

RESOLUTION NO. 30/2021

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF CORTE MADERA FINDING THAT THE REVISED TOWN HALL PROJECT DOES NOT REQUIRE A SUBSEQUENT ENVIRONMENTAL IMPACT REPORT OR NEGATIVE DECLARATION AND APPROVING AN ADDENDUM TO THE PREVIOUSLY APPROVED (FEBRUARY 2, 2021) INITIAL STUDY AND MITIGATED NEGATIVE DECLARATION AND MITIGATION MONITORING AND REPORTING PROGRAM FOR THE TOWN HALL REMODEL AND ADDITION PROJECT AT 300 TAMALPAIS DRIVE (APN'S 24-136-13, 14 & 15),

WHEREAS, On April 21, 2009, the Town Council conducted a public hearing on the Town of Corte Madera 2009 General Plan (the "2009 General Plan"), including the Revised Final Environmental Impact Report (FEIR) and its accompanying Mitigation Monitoring and Reporting Program, and considered all oral and written testimony submitted to the Town regarding the same prior to taking its action. By Resolution No. 3595, the Town Council certified the FEIR for the General Plan, and considered the FEIR and identified mitigation measures prior to taking action to adopt the 2009 General Plan, including its related goals, policies and programs, by separate Resolution No. 3594; and

WHEREAS, on December 18, 2018 the Town Council authorized the Public Works Director to approve the proposed Town Hall Complex Addition design services contract with Kappe Architects which include funds for a CEQA analysis; and

WHEREAS, on June 4, 2019 the Town Council directed staff to pursue concepts for a three level Town Hall facility that addresses community and Council input including a refined and expanded Council chambers, a larger public permit counter, and adding additional parking; and

WHEREAS, on November 5, 2019 the Town Council directed staff to proceed with advanced design including preparation of architectural and engineering plans and specifications for the proposed Town Hall Complex Addition based on preliminary project programming and confirm a budget, funding sources and financing alternatives; and

WHEREAS, the Project Design Team facilitate three Working Group Meetings on February 28th, March 14, and March 29 of 2019 to review the master plan and discuss site selection alternatives; and

WHEREAS, the Project Design Team facilitate three Community Workshops on May 11 and May 13th, 2019 and January 30, 2020 to received community input through the use of presentations, group discussions and questionnaires; and

WHEREAS, on December 9, 2019 the Town directed the CEQA consultant, Circlepoint to conduct an environmental review of the proposed project; and

WHEREAS, on December 12, 2019 the Project Design Team hosted a special Neighborhood Discussion focusing on the immediate neighborhood of Town Hall where neighbors were given an overview of the steps that the Town has taken to date on the project, provide a tour of the existing Town Hall and solicited input from the neighborhood; and

WHEREAS, on January 30, 2020, the project team hosted a well-attended community workshop at the community center, which allowed participants to visit various stations highlighting different aspects of the project. The interactive workshop stations focused on program and project costs, project size, height and massing, architectural style and character, environmental sustainability, project budget and process

and public participation. Participants were given the opportunity to select various features that they would like to see incorporated into the project including the number stories, window and ceiling styles, features of the public plaza, sustainable design features, etc. ;and

WHEREAS, on April 28, 2020, the Planning Commission held a study session and provided the Planning Commission and interested members of the community with an opportunity to give preliminary feedback on the latest iteration of the project plan and design. Staff and the project architect presented a preliminary project design informed by outreach efforts and community input received over the last several months; and

WHEREAS, on June 23, 2020, the Planning Commission held another study session which focused on responses to the comments received by members of the public and the Planning Commission at the April 28th meeting. Modifications to the preliminary project design included changes to roof forms, building height, window placement and exterior materials, among others; and

WHEREAS, on September 1, 2020 and September 15, 2020 the Town Council of Corte Madera review and approved Ordinance No. 999 establishing a new planning review process for Town Projects; and

WHEREAS, an Initial Study a Mitigated Negative Declaration (IS/MND) was prepared for the project. The Initial Study and Mitigated Negative Declaration identifies and analyzes potential environmental impacts and the mitigation measures, which if adopted, will reduce any potential impacts to less than significant; and

WHEREAS, on September 16, 2020 the Notice of Completion and Draft Initial Study/Environmental Checklist for the project was filed with the State Clearinghouse (SCH# 20200903010) beginning a 30-day public review period; and

WHEREAS, on September 16, 2020 the Notice of Availability and Notice of Intent to Adopt a Mitigated Negative Declaration for the project was filed with the Marin County Clerk; and

WHEREAS, on September 16, 2020 the Notice of Availability of the Draft Initial Study/Environmental Checklist and Notice of Public Hearing for the project were mailed to residents within 500 feet of the subject property; and

WHEREAS, on February 19, 2020 the Town of Corte Madera sent two letters (one addressed to Gene Buvelot, Tribal Chairperson and the other addressed to Greg Sarris, Tribal Chairperson) of the Federated Indians of Graton Rancheria pursuant to the Native American Heritage Commission following a Sacred Lands File Search which described the project and provided an opportunity for the tribe to participate in CEQA process; and

WHEREAS, following the distribution of the letters on February 19, 2020 and the posting of the Notice of Availability and the Notice of Intent to Adopt a Mitigated Negative Declaration the Town did not receive any written correspondence from the tribe requesting consultation; and

WHEREAS, on October 16, 2020, the Town sent a notice to all properties within 500 feet of the project site announcing the October 27, 2020 Planning Commission meeting to review and possibly approve the Town Project Report; and

WHEREAS, on October 27, 2020, the Corte Madera Planning Commission held a public meeting on the Town Hall Project, heard testimony from the Corte Madera Community as well as the general public, and at the close of the public meeting voted to adopt Resolution No. 20-011 forwarding the Town Project Report regarding the Town Hall Remodel and Addition to the Town Council and adopted Resolution No.

20-012 recommending to the Town Council that it approve the Mitigated Negative Declaration; and

WHEREAS, on January 19, 2021, the Town Council requested that staff continue its work on developing the Town Hall Project including addition information regarding projects costs and research and present a report examining possible options for the Town to purchase an office building complex for a new town hall; and

WHEREAS, on January 22, 2021, the Town sent or posted a notice - 1) to all properties within 500 feet of the project, 2) to everyone on the interested parties list, 3) on the Town's website, 4) in the Town Newsletter on 1/22/21 and 1/29/2021, 5) on the Community Center Reader Board (1/28 to 2/2), 6) in 3 public locations (1/21), 7) on Nextdoor announcing the February 2, 2021 Town Council Public Hearing to review the Town Hall Remodel and Addition Project, the Town Project Report; and IS/MND; and

WHEREAS, on January 27, 2021, California Story Poles installed story poles depicting the roof lines of the proposed town hall addition to allow the Corte Madera Community to see the outline of the proposed project and following installation a letter certifying the accuracy of the height and the location of the story poles was provide to the Town; and

WHEREAS, on February 2, 2021, the Corte Madera Town Council held a public hearing on the Town Hall Remodel and Addition Project, the Town Project Report, and IS/MND, heard testimony from the public, and at the close of the public hearing voted to adopt Resolution No. 03/2021 approving the Initial Study and Mitigated Negative Declaration for the Town Hall Remodel and Addition Project; and

WHEREAS, on April 23, 2021, the Town sent or posted a notice - 1) to all properties within 500 feet of the project, 2) to everyone on the interested parties list, 3) on the Town's website, 4) in the Town Newsletter, 5) on the Community Center Reader Board, 6) in 3 public locations, 7) on Nextdoor announcing the May 4, 2021 Town Council Public Hearing to review the revised Town Hall Project and the Town Project Report ;and

WHEREAS, on May 4, 2021, the Corte Madera Town Council held a public hearing on the Town Hall Project and directed staff to move forward with the development of a revised Town Hall Project which included the removal of the existing building and the construction of a completely new Town Hall facility in approximately the same location; and

WHEREAS, also on May 4, 2021, the Corte Madera Town Council held a public hearing on the Town Hall Project and directed staff to design the new facility to achieve Zero Net Energy and Zero Net Carbon Standards as an Added Voluntary Sustainability Measure; and to execute a second contract addendum with Kappe Architects for development of final engineering plans, specifications, and detailed estimate for the revised Town Hall Project for an additional not-to-exceed cost of \$360,000; and

WHEREAS, the CEQA consultant, Circlepoint drafted an addendum to the approved (February 2, 2021) Initial Study and Mitigated Negative Declaration pursuant to the CEQA Guidelines Sections 15162 and 15164; and

WHEREAS, the Addendum to the Corte Madera Town Hall Remodel and Addition Mitigated Negative Declaration determined that the project changes would not result in any new significant environmental effects that were not discussed in the original IS/MND, and that none of the conditions described in Section 15162 of the CEQA Guidelines requiring the preparation of a subsequent or supplemental EIR or negative declaration have occurred. Therefore, the addendum to the original IS/MND is an appropriate level of environmental review for the proposed project changes, as identified in Section 15164 of the CEQA Guidelines and circulation of the addendum for public review is not required; and

WHEREAS, on May 14, 2021, the Town sent or posted a notice - 1) to all properties within 500 feet of the project, 2) to everyone on the interested parties list, 3) on the Town's website, 4) in the Town Newsletter, 5) on the Community Center Reader Board, 6) in 3 public locations, 7) on Nextdoor announcing the May 25, 2021 Planning Commission Public Hearing to review and make recommendations to the Town Council regarding the design of the "west wing" of the revised Town Hall Project; and

WHEREAS, on May 25, 2021, the Corte Madera Planning Commission held a public hearing on the revised Town Hall Project and provided feedback to staff to forward to the Town Council regarding the design of the south facing elevation and roof; and

WHEREAS, on June 4, 2021, the Town sent or posted a notice - 1) to all properties within 500 feet of the project, 2) to everyone on the interested parties list, 3) on the Town's website, 4) in the Town Newsletter, 5) on the Community Center Reader Board, 6) in 3 public locations, 7) on Nextdoor announcing the June 15, 2021 Town Council Public Hearing to review the recommendations from the Planning Commission regarding the south facing elevation and roof of the revised Town Hall Project; and

WHEREAS, on June 15, 2021, the Corte Madera Town Council held a public hearing on the revised design of the office/permitting center wing of the Town Hall Project and approve the Addendum to the Corte Madera Town Hall Remodel and Addition Mitigated Negative Declaration prepared by Circlepoint, May 2021 which is attached to the June 15, 2021 Corte Madera Town Council Staff Report; and

WHEREAS, at the conclusion of the June 15, 2021, the Corte Madera Town Council determined that there was no substantial evidence in the record indicating that a subsequent EIR or negative declaration was warranted under CEQA pursuant to the criteria described in Section 3 of this Resolution; and

WHEREAS, at the conclusion of the June 15, 2021, the Corte Madera Town Council further determined that findings set forth in Resolution No. 03/2021 are true and correct with respect to the revised Town Hall project; and

NOW, THEREFORE, BE IT RESOLVED, that the Town Council of the Town of Corte Madera does hereby certify the Addendum to the Corte Madera Town Hall Remodel and Addition Mitigated Negative Declaration submitted by the Town of Corte Madera, based upon the findings listed below:

1. Recitals

The foregoing recitals are true and correct and are incorporated into the findings herein.

2. Record

The Record of Proceedings ("Record") upon which the Town Council makes its recommendation includes, but is not limited to:

- (1) The 2009 General Plan, (2) the FEIR certified for the 2009 General Plan, including the appendices and technical reports cited in and/or relied upon in preparing the FEIR, (3) all staff reports, Town files and records and other documents prepared for and/or submitted to the Council relating to the Town Hall Addition and Remodel Project, (4) all documentary and oral evidence received at public hearings or submitted to the Town relating to the project, and (6) all matters of common knowledge to the Council and the Town, including, but not limited to, Town, state, and federal laws, policies, rules, regulations, reports, records and projections related to development within the Town and its surrounding areas. The location and custodian of the Record is the

Planning Director of the Town of Corte Madera, 300 Tamalpais Drive, Corte Madera, CA 94925.

3. Compliance with the California Environmental Quality Act (CEQA)

CEQA recognizes that between the date an MND is adopted and the date the project is fully implemented, one or more of the following changes may occur: 1) the scope of the project may change; 2) the environmental setting in which the project is located may change; 3) certain environmental laws, regulations, or policies may change; and/or 4) previously unknown information may arise. CEQA requires a Lead Agency to evaluate these changes and determine whether they are significant or otherwise substantially affect the conclusions in a previously adopted environmental document.

The CEQA Guidelines (Section 15162) describes a process for determining whether a subsequent EIR or negative declaration is warranted:

- a) When an MND has been adopted for a project, no subsequent EIR or negative declaration shall be prepared for that project unless the lead agency determines, on the basis of substantial evidence in the light of the whole record, one or more of the following:
 - 1) Substantial changes are proposed in the project which will require major revisions of the previous EIR or negative declaration due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects;
 - 2) Substantial changes occur with respect to the circumstances under which the project is undertaken which will require major revisions of the previous EIR or negative declaration due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified effects; or
 - 3) New information of substantial importance, which was not known and could not have been known with the exercise of reasonable diligence at the time the previous EIR was certified as complete or the negative declaration was adopted, shows any of the following:
 - A) The project will have one or more significant effects not discussed in the previous EIR or negative declaration;
 - B) Significant effects previously examined will be substantially more severe than shown in the previous EIR (not applicable for an MND, which by definition does not identify significant effects);
 - C) Mitigation measures or alternatives previously found not to be feasible would in fact be feasible, and would substantially reduce one or more significant effects of the project, but the project proponents decline to adopt the mitigation measure or alternative; or
 - D) Mitigation measures or alternatives which are considerably different from those analyzed in the previous EIR would substantially reduce one or more significant effects on the environment, but the project proponents decline to adopt the mitigation measure or alternative.

Additionally, the CEQA Guidelines (Section 15164) outlines the conditions for which an addendum to a negative declaration may be prepared:

- b) An addendum to an adopted negative declaration may be prepared if only minor technical changes or additions are necessary or none of the conditions described in Section 15162 calling for the preparation of a subsequent EIR or negative declaration have occurred.


Pursuant to §21081.6(a)(2) of the Public Resources Code, the Corte Madera Planning Department, located at 300 Tamalpais Drive, Corte Madera, CA, is the custodian and location of the documents and other materials that constitute the record of proceedings upon which the Town Council's recommendation memorialized in this Resolution is based. All documents related to this project, except those under the authority of the Town's legal counsel, are available for public review. The documents are located at 300 Tamalpais Drive, Corte Madera, CA. Any questions regarding the documents should be directed to the Corte Madera Planning Department – 415-927-5064 or plcounter@tcmmail.org

NOW, THEREFORE, BE IT FURTHER RESOLVED, that the Town of Corte Madera Town Council approves the May, 2021, Addendum to the Corte Madera Town Hall Remodel and Addition Mitigated Negative Declaration, for the Town Hall Remodel and Addition Project at 300 Tamalpais Dr. (APN'S 24-136-13, 14 & 15) State Clearing House #2020090301.



I hereby certify that the foregoing resolution was duly and regularly adopted by the Town Council of Corte Madera at a regular meeting held on the 15th day of June, 2021 by the following vote, to wit:

AYES:	Councilmembers: Beckman, Casissa, Lee, Mongan, Ravasio
NOES:	Councilmembers: - None -
ABSENT:	Councilmembers: - None -



Eli Beckman, Mayor

ATTEST:



Rebecca Vaughn, Town Clerk