

MINUTES OF APRIL 16, 2019

REGULAR MEETING OF THE CORTE MADERA TOWN COUNCIL

Mayor Ravasio called the Regular Town Council Meeting to order at Town Hall Council Chambers, 300 Tamalpais Drive, Corte Madera, CA on April 16, 2019 at 6:30 p.m.

1. CALL TO ORDER AND ROLL CALL

Councilmembers Present: Mayor Ravasio; Vice Mayor Andrews and Councilmembers Bailey, Beckman and Kunhardt

Councilmember Absent: None

Staff Present: Town Manager Todd Cusimano
Town Attorney Teresa Stricker
Director of Finance Dario Carrillo
Public Works Director Peter Brown
Senior Civil Engineer R.J. Suokko
Police Chief Mike Norton
Town Clerk/Assistant to the Town Manager Rebecca Vaughn

SALUTE TO THE FLAG – Mayor Ravasio led in the Pledge of Allegiance.

OPEN TIME FOR PUBLIC COMMENTS

Robin Muller, Larkspur, representing Blue Rock Neighborhood Response Group and Drive Clean Marin, stated Drive Clean Marin strives to reduce carbon emissions by driving electric vehicles (EVs). They will be coming to each town in Marin offering assistance and support in transitioning to EVs. She spoke of San Anselmo's recent policy adoption which encourages people to switch to EVs and to change out their vehicle fleet and invited everybody to attend Drive Clean Marin's event to test drive EVs on Sunday, April 28th from 3 to 5p.m. at the College of Marin parking lot. Lastly, she asked that the Town consider adopting an EV policy and offered assistance in its development.

1. PRESENTATIONS

- A. Presentation from Mimi Willard, Representing the Marin Coalition of Sensible Taxpayers (CO\$T) Regarding the Marin Municipal Water District Fee and Rate Hike Proposal and Potential Impacts to Corte Madera and its Residents

Mimi Willard, Marin Coalition of Sensible Taxpayers (CO\$T), requested the Council's help in sending a message to the Marin Municipal Water District (MMWD) declaring that the plan they have over their new rate plan is harmful to cities and its citizenry and they should start over. Small homeowners pay more than their fair share and 78% of the new capital maintenance fee proposed for people's tax bills will be paid by homeowners who use 68% of the water. Commercial properties do not have to pay as much. Most importantly, the rate hike is based on meter size and not usage which is a flaw in the plan. This results in a huge percentage increase in the annual cost to low water users.

The charge is \$163 for those with the smallest meters and they characterize that as the average amount, but it is the lowest amount. One in five ratepayers have a 1" meter which would give them a \$409 charge and a handful of ratepayers have a 1-1/2" meter in the \$817 range. She said there are some special concessions being proposed to address criticisms which she briefly described and said there are complex problems that result in non-proportionality which is required under Proposition 218.

Also, the capital management fee is larger than it needs to be because MMWD decided to stop using bonds for financing their infrastructure, and suggested a blended approach over time to avoid the 30% jump in rates. She said there was no outreach prior to or during

development of the rate and fee proposal and no good explanation was made for placing the fee on property tax bills. Water bills will also be increasing 4% per year for 4 years on top of the capital maintenance fee. Ultimately, the CMF on the tax bill crowds out future tax measures cities will need, given it is a permanent tax which will continue to rise.

More importantly, this approach is not legal and it should be stopped before wasting money defending it, or worst yet, getting away with it because no one challenges it. The Coalition have engaged a top water rate attorney in California to advise them on this and he has explained why MMWD's plan is not legal and the County should not allow it to go on the tax bill, and that all changes being considered tonight only make the problem worse.

Ms. Willard stated there are protest forms in the back of the room, stating this district has many transparency problems and they have been served with a Cease and Desist letter for multiple Brown Act violations. Their Prop 218 notice does not include a protest form but instead a description of how one might complain. The Coalition is offering a fair solution that is legal which is tying the increases to usage. This can legally be done by coming up with a cent/gallon of water used which gets added onto one's water bill. It does not favor certain customers over other customers and is fair. They put this forward to MMWD and they were warned that if the Prop 218 notice is mailed, they cannot switch plans and will lock themselves in. However, they did it anyway.

They are applying legal pressure, hope to have support from the public, ask that people file protest forms and attend meetings, instill Council peer pressure and she suggested joining the Marin IJ Editorial Board which has called upon MMWD to start over and come up with a fair plan. Lastly, she hoped the Council will consider agendizing a letter to be submitted to MMWD.

Councilmember Bailey asked if the Coalition presented this to the California Public Utilities Commission (CPUC) and asked if they have received feedback from other governmental entities.

Ms. Willard said they have not but she will ask their counsel if this is something they should consider doing.

Mayor Ravasio opened the public comment period.

JOAN FREY, Montecito, asked if there will be a vote on the matter or not.

Ms. Willard stated the citizenry does not get to vote for a utility because it is deemed to be an essential service. However, the protest form serves as a vote in the unlikely event that 50% of all ratepayer addresses plus 1 turn in their protest forms, the proposal would be rejected. She was not sure this has ever been done in a district this large. Other options are to vote out the MMWD Boardmembers, which is difficult. She heard some discussions about a term limit initiative which also might be a solution.

DORSIE MCTAGGERT asked and confirmed that MMWD's proposal would be rejected if over 50% of ratepayers or about 31,000 people submitted protest forms.

B. Presentation from Police Chief Mike Norton on the Central Marin Police Authority Annual Statistics Report

Police Chief Mike Norton gave a PowerPoint presentation on the Annual Statistics Report for calendar year 2018 relating to traffic and crime in Corte Madera. He provided statistics which showed an increase of 8% in calls for service, an increase for calls at Town Center of 26% and an increase at the Village of 21%.

He then described traffic enforcement and patrol requests, assist fire or medical calls, 1,299 traffic stops or an increase of 21%, citizen assists, 911 hang-up calls, 779 police reports, 1

aggravated assault, 2 residential burglaries, 161 general larceny and theft, 6 vehicle thefts, a 24%-39% increase in drug cases and a 15%-18% increase in DUIs, 17 bike thefts, 59 auto burglaries, 6% increase in citations, overall county statistics, an increase of 10% for traffic collisions, 1 per day of hit and run property damage incidents in the two shopping centers, and 3 major injury accidents and 17 minor injuries.

Councilmember Kunhardt asked if drug arrests are broken down by type, specifically cannabis in particular.

Chief Norton stated DUI would include driving under the influence of alcohol, marijuana, and/or prescription pills. Drug offenses would relate to people on narcotics not driving, but if they were driving they would be a DUI. They have seen an increase in DUIs from cannabis use since it has become legal.

Councilmember Beckman asked if Chief Norton had any takeaways that would not be apparent through statistics.

Chief Norton said trends come in waves and he noted a huge increase in vehicle break-ins. Police is focusing its efforts on this and are working with all cities. They expect to see more enforcement and education.

Councilmember Bailey referred to major crimes and he recognized the decrease. But, in trending back to 5 or 10 years, he asked how the town was doing. He also asked to include a sense of how the town compares over time.

Chief Norton stated they see variation of crimes with vehicles and bicycles. 2018 was a somewhat quiet year, but he thinks 2019 will be swinging back up. Most vehicle break-ins relate to people who steal throughout the Bay Area, and he agreed to provide a comparison of statistics over time in future reports.

Mayor Ravasio asked what the Town can be doing, and Chief Norton stated he thinks residents are very responsive and proactive. They work a lot with Public Works on traffic issues and cited the great relationship with CMPA.

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

2. CONSENT CALENDAR

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

- A. Authorize Introduction and/or Adoption of Resolutions and Ordinances by Title Only.
(Standard procedural action – no backup information provided)
- B. Second Reading and Possible Adoption of Ordinance No. 985 An Ordinance Of The Town Council Of The Town Of Corte Madera, Rezoning A 15.42 Acre Property South And East Of Robin Drive (APN 038-011-21) From The Hillside Land Capacity Overlay District To The Planned Development Overlay District To Facilitate The Residences At Preserve Subdivision Application Submitted By AIMCO Robin Drive L.C. For A Planned Development, Preliminary Plan, Precise Plan, Tentative Map, And Design Review To Subdivide The Property Into 19 Lots With A Private Access Road And Construct 16 Single-Family Units With 8 Accessory Dwelling Units, And Associated Landscaping, Tree Removal, And Site Improvements.
- C. Adopt Resolution No. 16/2019 Approving the FY 2019/20 SB1 Project List And Funding Of Gas Tax Expenditures Per Senate Bill No. 1 (SB1): The Road Repair and Accountability Act of 2017

- D. Approve Accounts Payable Warrants for March, 2019
- E. Approve March 2019 General Fund Revenue and Expenditure Report
- F. Approval of Minutes of the April 2, 2019 Regular Town Council Meeting

MOTION: Moved by Andrews, seconded by Kunhardt, and approved unanimously by the following vote: 5-0 (Ayes: Andrews, Bailey (abstained from Item F) Beckman, Kunhardt and Ravasio; Noes: None)

To approve Town Consent Calendar Items A, B, C, D, E and F.

5. PUBLIC HEARINGS

- A. Adopt Resolution No. 17/2019 Approving the Proposed Central Marin Regional Pathways Gap Closure Project and Approving the Initial Study and Mitigated Negative Declaration for the Gap Closure Project

Public Works Director Peter Brown introduced the matter, stating R.J. Suokko will give the presentation and environmental consultant Amy Skewes-Cox has worked on the Initial Study and Mitigated Negative Declaration (ISMND) and can answer questions.

Senior Civil Engineer R.J. Suokko gave an overview of the ISMND for the Central Marin Regional Pathways Gap Closure Project, stating the project was initiated in 2017 after the Town received \$415,000 in Active Transportation Program (ATP) funds. Several public workshops have been held, and he displayed the project site and details.

He displayed the five main components; a Class I non-conforming path on Wornum Drive, a roundabout at Nellen and Wornum, a cycle track on Nellen, an enhanced crossing at Fifer Avenue, and a connection between Fifer Avenue and southbound Nellen.

The environmental document addresses all design variations but there is no construction funding secured. Therefore, implementation of components is flexible until funding is acquired. He then presented displays of and described the 5 proposed improvements.

Amy Skewes-Cox, environmental consultant, gave an overview of the California Environmental Quality Act (CEQA) process undertaken for the project, stating all projects were reviewed for the Initial Study including 19 topics in the checklist to identify potential impacts. Two impacts were identified which were air emissions during construction as mitigated to follow the Bay Area Air Quality Management District's (BAAQMD) compliance measures for construction, and the second was potential impacts to trees, particularly along the Department of Motor Vehicles (DMV) property along Wornum where roots could be disrupted and this is mitigated through protection measures.

Two letters were received during the 30-day review period; one from Marin Audubon Society expressing concerns about trees which did not warrant any change in the recommended mitigation. They were also concerned about piece-mealing the project. However, the project can stand on its own and is not piece-mealed. The second letter was from Caltrans requesting notification of any work in their right-of-way.

Tonight, staff is requesting the Council adopt the resolution, make the findings in terms of the ISMND complying with CEQA, approve the ISMND, adopt the Mitigation Monitoring and Reporting Program (MMRP), approve the project and direct staff to file a Notice of Determination to be sent to the Office of Planning and Research and County Clerk which sets the 30 day challenge period.

Councilmember Beckman asked for the net change in the number of parking spaces on Nellen.

Mr. Suokko said he did not have the exact number but said there is parking on both sides of the street and it is being reduced to close to half that amount.

Councilmember Beckman said people will be able to travel from Fifer to Nellen but not Nellen to Fifer and he asked for this rationale.

Mr. Suokko said this is to address the left turn backlog. The right turn will be made easier to turn and those from the freeway would come at Fifer and go directly to Lucky Drive.

Councilmember Beckman asked if staff knows how Tam Ridge residents feel about removal of trees between their views and the freeway.

Ms. Skewes-Cox stated they have not heard specifically from residents at the Tam Ridge Apartments. The trees are very young and there's thin eucalyptus and will not result in a huge change in current conditions.

Councilmember Kunhardt said if the opening is made between Fifer and Nellen, a signal would be needed at Nellen and Wornum or a roundabout.

Mr. Suokko stated staff is looking at a roundabout option, and assistance is needed in making that left turn.

Councilmember Kunhardt questioned any concerns about the roundabout location and risk to drivers of being blinded by light.

Mr. Suokko said when approaching the roundabout, drivers come from a straight path and would slow down.

Mr. Brown added that there would be yield signs, arrows and they engineer the roadway such that drivers cannot go straight through. Cars are slowed in all directions approaching the roundabout. He referred to Truckee where there are roundabouts right at the interchanges which function well. At this location, it is small and tight and staff has worked with the Fire Department to ensure turning radiuses work, that they have a fully rolled curb for easy access to emergency vehicles. The roundabout improves vehicular circulation, congestion and risk for collisions, and noted it has large capacity.

Vice Mayor Andrews questioned the project funding status.

Mr. Brown said the previous Public Works staff secured the \$415,000 ATP grant, and there are time constraints in using the money. They applied for \$2.7 million in construction funds in the last ATP cycle and did not receive that grant. They will likely look to the State and Transportation Authority of Marin (TAM) for grants, but he thinks they are in a position to look at the pedestrian improvements on Fifer or the Wornum Bike Path, which could be funded in the near term, in-house, which could decrease the grant request in the future.

Vice Mayor Andrews asked which of the five pieces are most beneficial to the town.

Mr. Brown said he believes that re-doing the Wornum Class I path and widening it is a current need. He thinks the pedestrian crossing at Fifer is important and these would be his top priorities. Third would be opening the alternative vehicular route and relieving some of the congestion.

Mr. Suokko agreed with Mr. Brown on which projects would be most beneficial. He said the cycle track is a small piece of the overall construction estimate and because much of it is striping and moving the curb on the east side it is not significant. A more economical approach to implement the cycle track is doing the Fifer enhancement crossing and doing something similar on the Wornum side. Then a cycle track can be put in. The roundabout

would then make it fully functional.

Vice Mayor Andrews asked which project would most likely be funded.

Mr. Brown said they have had success with the ATP which pertains to pedestrian and bike safety, mobility, increase of usage, and while there are many competing interests, these would be the most grant-competitive.

Councilmember Bailey said assuming construction funding comes in, he asked what staff sees as far as timing in getting the projects completed.

Mr. Suokko said in taking this to final design, it will be through spring of 2020 and they can determine if they can move something else forward or apply for additional grant funds in 2021.

Councilmember Bailey asked for next steps, stating the Council receives inquiries about the Alto Tunnel. He sees some additional pedestrian and bike pathways that connect deeper into Corte Madera which most likely will be taken past 2021. He asked if the Alto Tunnel will be addressed after that.

Mr. Brown said it seems far away, but he noted that these transportation enhancements have a lot of independent utility. There are many short trips that occur across town between Corte Madera and Larkspur, Redwood High and Paradise Drive, and this set of improvements at this location have a lot of circulation benefits. The Alto Tunnel question is a different one and, in his opinion, it does not relate to all of these improvements that need to be done.

Councilmember Bailey said while he recognizes it is unnecessary to address Alto Tunnel at this time, he was trying to get a sense about when they need to think about this next step.

Mr. Brown thought it would be a few years away.

Vice Mayor Andrews asked if the bike path on Wornum that will connect to Tamal Vista will be done before this project.

Mr. Brown said the timing of Tamal Vista Complete Streets Project would likely happen before an improvement was done on the Wornum Bike Path. They have 90% complete engineering plans to do the Redwood Highway Bike Path and all projects will come together about the same time.

Vice Mayor Andrews said if they mobilize all construction for Tamal Vista and Redwood, could an argument be made that it makes sense to accelerate funding for this project because contractors are already there.

Mr. Brown referred to Mr. Suokko to discuss construction phasing and mobilization, but when it comes to applying for grant funds, they do not often get that as criteria; however, there are economies of scale for construction phasing.

Mr. Suokko thinks much of the savings for the Smart path was because they could take the whole right-of-way with the construction instead of working around conflicts with the train schedule. It was not about total amount of construction at once. He thinks both the Tamal Vista and regional pathway projects have substance and the town will most likely get competitive pricing regardless.

Mayor Ravasio stated there was a public meeting on this and there were many questions regarding the cycle track on Nellen and whether it was necessary. It was helpful to see the mapping and he asked if staff talked a lot about what would happen when the project is complete. All of the bike traffic empties into this area but there is no way to get onto Nellen

now and asked if this was discussed at the meeting.

Mr. Brown said there were at least two comments where members of the public felt the bike path might not be needed, such that if they do the one along Redwood Highway and a Complete Streets on Tamal Vista, not many people would use this, but he did not believe this is true. In looking at how one would get to Greenbrae or Hwy 101 on the bridge or even coming from the bus stops along Hwy 101, there is a lot of utility of Class IV pathway there, and not everybody wants one choice but rather multiple choices.

Mayor Ravasio noted the crosswalks on Fifer will also be improved which he confirmed would also help immensely.

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

Councilmember Beckman stressed the importance of vegetative screening between Nellen and the freeway which is better for people in town and for those driving along the freeway.

Ms. Skewes-Cox stated there is no replanting needed on Nellen but the mitigation is the protection of existing trees on Wornum. The change in the right-of-way and paved area goes so close to the Caltrans right-of-way, adjacent to the highway that there is no room for planting but there could possibly be an area closer to the Tam Ridge Apartments on the west side of Nellen for additional tree planting.

Councilmember Beckman requested staff review whether there is room in the project to incorporate more trees and also to determine what will be planted at Tam Ridge will be enough screening once they grow to maturity, and Mr. Brown confirmed.

Mayor Ravasio stated he knows there was some controversy over the Nellen Bike Path but seeing the map helps. He realizes why BPAC approved this, stating the Sir Francis Drake overpass is a huge bike feeder and people will logically come down Nellen, as well as the Hwy 101 overpass.

He also agreed with staff's priorities for widening the Wornum path, noting this is a major bike route for kids coming from the east side over to Hall Middle School and Redwood High School.

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

To adopt Resolution No. 17/2019 Approving the Proposed Central Marin Regional Pathways Gap Closure Project and Approving the Initial Study and Mitigated Negative Declaration for the Gap Closure Project, with direction to staff to file the Notice of Determination.

6. BUSINESS ITEMS

A. Acceptance of Town of Corte Madera Annual Independent Audit Report For Fiscal Year Ending June 30, 2018

Director of Finance Dario Carrillo stated this item is the annual Audit report for the fiscal year ending June 30, 2018 and she introduced John Cropper of Cropper Accountancy who provided the report.

John Cropper, Cropper Accountancy, presented the consolidated financial statements which includes the Management Discussion Analysis (MDA) and the audit opinion which is an unmodified opinion. Their firm does not audit or issue opinions on the Town's internal controls. They use control testing to get to know the Town and if they notice anything they include an explanation in the back of the report.

He stated controls are functioning well for the Town and there are no material weaknesses or significant deficiencies. On page 19 is the Statement of Net Position and the balance sheet on page 24 is what the Town bases its budget on. It does not include long-term debt or capital assets which are included on the Statement of Net Position. Assets are close to \$90 million, liability is \$41 million and the Town's net position is \$54 million. A lot of that \$54 million is investment and fixed assets. The Town has around \$820,000 to fund projects or other things and this is a positive thing, given net pension liability which increased by almost \$2 million to \$19 million.

This year, the Town has the implementation of other post-employment benefits (OPEB) medical which increased from \$3.3 million to \$10.5 million. This existed on the Town's financial statements last year but the Governmental Accounting Standards Board re-did this to identify the Town's pensions or GASB 68.

He then described deferred inflows which are similar to a liability and outflows which are similar to an asset and said pension expenses are \$1.7 million and actual contributions were \$1.6 million. The Town has a prior period adjustment of \$3.5 million which means the \$820,000 could be added but there was a prior period adjustment because Governmental Accounting Standards Board (GASB) realized they had not provided for a liability that existed, and much like pensions, they wanted to provide for that. Therefore, they adopted GASB 75.

What he thinks are the most important things are contained in the opinion letter and identify the most sensitive estimates facing the Town. Given the Town has new software, it was a transition year. Regarding sensitive disclosures, one in Note 1 is the reconfiguration of governmental funds. He stated the Town's report was a lot of work for Ms. Carrillo which was all needed after many years with the former Finance Director.

Mr. Cropper then presented the Town's government wide budget, showing comparative years of revenues, program revenues, expenses and change in net position. He displayed the Town's current economic resources which show revenues exceed expenditures.

Town Manager Todd Cusimano stated within this funding plan, the Town put \$1.4 million towards their pension liability to CalPERS and before the Council is a 10-year plan. They reviewed what they believe the Town needs to save to fully fund its unfunded liabilities. He described the OPEB liability for retiree health. The 10-year projection shows a flat rate of \$200,000 to be put annually into the OPEB Trust where they will have \$7.2 million in a side Trust Fund to pay for retiree health. Currently their unfunded liability is \$9 million, so they will be almost fully funded in the 10-year plan. This projection takes economic downturns into account as well.

Mr. Cusimano then said staff believes the CalPERS discount rate should be 6% and not 7%. With a 5% annual rate of return in the pension trust, they project approximately \$11.9 million in the next 10-11 years. Therefore, he pointed out to the Council that the Town has a plan to get them to the 90% funded rate if projections are correct.

Mr. Cropper agreed the Town has some robust liabilities and a plan to address them and the Council was looking for extra stabilization funds. He guessed the actuaries have taken what the Town has paid in and liabilities and subtracted the two and arrived at the net pension liability.

Vice Mayor Andrews referred to the Management Discussion Analysis (MDA) and said it was not noted as being unaudited. Mr. Cropper explained they are required to read the opinion for reasonableness. It is not audited, but it is part of the numbers.

Vice Mayor Andrews stated with Mr. Warman's retirement and work of Ms. Carrillo, he asked if the Town's chart of accounts sufficiently met standards such that accountants from

elsewhere can easily come in and work with the Town's chart of accounts.

Mr. Cropper replied yes, and he recognized the work of Ms. Carrillo in redoing the chart of accounts to make it more user-friendly, as well as manager Bryce Rojas for work done in the planning phase to get ahead of it. Mr. Rojas agreed and said the new accounting software was also instrumental.

Councilmember Bailey voiced support of the report and asked Mr. Cropper to explain why it is that the Town's net OPEB and pension liability worsened by \$2 million for the net pension liability and \$3 million for OPEB.

Mr. Cusimano said it is because of the discount rate and the GASB requirements of how they look at OPEB which keeps changing.

Mr. Cropper said GASB told cities how much money they were supposed to set aside but it was not the right number, so they are correcting that. If more money was paid in than what was told to put in on an annual basis, towns could have an asset but still a huge liability. It did not make sense, but what they have now are the same principles, concepts, assumptions and discount rates.

Councilmember Bailey asked if the Town Manager anticipated these differences and he asked if the Council should reasonably anticipate more crazy changes when doing their forecasting. Mr. Cusimano stated they knew this was coming two years ago. It was how the auditors had to report the retiree health numbers and how the Town looks at the numbers in their projections. But again, given their current projections, they will be close to being fully funded in the next 10 years.

Councilmember Kunhardt questioned the 5% rate of return and the confidence the Town will achieve this rate of return. Mr. Cusimano said it is part of their pension plan and 115 Trust they are investing in and they review this annually, and the Vice Mayor is a big part of that strategy.

Vice Mayor Andrews stated the return is based on a blend of fixed income and equities.

Councilmember Kunhardt referred to business type activities and asked and confirmed the Town receives payment of fees for these. Mr. Cropper added that often cities will provide for insurance and other internal services which could roll up into Governmental Activities.

Councilmember Kunhardt asked for the meaning of the \$9.7 million negative number under Governmental Activities in the balance sheet.

Mr. Cropper said there are two balance sheets. One is the current economic resources on page 24 and the other one is long-term. If the fund balance on page 24 is \$11 million, some of which is broken out for various things, on page 25, it reconciles down to go to the Government-wide funds. Much of it is long-term debt.

Vice Mayor Andrews said he recalled a few years ago the Park Madera Center was shifted from the Enterprise Fund over to Governmental Activities. In going forward he asked if this was still appropriate.

Mr. Cropper said they always have to look at the General Fund. The Town can also have other funds that may not meet the criteria of a major fund and possibly this is one of the funds to have them focus on. He thinks if the Council wants to track that one particular fund, it should be taken out of the General Fund and tracked in a different area, and the Council may want to discuss this at a future meeting. As a major fund, they would audit it differently so the Council could see it.

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

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

To accept the Town of Corte Madera Annual Independent Audit Report For Fiscal Year Ending June 30, 2018

Mr. Cusimano suggested recessing the Town Council meeting and convene to the Sanitary District No. 2 meeting.

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

To recess the Town Council meeting and convene the Sanitary District No. 2 meeting.

RECONVENE THE REGULAR TOWN COUNCIL MEETING - At 8:40 p.m., the Town Council reconvened its regular meeting.

7. BUSINESS ITEMS (Continued...)

B. Review and Discussion of Town Council Rules and Procedures

Mr. Cusimano stated the Town Council amended their rules and procedures in December 2017. On August 14, 2018 the Council held a strategic planning session and developed the 2018/2019 Work Plan, which is Attachment 2 of the staff report. Staff met afterwards and developed a 2019 schedule to deliver that Work Plan which was distributed.

He then described the Work Plan and the proposed revisions to the Council's Rules and Procedures and requested Council feedback.

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

The following Councilmember comments were received:

- Item 1: Councilmember Bailey stated the agenda is primarily set by the Town Manager and approving it with the Mayor. He suggested the opportunity to allow Councilmembers the ability to add items.

Town Attorney Stricker stated a member of the public can request an item be considered by the Council during the public comment period. During the time the Council is discussing future items, Councilmembers can voice their support and request the item(s) be placed on an agenda, but it is up to the Council to determine priorities and allowing items to fit into the schedule.

- Item 2: Councilmember Bailey suggested that if a request is consistent with something that has come through the League of California Cities or MCCMC or, something the Council has considered or approved in the past it can be considered. If not, it should be at the Mayor's discretion to allow item(s) be undertaken.

Ms. Stricker stated if the Town Manager or a member of the public brings forward a request outside of the League or MCCMC, the Council concurred they could choose to suspend the rules and act otherwise upon a majority vote of the Council. The Council then discussed possibly forming a two-member committee of the Council.

Mr. Cusimano suggested the Council either use the current policy which is to go through the Town Manager and then to the Mayor, and if there is any conflict where the Mayor does not feel comfortable placing the item on the agenda, they can defer to Section 7.3 and discuss it at the next meeting which requires a majority vote. Councilmembers concurred.

- Item 3: Mr. Cusimano stated if a request is received from the press, he recommended the Councilmember reach out to him, given he may have background information and then he will follow-up with the Mayor.

Ms. Stricker stated in terms of speaking to the press, they should keep in mind that there may be due process issues that relate to appeals, entitlement issues, or a legislative act linked to an entitlement and as an impartial decision-maker, Councilmembers sit in a quasi-judicial capacity.

Councilmembers concurred with the policy to reach out to the Town Manager who will follow-up with the Mayor.

- Item 4: Mr. Cusimano stated he can provide information during his Manager report or he can speak directly to the member of the public to provide a quick update and/or provide his contact information to follow-up offline. Councilmembers can also provide the status of an item or a public comment/question during Town Manager or Councilmember reports. The Mayor can also verbally agree with the speaker that the item should go on a future agenda.

Councilmembers then briefly discussed speakers identifying themselves, and Ms. Stricker stated the Council cannot require them to provide their name(s).

EXTEND MEETING

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

To extend the meeting 30 minutes from 9:30 p.m. to 10:00 p.m.

Councilmember Kunhardt asked if the Council will cancel its July 2nd meeting and will hold the July 16th meeting. Mr. Cusimano confirmed with Councilmembers that consideration to cancel the July 2nd meeting will be placed on the next May 7th agenda.

8. COUNCIL AND TOWN MANAGER REPORTS

- Town Manager Report

- At the last meeting, speaker George Marsh brought up parking issues and overflow parking from Redwood High School in a portion of the Madera Gardens neighborhood. He and the Vice Mayor followed up with residents and met with the Principal of Redwood High School, retired Town Manager Jim Robinson, the Police Chief and Public Works Director. They believe there is the potential to open up 30-40 spaces at the high school for parking and is also looking at the school considering red curb painting and/or permit parking around the radius of the school.

A neighborhood meeting will be held in the next month to discuss the issue and receive feedback about red curbing painting and permit parking, and he will provide updates moving forward.

- Council Reports

- Councilmembers Beckman and Kunhardt had no reports.

- Vice Mayor Andrews gave the following report:
 - He attended a Flood Control District Board meeting and a Parks and Recreation Commission meeting and both bodies are working on their budgets.
 - He reported Proposition 68 grants are due by June 3rd.
 - He attended the Legislative Committee meeting and reported there are at least 100 housing related bills. Key bills are SB 50 and SB 4 and there will be a fair number of ADU ordinances.
- Mayor Ravasio gave the following report:
 - He and Councilmember Beckman held office hours with Supervisor Dennis Rodoni on Friday afternoon with about 8 to 10 people in attendance.
 - The MCCMC meeting will be held next week and the Town is hosting it at the Community Center, with a panel on vaping and what towns can do to help with the problem.

9. REVIEW OF DRAFT AGENDA FOR UPCOMING TOWN COUNCIL MEETING

A. Review of Draft Agenda for May 7, 2019 Town Council Meeting

Councilmember Kunhardt said there have been a number of fair housing improvements made in Marin County and he asked if the Council could agendaize consideration of revisions with the Town's Fair Housing Ordinance.

Vice Mayor Andrews suggested it first be heard by the Planning Commission, and Councilmember Kunhardt agreed to forward him the needed information.

Councilmember Kunhardt requested the Council agendaize discussion of electric vehicle promotion in the future.

Mr. Cusimano stated this topic can be reviewed for placement over the next 6 meetings. He suggested it be discussed after adoption of the budget and commented that in the budget there will be a request for the Town to purchase of up to 3 to 4 EVs and 4 to 6 charging stations.

Councilmember Kunhardt stated Property Accessed Clean Energy (PACE) funding is allowed in the County but in the towns of Corte Madera and Ross there is only 1 of the 7 accepted providers allowed. He asked for a resolution to add the same 7 providers as vetted by the County.

Councilmember Bailey cited this as a bit more complex but voiced his support and he suggested that Councilmember Kunhardt read the meeting minutes from December 15, 2015.

Mayor Ravasio suggested this item as not being time-sensitive and agreed to agendaize it for some time in the future.

Councilmember Beckman spoke about receiving a request that when the Town purchases items, that the purchasing be done in the most environmentally-sensitive way that is cost feasible. Mr. Cusimano explained that the Town has existing purchasing policies and can incorporate these practices into what they do now and report back to the Council.

Councilmember Kunhardt reported that the Wildfire Hazard Warning Notice will be going out to people on or around May 1st talking about defensible space and this will return to the Council in the future. He asked to add it to the agenda and have the Fire Chief provide an update. He also asked to be able to see the letter going out to residents before it is distributed.

Mr. Cusimano agreed to agendaize it at the next meeting and stated the letter has already gone out. He will be bringing an item at the next meeting for a budget adjustment of \$200,000 from the sales tax monies to assist neighbors in clearing vegetation. The Town submitted a grant but will not know they have received it until the end of the fire season, so the Town may be reimbursed.

10. ADJOURNMENT

The meeting was adjourned to the next regular Town Council Meeting at 9:50 p.m. to the May 7, 2019 regular meeting at Town Hall Council Chambers.