup information provided)

4.1.ii Consideration And Possible Action To Adopt Resolution No. 01/2018 (1) Endorsing The Tidalwaves Swim Team Season, (2) Allowing A Temporary Sign In The Public Right-Of-Way From January 17, 2018 To February 12, 2018 Publicizing Tidalwaves Swim Team Registration; And (3) 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)

4.1.iii Approval of Amendments to Adopted Town Budget FY 2016-2017  
(Carryovers and Re-Budgets to FY 2017-2018)

And

Approval of Amendments to Adopted Town Budget FY 2017-2018  
(Carryovers and Re-Budgets from 2016-2017)  
(Report from George T. Warman, Jr., Director of Administrative

Services/Town Treasurer)

- 4.I.iv Receive and File Revenue and Expenditure Report for December 2017  
(Report from Daria Carrillo, Finance Director)
  
- 4.I.v Consideration and Possible Approval of Warrants and Payroll for the Period 12/14/17 through 1/04/18: Warrant Check Numbers 217709 through 217820; Payroll Check Numbers 5669 through 5684; Payroll Direct Deposit Numbers 33628 through 33755; Payroll Wire Transfer Numbers 2254 through 2261 and Wire Transfer of 12/18/17.  
(Report from Daria Carrillo, Finance Director)
  
- 4.I.vi Consideration and Possible Approval of Warrants and Payroll for the Period 1/05/18 through 1/10/18: Warrant Check Numbers 217821 through 217876; Payroll Check Numbers 5685 through 5694; Payroll Direct Deposit Numbers 33756 through 33821; Payroll Wire Transfer Numbers 2262 through 2265 and Wire Transfer of 1/08/18.  
(Report from Daria Carrillo, Finance Director)

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

To approve Town Consent Calendar Items 4.I.i, ii, iii, iv, v and vi.

Item Removed from the Consent Calendar:

- 4.I.vii Consideration and Possible Approval of Minutes of December 19, 2017 Town Council Meeting

Mayor Condon noted receipt of a communication which requested page 22 of the minutes be amended to reflect Alta Way not as a private road but as a privately maintained public right-of-way.

Town Attorney Teresa Stricker questioned whether the draft minutes inaccurately recorded comments of what was stated or whether the member of the public's comment was incorrect. If it was the latter, the minutes should not be amended. She therefore asked that the Town Clerk listen to the audio recording and determine this.

Councilmember Andrews and Mayor Condon suggested including a footnote to make clear that the statement was either inaccurate in the minutes and/or the minutes reflect what was actually stated at the time.

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

To approve Town Consent Calendar Item 4.I.vii, as recorded and amend them with a footnote stating that Alta Way is public right-of-way that is privately maintained.

**4.II SANITARY DISTRICT ITEMS: None**

**5. PUBLIC HEARINGS**

- 5.I Consideration and Possible Action to Adopt Resolution 02/2018 Amending Fees and Rates for Advanced Life Support (ALS) and Basic Life Support (BLS)

Services and Supplies  
(Report from Scott Shurtz, Fire Chief)

Fire Chief Scott Shurtz stated before the Council is a recommendation to adjust the ambulance service fee schedule. As noted in the staff report, fees can be adjusted annually but have not been adjusted since 2012. Corte Madera currently has the lowest transport fees in the County.

The proposed fee schedule will put the Town in line with the majority of other public service providers in the area while still remaining below the higher rates both within the County and in and around the state.

The cost of providing medical care has increased significantly since the last service fee increase in 2012 due to various factors relating to drug costs, vehicle operating expenses, and employment and training costs. Staff believes the increase is reasonable and will lead to improved revenue to help offset expenses of operating the high quality service currently provided.

Mayor Condon asked and confirmed with Chief Shurtz that the increase will not impact Medicare residents who might contact 9-1-1, as Medicare limits the amount any service provider can charge and patients do not receive the typical balance bill other covered patients might receive. There are some exceptions with Medicare covered patients, but the recommendation tonight will not change that.

Councilmember Ravasio asked if this puts the Town close in line with Ross Valley Paramedic Authority (RVPA), and Chief Shurtz stated yes, and it will also put the Town exactly in line with other service providers. He clarified Larkspur is currently doing their billing through RVPA and it is also close.

Vice Mayor Furst asked if the policies regarding Medicare are the same as Medical, and Chief Shurtz stated while he could not confirm, he believed it was the same.

Mayor Condon opened the public comment period.

BOB BUNDY, Golden Hind Passage, said he thinks the arrangement between Corte Madera and Larkspur is a great step forward and is helping to reduce expenses with fire safety and paramedic response. He recommended moving forward to a consolidation with RVPA to have the geographic area of Corte Madera to San Anselmo incorporated into a single service, as he believed this would result in significant cost savings.

He also asked if Corte Madera residents, who pay the paramedic tax, are balance-billed when they are transported and private insurance does not cover the total cost.

Chief Shurtz stated yes; the policy continues to be in place since the Council's approval of the policy.

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

To Adopt Resolution 02/2018 Amending Fees and Rates for Advanced Life Support (ALS) and Basic Life Support (BLS) Services and Supplies

## 6. BUSINESS ITEMS

### TOWN BUSINESS ITEMS

- 6.I.i Discuss Impacts of the Pending Expiration of Corte Madera's Sales Tax Measure B in 2020 and Provide Information to Town Council for

Consideration and Seek Council Direction to Renew the Measure  
(Report from Todd Cusimano, Town Manager)

Town Manager Cusimano introduced Finance Director Daria Carrillo and Public Works Director Peter Brown who will provide a PowerPoint presentation and thereafter answer questions from the Council.

In 2013, the Council discussed a potential sales tax measure and ultimately agreed to place a one-half cent measure on the ballot. At that time, the Council had no reserves and multiple deficits in a number of funds. On November 5, 2013 Corte Madera voters approved the 6-year sales tax measure by  $\pm 68\%$  and the measure took effect on April 1, 2014 and will expire April 1, 2020.

The expenditures from the measure are reviewed annually by the Sales Tax Citizens' Oversight Committee who provides annual reports which are linked on the Town's website.

Mr. Cusimano provided the following facts regarding the measure:

- Annual revenue is approximately \$2.5 million;
- Anticipated revenue for the 6 year term is approximately \$15 million;
- To date as of January 1, 2018 the measure has generated approximately \$8.9 million. Of this, funds have been allocated as follows:
  - \$2.3 million has been spent within the approved priority categories
  - \$1.7 million is being set aside for potential consideration to be placed in a sales tax contingency reserve
  - \$4.8 million is set aside and available, approved to be spent on the current CIP list over the next two fiscal years
- The State sales tax rate is 7.25%, and Marin County's totals 8.25%. Corte Madera is currently at 8.750%. Larkspur approved renewal of their sales tax measure which was originally approved at one-half cent and the Council approved a three-quarter cent sales tax, bringing them to 9%.
- Staff reviewed other sales tax rates in the area which range from 9.750% to 8.625%.

Regarding spending priorities, the Council was specific to items identified on the ballot to be funded. Priorities include: 1) Restore the Town's General Fund reserves; 2) Flood control and storm drainage improvements; 3) Maintain and rehabilitate roads; 4) Senior and youth programs; 5) Safe routes to schools; 6) Disaster preparedness; and 7) Fire prevention.

Mr. Cusimano specifically pointed out that through the measure, the Town's reserves were built to approximately \$1.8 million or 10% of the operating reserve fund, and staff recommends working with the Oversight Committee to better define proposed expenditures in the future.

He then spoke regarding staff's work in building a revenue source for disaster preparedness and said currently the Town has a healthy budget which can be available for the current operating budget.

Finance Director Daria Carrillo presented and discussed a numerical representation showing the history of the sales tax since its adoption and expenditures that fall under priorities identified in the ballot language.

Ms. Carrillo then presented and described a list of budgeted items and funding sources for capital projects in the current fiscal year, with expected revenues of nearly \$5 million, approximately half of which are from the sales tax measure.

Public Works Director Peter Brown presented and highlighted near-term improvement projects which include the inter-generational center remodel; work at Sanford, Casa Buena and Meadowsweet; pavement maintenance improvements; curb, gutter and sidewalk improvements; various corridor improvements at Paradise Drive and San Clemente Drive, Tamalpais Drive, Tamal Vista and Wornum; striping and paving projects, addition of bike lanes and right-of-way delineation.

Mayor Condon referred to the Paradise Drive map marked for the San Clemente area and questioned and confirmed with Mr. Brown that the work will extend to the western edge of unincorporated county area through to the intersection of Paradise and San Clemente Drive and included in the plans.

Mayor Condon opened the public comment period.

PATI STOLIAR, Casa Buena Drive, questioned the \$27,000 spent on disaster preparedness and the note indicating \$30,000 for seniors.

BOB BUNDY, Golden Hind Passage, said areas pointed out are those in need of repair and upgrade. He supported continuation of the sales tax in part because of expiration of the flood tax in 2023. Public works has done a great job to address flooding in Corte Madera and it might be unlikely that residents would support a continuation of the flood tax.

JEAN GREENBAUM, Casa Buena Drive and Oversight Committee member, said the Town did not notify the Oversight Committee regarding tonight's agenda meeting and thought more committee members might have attended. She also questioned the process and timeline to receive feedback from the Council.

Mayor Condon noted this is the first discussion on consideration of extending the sales tax measure.

KARL SPURZEM, Lakeside Drive, thanked the Oversight Committee members in attendance tonight and said he would have liked to hear their commentary, thanked the Town staff for their work, said the sales tax measure barely passed and the Town should be prepared for the extension of the measure not to pass, suggested the ballot language be honest and was surprised actual revenues came in 25% higher than estimated and questioned why the measure would need to be extended. He noted that many issues in 2013 had to do with the Town's debt and the Madera Park Center, thinks the tax has done its job, hoped it would sunset, and asked that discussion comments are included in upcoming meeting presentations.

Mr. Cusimano said in addressing comments of speakers, he would need to provide an itemized list of disaster preparedness expenditures, but said a majority of the \$27,000 went to neighborhood response groups. Funding for senior programs and disaster preparedness are in this current fiscal year and available to be spent as needed. Funds will support programming for the inter-generational center and this matter will be heard again by the Town Council.

Regarding Mr. Spurzem's points, reading the minutes from 2013 were helpful and staff provided this in the packet. He noted the worst fiscal crisis the Town was in was from 2005 to 2010 which amounted to a \$2.5 million deficit. Sales tax revenues dipped from an average of \$5.5 million, depleted all of the Town's reserves, and created problems. The Town Treasurer had listed four critical deficits in the Town at that time, and today he focused more on the structural deficit and operating budget.

Today, the operating budget is approximately \$18 million and a surplus needed to be built. The Town was able to build from 2013 to date a \$1.8 million or 10% reserve fund. They also do not want to use additional monies to handle some of the Town's unfunded liabilities, and the consolidation of police and fire has freed up hundreds of thousands of

dollars. The Town created a trust fund which is approaching \$850,000 annually for retiree health and pension liabilities. The Town has an additional \$250,000 from the pension liabilities which will take them to over \$500,000 in two years. The consolidation in fire will also allow the Town to save \$500,000 annually.

He noted in June, the Town's financial infrastructure and system will be easily accessible and understood by the community, and he summarized that the Town staff and Council has addressed the operating budget and has built its reserves.

Funding was also needed for CIP projects and in moving forward beyond 2020, given sea level rise and vulnerabilities, immediate and future infrastructure needs will be realized. While struggling with the decision, the sales tax measure required a 50% plus 1 vote and it passed with a healthy 68%. The Council wants to improve its finances while also maintaining and improving infrastructure, and this is the reason for the 6-year measure.

This led to review and evaluation of the measure, adherence to the Council priorities which were followed directly, and annual review by the Sales Tax Oversight Committee. He was confident that if the sales tax measure does not continue, the Town will not be able to meet its infrastructure needs for the future.

He discussed the storm drainage tax which has been used for maintenance and capital improvements such as pump stations, slot drain improvements and others which are expensive. When the tax expires in 2023, the Council and community will hold community meetings, discuss this and assess the Town's vulnerabilities, solutions, costs and funding mechanisms.

The Council can consider extension of the sales tax measure for the June 2018 election or in 2019 and there is a good chance the election date could be moved to 2020.

Mr. Brown added that currently the Town is in good shape with its channels and pump stations, but he was not sure \$500,000 to \$750,000 would go a long way if repairs or replacements come up. The Council will also decide as to whether or not to take the sales tax measure to voters, and Corte Madera residents cannot support Corte Madera businesses alone.

Lastly, on-line sales affect tax mechanisms and even with positive sales in the future, revenue could go down for the Town. Similarly, given changes with autonomous vehicles, far fewer people may own vehicles and may order rides, and the sales tax received from car sales will be impacted.

Mayor Condon voiced her support of staff's responses and thinks the Town should not wait until it is in dire straits to address its infrastructure needs.

Vice Mayor Furst said in 2013, the Town had been affected for several years from the economic downturn, had furloughed employees, reduced staffing, restricted spending and capital projects, and now the Town is able to spend its money on valuable projects, which include things like safety improvements on its roads, new equipment for firefighters and for DPW, and investing in the Community Center to expand program offerings.

She is thankful to voters who approved the sales tax measure and noted that the minutes of August 6, 2013 reflected her comments that the sales tax measure not be a permanent thing. She admitted this was her feeling at the time, given experiences that had occurred in another Marin town. At the time she also wanted to ensure funds from the measure were accounted for and spent only in the categories identified in the ballot language, and the oversight committee has verified this.

She then clarified with the Town Clerk that the oversight committee's reports are on-line under the Town's website; [www.townofcortemadera.org](http://www.townofcortemadera.org) under the "Government" link,

“Boards, Commissions, Committees”, and the “Sales Tax Citizens’ Oversight Committee.”

Vice Mayor Furst also noted transportation funding is significantly reduced. There are more indications that these dollars will be tied to housing production and PDA’s. This means Corte Madera will be on its own to fund its infrastructure needs. Some agencies will not go out for future measures and towns will be on their own to fund capital roads and multi-modal projects, and many people are much more aware of climate change which will be a huge issue the Town must face. Therefore, she supported the Town moving forward with renewal of the sales tax measure.

Councilmember Ravasio noted in 2011 there was a scathing Grand Jury report about the Town not having a reserve fund and cited the incredible amount of debt it was carrying. The Town was in bad shape and every year it was using a transfer to float cash in order to pay its bills. The sales tax measure has clearly worked and has placed the Town in a much better financial position.

He echoed Vice Mayor Furst’s comments on transportation funding and sea level rise which lead to future needs. Also what will make parcel taxes harder to approve in the future is the change in tax laws. People will only be able to deduct \$10,000 in property or state income taxes. For these reasons, he thinks Corte Madera will need to renew the sales tax in order to continue to maintain and improve its infrastructure needs and suggested a strong community outreach process. He also supported comments from the oversight committee members, supported renewal of the measure in June and the engagement with the public.

Councilmember Andrews stated if it will go on the June ballot, all decisions will need to be made before the end of the first week in March. He clarified with Ms. Stricker that two to three Council meetings will be needed for adoption of an ordinance and calling the election and time for outreach.

Ms. Stricker agreed to work with the Town Clerk to identify timelines per the County and staff could bring a schedule of deadlines forward. She noted she would also need to prepare an impartial analysis.

Mayor Condon re-opened the public comment period.

PATI STOLIAR added that she had previously asked the former Treasurer what percentage of Corte Madera residents were generating sales tax monies. At the time, he estimated this to be between 5% and 10%. Therefore, she thought it was important to differentiate between property taxes and sales taxes.

JEAN GREENBAUM asked if the \$20 million spent was prior to the sales tax measure’s approval. She referred to the flood control tax, storm drain tax and other taxes and suggested more information be given about the entire tax structure, their expiration dates, and what they benefit.

KAREN GERBOSI, Chair of the Sales Tax Citizens’ Oversight Committee, asked for clarity in communications regarding the sales tax and property tax and how it shows up on residents’ tax bills and receipts when making purchases. She also asked to ensure communication as to the value of the tax to citizens in all parts of Corte Madera.

ELI BECKMAN spoke in favor of renewal of the sales tax measure. He thinks it is relatively small for residents but serves as a major benefit for critical aspects for the Town. In light of comments relayed tonight regarding its benefit, he thinks it is time to invest in the Town’s well-being given it is on a much more stable footing than in the past. He asked for investments relating to climate change, preparation for potential future economic downturns, and infrastructure needs. He also supported healthy public outreach and thinks renewal has merit.

BOB BUNDY clarified the storm and flood tax, which are one in the same and which generate \$660,000 a year. This will expire in 2023 and is designated for flood protection; however, one-third of it has been used for replacement corrugated metal pipes in the hills, emergency repairs, and storm related repairs. He supported renewal of the sales tax measure which will replace this tax, given it may not be extended.

KARL SPURZEM withdrew his comment about the tax barely passing, but said this is only because it is a tax going into the General Fund. If the money used is for a special fund, it requires a 2/3 vote. He asked the Town to explain the differences between the 50% plus 1 vote and a 2/3 vote, asked for a presentation from the oversight committee and supported expanding their roles to include other taxes residents pay and asked that they be noticed.

Mr. Cusimano clarified that Town staff forwarded the staff report to the entire oversight committee via email to alert them. The plan was to provide this presentation tonight and return to the committee to hold a broader discussion based on comments from tonight. Following that meeting, staff plans to hold a Flood Control Board meeting and return to the Council. He noted renewal of the measure is the best way to handle capital improvements and the Town Council may want to consider and re-evaluate a parcel tax as well in future years.

Mayor Condon thanked all speakers for their comments.

Ms. Stricker said in clarifying a question raised by the public regarding what is a general tax and a special tax, a general tax can be used for any General Fund purpose the Town might have. A general sales tax can be passed only at a general election and staff is reviewing holding an election this June or at the next general election where Councilmembers are up for election.

If, however, the Council decides to bring forward a sales tax measure on an off-cycle or special election, this can be done but this would be a special tax, which is limited for designated purposes that voters approve. Additionally, because fewer voters might come to the polls on an off-cycle election, it would require a super majority or 2/3 vote.

In this case, staff is recommending the Council approve a general tax measure at a general election. If voters approve it by 50% plus 1 vote, it is passed. It can be used for any Town purpose.

Mayor Condon noted that the Council approved and the ballot language stated priority items where sales tax revenues from the measure would be allocated. Ms. Stricker agreed this is what staff had done and revenues were used for those items. If continued or renewed, the Council could identify continuation of projects for funding from the original priority list.

Vice Mayor Furst stated she understands the funds go into the General Fund and the Council has asked for a special account to identify where funds have been spent, and these are not restricted. The Council has chosen to be disciplined and only spend revenues on certain items, which includes reserves.

In anticipation of any changes in needs, the Council can make decisions to increase the amount of reserves or add projects, which provides flexibility. The oversight committee will still report on how funds have been spent, which is in keeping with the overall intention of voters.

Ms. Carrillo added that the Town has set up a separate line item for tracking sales tax revenues which is not part of the operating budget and when financial statements are presented, the sales tax funds roll into the General Fund.

Vice Mayor Furst referred to comments regarding flood control and said the \$20 million



invested began in the mid to late 1980's. In 1982, the Town flooded severely and a YouTube video shows the effects of the flooding. News crews used to come to Corte Madera during countywide flood events because of the Town's investments in flood control. Because infrastructure needs to be replaced, she would support review of the storm drain tax to see if this could sunset.

Councilmember Ravasio agreed with the need to review the storm drain tax sunset and he believes there are still components of the flood control plan that have not been built. Flood control is a town-wide issue. The Town's financial engine, or its shopping centers, are protected which is a critical point for residents to understand.

Vice Mayor Furst stated the Council spoke about holding a workshop on flood control and addressing sea level rise in February/March. This can serve to educate voters and she suggested outlining the larger expenses during this workshop and suggested sensitivity with messaging.

Mr. Cusimano agreed to provide a factual presentation starting with the oversight committee, include the flood control board to receive input and continue discussions.

There was Council consensus to support renewal of the sales tax measure, undertake a public outreach process, direct staff to schedule meetings with the oversight committee, Flood Control Board, and return an election schedule to the Council, with continued discussion.

## **7. COUNCIL AND TOWN MANAGER REPORTS**

- Town Manager Report
  - Staff has been providing weekly newsletter updates and he recognized existing and new Town staff hired and their expertise in providing pertinent information for the Town's operations.
- Council Reports

Vice Mayor Furst gave the following report:

- She attended a CMSA meeting and they are working on a 5-year capital plan, with some high-cost projects. These will affect the amounts Sanitary District No. 2 will pay for wastewater treatment, and the Town will see increases but these increases are hoped to be kept below 4% a year.
- CMSA's NPDES (National Pollution Discharge Elimination System) permit has worked with the state to renew its permit annually and this year the state required CMSA to either expand its facility to allow for increased capacity during wet weather events or reduce Inflow and Infiltration (INI). The state has added each of the member agencies to the NPDES permit and Corte Madera is a co-permittee on the permit and has committed to 5 projects to reduce INI. Discussions will be scheduled in the future regarding the status of these projects.

Councilmember Andrews had no report

Councilmember Ravasio gave the following report:

- He met with the Ross Valley Paramedic Association (RVPA) and approved their annual audit.
- Disaster Preparedness held its annual meeting and John and Lee Howard are getting many things done in Corte Madera with neighborhood drills occurring in March.
- A Homelessness Sub-Committee meeting was held and they reviewed the new mobile showers. Future projects will be brought to the Council regarding sponsorship of locations and extension of funding requests for continued shower funding.

Mayor Condon gave the following report:

- The Council will host MCCMC in February and the topic will relate to senior programs. The presenter will be a Board of Supervisor member or their staff.
- Work has been underway with Inter-generational Center programming and events.
- Tomorrow at 1:00 p.m. at the CMPA community room will be the third Wednesday speaker series event and the program will focus on how to update your home, what to do when considering junior and second units, and she noted building department employees from Corte Madera and Larkspur will present.
- She will attend the first policy committee meeting of the HCD League of California Cities in Sacramento on Friday and will report back.

## **8. REVIEW OF DRAFT AGENDA FOR UPCOMING TOWN COUNCIL MEETING**

### **8.I Review of Draft Agenda for February 6, 2018 Town Council Meeting**

Mr. Cusimano stated staff will be adding the following items to the February 6 agenda: 1) A facility discussion focusing on operations and staff; 2) a sales tax measure update which will continue to be agendized at every Council meeting; and 3) continuation of the performance evaluation of the Town Manager.

Councilmember Andrews asked staff to coordinate with the Town Attorney on timelines of the election schedule.

Mayor Condon opened the public comment period. There were no speakers for this item or Closed Session items.

The Council adjourned to Closed Session at 8:38 p.m.

## **9. CLOSED SESSION**

### **9.I CONFERENCE WITH LABOR NEGOTIATOR**

Closed Session Pursuant to Cal. Gov't Code Section 54957.6  
Agency Negotiator: Todd Cusimano, Town Manager  
Employee Organization: Corte Madera Fire Battalion Chiefs

### **9.II CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION**

Closed Session Pursuant to Cal. Gov't Code Section 54956.9(d)(1)  
Name of case: J. Lourenzo v. Town of Corte Madera, MCSC Case No.  
CIV1702261

### **9.III Report Out of Closed Session**

Mayor Condon announced there was no reportable action taken in Closed Session.

## **10. ADJOURNMENT**

The meeting was adjourned at 8:58 p.m. to the next regular Town Council meeting on February 6, 2018 at Town Hall Council Chambers.