

MINUTES OF MAY 19, 2020
REGULAR MEETING
OF THE
CORTE MADERA TOWN COUNCIL
VIA VIDEO CONFERENCE ONLY

NOTICE TO PUBLIC:

Due to Coronavirus (COVID-19), the May 19, 2020, regular Town Council meeting will occur via videoconference only. All Councilmembers will be participating remotely, and residents are urged to follow the orders issued by the Marin County Public Health Officer and Governor and participate in the meeting remotely as well. As allowed under the Governor's Executive Order N-29-20 (March 17, 2020), during the duration of the COVID emergency the Town of Corte Madera will no longer offer an in-person meeting location for the public to attend. Members of the public may view and participate in the meeting remotely by registering at the following link:

<https://tinyurl.com/ybm2vm8w> <https://tinyurl.com/ybm2vm8w>

Or call in using phone number (415) 655-0052 / Access Code: 453-859-719

Submit public comment remotely by:

Submit public comment remotely by:

- 1. Emailing PublicComment@tcmmail.org prior to 5:00 P.M. on the day of the meeting.*
- 2. Emailing PublicComment@tcmmail.org during the meeting.*
- 3. Registering for the meeting at the link above and selecting the "Raise Hand" icon during the meeting to provide public comment verbally when recognized by the Clerk at the appointed time.*

Anyone with a disability needing further assistance with public comment should contact the Clerk at least 2 hours before the beginning of the meeting to make alternative arrangements at rvaughn@tcmmail.org or 415-927-5050.

Click [here](#) for more information on how to register to watch the meeting and submit public comment remotely.

Mayor Beckman called the Regular Town Council Meeting to order at Town Hall Council Chambers, 300 Tamalpais Drive, Corte Madera, CA on May 19, 2020 at 6:33 p.m.

1. CALL TO ORDER AND ROLL CALL

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

Councilmember Absent: None

Staff Present: Town Manager Todd Cusimano
Town Attorney Teresa Stricker
Director of Planning and Building Adam Wolff
Public Works Director R.J. Suokko
Senior Planner Martha Battaglia
Town Clerk/Assistant Town Manager Rebecca Vaughn

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

2. OPEN TIME FOR PUBLIC COMMENTS

ROY WOLFORD said he and his wife went to a restaurant to pick up breakfast and asked how they were doing. They responded "business is doing okay except on the days they cry" and he asked to smartly open up the economy. A law was passed on emergency situations for the State and the Governor's Order expired on May 3rd so there is no state of emergency in California now. He noted the law is Government Code, Title 2, Division 1, Chapter 7, Emergency Services Act Article 13 and he asked to work to have businesses open up.

3. PRESENTATIONS – None

4. CONSENT CALENDAR

Town Clerk/Assistant Town Manager Vaughn requested removal of Item 4D due to receipt of public comment and revised banner artwork which she uploaded in the handout section of the dashboard.

Mayor Beckman removed Item 4D and he asked if there were public comments or requests from the public for removal of items from the Consent Calendar, and there were none.

- A. Waive Further Reading and Authorize Introduction and/or Adoption of Resolutions and Ordinances by Title Only
(Standard procedural action – no backup information provided)
- B. Request To Cancel The Tuesday, June 2, 2020 Regular Town Council Meeting And Schedule A Special Town Council Meeting To Be Held Tuesday, June 9, 2020
- C. Approve Subcommittee Recommendation to Appoint James Rizzo to the Planning Commission to Serve the Remainder of an Unexpired Term on the Commission, Commencing Upon Appointment and Expiring June 30, 2021
- E. Approve Warrants and Payroll for March, 2020
- F. Approve April 2020 General Fund Revenue and Expenditure Report
- G. Approval of Minutes of May 5, 2020 Regular Town Council meeting

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

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

Items Removed from the Consent Calendar:

- D. Adopt Resolution No. 19/2020 (1) Endorsing the Marin Clean Energy Deep Green Program in Alignment with the Town of Corte Madera Climate Action Plan, and (2) Allowing Three Temporary Signs in the Public Right-of-Way from May 20, 2020 to June 3, 2020 Publicizing the Marin Clean Energy Deep Green Program

ROY WOLFORD voiced concerns about MCE stating initially, all PG&E customers were unilaterally designated auto-enrolled by the Marin Board of Supervisors as customers of MCE. A PG&E customer had to opt out and they had the opportunity to opt out only twice. MCE now maintains the bullet point that they have “competitive and stable rates with priceless environmental benefits.” He has tried to get competitive pricing between PG&E and MCE and is unable to do so because they were prevented from full disclosure. He then noted that all customers of MCE and PG&E receive the same electricity, which he read and described from materials.

Vice Mayor Kunhardt disclosed that he spoke with Mr. Wolford and the program the Town endorses is voluntary to go to Deep Green which is the easiest way for MCE to buy 100% renewable energy.

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

To approve Town Consent Calendar Item D.

Ms. Vaughn asked the Mayor to return to public comments to hear from a public member who did not sign on in time to speak.

LAURA VON WALDBERG stated she spoke with the Mayor and Town Manager regarding Marin County has said their parks and open space can be opened, but the Town has chosen not to open the Ring Mountain parking lot. She asked why not and asked for the plan to open it up. Most residents want to go out and use the area and are anxious for it to open.

Mayor Beckman stated he will ask that staff follow-up with Ms. von Waldberg.

5. PUBLIC HEARINGS - None

6. BUSINESS ITEMS

- A. Second reading and possible action by the Town Council of Corte Madera to adopt Ordinance No. 993 to amend Chapters 18.18 (Special Purpose Overlay District) and 18.31 (Accessory Dwelling Units) related to Accessory Dwelling Unit regulations to (1) Make Accessory Dwelling Units (“ADUs”) converted from existing floor space, and all Junior Accessory Dwelling Units, subject to the existing ADU capacity limitations in the Christmas Tree Hill Overlay District, (2) Provide an option for discretionary review to allow non-clerestory windows in ADUs, and (3) Make non-substantive clean-up changes and clarifications to Chapter 18.31

Recusals: Mayor Beckman recused himself from participating in the matter due to his business interests, as well as Vice Mayor Kunhardt due to location of his residence, and they left the Chambers and turned over the gavel to Councilmember Ravasio.

Senior Planner Martha Battaglia stated before the Council is a second reading and possible adoption of Ordinance No. 993 to amend Chapter 18.18 and 18.31 of the zoning ordinance. She gave a PowerPoint presentation and said the Ordinance would: 1) make ADUs converted from existing floor space such as basements, garages, and accessory structures and all JADUs subject to the existing ADU capacity limitations in the Christmas Tree Overlay District; 2) provide an option for discretionary design review to allow non-clerestory windows in ADUs; and 3) it would make non-substantive cleanup changes and clarifications to Chapter 18.31. None of these clarifications change the meaning or intent of the previously adopted Ordinance No. 992.

Ms. Battaglia stated on January 21, 2020 the Town Council adopted Ordinance No. 992 and began a process of amending the existing ADU ordinance to make improvements to regulations and be consistent with new State ADU laws which took effect January 1, 2020.

On February 3, 2020, the Town submitted Ordinance No. 992 to HCD for review, per state law. Staff contacted HCD and verified that HCD has not yet reviewed the Town’s ordinance. On February 11, 2020, the PC conducted a public hearing and adopted a resolution recommending the Town Council amend Chapters 18.18 and 18.31, with recommendations to include an option for discretionary design review to allow non-clerestory windows in certain situations with design review approval or written approval from the adjacent property owner.

On March 2, 2020, the Town Council conducted a public hearing and introduced Ordinance No. 993. The second reading was originally scheduled for March 17th but it was postponed due to Marin County shelter in place Order.

Ms. Battaglia then pointed to the Christmas Tree Overlay District in red hatch marks, and the Town’s ADU ordinance currently limits the number of ADUs in a substantial portion of the overlay district. These limitations apply to new attached and new detached structures that create new floor area but not to interior ADUs such as a basement and also not to

JADUs. 25 ADUs are allowed throughout the Christmas Tree Hill area, and these numbers were established in the mid-1990's when the overlay district was approved.

The Town's ADU ordinance adopted in 2016 as well as Ordinance No. 992 exempts ADUs located within an existing structure and all JADUs from the capacity limit in the Christmas Tree Hill Overlay District. Since 2016, public safety concerns about fire risk and evacuation challenges within portions of Christmas Tree Hill have intensified because of recent wildfires in northern California. In light of these concerns, the Council is considering further amendments to make all types of ADUs, including those converted from existing spaces and JADUs subject to the existing capacity limitations in the Christmas Tree Hill Overlay District.

She displayed the 11 capacity districts in Christmas Tree Hill, and she pointed to the highlighted lower portion of approximately 30 parcels which are not included in the capacity district. She referred to a table representing the percentage of allowable ADUs for each of the 11 capacity districts and also the total number of allowable ADUs. The majority of existing capacity districts is at maximum capacity. There are currently three districts that have remaining ADU capacity which include Capacity District #1, #3, and #11. She pointed out that the numbers are based upon current ADU restrictions and it does not include interior ADUs approved since 2017.

Ms. Battaglia concluded her presentation and stated there are several options available to the Town Council: 1) adopt Ordinance No. 993 as presented; 2) amend Ordinance No. 993 and re-introduce the ordinance as amended; 3) direct staff to make changes to the proposed ordinance and bring back the ordinance for the Council to consider re-introducing; 4) decide not to adopt Ordinance No. 993 and provide no direction to staff regarding further amendments; or 5) continue the item to a future date.

Councilmember Ravasio opened the public comment period.

Councilmember Lee commented that there were a couple of public comment letters the Town received. Ms. Battaglia added there were three additional public comments after the agenda was published which are included in the handout section as well.

INGA MORRISON writes: COVID-19 has shown population density is a huge hazard. She asked why the Town Council wants to increase its density and thinks ADUs could become a hazard. She asked that any ADUs be owner occupied to prevent many homes to have one ADU and one JADU included in the house plan and rent out the main house. This increases the population from one couple to 6 adults and 2 children and from one car to 6+ cars, increased noise, increased school population, and no positive impact to the Town.

LOUISE BROWN congratulated new Councilmembers and thanked them for appointing her to the Parks and Recreation Commission. She asked the Council to implement sustainable limits on density in areas with narrow streets and limited egress given evacuations during an emergency and response by emergency vehicles and personnel during a wildfire event. She spoke of Larkspur's ordinance which recognizes certain hillside areas which are vulnerable and do not allow new ADUs or JADUs and specifically excludes them on Marina Vista and Sunrise Lane which are part of Christmas Tree Hill. She then cited statistics of the already 1,131 wildfires which is a 60% increase over the last year and the increase in the number of people attempting to escape from ADUs and JADUs. She asked to put residents' safety at the forefront of the Council's decision-making and asked to adopt Ordinance No. 993.

LUCINDA SMITH wrote to raise concerns in the past regarding ADUs and JADUs and requested Chapman Park specifically Alta Way, Alta Terrace, Lower Sausalito, Fairview, Madrone and related adjacent streets be identified for special consideration regarding limitations for ADUs and JADUs included in the overlay district for Christmas Tree Hill. She cited narrow and winding streets, addition of vehicles with ADUs and little parking,

evacuation of residents and limiting new building permits.

MICHAEL HARLOCK wrote and thinks the newest amendment to the Town's ADU regulations as proposed reinstating arbitrary ADU quotas from the 25 year old Christmas Tree Overlay District is a big step backwards for housing diversity. It is likely the State and HCD will review this restriction to be contrary to the intent of current State ADU policy. The minimal three-member majority who approved the current amendment did so fully aware of this likely outcome, and he thinks notification of the Council's intent to adopt the ordinance should indicate it is subject to HCD's approval and he believes it is a hardship for those needing income during the COVID crisis. The Fire Marshal's statements that ADUs could worsen fire conditions ignore the vigorous work to remove vegetation by coordinated response teams. There is a trend to tear down small homes and replace them with larger homes, adding much more to traffic levels and congestion during construction. He thinks the ordinance represents spot zoning not applied to similar hillside neighborhoods in town and it will make the town's RHNA allocation that much more difficult to proceed and opposed the ordinance.

DAVID KUNHARDT wrote on behalf of him and his wife who have been involved with the association and the Christmas Tree Hill NRG with many hours of volunteer support. He is communicating as a resident and not Councilmember and said the Town has successfully required 2 dozen homes that were to be renovated to create a minimum of two off-street parking spaces each. In their case, they were required to create four spaces. It is also possible to prohibit new water and sewer connections and prohibit new structures to be built out of existing homes. The present ordinance takes a path that is at the far end of the spectrum of possible actions prohibiting any internal space in existing structures to be used separately by a second household, even if there is separate egress, more than sufficient parking and no new water or sewer hookup. He likened this tool to a blunt instrument that removes individual property rights from all residents no matter where they live on Christmas Tree Hill or what conditions prevail and he asked that it be abandoned for more precise planning tools.

Councilmember Ravasio closed public comment and asked for questions of Councilmembers from staff.

Councilmember Casissa stated if the Council adopts the Ordinance and HCD reviews it and indicates they want changes, he asked if the Council has the opportunity to amend it or he asked if there were any ramifications going that route.

Ms. Battaglia replied the Council has the ability to amend its ordinance if comments are received from HCD. This current ordinance has not been provided to HCD and staff forwarded the previous Ordinance No. 922 which was adopted in January, and no comments have yet been received.

Councilmember Casissa asked and confirmed that the Council could adopt the Ordinance and not hear back from HCD for a number of months.

Councilmember Ravasio stated the Council has received comments in the past that JADUs do not increase density, but he has a spare bedroom at his home with outdoor access and a bathroom and could wall this off and rent it. Someone would move in and have a vehicle, and he asked if this would be an increase in density in the neighborhood.

Ms. Battaglia said yes, it would be an increase. She clarified that a JADU is limited to a maximum size of 500 square feet and it must be converted from an existing bedroom in the residence and have a separate access.

Councilmember Ravasio stated this item was heard as a directional meeting, and then a first reading and both items were discussed with the public. In both cases, the direction was 3-0 to move ahead with this. He commented that the zoning code was written in 1993

with help from the Christmas Tree Hill community and it stated: "The roads on Christmas Tree Hill are steep, narrow and winding. There are many small developed lots with severely limited off-street parking. Christmas Tree Hill is heavily vegetated and developed with numerous, older wooden structures resulting in high fuel loading and severe fire hazard".

He said it is really difficult to get around up Christmas Tree Hill and he displayed a photograph of 74 Summit showing a gas leak this week and a fire truck parked showing cars and trucks backed up behind it. This is why density on Christmas Tree Hill is an issue, noting no cars can get by and if there is a fire and people are trying to get out, it will be a huge problem. Climate change has made the fire situation worse in California.

Secondly, Christmas Tree Hill is already a major fire issue for the town and last year, the Town spent approximately \$350,000 on vegetation removal on the hill lifting canopies and clearing paths to improve safety. Also, he works in real estate and fire insurance is already an issue for residents on Christmas Tree Hill and he recently got an estimate for an 1100 s.f. house below Summit where fire insurance would be \$2,700 a year. He has also been told by a State Farm representative that they want out of all policies in California WUI and for now, the State is banning cancellations but this will affect residents up there. Also, in apply for fire insurance, they send a representative to the house, take a tape measure, measure the width of the road and parking space to ensure fire trucks can pass.

He stated parking is also an issue and he walks Christmas Tree Hill a couple of times a week and there are 21 spaces from lower Summit fire road to the top of Hill Path which is part of the walk. He began counting and almost every day, all of the 21 spaces are already filled and also usually cars parked illegally. This ordinance does not require parking spaces for ADUs and this will make what is already a bad situation worse and potentially force current residents to park elsewhere, potentially at the bottom of the hill.

Lastly regarding HCD, other towns are facing this same problem and will be addressing this. He has contacted Assemblyman Marc Levine's office and talked about working together with other towns to ensure to get this through the State and make sure it passes, as other towns will have the same problems. The State does not want to increase the danger of fire deaths and the Town does not want to increase density out there than it already is.

In summary, the Council's job is to protect the public's health and safety and he thinks it is essential that the Council adopt the Ordinance tonight to do that to protect residents from what is already the most dangerous fire area in town. This is about 6% of the households in town and that means they would allow the ADU law in 94% of households. While it might be difficult, most residents would appreciate this if passed. Therefore, he was strongly in favor of it.

Councilmember Casissa completely agrees with the safety issues which should be the number one factor. He lived on Christmas Tree Hill for about 12-13 years in the early 1980's and 1990's and he has been walking to the top of Summit and recognizes the safety factors there.

Councilmember Lee said when he was on the PC he was the dissenting vote on the PC because as an advisory board they were supposed to thoroughly vet and give recommendations on the totality of it to the point it is approvable for the Town Council. At the time, he had more questions and wanted to see more evolution before it went to the Council so he dissented at that time. In its current form, Chapter 18.31.050; the procedures for interior ADUs and JADUs alleviates what his concerns were about interior spaces and the ability for people to address them and it only allows certain processes of the conversion of that space, which is the more lenient and less reviewable JADU process. Because of that language, he can now see that people still have a pathway to explore that and whether it is appropriate in that area.

He agrees that the considerations are much greater for the Council in just the planning of real estate rights and zoning, and fire safety is critical. As a Councilmember he does not feel comfortable going against the advice of many Town officials and the majority of residents and what they would like. Therefore, he can make the findings and approve the Ordinance.

MOTION: Moved by Casissa, seconded by Lee, and approved unanimously by the following roll call vote: 3-0-2 (Ayes: Casissa, Lee and Ravasio; Noes: None; Recused: Beckman; Kunhardt)

To adopt Ordinance No. 993 to amend Chapters 18.18 (Special Purpose Overlay District) and 18.31 (Accessory Dwelling Units) related to Accessory Dwelling Unit regulations to (1) Make Accessory Dwelling Units ("ADUs") converted from existing floor space, and all Junior Accessory Dwelling Units, subject to the existing ADU capacity limitations in the Christmas Tree Hill Overlay District, (2) Provide an option for discretionary review to allow non-clerestory windows in ADUs, and (3) Make non-substantive clean-up changes and clarifications to Chapter 18.31

Noted Present:

Mayor Beckman and Vice Mayor Kunhardt rejoined the meeting.

- B. Consideration and Possible Action to (1) Approve Amended Budget Increase of \$169,500 for a total amount of \$319,500 for Skunk Hollow Park Improvements; and (2) Approve Plans and Specifications and Authorize Public Works Director to Advertise for Skunk Hollow Park Improvements, Project No. 20-003

Public Works Director R.J. Suokko gave a PowerPoint presentation and described the project which has been under development for several years, and he described its review by the Parks and Recreation Commission and work with various vendors for playground equipment.

Items leading to increased cost result from an expanded footprint of the three-bay swing set, triggering of a handicapped parking space, added accessibility and softness from the what is a porous site and the ability for someone to recover from any falls, a sand area with a water feature, and the rock climbing feature. The items were generated from many conversations with the public, residents and the Commission and staff seeks action to approve the increased budget, plans and specifications, and authorization for him to advertise for the project.

Town Manager Cusimano added that when he became the Town Manager in 2016, one of the most important park projects he heard from residents, staff and the Commission was Skunk Hollow Park. As they prepared, it is difficult to budget because of the many factors. He estimated at the time a \$150,000 placeholder for the project for the Council to approve in the budget to begin the process of what the project would look like. As Mr. Suokko said, ADA came into play and neighbors wanted to get away from bark and provide safety.

They arrived at this current project which he supports and stated the project will be 100% covered by Measure A park funds. At the end of the year they will have approximately \$344,000 in the fund and the project is an appropriate use.

Councilmember Lee said it was mentioned that the rubber base is a premium cost. He asked if this is a first-time or long-term cost, given the rubber's lifetime use of about 20-30 years, whereas bark is continually renewed each year and has other considerations relating to health and safety. He likened it therefore to a budget decrease and asked for comment.

Mr. Suokko agreed and said many rubber products are recycled and sustainable and he

would argue that the maintenance cost is therefore removed. It is more accessible, lower maintenance, more sustainable and permeable and less liability for the Town.

Mayor Beckman said his understanding is that because this is being funded through Measure A funds which are restricted to only park uses. Mr. Suokko confirmed funds are strictly limited to expenditure of parks projects.

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

Councilmember Casissa thanked Mr. Suokko and staff for doing a great job on the conceptual design of the project, noting they listened to what the neighborhood wanted. He asked if the sign could be refreshed a bit which might be outdated based upon the new project. When getting closer to the actual construction, he also asked to notify the immediate neighbors directly across the street and a neighbor next door to the park.

Additionally, he stated he attended the Parks and Recreation Commission meeting last night and restrooms were brought up three or four years ago. At that time, none of the neighbors wanted them including porta-potties and he believes this went to the Town Council who was also against it.

Councilmember Lee referred to the water feature and stated he has seen other parks in the region that utilize that. It is an on-going maintenance issue and many parks that have them have shut them down over time, which is disappointing. His only other concern with it is that when water scarcity is also an issue the State is faced with, while he thinks it is a great use of water, the life cycle of the water might be better used elsewhere for irrigation, etc. and suggested a maintenance program for it if the Town installs it so it functions over time.

Councilmember Ravasio stated he thinks this is a great project and improvement. They have addressed this for a number of years and voiced support to move it forward for approval.

Mayor Beckman agreed and said Skunk Hollow has not changed much from when he was a child playing on it and residents have voiced support for the project, as well as the fact it is being paid for with Measure A dedicated park funds.

Vice Mayor Kunhardt agreed with comments and thanked Mr. Cusimano for his involvement with the improvements.

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

To (1) Approve Amended Budget Increase of \$169,500 for a total amount of \$319,500 for Skunk Hollow Park Improvements; and (2) Approve Plans and Specifications and Authorize Public Works Director to Advertise for Skunk Hollow Park Improvements, Project No. 20-003

C. Consideration And Possible Approval Of The Use Of \$200,000 From The Measure B And Measure F Sales Tax Fund For The Small Business COVID-19 Disaster Relief Fund

Town Manager Cusimano stated the item has been discussed over the last two Council meetings and he has worked closely with the Mayor to develop this program to offer relief similar to aid rendered by the County of Marin to Novato, San Rafael and Mill Valley. The small business community has been the backbone of Marin's economy and a strong contributor to the high quality of life within the Town. When COVID-19 swept through the area, many small businesses took a huge economic impact and the brunt of the shelter in

place mandate. Many businesses and employees have been impacted in various ways, with quick action needed.

There have been both state and federal packages in loans and grants to support small businesses, but the Town felt it necessary to help bridge that gap. Even though the grant is \$1,000 to small businesses, anything helps until the town slowly re-opens. The Town initiated a Small Business COVID-19 Disaster Relief Fund and it was put in place and created to help maintain a cash flow of financial solvency during this crisis to help bridge the gap for businesses.

On page 2 of the staff report, staff outlined the relief fund and application process and they are following the County's model. They are also looking specific to the Town's small businesses and used 4 criteria, as well as a past application as Attachment 2 of the report, which he described.

Under the leadership of the Mayor, County Supervisor Rodoni and Chamber of Commerce Executive Director Julie Kritzberger, they put together a program of funding. The Chamber donated \$25,000 which was earmarked for the 4th of July parade which will not occur this year. Supervisor Rodoni agreed to support businesses with \$10,000 of assistance which is based upon population. The difference will be funded by the Town, and the difference is \$78,000.

Staff had to develop a plan as shown in Attachment 1 and 2 for criteria which was developed by Administrative Analyst Barrera who headed the program with the assistance of Ms. Vaughn, Ms. Carrillo, Ms. Azevedo and Ms. Kritzberger. There are 511 businesses in Town and this team, along with Parks and Recreation staff, emailed, called or mailed them to notify them of this program. The application process was then opened and closed within ten days. On page 3 of the chart, 120 applications were received and 113 were approved each for \$1,000 grants. The 7 not approved did not have businesses in the Town or their business license was expired.

He read from the report, stating *"Approximately 90% of the revenues generated from local sales tax are paid by visitors and even on-line shoppers. If the Town is unable to help businesses stay open, the community will lose the opportunity to increase sales tax funds which are actually leveraged by these regional shoppers for the benefit of local property owners, business owners and visitors to enjoy the Town's roadways, open spaces and our amenities. Giving a helping hand to our businesses means more jobs stay in Corte Madera and Corte Madera residents contribute to these local businesses without having to go elsewhere. Therefore, this fund should not be seen as a benefit only to business owners but a benefit to our entire community."*

For the first round of grants, the request of the Council is to authorize the \$78,000 expenditure which is the difference for the 113 grants. Staff believes this process has been successful and he noted at the next Council meeting, the Council will hear what can be done for their low income residents in need, as well and will be asking for a second round and this is how they got to the request for \$200,000.

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

Councilmember Ravasio said he thinks this is a terrific program, given the Town is dependent upon sales tax revenues than any other town in the county. Taking care of the business community is tremendously important and he thinks it is incredible that staff was able to contact that many businesses and voiced support for approval.

Vice Mayor Kunhardt agrees and thinks the partnership will be even more necessary moving forward. The amount of money for businesses is potentially life-saving for some businesses and he thanked staff for their work.

Councilmember Casissa echoed comments and asked when staff expects the second phase to occur.

Mr. Cusimano stated with the Council's authorization tonight, they expect to immediately roll it out.

Councilmember Casissa asked if there was a way to identify those businesses that have received grants, and Mr. Cusimano stated all applications and information is public record. Any personal information can be redacted, and he will discuss this with staff and coordinate with the Town Attorney to post this.

Councilmember Lee said he also agrees the Town, County and Chamber are able to do this and likened it to government not being a fair weather friend. The Town relies on its businesses and they are being adversely affected. He likes they can do a lot above and beyond any means that are derived from outside the town. He also thinks of it as an investment and business-friendly approach for why businesses in the future might want to consider being here. They will not only retain businesses here but will grow them as well.

Mayor Beckman echoed comments and thinks this is one of the best uses of money at this time, because it is not just relief but investment in businesses that pay for services that everybody benefits from and voiced support.

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

To Approve the Use of \$200,000 from the Measure B and Measure F Sales Tax Fund for the Small Business COVID-19 Disaster Relief Fund

7. COUNCIL AND TOWN MANAGER REPORTS

A. Verbal Update from Town Manager Regarding the Following:

1. COVID-19 and Current Fiscal Impacts to Town

Mr. Cusimano asked and confirmed with the Town Attorney that he could make a brief report on the shelter in place information which is not listed on his Town Manager's report.

Mr. Cusimano stated he did not have any updates regarding the fiscal impacts for COVID-19. Tomorrow, staff will get the close of the sales tax revenues from the last quarter ending March. Even though COVID began the last two weeks of March, this will indicate how many small businesses were actually taking the opportunity with the deferment of sales tax payments and start to build that into the Town's revenue projects for the end of the fiscal year and into 2021, and staff will be reporting this to the Council via the Finance Manager. While businesses will defer sales tax, the Town has enough to cover those deferments to offset over the next 12 months; however, they worry about small businesses that close.

He had reported how impactful some of the direction has been in the Marin Recovers movement in how they re-open. Staff and local members are involved in providing recommendations on how to re-open restaurants, parks, enforcement of the order, and one major changes in the order has been curbside pickup and are able to re-open for business effective Monday. Staff is working closely with all business owners.

A few weeks ago within the town and at the request of the County Health Officer, the parking lots to all parks were closed in the County. Residents were coming into the County from outside the County and causing problems in recreation areas. The order now allows for parking to re-open and residents can drive to parks, walk through the park without congregating.

In moving forward between now and June, he could see basketball courts opening soon, benches and tables opening up, and the one change is that parking is closed at the top of Summit because of its tight space, as well as Ring Mountain along Paradise Drive. While it is open for residents, parking is closed. If the parking remains closed, the Town may open a permitting program to allow residents only to park along Paradise Drive.

He explained that the Governor sets the mandate and the County Health official can only go to what the Governor states and cannot go past that. The six Bay Area counties had more strict orders up until last week than the Governor's order, so they now have mirrored the state.

2. Update on Communications Plan

Mr. Cusimano stated the Communications Plan is a priority from the Council's retreat in February. He and the Mayor and Assistant Town Manager met with Jen Reidy today and are entering an agreement for \$4,200 to provide services to evaluate the Town's communications and providing them with recommendations moving forward. It will consist of a survey, interviews, and evaluating all Town systems. This process will take anywhere from 4-8 weeks and staff will provide updates to the Council.

Last week, staff continues with the Mayor meeting virtually with the community on a weekly basis with departmental staff involved and providing updates, similar to "Coffee with the Cops". They have had 15-20 residents participating and asking questions, and it has been successful.

Vice Mayor Kunhardt cited the estimate for the consultant is lower than what staff had originally projected. He thinks the virtual meetings are great and he asked when they will remove the orange capture nets from the public benches, given he believes they are a hazard and has seen people sitting on them. Mr. Cusimano agreed to work on this issue.

Councilmember Lee referred to Mt. Tam parking and while the Town owns the parking spaces, he asked if this was part of the watershed which has not opened. Mr. Cusimano clarified that specific to Mt. Tam, it is not opened. Even though parking is not in the Town's jurisdiction, the Town does not have a right to allow people access to the watershed. Ring Mountain is different where they have some flexibility, but the recommendation is to try and keep it open to residents for Tiburon and Corte Madera but to try and limit it from those outside.

Councilmember Casissa asked if the Town needs to re-affirm the state of emergency at some time or he asked if they will not be needed. Mr. Cusimano stated he and the Town Attorney will follow the County as they have their EOC activated. He believes it must be re-affirmed by the Council at least two months after enacting it, so they are still within that period.

Ms. Stricker said generally under state law, a declaration of a local emergency must be enacted every 60 days; otherwise, it dies on its own. But, the Governor suspended that rule with respect to this particular emergency so the local emergency will go on until the Town affirmatively acts to end it.

Mr. Cusimano said they also have state and federal funding at stake under the declaration, so they want to be thoughtful in how they evaluate that. As well, they talked about a process where they have the authority to make expenditures and decisions outside his normal authority, and in any decisions he will bring these back to let the Council know for the public record. However, he really has not had to make any decisions outside of the Town's budget or his normal authority.

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

Mayor Beckman thanked staff for their fantastic work, and voiced appreciation.

- Council Reports
 - Councilmember Casissa gave the following report:
 - He reported on his attendance to the MCCMC Economic Recovery Committee.
 - He reported on his attendance to the Sales Tax Oversight Committee last week and also the Parks and Recreation Commission meeting.
 - Councilmember Lee had no report.
 - Councilmember Ravasio gave the following report:
 - He attended the Ross Valley Paramedic Authority meeting and Chief Weber reported they had been testing 20 to 40 firefighters a day for COVID-19 and none have tested positive. He noted that every time they use an ambulance they have to be decontaminated afterwards in what is a 2-3 hour process.
 - He reported on his attendance at the CMPA meeting and approved their new budget and are keeping the Town's contribution the same as it was as last year's, and they will utilize reserve funds for all three agencies.
 - He reported on his attendance to the CMFA and Chief Shurtz will retire. Fire Marshal Ruben Martin will move up and take over. They approved hiring a Hazard Mitigation Specialist because they will receive funds from Measure C for management of wildfires, with over \$700,000 a year from them with \$321,000 for Corte Madera. He believes they will be hiring Todd Landau who is the FIREsafe Marin Council Coordinator. They also approved a new budget, and Corte Madera's contribution is about the same as last year, and he was elected Chair for this year.
 - Vice Mayor Kunhardt gave the following report:
 - The Marin Telecommunications Agency is in their last month collecting \$50,000 coming to Corte Madera in franchise fees, with the MGSA handling their operations in the future.
 - He and Mayor Beckman co-led a second meeting of the Climate Action Committee with a majority of volunteers.
 - He was sworn in as a Boardmember for MCE and Mayor Beckman was sworn in as an alternate, and their next meeting will be on Thursday evening.
 - He serves on the Financial Advisory Committee to the Larkspur-Corte Madera School District and it looks as though the expected shortfall is close to \$1 million. The Governor provided an update of the Statewide budget and had to make significant reductions, including all schools.
 - Mayor Beckman gave the following report:
 - He attended the Police and Fire Council meetings with Councilmember Ravasio.
 - He chaired the Climate Action Committee meeting with Vice Mayor Kunhardt and they are working on the draft of the new plan for the Council.
 - He participated in the weekly MCCMC Economic Recovery Committee with Councilmember Casissa and is working in concert with the Marin Managers Association to try and share best practices to help the local economy.
 - Regarding weekly chats, he complemented the Town Manager and held their first one last Tuesday at 11AM where residents can tune in and ask questions, which has been a successful outreach tool.
 - He attended a CMSA meeting last week and the agency is in good shape.

8. REVIEW OF DRAFT AGENDA FOR UPCOMING TOWN COUNCIL MEETING

A. Review of Draft Agenda for June 9, 2020 Town Council Meeting

Mr. Cusimano stated staff has been a bit delayed with the Council retreat but is meeting individually with directors and given the change in the date for the next meeting, he can work with the Mayor to present the upcoming Work Plan to the agenda.

9. ADJOURNMENT

The meeting was adjourned at 8:23 p.m. to the next Town Council Meeting on June 9, 2020 via videoconference.