

REGULAR MEETING
OF THE
CORTE MADERA TOWN COUNCIL

In the Town Hall of the Town of Corte Madera, on June 19, 2007 at 7:30 p.m.

PRESENT: Mayor Gill
Councilmembers Dupar and Lappert

Town Manager David Bracken
Director of Recreation and Leisure Services Jackie Branch
Twin Cities Police Sgt. Steve Fogle
Assistant Town Attorney John Abaci

COMMISSIONERS PRESENT

Richard Esteb, Planning Commissioner

OPEN SESSION

Salute to the Flag

PRESENTATION

Presentation of the 2007 Senior Volunteer of the Year – Gwyn Lister

Mayor Gill read the proclamation and presented it and a plaque to Gwen Lister recognizing her as 2007 Senior Volunteer of the Year.

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

To adopt a Proclamation to honor Gwen Lister as 2007 Senior Volunteer of the Year.

1. OPEN TIME FOR PUBLIC DISCUSSION

No items were brought forth at this time.

2. COUNCIL AND TOWN MANAGER REPORTS

- Town Manager Report

The Town Manager reminded the Council of the upcoming budget meetings scheduled for June 25 at 6:00 p.m. and a second meeting if needed on June 26 at 6:00 p.m.

He introduced the new Minutes Clerk, Lisa Harper, and he reported that Twin Cities Police Chief Phil Green was recovering from surgery and would soon return to work.

- Council Reports

Councilmember Lappert said he was impressed with the new traffic lights Tamalpais/Redwood/Corte Madera Avenue intersection. He distributed an invitational flyer for Council and staff to attend a picnic at Lagoon Number one, he felt the neighborhood event was a good example of citizens getting involved and hoped the Town could lend its support.

Mayor Gill reported the Traffic Advisory Committee met last week with the Accessibility Advisory Committee and said that at noon tomorrow a luncheon and presentation would be held concerning the Highway 101/Greenbrae/Corte Madera project.

CONSENT CALENDAR

Mayor Gill noted a typographical error on Consent Calendar Item 3g; it should state “Marinmap” and not “Mainmap”.

Assistant Town Attorney John Abaci referred to Item 3f and said page 3, Item 6(a) (2) of the lease reflected the previous redlined version. He said the final version representing the revised final version page indicating the amount of \$7052 should be inserted into the document.

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

To approve Items 3a, 3b, 3c, 3d, 3f as amended, and 3g as amended, on the Consent Calendar.

- 3a. Authorized the Town Manager to Enter Into Two Agreements Between the Marin County Sheriff's Office of Emergency Services and the Town of Corte Madera
- 3b. Adopted Resolution No. 3504 Allowing Signs on Public Property Advertising the Lions Club Luau
- 3c. Approved Attendance of Councilmember Condon at League of California Annual Conference
- 3d. Approved of Bid Documents and Authorized Advertisement for Bids for Design and Installation of a Fire Sprinkler System at Corte Madera Fire Station 14, 342 Tamalpais Drive
- 3e. Approved Warrant and Payroll for the Period May 30, 2007, through June 14, 2007, Warrant Check Numbers 116539 through 116715 and Payroll Check Numbers 1988

Through 2003, Payroll Direct Deposit Numbers 9125 through 9208, and Payroll Wire Transfer Numbers 589 through 595

- 3f. Authorized Town Manager to Enter into Lease Renewal Agreement with Golden Gate Trailer Park and Golden Gate Properties on Town Property Located at 2000 Redwood Highway, Greenbrae
- 3g. Adopted Resolution No. 3505 Authorizing Execution of Joint Exercise of Powers Agreement II Relating to the Marinmap Project

BUSINESS ITEMS

4. Discussion and Action Concerning Adoption of a Resolution Approving a Rate Increase for Delivery of Solid Waste Collection and Recycling Services by Mill Valley Refuse Service

The Town Manager presented the staff report. He said the Town entered into an agreement with Mill Valley Refuse Service, Inc. in 2006 which allowed for a review each year of the rates charged and for “pass-through” administrative costs. He also noted that the city managers of Belvedere, Corte Madera, Tiburon and Mill Valley met to discuss the proposed 4.5% increase. After which Mill Valley Refuse Service informally accepted an increase which matched the CPI of 3.2%, in addition a franchise fee increase, for a total increase for Corte Madera of 5.24%. He noted the request was consistent with the agreement signed last year.

There were no public comments.

Mayor Gill voiced concern with the notification procedure and felt that sufficient notice had not been given to the business community. She said the Chamber of Commerce had discussed the matter at their last meeting, asked that future notice be sufficiently provided. She voiced her support of the increase noting it was consistent with the agreement in place.

Councilmember Lappert felt the increase was in-keeping with similar business activity increases, CPI factors, increased fuel costs, and voiced support for the increase.

Councilmember Dupar supported the increase and asked that Mill Valley Refuse Service begin this process with the Town sooner next year.

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

To adopt Resolution No. 3506 A Resolution Finding No Objection to Rate Increase Request for the Delivery of Solid Waste Collection and Recycling Services of Mill Valley Refuse Service, Inc.

5. Discussion and Possible Action Concerning Introduction of a Social Host Ordinance

Sgt. Fogle presented the staff report.

Mayor Gill confirmed with Sgt. Fogle that the ordinance was a useful tool; however, according to Sgt. Fogle the Town has not currently experienced any problems.

Councilmember Lappert confirmed that the Town was only seeking the portion of Novato's ordinance where a violation would be charged as a criminal offense, and he also stated that over the past two years, this type of problem had occurred only once recently in Corte Madera.

Councilmember Dupar asked if the ordinance were not passed, would the Town become a magnet for such parties. Sgt. Fogle said the ordinance was only active in the County and in the City of Novato and no other cities had adopted one. The Town Attorney noted that the criminal prosecution contained in the ordinance would most likely deter such activities from occurring.

There were no public comments.

Councilmember Dupar and Lappert both said they were not in favor of a "nanny" ordinance. Mayor Gill felt most of the Town's ordinances were in place to protect people, more discussion and public feedback on the matter was needed.

No action be taken on this item.

6. Discussion and Direction to Staff Concerning Parks and Recreation Department Policies and Procedures

The Director of Recreation and Leisure Services presented the staff report and recommended a workshop be scheduled between the Parks and Recreation Commission and the Town Council.

She reported that staff and the Commission review policies on a regular basis: she discussed facility rental types, main hall capacity amendments, environmental priorities, issues relating to noise and parking, park usage, changes to operational hours, non-amplified and amplified music regulations, regulations for security officer coverage, alcohol policies, advertising policies, appeal processes, ABC licensing requirements, applicant insurance requirements and noted a total of 21 policies and procedures which were provided for Council review and consideration.

Mayor Gill stated she felt some of the policies and procedures were internally inconsistent, acknowledged the document was a first draft and required some additional work. She suggested, and Councilmember Lappert agreed, that because they both serve as liaisons to the Town Park Master Plan Committee, they would meet as an ad hoc committee to further review the document.

7. Discussion and Possible Action Concerning the Possibility of Cancelling the Town Council meeting of July 3, 2007

There was Council consensus to cancel the Town Council meeting of July 3, 2007.

8. Discussion and Possible Action Concerning the Acceptance of the Feasibility Study for Accessibility Improvements to the Pedestrian Access Route to Town Hall and Incorporation of Study Recommendation and ADA Accessibility Grievance Policy Into the Transition Plan

The Senior Civil Engineer introduced Stewart Tannenberg and Barbara Becker, members of the Accessibility Advisory Commission. He reported two resolutions had been inserted into the packet and the first "Attachment C" resolution should be removed.

The Senior Engineer reported that in February 2003, a complaint was filed with the Federal Highways Administration alleging that Corte Madera was discriminating against persons with disabilities within its public rights-of-way. An informal resolution agreement between the Town and the Federal Highway Administration was reached in March of 2006 which required the Town to commission a feasibility study on how to improve accessibility and make any necessary changes to the Town's ADA Grievance Policy. The Town retained Sally Swanson Architects, Inc. who prepared the draft feasibility study, surveyed the area, measured the cross slopes, divided the area into 7 segments, provided pricing to improve each segment and provided various options using various streets, and selecting the most economically feasible option.

The draft feasibility study was presented to the Accessibility Advisory Commission who arrived at the conclusion that none of the 6 options were feasible. The Commission therefore re-evaluated the options and after review, recommended moving the bus stop to Town Hall. The Senior Engineer said he had just received agreement from Golden Gate Transit to serve the two new bus stops as part of their regular schedule if the Town would install the two new bus stops on Tamalpais Drive, just east of Willow Avenue. He requested that the Council approve the study, as revised, direct staff to proceed with the implementation of the recommended option, and approve the ADA Grievance procedure to be incorporated into their Transition Plan.

Mayor Gill felt this was a great example of the Commission's expertise.

Councilmember Lappert confirmed with Mr. Gokoffski that the work proposed would add a bus stop, and he supported the recommendation.

Barbara Becker, spoke of her personal experiences involving accessibility issues in town, given the steepness of the street, her personal safety crossing Tamalpais Drive, and was happy with the conclusion for an additional bus stop.

Stewart Tannenberg thanked Tony Gokoffski for his technical expertise, felt the Commission's goals and perseverance enabled them to arrive at practical solutions for what seemed to be an insurmountable problem, and thanked the Council for their support.

Richard Esteb asked if the Town would consider installing a push button crosswalk light due to the dangerousness of the intersection. Mayor Gill noted the Town was already looking into lighted crosswalks at various locations. Mr. Gokoffski noted flashing lights had previously been considered, but were not pursued due to cost.

Councilmember Dupar felt the problem was one of sight lines. He said approximately 350 feet was needed in order for flashing lights to work effectively and there was not enough distance at the proposed location. Mayor Gill said the Council had previously met with the Traffic Advisory Committee on the matter.

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

To adopt Resolution No. 3508 Accepting the Feasibility Study Report “Pedestrian Access Route To/From the Tamalpais Drive (At Menke Park) Westbound Bus Stop To/From Corte Madera Town Hall”, Adopting Its Recommended Option, and Incorporating the Recommended Option and ADA Accessibility Grievance Policy Into the Transition Plan

9. Approve Minutes of May 1, and May 15, 2007

Mayor Gill requested the following amendments to the minutes of May 1, 2007:

Page 1, line 41, “Moved by Lappert, seconded by...”

Page 6, line 41, remove the word “their” and replace it with “our district’s....best interests.”

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

To approve the Minutes of May 1, 2007, as amended.

Mayor Gill requested the following amendments to the minutes of May 15, 2007:

Page 2, line 21, change “...there is a lack space;” to “...there is a lack of space.”

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

To approve the Minutes of May 15, 2007, as amended.

ADJOURNMENT

The meeting was adjourned at 8:16 p.m. in honor of Jamie Berns, Jerry Edelbrock, Bruce Mace, and

George Frazier who were among the first 35 finishers (Black Shirt Winners) at the 97th Annual Dipsea, and to all other Corte Madera residents who competed, and also in memory of Donald Filpot, who recently passed away.