

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

In the Town Hall of the Town of Corte Madera, on September 1, 2009 at 7:00 p.m.

PRESENT: Mayor Dupar  
Councilmembers Cock, Condon, Ravasio

Town Manager David Bracken  
Director of Planning/Assistant Town Manager Robert Pendoley  
Assistant Town Attorney Veronica Nebb  
Town Clerk Christine Green  
Sanitary Services Manager Barry Hogue

OPEN SESSION

Salute to the Flag

INTERVIEWS

The Council interviewed the following applicants for the Citizens Advisory Committee (CAC) for the Housing Element: Fred Casissa, Sebastian Rouas, and Matthew Wiitala.

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

To appoint Fred Casissa, Sebastian Rouas, and Matthew Wiitala to the Citizens Advisory Committee for the Housing Element.

PRESENTATION

Informational Presentation on Proposed Parcel Tax – Presentation by Susan Christman, Chair of the School District Parcel Tax Campaign

Susan Christman provided information concerning the Larkspur School District's proposed parcel tax. She said studies show a direct correlation between good schools, high property values, and community involvement and that as a result of Corte Madera's investments in its own schools, students here rank in the top 10% nationwide. She said the current volatility of state funding combined with a 40% increase in student enrollment means that many of the district's programs are at risk. She noted California already provides the lowest per pupil funding in the nation.

In response to this risk, the Board of Trustees carefully considered a number of options before deciding on Measure B. Ms. Christman explained that the parent community already contributes \$600 to \$700 out of pocket per child annually in addition to providing goods, services, and time for fundraising events. Measure B includes a straight property tax renewal for residences and small businesses with less than 5,000 square feet but does impose a tiered rate based on commercial parcel size and a flat per unit rate for apartments. She cited similar rate structures throughout the county,

most notably those employed by Kentfield School District.

Ms. Christman said the Board of Trustees hopes that the parcel tax will help to open doors within the business community for future partnerships and she thanked Councilmember Ravasio for his endorsement. She introduced Co-Chair, Molly Woodrich.

Mayor Dupar questioned how much additional revenue the measure is expected to generate. Ms. Christman said the annual parcel tax revenues would increase to \$1.9 million, roughly \$500,000 more than is currently generated. Approximately \$360,000 of that would be received by parcels and not individual businesses.

Mayor Dupar asked about who would be impacted. Ms. Christman confirmed that homeowners will not face an increase.

Mayor Dupar said he has heard complaints that a disproportionate share of the new parcel tax will be borne by businesses rather than the community as a whole. Ms. Christman explained that the tax is currently structured so that all parcels pay the same amount regardless of size, meaning Nordstrom's pays the same rate as a homeowner. Measure B bases the tax on parcel size and would increase the portion of the total tax borne by commercial property owners from 4% to 20%.

Councilmember Condon requested an example of the rate increase for any of the Town's auto dealerships. Ms. Christman directed her to the Measure B FAQs, stating that dealerships fall under tiers 4 and 5 and would be taxed either \$4,000 or \$8,000. Ms. Woodrich stated that 21% of local businesses will pay no increase at all, 36% or less will pay \$700, and 90% will pay \$4,000 or less.

1. OPEN TIME FOR PUBLIC DISCUSSION

There was no public comment.

2. COUNCIL AND TOWN MANAGER REPORTS

- Town Manager Report

The Town Manager provided the following report:

- The Flood Control Board's September meeting is cancelled;
- The September 8, 2009 Planning Commission meeting is cancelled;
- The Disaster Council meets Thursday, September 3, 2009;
- The Accessibility Advisory Committee meets Monday, September 14, 2009;
- Paradise Pump Station will be shut down Wednesday evening for routine cleaning of the wet well;
- Next week's scheduled meditation with Richard Skaff and attorneys has been rescheduled to early November at their request;
- One fire engine and one battalion chief have been dispatched to the Oak Glen Fire in San

Bernardino. It is expected that both will be transferred to the Station Fire in Los Angeles. County-wide, Marin has 18 engines and over 80 personnel fighting the Station Fire;

- He received a letter of intent from Bank of Marin indicating interest in leasing space at the Park Madera Center. The cost of improvements will most likely predicate a long-term agreement and he has asked the Land Use Committee to meet with the property management firm to discuss the appropriate response.

Mayor Dupar asked that the Town accommodate any additional firefighters wishing to assist in the Station Fire.

- Council Reports

Councilmember Cock provided the following report:

- She attended a meeting of the Twin Cities/Greenbrae Interchange Subcommittee of the Transportation Authority of Marin; Manager Bill Whitney will attend the Council's next meeting to provide a status briefing. A scoping meeting will be held at Redwood High School at 5:30 p.m. on September 29, 2009.

Councilmember Ravasio provided the following report:

- He attended a meeting of the MCCMC Legislative Committee. The discussion focused on state budget issues and an indication for support in both houses for either a constitutional convention or a number of ballot measures put forth. Jared Huffman's bill is moving on to the Senate and the House is tackling pension reform for public employees.

Councilmember Condon provided the following report:

- She attended the Chamber of Commerce meeting today and heard presentations from Ms. Christman and Superintendent Valerie Pitts on the proposed parcel tax measure;
- She requested that the meeting be adjourned in memory of Donna Hart and Sonya DeLew.

Mayor Dupar provided the following report:

- He attended the Central Marin Sanitation Agency (CMSA) meeting to continue review of CMSA's response to the grand jury report. Ross Valley representatives did not attend.

### CONSENT CALENDAR

#### Town Items

- 3a. Approved Warrant and Payroll for the Period August 12, 2009, through August 25, 2009, Warrant Check Numbers 123992 through 124062 and Payroll Check Numbers 2995 through 3014, Payroll Direct Deposit Numbers 14526 through 14639, and Payroll Wire Transfer Numbers 928 through 932
- 3b. Approved Investment Transactions for the Month of July, 2009

- 3c. Approved and Authorized the Mayor to Sign a Letter to Marin County Civil Grand Jury Concerning “Saving Marin’s” Major Crimes Task Force
- 3d. Adopted Resolution No. 3611 Authorizing the Town Manager to Sign a Joint Powers Agreement with the County of Marin and Other Participating Municipalities for the Reorganized Marin County Major Crimes Task Force
- 3e. Approved the Updated Joint Exercise of Powers Agreement (JEPA) for MCSTOPPP

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

To approve Consent Calendar items 3a through 3e.

#### PUBLIC HEARING

- 4. Discussion and Possible Action Concerning Introduction of an Ordinance Adding Chapter 17.68, Lot Line Adjustments, to the Municipal Code

The Planning Director presented the staff report, stating that a lot line adjustment is a legal change of the boundary line between four or fewer existing adjoining parcels, where land taken from one parcel is added to an adjoining parcel and where no more parcels are created than originally existed. State legislation was adopted several years ago to simplify this time-consuming process and staff is finding that a reflective update to the Town’s Municipal Code is long overdue.

On August 11, 2009, the Planning Commission conducted a public hearing on this issue and unanimously voted to forward the ordinance to the Council for approval.

Mayor Dupar asked if there are many lots within the town that could be adjusted. Mr. Pendoley confirmed and clarified that most would be in older neighborhoods with odd lot sizes.

There was no public comment.

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

To introduce Ordinance 913, adding Chapter 17.68, Lot Line Adjustments, to the Municipal Code and find the Ordinance Categorically Exempt from the California Environmental Quality Act, by title only, waiving further reading.

#### BUSINESS ITEMS

5. Discussion and Possible Action Concerning Adoption of Ordinance 912, and Ordinance Amending the Town's Transient Occupancy Tax Ordinance

The Town Clerk stated that at its meeting of August 18, 2009, the Town Council held a public hearing, took testimony, and introduced Ordinance No. 912. She noted that if adopted, the ordinance will take effect in 30 days.

Mayor Dupar opened the public hearing.

George Topor requested that, going forward, ordinances be drafted gender neutral.

Mayor Dupar closed the public hearing.

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

To adopt Ordinance No. 912, An Ordinance Amending the Town's Transient Occupancy Tax Ordinance, by title only and waiving further reading.

SANITARY DISTRICT ITEM

6. Discussion and Possible Action concerning Acceptance of the Sewer Master Plan, Project No.08-202

The Sanitary Services Manager introduced the updated Sewer Master Plan, stating that since the previous master plan was prepared in 2003, the State and Regional Water Boards have implemented a system of requirements not met by that plan. Contract consultants, Nolte Associates, have updated the Master Plan to maintain compliance, report the success of the board's policy on laterals, and project maintenance and rehabilitation costs over the next 40 years.

Alison Furuya, Nolte Associates, provided a presentation of the Sewer Master Plan. She said the major objectives of the master plan include hydraulic evaluation, condition evaluation, development of a Capital Improvement Program, and initiation of an asset management program.

Ms. Furuya reviewed the hydraulic evaluation which surveyed over 100 manholes along the Trunk Sewer Systems and indentified areas for potential infill development. She introduced the recommendation of Smart Covers which monitor water level intake at manholes, signal alarms in instance of high water levels or cover opening, and converts its readings into data. She discussed lateral rehabilitation, citing peak flow readings at Paradise versus Golden Hind as an example of the significant results provided by rehabilitation.

Ms. Furuya reviewed the concept of asset management and the Capital Improvement Program. She stated that her firm's review resulted in updated improvement projects named in the previous master

plan and identified increased CCTV inspection as the primary assessment need. She stated that at completion, the Capital Improvement Program will have rehabilitated or replaced over 81% of the existing sewer system and performed CCTV inspections its entirety.

Mayor Dupar asked where the majority of Inflow and Infiltration (INI) problems are occurring. Ms. Furuya stated that it has not been pinpointed but the obvious assumption would be flatland areas where the water level is higher. She noted that areas with older infrastructure can experience settlement or joint misalignment, which can increase INI. Smart Covers would help identify those areas over time.

Mayor Dupar stated that over time the data received from Smart Covers would help prioritize repairs and he questioned the number of sewer miles to be CCTV inspected each year. Mr. Hogue said the goal is to inspect 45 miles in 5 years, averaging 11 miles per year.

Councilmember Cock inquired about the cost of Smart Covers. Mr. Hogue said the town purchased 10 for \$3500 each, plus an ongoing maintenance fee.

Councilmember Condon voiced appreciation for the vigilance that goes towards maintenance of the town's sanitary service.

Councilmember Ravasio asked how the lateral rehabilitation of the Golden Hind was funded. Mr. Hogue explained that in 2002, the Board approved an ordinance allowing the District to rehabilitate private laterals but requiring that property owners assume responsibility for any subsequent maintenance.

Councilmember Ravasio asked how much of the difference between peak flows at Golden Hind and Paradise pump stations could be attributed to that rehabilitation, and Mr. Hogue answered nearly all of it. Councilmember Ravasio said it seems compelling that improving laterals will improve the flow into the main sewer line.

Mayor Dupar said it is a bright spot of the CIP that private laterals are replaced concurrent with the main line. Others are not as aggressive, they are suffering the consequences, and he asked to see lateral improvements required with remodel projects. Mr. Bracken explained that this is written in the ordinance but it is tied to the size of the project.

Councilmember Condon said she understands that certain properties along Paradise Drive will want to join Sanitary District No. 2 at some point in the future, and she asked if those property owners will be obligated to bear the entire expense of connecting their sewer lines. Mr. Hogue said homeowners would be responsible for the cost of any public sewer extension. He noted that some homeowners have already paid for those stubs and connections, but have not yet been annexed.

Councilmember Condon asked if the additional units would create a burden for the current system. Mr. Hogue stated that with respects to a new lateral line, dry weather flow is virtually insignificant to overall flow.

Councilmember Cock asked if the estimated annual cost of \$2.3 million is already accounted for in the budget, and Mr. Hogue confirmed, stating that current rates fund this plan.

Mayor Dupar opened the public hearing.

Jason Ferrera asked if any consideration has been given to rainwater collection and storage. Mayor Dupar said that some of the new “green” construction projects will implement concepts including rainwater collection for irrigation purposes.

Mayor Dupar closed the public hearing.

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

To accept the Sewer Master Plan, Project No. 08-202, as presented.

#### TOWN ITEMS

7. Approve Minutes of August 18, 2009

Councilmember Ravasio requested the following amendment”

- Page 3, Line 16 – “...within the top tier. ~~but have already~~ **One auto dealer** indicated they may move their business elsewhere ~~if the increase is significant and this tax is one more problem.~~”

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

To approve the minutes of August 18, 2009, as amended.

8. Discussion and Possible Action Concerning Formation and Appointment of Two Corte Madera Town Council Members to a Town Council Energy Efficiency Committee

The Town Manager stated the request is a follow-up on discussions regarding Marin Energy Authority and the Council’s desire to alternatively pursue energy options with PG&E. He said he has been in contact with PG&E representatives and would like to have Council involvement with forthcoming discussions.

Mayor Dupar asked and Mr. Bracken confirmed that the committee would be comprised solely of council members; it would be similar to the Land Use Committee with the intent for members to help initiate policy development.

Councilmember Condon volunteered her service.

Mayor Dupar opened the public hearing.

Mr. Ferrera questioned and confirmed with Mr. Bracken that renewable energy will be considered, among other options. Mr. Bracken explained that in response to MEA, PG&E proposed a partnership with the town to develop clean alternatives to the energy currently offered.

Mr. Ferrera said he has many ideas regarding renewable energy. He suggested they explore integrating pelton wheels into the existing water system and said he would like to discuss wind energy with the school board, as well. Mayor Dupar said the goal of this committee is to consider all possible green energy sources.

The public hearing was closed.

Councilmember Cock said she remains concerned about the representations and promises made by PG&E. She is committed to keeping them honest and would like to serve but voiced concern with the time commitment.

Mr. Bracken estimated the committee would meet approximately 1 hour per month.

Councilmember Ravasio also offered his service.

Mayor Dupar appointed Councilmembers Cock and Condon to the Town Council Energy Efficiency Committee. Councilmember Ravasio was named as an alternate.

#### ADJOURNMENT

The meeting was adjourned at 8:33 p.m., in memory of Donna Hart and Sonya DeLew, to the next regular meeting on September 15, 2009.