

REGULAR MEETING
OF THE
CORTE MADERA TOWN COUNCIL AND SANITARY DISTRICT #2 BOARD

In the Town Hall of the Town of Corte Madera, on February 3, 2009 at 7:30 p.m.

PRESENT: Councilmembers Cock, Condon, Lappert, Ravasio

Town Manager David Bracken
Town Clerk Christine Green
Twin Cities Police Chief Phil Green

CLOSED SESSION

Closed Session Pursuant to Government Code Section 54956.9(a)
CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION

Name of Case: Richard Skaff vs. City of Corte Madera

Closed Session Pursuant to Government Code Section 54957.6
CONFERENCE WITH LABOR NEGOTIATOR

Agency negotiator: Town Manager, Town of Corte Madera
Unrepresented employee: Fire Department Battalion Chiefs

Councilmember Condon stated that the Council met in Closed Session and has nothing to report at this time.

Salute to the Flag

OPEN SESSION

1. OPEN TIME FOR PUBLIC DISCUSSION

Kurt Huget stated he works for Bread & Roses at 233 Tamalpais Drive. His office affords him a view of the intersection of Tamalpais Drive and Willow and expressed concern for pedestrians using that crosswalk. He cited daily examples of near accidents due to the limited view of traffic rounding the bend on Tamalpais Drive and suggested the town review the situation and perhaps implement flashing crosswalk lights.

Chief of Police Green said that there has been some review of the intersection and concurred with Mr. Huget that increased signage and pedestrian lighting have been needed for some time. He has asked Traffic Sergeant Sean Smith to meet with Public Works Manager Debra Sue Johnson to discuss the cost and possible implementation of such a project.

David Hyams expressed dissatisfaction with traffic along Casa Buena Drive and Meadowsweet Drive around the library. He said that there are three high traffic establishments in one small area and that getting both in and out of the library can be a difficult task. Mr. Hyams noted that he raised

the same concern several years ago; cited an independent study done at that time that said there were no mitigation measures; and asked the town to look into the situation.

Councilmember Condon asked Chief Green for additional monitoring traffic in this area.

2. COUNCIL AND TOWN MANAGER REPORTS

- Town Manager Report

Town Manager Bracken provided the following report:

- He recognized both of the traffic and safety conditions mentioned by Mr. Huget and Mr. Hyams. Staff is hoping to incorporate striping, signage improvements, as well as in-pavement crosswalk lights, if funding permits, in the repaving of Tamalpais Drive. Staff also has concept plans for the area of Casa Buena Drive at Meadowsweet Drive but funding is currently an issue.
- The Bayside Trail Park Improvements Project has been awarded to the Ghilotti Brothers Construction, should begin within ten days and is not expected to impact traffic along San Clemente Drive.
- The Low Canal Bridge retrofitting was completed and includes a rebuilt path leading from Tamalpais Drive to the bridge.
- FEMA requirements dictate that over 500 of the town's homes, which are financed by federal loans, carry flood insurance. The town's implementation of flood reduction programs has previously earned a 10% reduction on premiums. Dale Hurst of the Public Works Department has further negotiated a 15% premium reduction starting October 2009 and is hoping for a 20% reduction the following year;
- The next three Town Council meetings will focus on review of the updated Draft General Plan. Staff will ask the Town Council to consider the Marin Energy Authority JPA at the March 3, 2009 meeting;
- The Flood Control Board's February meeting is cancelled.

Councilmember Condon asked the Town Manager to extend the Council's thanks to Ms. Hurst for his work on reducing insurance premiums.

- Council Reports

Councilmember Cock provided the following report:

- She attended the Marin County Mayors and Councilmembers dinner/meeting. Senator Mark discussed the current status of the State budget as well as how it reached its current form.
- She attended the first meeting of the Marin Energy Authority JPA. Corte Madera, Larkspur, and Novato are the only towns who have not yet opted in. An additional meeting will be held this week to elect officers and review the by-laws.
- She attended the TAM meeting last week where considerable time was spent discussing the economic stimulus proposal. Funds are available only for "shovel-ready" projects that can

be out to contract within ninety days. Reports indicated that most cities and towns nationwide will use the funds for road projects since they have fewer environmental restrictions and can be completed relatively quickly. Corte Madera's portion is \$200,000. The TAM meeting also included a Street Smarts report. Representatives reported positive feedback and have agreed to repeat the program this spring with additional towns in Marin County.

- The new Highway 101 carpool lane is completed and opened

Councilmember Ravasio provided the following report:

- The School Board is grappling with the ramifications of the as yet undefined State budget.

Councilmember Condon provided the following report:

- She attended the League of California Cities Housing and Community Development meeting. They discussed strategic goals which will most likely focus on opposing state efforts to erode funding for local services and contributing to public reform efforts for the adoption of policies to encourage timely budget adoption, eminent domain legislation, and the promotion of sustainability efforts;
- She attended the LAFCO Strategic Planning Retreat where they established goals, objectives, and a tentative work program for 2009;
- She met with the Chamber of Commerce Board of Directors. Many of the Chamber's board members are opposed to the closing of Madera Drive and urged town staff to submit the town's input regarding the 101 Corridor/Tamalpais Overcrossing. The Director Of Planning will speak with the Chamber of Commerce next month to discuss the updated General Plan as it relates to economic development;
- She received the Commission for Aging's newsletter and noted that Corte Madera's position is still vacant. She asked staff to renew advertisement for the position. The Town Clerk stated that she has three applications to bring before the Town Council.

CONSENT CALENDAR

- 3a. Approved Warrant and Payroll for the Period January 15, 2009, through January 27, 2009, Warrant Check Numbers 122229 through 122342 and Payroll Check Numbers 27541 Through 2769, Payroll Direct Deposit Numbers 13099 through 13176, and Payroll Wire Transfer Numbers 840 through 844
- 3b. Accepted the Annual Statement of Investment Policy
- 3c. Accepted Investment Report for the Month of December 2008

MOTION: Moved by Lappert, seconded by Cock, and carried unanimously by those present, Dupar absent.

To approve Consent Calendar Items 3a through 3c.

BUSINESS ITEMS

4. Seven-Year Trend – Crimes and Calls for Service (Twin Cities Police Authority) – **For Information Only**

The Chief of Police presented the staff report. He reviewed the 2008 and seven-year comparison of data on calls for service, Part I crimes, and other specific crimes of interest. The Twin Cities Police Authority experienced an increase in calls for service, residential burglaries, and assaults while robberies, commercial burglaries, and Part I crimes as a whole decreased in 2008. Robberies, commercial burglaries, and assaults remain below the seven-year average.

Chief Green highlighted some of the year's notable cases including the apprehension of perpetrators in the Tamalpais Bank robberies, the strong arm robbery of a female outside of the Vitamin Shop, fraud and assault against a Nordstrom security officer, employee embezzlement from Adco Marketing, San Andres High School vandalism, and two child molestation incidents at the Barnes and Noble bookstore.

George Topor asked what makes up the 23,000 calls for service. Chief Green explained that in addition to the crime categories reviewed, calls for service include accident response, residential and commercial burglar alarms, destitute individuals, and referred calls.

Councilmember Condon thanked Chief Green for his vigilance and Chief Green commended Captain Mike McDuffy and Sergeant Steve Fogle, as well as the rest of his staff.

5. Discussion and Possible Action Concerning Adoption of a Resolution Revising the Bail Schedule for Fines and Fees for Parking Violations of the Corte Madera Traffic Ordinance

Sgt. Sergeant Fogle presented the staff report. He explained that California Vehicle Code requires all agencies within a county to be consistent with their fines; Corte Madera has not conducted a parking fine review since 1991 and is well below the average of other Marin County municipalities. He stated that staff recommends increasing parking related fines to the base average of \$35 which is the default amount set by the courts. He stated that any fine not listed at \$35, including parking in excess of 72 hours, blue zone parking, and expired registration, is determined by the vehicle code. The Twin Cities Police Authority receives approximately 82% of the fine collected which would result in an approximate 42% increase in fine revenues for Corte Madera.

Councilmember Condon questioned and confirmed that the proposed fines were average for Marin County.

Councilmember Cock said that she is startled by some of the increases given the economic climate, particularly the fine for parking in excess of 72 hours. She noted that many Corte Madera homes lack off-street parking, forcing residents to park on the street, and questioned whether it was fair to fine them for leaving their car there while on vacation. Sergeant Fogle stated that the majority of

finer issued for this are done so only after a complaint has been filed, the car has been tagged, and officers have made every attempt to contact the owners prior to ticketing and towing. He noted that it is a violation of the vehicle code.

David Hyams echoed Councilmember Cock's concern and stated that this is a poor time to raise the cost of anything. He said the ordinance claims the fines have a deterrent purpose and asked if there is any evidence that supports the current fines being too low to serve that purpose. He noted that it has been a long time since fines were reviewed and suggested "letting it slip" for another year or two.

Sergeant Fogle said that the efficacy of current fines would be difficult to determine without a comparison and reiterated that the purpose of the revised fine schedule is to provide consistency with the Vehicle Code. Captain McDuffy acknowledged the value of Mr. Hyam's comments but noted that determining a fine's efficacy would require entering the mind of an individual who is about to park illegally. He added that the background of this request also relates to the state's economic troubles. When SB1407 was signed into law, it allowed the State to collect a greater portion of each citation issued and given the current economy, he would not be surprised if this amount were increased in the future.

George Topor stated that Larkspur issued nearly 75% of the citations in 2007, primarily due to the timed parking along Magnolia Avenue. He suggested staff consider extending the allowed parking from two to three hours in light of the fine increase.

Councilmember Condon said people are making too much of what is an attempt to play catch-up with something that has fallen by the wayside for nineteen years. She acknowledged the economic downturn but this does not relieve citizens of their obligation to follow the law.

Councilmember Lappert asked if the fines could be increased more than are currently proposed. Sergeant Fogle explained that to do so would require justification.

Councilmember Lappert concurred with Councilmember Condon and added that he cannot feel sympathetic for someone who complains about the economic climate and then parks in a red zone.

MOTION: Moved by Lappert, seconded by Ravasio, and carried unanimously by those present, with Dupar absent,

To adopt Resolution No. 3585 Revising the Bail Schedule for Fines and Fees for Parking Violations of the Corte Madera Traffic Ordinance.

6. Approve Minutes of January 20, 2009

MOTION: Moved by Lappert, seconded by Ravasio, and carried unanimously by those present,

To approve the Minutes of January 20, 2009, as drafted.

ADJOURNMENT

The meeting was adjourned at 8:12 p.m. to the next regularly scheduled meeting on February 17, 2009.