

MINUTES OF OCTOBER 15, 2019

**REGULAR MEETING
OF THE
CORTE MADERA TOWN COUNCIL**

Mayor Andrew called the Regular Town Council Meeting to order at Town Hall Council Chambers, 300 Tamalpais Drive, Corte Madera, CA on October 15, 2019 at 6:31 p.m.

1. CALL TO ORDER AND ROLL CALL

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

Councilmember Absent: None

Staff Present: Town Manager Todd Cusimano
Town Attorney Teresa Stricker
Planning and Building Director Adam Wolff
Fire Marshal Ruben Martin
Senior Civil Engineer Jared Barrilleaux
Town Clerk/Assistant to the Town Manager Rebecca Vaughn
Code Enforcement Official Mike Moriarty
Administrative Analyst Tracy Hegarty

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

2. OPEN TIME FOR PUBLIC COMMENTS

ROY WOLFORD spoke about his home in Mariner Cove built on landfill Bay mud in 1974 and FEMA's mapping in 2009 which led to parts of the Town being placed into the flood zone, described severe flooding in Corte Madera in 1982 and climate-related threats, risks for earthquakes, liquefaction, and other disasters, and questioned why the Town Council has not worked with Marin County to form a JPA for a flood parcel tax, given flooding has been the number one issue and threat since 1982.

3. PRESENTATIONS

- A. Update Regarding Transfer Agreement Details and Resolution of Encroachment Matter at 800 Corte Madera Avenue
Presentation provided by Scott Hochstrasser from IPA, Inc. (International Planning Associates) and Joshua Steinhauer from Coblentz, Patch, Duffy & Bass.

Scott Hochstrasser, land use planning consultant, stated he is assisting the owner of 800 Corte Madera Avenue with resolution of an encroachment issue, which is shown in Exhibit A, stating his clients want to resolve the issue and clear the title. They have been successful in getting a transfer agreement approved by the County of Marin Open Space District and the agreement has several land use steps. The major advantage to the communities of Corte Madera and Mill Valley is that not only is the client willing to pay market value for the 21,000 square feet of land area, but is also offering a \$250,000 donation to the Open Space District that would be used for fire fuel management in the Alto Bowl Open space area.

Several complex steps are involved with transferring the land and he presented what would be brought forward to staff and the Town Council for a final decision which would include a rezoning, a Sphere of Influence adjustment and possibly a General Plan Amendment (GPA), a lot line adjustment done by the Town's Zoning Administrator or Planning Commission, and transfer of title. There is also LAFCO (Local Agency Formation Commission) action to process the Sphere of Influence change, the de-annexation and the annexation.

Councilmember Kunhardt asked for future steps given the Council was not making any land use decisions tonight.

Town Attorney Teresa Stricker stated the Council can hold discussion and indicate their positions, but the Council would not make any decisions tonight.

Councilmember Kunhardt recognized the amount of property tax coming to the Town and questioned whether a GPA would be needed.

Director of Planning and Building Services Adam Wolff responded that the matter involved is mostly mapping actions and it is questionable as to whether a GPA would be required. Clearly, the zoning maps and Town boundary maps will need to be adjusted.

Mr. Hochstrasser added that he thinks the 21,000 square feet transferred to the Town would also be rezoned to residential because it is currently open space.

Mayor Andrews asked if there was the ability to monitor the funds going to the Open Space District in terms of their deliverability of vegetation management, mitigation and abatement. He also asked what the condition of the area was in terms of fuel load management.

Mr. Hochstrasser said while not an expert in that area, his understanding is that the previous owners actually managed a fire break for about 100 feet beyond the property line and beyond the encroachment. So, the financial contribution will go to the Open Space District for their management and application of fire fuels management program and Alto Bowl. He was unsure as to monitoring how the District spends its money, but this is what they have committed to do.

Mayor Andrews opened the public comment period.

Public Comments:

JEAN GREENBAUM, Casa Buena Drive, commented that after 20 years a homeowner took public land and used it for himself and she referred to the adage about act now and apologize later and if caught, buy your way out of it. She asked to know whether this is going on elsewhere on public lands and not being enforced.

Mr. Wolff stated staff is vigilant and monitors where improvements are being made and this question would need to be answered by the County. His understanding is that there was also a fine assessed to the property owner for that transgression of property rights.

Mr. Hochstrasser added that the transfer agreement has two values; one for the appraised value of the property and the other is \$250,000 which is a donation for fire fuels management and the Alto Bowl.

4. CONSENT CALENDAR

- A. Authorize Introduction and/or Adoption of Resolutions and Ordinances by Title Only.
(Standard procedural action – no backup information provided)
- B. Adopt Resolution No. 44/2019 (1) Endorsing the Madera Gardens Neighborhood Response Group Disaster Preparedness Drill, (2) Allowing One Temporary Sign in the Public Right-of-Way from October 28, 2019 to November 4, 2019 Publicizing the Madera Gardens Neighborhood Response Group Disaster Preparedness Drill on November 3, 2019; and (3) Determining that the Project is Exempt from the California Environmental Quality Act (CEQA) Pursuant to CEQA Guidelines 15061(B)(3)
- C. Adopt Resolution No. 45/2019 (1) Endorsing the Christmas Tree Hill Neighborhood Response Group's Disaster Preparedness Drill, (2) Allowing One

- Temporary Sign in the Public Right-of-Way from October 16, 2019 to November 4, 2019 Publicizing the Christmas Tree Hill Neighborhood Response Group's Disaster Preparedness Drill on November 3, 2019; and (3) Determining that the Project is Exempt from the California Environmental Quality Act (CEQA) Pursuant to CEQA Guidelines 15061(B)(3)
- D. Authorize Public Works Director to Execute and Record a Notice of Completion for the Sanford at Casa Buena and Meadowsweet – Traffic Congestion Relief, Project No. 15-015
- E. Approve General Fund Revenue and Expenditure Report for September, 2019
- F. Approve Accounts Payable Warrants for September, 2019
- G. Approval of Minutes of the October 1, 2019 Regular Town Council Meeting

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

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

5. PUBLIC HEARING

- A. First Reading and Possible Introduction of Ordinance No. 989, An Ordinance of the Town Council of the Town of Corte Madera Repealing and Replacing Chapter 9.36 of the Municipal Code to Update and Clarify the Regulation of Excessive and Offensive Noise

Town Manager Cusimano stated on October 1st the Town Council considered the proposed ordinance. After discussion and public input, the Council directed staff to consider and bring back additional revisions in three areas: 1) reducing the maximum permissible noise levels for mechanical noises from their chart; 2) considering whether to restrict weekend hours during which noisy construction would be allowed; and 3) considering imposing a complete ban on operation of gas-powered leaf blowers.

In following up on conversations from the local neighborhood regarding the Post Office, it is important to differentiate the two issues regarding noise. The first is the noise ordinance that talks about leaf blowers, mechanical noise and other nighttime restrictions. As it relates to the Post Office, he referred to the bottom of page 2 under Enforcement Standards.

Per the Town Attorney's review, the Town is pre-empted from federal law from legislating the Post Office and cannot enforce standards or include the United States Postal Service (USPS) in the Town's ordinances and/or regulate them.

Mr. Cusimano then spoke at length about the Town's attempts to address issues from Post Office operations which impact the neighborhood, parking of postal vehicles, impacts to Pixley and Piper Parks, and early morning and late nighttime noise. There was also engagement with the Postmaster, the regional offices in Petaluma and San Francisco, and Congressman Jared Huffman in working to solve the many problems. However, given USPS's budget issues, MOUs (Memorandum of Understanding) with labor groups, they were unwilling to make any changes.

He then discussed steps in hiring outside resources to assist with engagement and evaluation of Town-owned sites for potential relocation, but it was met with silence. From the regional manager's perspective, if there was a way to help them with budget and transitioning and moving their services to multiple sites in the County, they were open to that, so there may be opportunities, but the Town, through the planning process, must be

able to help them transition. Therefore, this ordinance will not help the Town in any way regarding noise with the Post Office.

Mayor Andrews stated he was familiar with many airports having to pay to retrofit surrounding homes for soundproofing properties and asked if the property owner(s) could be asked to soundproof surrounding homes which are old, with little insulation and with single-paned windows.

Mr. Cusimano said their focus went to trying to problem-solve with the property owner and attempting to get them to engage, and they will continue to review this and determine if there are budget-wise standards to enforce and offset noise, but it is a very difficult location.

Councilmember Kunhardt asked and confirmed that the operation is full service, with various Amazon-like deliveries coming and going, and staff needs to determine whether these operations are something they can regulate outside of the Post Office. This was brought up by code enforcement today.

Councilmember Kunhardt said it seems that if there are wholesale warehouse types of functions that are going on here, those might happen in a warehousing part of town.

Mr. Cusimano said then the issue comes to the labor group which refuses to work outside of the Town of Corte Madera given they have been assigned to this Post Office.

Mayor Andrews asked and confirmed they were still waking up Fire Department personnel, and Mr. Cusimano recommended the matter be agendized specific to the many issues in order for staff to obtain direction from the Council.

Moving on, Mr. Cusimano referred to Attachment 3 which is the redlined version of the ordinance, and he suggested walking the Council through section by section.

- He requested adding a word to the third “Whereas” clause which states, “In recent years, the continued increase use of leaf blowers has become an additional and significant source of distributing noise in the Town.”
- Page 2; removed “unnecessary” and adding “offensive”, and also added language “At certain levels noises are detrimental to the health, safety and welfare of the citizenry and in the public interest should be systematically prescribed and declared a nuisance.”
- Section 9.36.020 on page 2: They changed the timeframe a code enforcement officer has to measure ambient noise, which is critical to enforcing the ordinance. It was listed as 15 minutes which is not realistic. They are recommending changing that average to 5 minutes. Also, Section ii, the second sentence, last words states “15” should be changed to “5” minutes as well.
- Page 3 at the top, the definitions of a “mechanical device” was changed as well as a “multi-unit residence”. Leaf blowers as well as loud construction noise are exempted from mechanical devices, as these are approved through the Planning Department.
- Staff also changed how to select the location to measure noise levels and included specific language for someone doing this to simplify it.
- Page 4 , Section 9.36.030, is the chart which deals specifically with mechanical device noises which is defined on page 3, and it does not involve loud construction noise or leaf blowers.

The current ordinance lacks enforceability and staff focused on best practices, easy ways to measure ambient noise, and to come to a number that the Town can enforce as well as what the Town wants.

Based upon discussions at the last Council meeting with the help of Mr. Wolff, they reviewed the General Plan and came up with a baseline study conducted by Administrative Analyst Tracy Hegarty and Police Chief Michael Norton, who visited the various zoning districts during different times of the day and night. They also took feedback from the community and Council and the General Plan, and results from the noise study which was contained in Table 1 on page 5 which is the recommendation.

They took an average from the highway to areas tucked away in the community during the day and night, making sure they do not get into a situation where everybody is in violation of it.

Tracy Hegarty, Administrative Analyst, referred to the chart and stated she and Chief Norton used the Central Marin Police Authority's (CMPA) noise meter to take a variety of measurements in a variety of zoning districts with different noise characteristics of extremely quiet and active construction sites, the light industrial district, the Town Park during quiet times and during its most active periods on Saturdays with soccer games.

The far right-hand column shows the lowest meter reading which was 3-5 minutes. The high reading is on the far right column. An average range in residential is shown at the bottom, which is an average of all readings taken within any residential districts, including the more dense R2 and R3 districts. Underneath that are all other zoning districts which include parks and open space, light industrial and commercial districts.

Similar to the General Plan in Tables 8.1 and 8.2, they are seeing an average ambient residential noise of 44 to 50 decibels and all others at 55 to the low 60's. They did have some higher readings which caused spikes from an active construction site standing at the sidewalk and also children at Town Park, and the Council may see this reflected in column 3 on the right.

Mr. Cusimano referred to the next page and stated there was a robust discussion regarding loud construction and possibly changing the hours allowed on weekends. There seemed to be concerns about eliminating or limiting those homeowners wanting to work on projects over the weekend, so staff did not change or make any additional restrictions from what was presented at the last meeting. However, if Council were to discuss this, staff recommends 1) considering further restricting timeframes allowed for such construction or 2) banning such construction altogether on Sundays.

Mr. Cusimano then pointed out changes on page 6:

- In the middle of the page, "the Director of Planning and Building shall have the sole discretion to increase hours exempt from provisions of subsection A for construction for demolition work. Such decision shall be based on the likelihood of noise impacts to residential uses and the emergency nature and/or purpose of construction activities."
- Section 3: "Burglar alarms, emergency signal device and any standby machinery or equipment necessarily operated in emergency situations including but not limited to generators used in emergency periods such as during power outages."

Mayor Andrews asked if the Town could formulate a policy when issuing building permits that restricts Sunday commercial construction projects versus a flat out ban on all work.

Mr. Wolff stated, in practice, for projects approved at the Planning Commission level or design review, staff usually includes a provision to require no work on Sundays. He thinks this is the opportunity to make consistent all policies with regards to construction hours, so he would recommend making conditions of approval coincide with those policies.

Unless there are specific project conditions such as the Robin Drive project and timing with schools and drop-off's, other than that, he thinks it is better to have consistent regulations

in an ordinance rather than pulling it out individually for those that receive approval through design review versus the Planning Commission which does not work well.

Ms. Stricker clarified that this particular ordinance regulates noise so the hours set forth in the ordinance are the hours when construction and demolition are exempt from the decibel levels in the chart. There are certain types of construction that tend to be quieter such as painting where work is below the decibel levels in the chart and where there would be no restriction under this ordinance for working on Sundays or after hours. This may be different from what Mr. Wolff said which would be any work under a Conditional Use Permit (CUP).

Mr. Wolff likened his comments to construction which is noisy and those with added conditions of approval at the Planning Commission level.

Mr. Cusimano stated the Town relies on CMPA for code enforcement on weekends, but some other issues of the community relate to issues of staging early and starting early which staff has addressed and managed better. He continued with revisions made:

- Page 7, 9.36.040; the leaf blower restrictions. They started to mirror the CMPA JPA agencies, and in hearing comments, additional changes were made. A) They did an outright ban on gas-powered leaf blowers beginning March 1, 2020 because they felt they needed to give operators time to make the switch; B) restricted hours for leaf blowers for residential/multi-family properties which mirror Larkspur's, where on Sundays and holidays it will be unlawful for anyone to operate a leaf blower; C) Debris cannot be put down the storm drain system; D) they exempted the Town and the school district because the district has budgetary issues and large properties and Larkspur did so as well.

He exempted the Town given Council discussions but his intent is to move to battery and electric powered leaf blowers. He spoke about efficiencies of gas-powered leaf blowers, limited hours to perform the work, potential power outages, and additional crews needed to complete work without gas-powered equipment. Lastly, they can move towards electric and battery powered and not exempt the Town if the Council desires, but from an efficiency standpoint it should be considered. Regardless, they will probably go 80% battery powered or electric and 20% gas and would keep gas on hand for power outages.

- Lastly, page 8 includes the nighttime general noise regulations under 9.36.050. These used to be general noise regulations and they changed them to nighttime general noise regulations to address issues. There are a number of factors and an example is conversations, kids playing in front yards, excessive calls for service, people playing tag football, basketball, and many calls for service for kids playing Marco Polo in a pool. This is an issue and police get calls for service all the time for loud talking. They will still handle daytime issues the same way, but they need to add nighttime general noise.
- Page 9, Section 9.36.070: Violation, penalty and remedies. They want neighbors to talk with each and help problem-solve issues.
- Under repeat complaints on the bottom of page 9, it is important and it gives direction to enforcement where if in a situation, they are supported by the Town Council and Town Manager. If they find there are repeated complaints that cannot be resolved, he asked police and enforcement to spend time doing work it can solve.

Mayor Andrews referred to repeat complaints and asked if those are ever brought to the Police Council or Town Council.

Mr. Cusimano stated both Councils were aware of this and he explained that the revised ordinances will allow for proper enforcement.

Councilmember Kunhardt asked if 25 decibels above the residential average was too low a standard of violation given average residential ranges in the chart were in the 40's and some of the construction sites, soccer games and other functions are in the high 60's.

Ms. Hegarty explained that the ordinance regulates different durations of noise to determine whether it is a violation or not. She noted that 25 decibels and above would be limited to a duration of 10 minutes; 35 decibels and above would have a duration of 3 minutes, and the time is reduced the higher the decibel level. She thinks this is helpful to have this be included and understood as part of the standards.

Mr. Wolff added that playground and park functions are in all other zoning district categories and are not residentially zoned districts.

Ms. Stricker also pointed out that the decibels only relate to mechanical noises so kids playing soccer would not be regulated by this. If they were playing after 10 PM they would be regulated in the nighttime restriction, which again, is not this chart.

Mayor Andrews opened the public comment period.

Public Comments:

PETER HENSEL, Willow Avenue, said his concern is that homeowners like to work on their projects over weekends and asked that they receive an exemption and be able to do their projects within prescribed hours. He then referred to his complaints made from kids screaming constantly at the swimming pool which he had dealt with for 45 years and for that was labeled a "crank." With the help from police and the complex's management who most likely did not renew leases to unwanted tenants, the situation has greatly improved.

JEAN GREENBAUM, Casa Buena Drive, said she is on the Board of the Village Green Condominiums which has a lot of property and trees. Every Friday their landscaper comes out and uses the gas-powered blower for an hour every week. She is concerned that the battery or electric blowers may not be as efficient for their 29 units and questioned the financial impact on them. She asked if multi-unit residential buildings be given the same exemption that the Town and school district would receive.

STEVE HOFFMEIER, Colonial Flats, stated he came back from the last meeting regarding his comments about construction. He thinks people should be able to do work on weekends as he and his neighbor are both contractors. They could easily stop if they were asked to. Regarding the Post Office issues, he put in sound proof windows and put up a wall because it was a joke but to get the ball rolling.

He spoke about his being born and raised here with his dad as Mayor of Tiburon and spoke about parking of the Post Office, noting the Environmental Protection Agency (EPA) has authority over the USPS. He has also been in touch with Congressman Jared Huffman and also has a friend who owns the lot next to Marin Joe's which is huge. He suggested the Town purchase or lease it. They could develop senior housing there, a parking lot or relocate the Post Office there with two entrances in and out, and offered his assistance.

JIM ROBINSON, Ash, recognized the exhaustive time spent by the Town Manager on the Post Office issue and thanked anyone who could solve the problem. He thought a different location might be the ultimate solution, but stated the problem has gone on a long time and hoped the Town could get some help. For those living on top of a hill and having dealt with noise ordinance and studies, he has learned that sound follows line of sight so if you can see it you can hear it. He suggested the Town look at having asphalt surfaces added to the freeway to help reduce sound, given studies have indicated it can reduce it up to 9 decibels.

Vice Mayor Beckman stated he is somewhat skeptical of exempting the Town and school district from the leaf blower restrictions they are asking the rest of the community to abide

by, and Councilmember Bailey agreed with not exempting the Town, and he was unfamiliar with issues of the district. But, he strongly believes the Town subject itself to what residents are subjected to.

Councilmember Kunhardt spoke about Walk and Bike to School Day at Neil Cummins and a school employee operating a weed eater and another with a gas-powered blower. It was very loud but efficient. He asked and confirmed that the Town's multi-family properties are exempted from restrictive hours but not exempted completely. Therefore, he was inclined to say the Town should not exempt itself.

Councilmember Ravasio said he was supportive of not exempting the Town, but he knows all school districts are financially struggling and it is something that could harm them. He thanked staff for the thorough work and asked to pursue the Post Office problems. He thinks it is worth holding a meeting and be diligent to continue to solve the problem.

Councilmember Kunhardt asked if the 25 decibel difference between average and violation for certain periods of time is too low and asked if it would result in too many infractions.

Code Enforcement Official Mike Moriarty said staff took into account comments heard at the last meeting and they wanted to be within an enforcement range of around 70 decibels. They reviewed what could occur at 70 decibels, reviewed ambient noise between 50 and 65, and wanted to be over that. Therefore, 25 plus 65 is in the 80's, so they wanted to be conservative in terms of 25 decibels over.

He thinks this is enforceable and he also reminded everyone that the role of law enforcement is to resolve the citizen's complaint. He also conducted research with CMPA as to numbers of noise complaints and how they were resolved. In all they were resolved without issuance of a citation or enforcement action. In some instances there were late night repeat calls involving parties, and those required a second visit but were resolved. Ambient noise is constantly fluctuating and they spoke a lot about where the number should be, which they believe its enforceable and reasonable.

Mayor Andrews asked if the Town was to not use gas-powered leaf blowers if this could be done by March so the Council could see the effects from it. If it caused big problems they could receive that feedback.

Mr. Cusimano stated the Town could immediately switch and it would be a financial question.

Mayor Andrews commented that he sees crews not wearing headphones or ear plugs at times, and Mr. Cusimano stated this came up at the last meeting and they have conducted safety training and now are mandated to wear the correct equipment.

Councilmember Bailey referred to multi-unit properties and referred to 9.36.040(b)(2) for other properties. This allows for the use of leaf blowers beginning at 7AM whereas for residential properties generally they cannot start until 9AM. He asked if this was purposely written this way or not.

Mr. Cusimano stated this mirrors Larkspur's ordinance based on their discussions for large properties.

Councilmember Bailey said he agrees with Vice Mayor Beckman's point about 9.36.040(d) about not exempting the Town. He recognizes there is a cost but hopefully between now and March, the equipment can be replaced. Lastly, he asked what the penalties were for an infraction, as it used to be a misdemeanor.

Mr. Cusimano stated an infraction is a fine. Technically, a misdemeanor could require jail time.

Councilmember Bailey said he was prepared to make a motion.

Vice Mayor Beckman clarified that the Council will remove the exemption on the Town but leave the exemption in place for the school district.

Ms. Stricker clarified there are two different types of exemptions; one is the exemption for the ban on leaf blowers and the other is an exemption written in for the Town and school district as for the hours of operation for permissible leaf blowers. She clarified that the Council would like to remove the exemption for the Town as to the gas-powered leaf blower.

Councilmember Bailey referred to 9.36.040(d) and Ms. Stricker stated this provision exempts both (a) the gas-powered leaf blower ban and (b) which is the time restriction on use of permissible leaf blowers.

Mr. Cusimano asked that the Town still be permitted to start work at 7AM which would mirror multi-unit residences.

Mayor Andrews agrees with the Town not being exempt, supported the 7AM start time.

Ms. Stricker stated the Town Manager is recommending the time restriction would be the same as what are called "other properties"; for multi-unit residences and any non-residential property. She would recommend the following:

- Revise subsection b, subsection 2 to state, "No leaf blower may be operated at any multi-unit residence or non-residential property, and no leaf blower may be operated by on-duty staff or contractors of the Town, except between the hours of 7AM and 5PM on weekdays and between the hours of 10AM and 4PM on Saturdays."
- Remove "the Town" from the exemption listed at the bottom so it is an exemption for the school district. That extension would extend to the type of leaf blower and to the time.

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

To Introduce Ordinance No. 989, An Ordinance of the Town Council of the Town of Corte Madera Repealing and Replacing Chapter 9.36 of the Municipal Code to Update and Clarify the Regulation of Excessive and Offensive Noise, with amendments from the redlined version as part of the packet, verbal amendments provided by the Town Manager, and the Town Attorney amendments based on the record.

6. BUSINESS ITEMS

- A. Consideration and Possible Adoption of Resolution No. 43/2019 to (1) authorize the Town's participation in a Joint Exercise of Powers Agreement (JPA) to form the Marin Wildfire Prevention Authority; (2) authorize the Mayor to execute the JPA; and (3) request that the County of Marin place a Parcel Tax Measure on the March 3, 2020 ballot to fund the Marin Wildfire Prevention Authority

Mr. Cusimano stated the Council held a robust discussion at its last meeting and some concerns were voiced at the last meeting. Staff feels comfortable with the governance model and staff's recommendation is to authorize the Mayor to sign the JPA, and there are a few amendments that must be made which are in progress. The second recommendation is to ask the Board of Supervisors to place this on the March 3, 2020 ballot and it is important that there be a sunset clause within the amended resolution which is before the Council. On

page 2, the last "Whereas" clause in red adds "for a term of 10 years" as well as number 3 after the Now, Therefore Be It Resolved, it states "Now, therefore be it resolved, request the County of Marin place a parcel tax measure on the March 3, 2020 ballot for a term of 10 years."

He said the team has strengthened the citizens' oversight committee, included an up to clause in the parcel tax language, added the 10 year sunset clause, and there is an 80% return to source over 5 years in the operational areas. Local code and control remains with the local agencies. All 19 member agencies have been involved and staff feels like necessary changes have been made, the most critical being the 10 year sunset. Therefore, staff recommends the Council authorize the Mayor to sign the JPA and approve Resolution 43/2019, as amended.

Jason Weber, Marin County Fire Chief, recognized the work to date and said as they move forward, if there are logical modifications, these would be brought to the JPA Board. He cautioned amendment of the JPA itself because 10 agencies have already adopted this. He said he had a brief PowerPoint presentation.

Mayor Andrews referred to the tax ordinance under Section 8, and asked to amend the section number in the last paragraph, which states "...amend this ordinance to increase the maximum amount of the special parcel tax established in Section ~~2~~ 3." Also, in Section 3 where the special tax is described, it reads, "maximum tax per year for each property type shall be adjusted to reflect any increase in the consumer price index beyond the first fiscal year the parcel tax is levied. Change in consumer price index shall be calculated from February of the immediately preceding year to February of the current year or 1.03, whichever is less." He thought the cap was 3%.

Ms. Stricker stated she discussed this with the Town Manager, the County Administrator and County Counsel. This is in draft form and that change has been provided to the County to clarify that provision. There are some other clarifications, so the County will be revising this for final form. Unlike the JPA, this document is not currently in final form. What is before the Council does not currently have the sunset, but staff is recommending adoption of the resolution which makes clear that the 10 year term is part of the Town's request.

Councilmember Kunhardt asked what the Town's contribution might be.

Chief Weber clarified that based upon the tax study is \$803,265 which is inclusive and outlined in the tax study. He then provided a brief video presentation. He thinks almost without exception after having attended 40+ public meetings there is certainly a need. They have come together as professionals with a lot of input from stakeholders to develop what they deem as a sound JPA that will lead them into the future. Many of the changes have been incorporated and make the JPA even stronger.

The documents have been posted to the website and he clarified some of the Marin IJ comments, noting there are exemptions for churches and properties classified under use codes 60 and 61. Member agencies are lending their fire and taxing authority to the JPA which is the reason they are included. The voting weight allows smaller agencies to have a balance. This is well-engineered to have a large board be functional.

Regarding feedback received, the four public principles have been examined and are that 1) they have proven it is good public policy, 2) it is responsive to stakeholders, 3) it can get support of the 19 agencies and the public; and 4) it helps achieve the mission of the JPA.

He thinks the largest changes made are the return to source concept and assurances, and they are looking at a geographical area and not just the return to source by agency. They heard comments about local control and who maintains control of their codes and the JPA will serve at the councils' pleasure to codes.

Councilmember Kunhardt asked if the citizens' oversight committee will have a tax 'watchdog' participant and an environmental participant.

Chief Weber confirmed, stating it will consist of 9 members, a tax "watchdog" group, an environmental group, one member from each of the 5 geographical areas, and a non-partisan voter group such as the Marin League of Women Voters. That group will need to develop Bylaws, a meeting schedule, and an annual report and work plan.

Regarding funding sources, the main group and core functions are wildfire detection and evacuation system, vegetation management, grants, public education, and neighborhood wildfire preparedness for about \$12 million. Some of the first things that need to be done include a Countywide evacuation study to understand where their pressure points are and where focus and revenue sources need to be directed immediately.

The next piece is defensible space evaluations, specifically allowing them to support seniors and access and functional needs with a grant program. The grant program is coming out of the 60%. There is a lot of work to do, but expensive tree work does not need to be done at every home, as people can do modest improvements that have big impacts.

The local 20% piece is to accelerate something the Town is already doing now which could be for seniors, low income individuals, and the Town has the discretion as to how to use those funds in alignment with the voter initiative.

The Board of Directors is expanded to 19 as is the operations and budget. The Technical Advisory Committee is comprised of subject matter experts to work on projects collaboratively and also where environmental groups can come in along with a host of agencies, dependent upon the need, as well as the citizens' oversight committee.

The geographical zones outlined on the map represent those areas of Novato, San Rafael, Marinwood, County service areas within San Rafael, the greater Ross Valley (Fairfax side all the way down through Corte Madera) and Southern Marin and the larger area to the west, which is the western zone. The map in the packet has some errors and he distributed a revised copy to Councilmembers.

Chief Weber then briefly summarized the funding sources, structure of the parcel tax for various types and parcels, mandatory fiscal accountability, revised ballot language, timeline for the Board of Supervisors to hear the matter on November 5th and the 19th, and ultimately a successful election on March 3rd.

Councilmember Ravasio said one of the things he is seeing in his business is that houses are being sold and people are having a very hard time getting fire insurance. If this were to pass he asked if it would help that situation.

Chief Weber stated the insurance companies are tricky because their information is proprietary. They have seen agencies that take favor to FireWise communities and offer reductions of 10%. This lowers risk and many people feel an organized approach like this will either slow down or stop the non-renewal issues and the cancellations. They have been successful in getting assessments but not always successful. He is hopeful that with this organized effort at this level with this type of investment, insurance companies will recognize that.

Mayor Andrews asked what other programs and projects would be planned other than the first evacuation planning.

Chief Weber said they will work with each agency to identify and prioritize those, and ensure environmental compliance is met with them. When they are ready to go in March, the County has offered to front the money and they could start projects. From a planning perspective, evacuation routes are a priority and the plan needs to be ready to go with bids

done by July 1st. They have added pieces recently to accelerate the ability of return to source funds as the JPA builds momentum in that first year.

Mayor Andrews referred to page 67 in the wildfire study, table 15, and asked if those were an example for early on projects.

Chief Weber stated it is incumbent upon the agencies to drill down on those and some are broader than others. This table is a condensed version of the projects but a greater project lists exists within the CWPP, in Appendix B. Again, they will be working with agencies specifically on projects and also working on the environmental compliance on it to be ready. They are locally prioritizing the work in the 5 geographical zones, and those agencies that work collaboratively together will be able to capitalize on work.

Mayor Andrews noted that Corte Madera will be contributing tax dollars and a good portion of that will go outside of the strict jurisdiction that will be necessary to protect their borders.

Chief Weber noted that is the county-wide approach to this, but when looking at dollars, out of the 60%, 8% of that is vegetation management and a substantial amount still is delivered locally. Important to remember is that this is a holistic approach.

Mayor Andrews opened the public comment period.

Public Comments:

ROY WOLFORD said he has spoken with the local fire department, insurance agencies, and Corte Madera is considered not to be in a fire zone, and asked if they are exempted per code 60 and 61. He asked how they are dealing with radical vegetation management and not touching any environmentally protected areas. He spoke previously about the need for work with flood, earthquake liquefaction and other hazardous risks and asked that the Council address this, as he thought the Council had not been in favor of a parcel tax. He questioned why this would require property owners not within a fire zone to pay for those properties that are in a wildfire zone. He said the Council is taking the same position with the parcel tax as they did with the PSL's (Private Sewer Laterals) which does not treat people equally and fairly. Lastly, he asked each Councilmember to be polled to see if they are property owners.

RON ARLIS said he was on the Council for 20 years and worked with former Chief Cusimano. He was also on the 2018/19 Grand Jury which issued the fire report. Subsequently, they got together and formed the Citizens for Wildfire Preparedness (CWP) and proceeded to negotiate on behalf of citizens, professionals and administrators here. They were the ones pushing for an oversight committee and received assurances on this formation as well as the 10 year sunset clause. Regarding Mr. Wolford's comments, the Grand Jury reviewed this holistically as fire knows no boundaries, and they cannot separate out particular areas because fires affect all communities and their infrastructure. He knows from the flooding issues of the past which residents did not vote for and carving out individual parcels does not make sense. He strongly urged the Council to vote for the JPA because everyone will benefit from this.

MIMI WILLARD, Coalition for Sensible Taxpayers (CST) said from the beginning, CST felt a countywide approach to fire preparedness as advocated by the Grand Jury was the goal, but they encountered initial problems with some of the details. She thinks Corte Madera deserves a lot of credit by going first and raising a number of issues that needed discussion. This helped set a path forward. Adjustments were made and it is important that through the collaboration with all agencies, the taxpayer group, and the Grand Jury group they are coming together with something that has 'guardrails', with the essential one being the 10 year sunset. She voiced her support and hoped for an expeditious process moving forward.

JIM ROBINSON, Ash, said he also raised the concern about the lack of a sunset clause and appreciates seeing it in the resolution. Since the JPA will have the ability to issue debt, incur debt and issue bonds, he suggested looking at this with the 10 year sunset. Also, regarding the cap of 3% for the CPI, he asked what would occur if it is less and asked if 3% would be used regardless. He said he understood the tax would be assessed on commercial and residential properties on a square foot basis. He asked for the number calculated of this, and asked for Corte Madera's and how it corresponds to the amount of revenue they are generating and will receive to solve fire assistance.

He was intrigued by Tiburon Fire District's experience of not joining in which he thinks has some merit. Regarding the July report the Town sent to the Grand Jury, in response to their request, the Town mentions they are appropriating \$825,000 for measures in preparation as a community on an annual basis, and he asked if any of these funds have been expended and asked what will be the use and purpose of these funds in perpetuity if the measure passes.

Councilmember Bailey asked if on balance Mr. Robinson was for or against the JPA.

Mr. Robinson said on balance he was for it but was not in favor of a JPA. He stands firm on the opinion that creating another agency may have substantial debt relative to whatever contractors may be performing these services. Sometimes they are not always as efficient as they could be.

Councilmember Kunhardt commented that when the Town passed Measure F, those homeowners on the hill were asked to be supportive given risk to low lying areas, sea level rise and wildfire, they all came together and voted in favor. He asked to also remember Coffee Park which was a newer subdivision with 100% of its power lines underground and it burned to the ground because of wind and embers.

Councilmember Bailey thanked Chief Weber and Fire Marshal Martin for their work. He asked for an update of where they were with the matter politically. At the last meeting the Council heard, there were some agencies opposed.

Chief Weber said in a short timeframe, modifications were made for a better program. Subsequently, they worked with partners regarding revisions which further strengthened the unity. He sees it on a clear path, but it is unfortunate the Tiburon Fire District has bowed out. He then described unity efforts, and politically they have 10 member agencies. He feels based on discussions he feels it is positive, given questions have been answered. The process has been inclusive of bright people who care a lot and he thinks it will be success from here on out and would be surprised from agencies if they chose not to participate.

Councilmember Kunhardt asked for the number of organized FireWise communities.

Chief Weber stated they are just tipping 60 and said they are the fastest growing in the nation. Built into this discussion is funding a non-profit which will have to go out to bid, but using an NGO for public education is a great avenue and Fire Safe Marin has proven they are successful.

Councilmember Ravasio asked and confirmed with Chief Weber that a big part of this is planning and developing evacuation routes within neighborhoods which will be useful in all kinds of disaster.

Mayor Andrews said when the Town passed the sales tax override they set aside money for abating fire risk and put it to work. In looking at Corte Madera items, they have done almost all of them. He was sensitive to the decision made by the Tiburon Fire District, but he also knows that the Town will have to pay to clean up the Open Space District, the Watershed and while they should handle it themselves from their own budget, it most

likely will be put on the JPA. He noted that if the Council does commit, they recognize they are committed to subsidizing areas outside of the Town.

In terms of whether he is a property owner, he is. One issue he would like the JPA to agree upon after, and if the JPA is formed in March, is to set up a mechanism so in the future jurisdictions can opt-in later or be able to opt-out. He would not want to be in a situation where a jurisdiction in year 10 is very unhappy and they want out and the only way they can get out is by defeating renewal of the parcel tax. Hopefully, Tiburon will see the benefits and realize they are able to opt in.

Councilmember Ravasio stated the JPA will have to subsidize areas outside of the town because likely a fire will start there. In fact, people need to be aware of vegetation on their properties and where winds blow from and mitigate any fire risks. The Town needs to work on areas to make sure they protect the town and its people. He voiced support and said he has been the Town's representative on this for the last 6 months and is fully convinced the Council should participate.

Councilmember Bailey stated the addition of a 10 year sunset period to the tax was critically important. He appreciates the willingness to add this and that it was a team effort. He always remains cautious and apprehensive about government and taxes, yet this is one that feels like the right thing to do. People do have a responsibility to care for themselves and others around them, and he thinks this can be justified because fire can go everywhere, and he thinks this is money well spent going forward.

Councilmember Kunhardt said he has a number of friends working in the climate change arena, are part of Sustainable San Rafael and Sustainable Marin and they have been working with the Chief since the beginning. He noted that fuels management also means planting appropriate vegetation and they have been pleased with the way the effort has developed and are supportive as well.

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

To adopt Resolution No. 43/2019 to (1) authorize the Town's participation in a Joint Exercise of Powers Agreement (JPA) to form the Marin Wildfire Prevention Authority; (2) authorize the Mayor to execute the JPA; and (3) request that the County of Marin place a Parcel Tax Measure on the March 3, 2020 ballot to fund the Marin Wildfire Prevention Authority for a term of 10 years.

Councilmember Bailey said he did not disagree with the idea that the Town's second natural disaster is a flood-related problem which is far larger than they can handle on their own, but he thinks the larger community should be helping towns like Corte Madera prevent things like flood because they meet and talk on climate change, what other localities have done to address catastrophic flooding problems and he asked Mr. Wolford to understand that these concerns do not fall on deaf ears.

Councilmember Kunhardt added that there is also the Climate Adaptation Committee working on the issue of sea level rise and recession of certain lands.

B. Second Reading and Possible Adoption of Resolution No. 42/2019 To Amend Town Manager Todd Cusimano's Employment Contract by (1) Extending Its Expiration Date from September 1, 2021 to December 31, 2026, (2) Increasing His Annual Salary by \$11,400 (5.2%), (3) Establishing a Compensation Review Every Two Years, and (4) Making Other Appropriate Changes

Recusal:

Town Manager Cusimano left the Council Chambers.

Town Attorney Teresa Stricker stated at the last meeting, the Council discussed the item and held it's first of two readings and due to a Brown Act requirement the matter could not be agendized on the Consent Calendar. She then summarized the substantive changes in the Town Manager's contract which is required per the Brown Act, as follows:

- The contract has been on-going for 3 years and expires on September 1, 2021. The proposed amendment would extend the contract through December 31, 2026.
- The Town Manager would receive an increase of \$11,400 annually which is a 5.2% increase in his salary and would take effect retroactively back to September 1, 2019.
- The amendment would establish a periodic compensation review. Under the current contract there is no process for determining whether to increase the Town Manager's salary and, in fact, it has remained in the same place over the last 3 years. The new contract will require the Town Council to consider and review the Town Manager's salary and benefits at least every two years.
- The contract clarifies the timing for the Town Manager's annual performance review and evaluation process which is to begin in September or October of each year with the goal of being completed by December.
- The current contract has a process for the Town Council to consider whether to provide the Town Manager with a discretionary bonus after his annual performance review. The current contract makes clear that this bonus would be considered only in those years where the Town Manager is not going to be receiving an increase in his base salary.
- At the Town Manager's request, the proposed contract would delete a benefit the Town Manager currently has. When he began as Town Manager he had not previously served with any other jurisdiction as Town Manager and for that reason, the Town had included a benefit of up to \$10,000 annually for professional coaching and mentoring. The Town Manager feels he no longer needs that benefit any longer.
- There is another provision that clarifies something that looks like it was a drafting error in the Town Manager's original contract which would make clear that the Town Manager should continue to receive administrative leave benefits he has been receiving all along which is the same benefit the department has received.

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

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

To adopt Resolution No. 42/2019 To Amend Town Manager Todd Cusimano's Employment Contract by (1) Extending Its Expiration Date from September 1, 2021 to December 31, 2026, (2) Increasing His Annual Salary by \$11,400 (5.2%), (3) Establishing a Compensation Review Every Two Years, and (4) Making Other Appropriate Changes

Noted Present:

Town Manager Cusimano returned to the meeting and was noted as present.

- C. Consideration and Possible Action to Adopt Resolution No. 41/2019 Approving Revisions to Mid-Management Employees Memorandum of Understanding Regarding Benefits for Holidays, Reimbursable Expenses, and Mobile Technology Expense Allowance

Mr. Cusimano stated this matter is a follow-up from Closed Session on labor negotiations

regarding mid-management employees, clean up language to their MOU resolution, and it specifically had to do with the Kid's Club program eliminated last year. Historically, the Town has subsidized that program for staff and they moved all personnel and service to three other similar programs within the Twin Cities' jurisdiction. The program had an \$83,000 deficit and to continue it, they supported staff giving them a discounted rate with those programs as a subsidy. They took this issue to the Parks and Recreation Commission to evaluate and provide a recommendation which was to provide a discount for that service.

From that, staff began holding Meet and Confer discussions with the labor group about this benefit. As they engaged the labor group, they have two other similar benefits which are \$500 reimbursements per employee for gym memberships and \$500 reimbursement for public transit for commuting. With this, they discussed whether it would make sense to add a \$500 subsidy reimbursement for child care or Parks and Recreation programs.

As they began holding discussions, mid-managers could not agree, as some commute, some live in town, some have and do not have children, and they developed a wellness commuting program, taking all three sections and merging them into one to allow up to \$1,500 for any of those cited programs. In this way, it was equitable for employees, for recruitment and retention of staff, and it meets the needs of all employees.

Section 26 has been amended, under Health and Wellness Reimbursement and Commuting Incentive where the Town provides up to \$1,500 per year to an employee in any of the three areas and in any combination.

Section 15 was clean-up language, where employees have historically worked 5, 8-hour shifts a week and now some employees are allowed to work a 9/80 schedule, which he described. There are also some employees on 10 hour increments. The issue was that they were accruing holiday time by hours, so this takes away hours and it revises it to days, and this is no cost to the Town.

Section 27 is mobile technology expense allowance. This allows up to \$60 allowance per month should employees be on call and use their personal cell phone for Town use. Many mid-management employees are on call and are using their personal phone. The Town provides the option to assign them a cell phone or allow them to use their personal phone.

The fiscal impact is the reimbursement of expenses and adding the \$500 reimbursement for child care which is a \$9,500 expense to the Town budget. The Town has the monies in their current budget to offset costs.

Mayor Andrews stated the staff report for mobile technologies states \$600 and it is \$60 per month.

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

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

To adopt Resolution No. 41/2019 Approving Revisions to Mid-Management Employees Memorandum of Understanding Regarding Benefits for Holidays, Reimbursable Expenses, and Mobile Technology Expense Allowance

7. COUNCIL AND TOWN MANAGER REPORTS

- Town Manager Report
 - o Update on Personnel Changes in Administration, Public Works, Parks and Recreation

Mr. Cusimano stated the Council has been notified of changes in personnel in the Parks and Recreation Department and Public Works Department. Public Works Director Peter Brown is on vacation and will return in two weeks. As a transition, R.J. Suokko, Senior Civil Engineer and Town Engineer came from the County of Marin with 10 years' experience and played a key role in the Town's streets, roads and infrastructure, and he has named him the Interim Public Works Director. Staff will look to fill in an Associate Engineer position and a work plan assessment has been done to continue to move forward as planned.

On the climate adaptation side, staff will have discussions with possible staff changes and potential use of consultants, but their intent is to move quickly.

Regarding Parks and Recreation, they brought in Dave Wilkinson, the retired Parks and Recreation Director from Larkspur who had helped Mario Fiorentini and the team to help train them last year. He will help with the transition and work with the commission to help evaluate the traits the Town is looking for in a Director and start a recruitment process, as well as work with the City of Larkspur on opportunities and sharing services.

Rebecca Vaughn is also assisting the Parks and Recreation side from an administrative standpoint. Her last two performance evaluations have been outstanding and a recommendation coming forward at the next meeting will be for her to be elevated to Town Clerk/Assistant Town Manager.

He reported that HdL does a lot of the Town's market analysis, economic development review and evaluations of weak areas in the Town with sales tax and opportunities for revenue. The Town has been evaluated by Niche.com against agencies in the Bay Area, Marin County and in the State, and based upon economic factors, schools, revenue, governance, quality of life, he announced that Corte Madera ranks number one in the County! HdL also provides a community profile which provides a lot of demographic information which is helpful.

He then reported on the market analytics of the Town of Corte Madera which will be posted on the website and they show the Town's strengths and weaknesses economically. They also show who is coming into the Town and the opportunities they may have for future development as well as commercial businesses. This is something Macerich and Town Center do as well, but something the Town has been sharing with them which help them with economic opportunities.

Lastly, the sales tax revenue has been positive and they had \$1.9 million in additional sales tax revenue last year, mainly due to Tesla and some of the other auto dealerships and high earning businesses in Town. They estimated Measure F monies to be in the \$3.2 to \$3.5 million range and they will probably land closer to \$4.5 million, so economically the projections through HdL project the Town to continue with that trend a year later than many others through 2021, which is exciting.

Mr. Wolff provided an update on a project the Council will hear more about in the near future which relates to a resolution the Town Council approved in May authorizing staff to apply jointly with about 10 other

Marin County jurisdictions for SB 2 funds which are non-competitive grant funds for streamlining activities.

It focused on the creation of a toolkit for multi-family housing design standards. This is in response to much of the State legislation that is going to a by-right model, where if a housing project meets objective standards such as density, height and other things, it must be approved by the Town. In a sense, it is being proactive to ensure the Town has as good quality objective standards as possible in anticipation of applications being submitted to the Town under these State law provisions.

He noted a consultant has been hired (Opticos Design from the East Bay) and this is an ambitious model to combine efforts in creating this toolkit or book to be used.

As part of that, he is putting together a technical advisory working group and will have a kick-off meeting next week. He thinks it would be great to have a representative from the Council as well. At this point it is made up from a member of the PC; Phyllis Metcalfe, a former Planning Commissioner and from the development community, Dan McCadden; a supervising planner for the City of Santa Rosa but is a Corte Madera resident, Bill Rose; Pati Stoliar as a resident and with experience of a recent condo development next door to her, the Enclave, and Rich Pearlstein as a local architect who is familiar with issues of concern and all residential neighborhoods.

- Council Reports

- Councilmember Kunhardt reported that he attended the funding programs and legislation division of the Executive Committee of the Transportation Authority of Marin (TAM) and it has been reported that the following items are approved: 1) The Hart Street Bike Path Project of \$400,000; 2) The High Canal project with an adjustment of scope to use \$50,000; 3) Pixley and Redwood Improvements of \$50,000; and 4) the Casa Buena Complete Streets Program of \$416,000. Also, the meeting was led by the new Executive Director, Anne Richmond who seems to be on top of things.
- Mayor Andrews reported that the Finance Committee met on October 11th and they were briefed on financing options for the Town Hall Rebuild and they also reviewed the Asset Allocation in the 115 Pension Trust and instructed the administrator to ratchet back the equity allocation from moderate growth to moderate, or at 30% equity and 70% fixed income in that trust.

He also reminded everybody that this weekend is a Chipper weekend at Cove School.

- Councilmember Ravasio reported that the Marin County Council of Mayors and Councilmembers (MCCMC) Homeless Committee met and they did the point in time homeless count a couple of months ago. There has been a 28% decline in the homeless population over the last 4 years. The mobile shower program has been extremely successful and gave 500 mobile showers. The County has successfully housed 170 homeless people in the last two years under this program. 95% of those people are still in housing, and there have been corresponding reductions in emergency services and police requests as well.

He attended the Twin Cities Disaster Preparedness Council meeting and announced that on October 22nd at 7PM in the Community Center, there will be a presentation by Marin Humane Society on Disaster Planning for Animals.

8. REVIEW OF DRAFT AGENDA FOR UPCOMING TOWN COUNCIL MEETING

A. Review of Draft Agenda for November 5, 2019 Town Council Meeting

Councilmember Bailey said given the success the Town has seen with consolidations of fire and police, he suggested agendizing a discussion of consolidating with Larkspur Parks and Recreation.

Mayor Andrews recommended a joint meeting be held with Larkspur after the Council's discussion.

9. ADJOURNMENT

The meeting was adjourned at 9:28 p.m. to the next regular Town Council Meeting on November 5, 2019 at Town Hall Council Chambers.