

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 15, 2009 at 7:30 p.m.

PRESENT: Mayor Dupar
Councilmembers Cock, Condon, Lappert, Ravasio

Town Manager David Bracken
Director of Planning/Assistant Town Manager Robert Pendoley
Town Clerk Christine Green
Police Chief Phil Green

COMMISSIONERS PRESENT

Parks and Recreation Commissioner Kitty Prosser

OPEN SESSION

Salute to the Flag

PRESENTATION

1. Highway 101 Greenbrae/Twin Cities Corridor Improvements – Project Update

Bill Whitney, Transportation Authority of Marin (TAM), provided a brief update describing the project's recent activities, upcoming steps, and select information related to traffic data on local roads. He stated that TAM has spent the last 2 years conducting public outreach, indentifying stakeholders and their concerns, and developing alternatives to address those concerns. He said that, as a result of that input, the TAM Board feels there is a general consensus in support of further evaluation of a northbound and southbound improvement option for the Highway 101 corridor between Sir Francis Drake Boulevard and Tamalpais Drive. He said that the closely spaced intersections, coupled with increased traffic density during a.m. peak hours, have identified the need for operational improvements in this corridor for many years.

Mr. Whitney stated that the project is entering the environmental study phase, with Caltrans serving as the lead agency. TAM and Caltrans will host an informational open house and scoping meeting to be held on Tuesday, September 29, 2009 at 5:30 p.m., at Redwood High School.

Mr. Whitney acknowledged the concerns shared by the Council last October, particularly those surrounding the impacts the proposed project will have on local roads. He reviewed traffic studies, stating that forecast volumes for the proposed project show more favorable results than those for a no-build situation.

Councilmember Cock questioned and confirmed with David Parisi, Traffic Engineer that forecast

volumes under the proposed project assume the completion of all three project phases.

Councilmember Lappert said he has found it very helpful with other projects to be able to view computer models depicting the projected changes when traffic dynamics are altered. He suggested that it would be equally helpful for the public to experience with this project. Mr. Parisi confirmed that animated models would be available for all project phases.

Councilmember Condon referred to Mr. Whitney's comments regarding the general consensus, and stressed that the Council majority is opposed to the closure of Madera Drive. Mr. Whitney stated that the TAM Board has acknowledged the Council's statements and included it clearly into the scope of proposed work. He said the Board has concluded that, if much needed improvements are to be made to Tamalpais, changes must also be made to the Madera on and off ramps and alternate access provided.

Councilmember Condon suggested that more serious exploration could offer an even better solution for the overcrossing while still allowing Madera Drive to remain open. Mr. Whitney said that has been considered and is ultimately a matter of engineering standards. He stated that the primary focus is to resolve current safety issues and that ideally, southbound improvements will be done in a phased manner so as to offset any impacts to local roads. He reviewed the project phases with the Council, noting that the third phase, which involves Madera Drive, is only the proposal for an environmental document at this point. He said that if funds ever become available for that phase, there will be another opportunity for environmental study and public review.

Councilmember Condon stated that, as a Corte Madera resident, she considers Tamalpais overcrossing to be in much greater need of attention than Madera Drive. She asked that the town not lose any opportunity to provide that attention simply because Caltrans has a standard to follow.

Councilmember Ravasio said he has met with the Chamber of Commerce several times and that the proposed closures represent a substantial issue for local businesses. He stated that the town has five schools within two miles of one another, and all letting out within half an hour of each other. These current conditions create a gridlock situation and he has heard from parents that to lose any portion of the freeway for even a short period would upset the situation further, and asked that these concerns be addressed.

Mayor Dupar said he considered it improbable that phasing the project would provide the 25% traffic reduction projected by the forecast models and that any work involving road closures could only magnify current issues. He suggested that TAM would get a more accurate forecast by installing barricades at the Madera Drive and Lucky Drive off ramps before conducting their studies and asked that this be seriously considered. He said he is irritated that the impact on already stressed surface streets is not being acknowledged.

Mr. Parisi stated that TAM has spent considerable effort on this data collection and has a very good understanding of current traffic situations and what will happen in the future. He said that the project

is about more than closing a few ramps and outlined some of the proposed mitigation measures. With the Lucky Drive reconfiguration, a frontage road would be constructed to relieve portions of Madera Drive.

Mayor Dupar stated that Corte Madera is bearing an undue burden.

Stan Hoffman, General Manager, Town Center, stated that there have been numerous public stakeholder meetings over the past several years and that the overwhelming majority of those who attended are against the closure of Madera Drive. He said that TAM's claims regarding community input and general consensus are inaccurate, and Mr. Whitney, while an employee of Marin County, is not acting in the interests of its residents. He said the proposal to close Madera Drive is based on Caltrans standards which do not allow intersections within one mile of each other, and noted that there is a contradictory proposal in the northbound direction. He echoed the comments of the Council, said that he has not once heard support for the proposed closure, and asked that TAM amend its claims to have based the proposal on community input.

OPEN TIME FOR PUBLIC DISCUSSION

Matthew Wiitala requested the Council's approval to obtain business cards with the town logo and represent himself as a member of the Citizens Advisory Committee (CAC) for the Housing Element. Mayor Dupar explained that town business cards are limited to staff, the Council, and members of the Planning Commission. Residents serving on a committee such as the CAC are not authorized to represent themselves out for the town.

Mr. Wiitala objected, stating that he would only request the same information that is on his CAC binder. Mayor Dupar stated that if he persisted, he would be removed from the committee. Mr. Wiitala requested and Mayor Dupar agreed to have the Town Attorney forward an official statement to Mr. Wiitala.

2. COUNCIL AND TOWN MANAGER REPORTS

- Council Reports

Councilmember Condon provided the following report:

- She attended the recent LAFCO meeting; discussion focused on the Tamales Area Service Review and Sphere of Influence Update as well boundary clarifications for the Novato Fire Protection District.

Mayor Dupar provided the following report:

- The Central Marin Sanitation Agency met last week and reviewed its response to the grand jury report. CMSA's response was somewhat controversial, but is likely to be the draft forwarded to the grand jury.

CONSENT CALENDAR

Town Items

David Hyams requested explanation of Items 3b (ii) and 3c. The Town Manager stated that the position of Public Works Manager will be eliminated and replaced by the part time position of Public Works Director/Town Engineer. Item 3c pertains to the town's portion of ARRA funds, which will be used to slurry seal Casa Buena Drive and Tamal Vista Drive.

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

To approve Consent Calendar items 3a through 3c

- 3a. Approved Warrant and Payroll for the Period August 26, 2009, through September 9, 2009, Warrant Check Numbers 124063 through 124209 and Payroll Check Numbers 3015 through 3029, Payroll Direct Deposit Numbers 14640 through 14721, and Payroll Wire Transfer Numbers 933 through 939 and Wire – Twin Cities Police Monthly Payment
- 3b. Adopted of Two Resolutions
 - i. Resolution No. 3612 Deleting the Position Classification and Job Description of Public Works Manager Effective October 3, 2009;
 - ii. Resolution No. 3613 Amended Resolution 3530 Fixing Compensation and Establishing Certain Benefits for Certain Employees of the Town Effective October 3, 2009.
- 3c. American Recovery and Reinvestment Act of 2009 (ARRA) Slurry Seal, Project 09-031 – Adopted Resolution No. 3614 Awarding Contract and Authorization of Expenditures for Construction

Sanitary District Item

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

To approve Consent Calendar item 3d.

- 3d. Approved and Authorized Sanitary District Board President to Sign Letter to Marin County Civil Grand Jury Concerning Central Marin Sanitation Agency

BUSINESS ITEMS

4. Discussion and Possible Action Concerning Adoption of Ordinance 913, an Ordinance Adding Chapter 17.68, Lot Line Adjustments, to the Corte Madera Municipal Code

The Town Clerk stated that at its meeting of September 1, 2009, the Town Council held a public hearing, took testimony, and introduced Ordinance No. 913. She noted that if adopted, the ordinance will take effect in 30 days.

Mayor Dupar opened the public hearing.

Mr. Hyams requested an explanation of the ordinance. The Director of Planning stated that its purpose is to update the town's Lot Line Adjustment Ordinance for consistency with State law.

Mayor Dupar closed the public hearing.

MOTION: Moved by Condon, seconded by Ravasio, and carried unanimously by those present,
To adopt Ordinance No.913, an Ordinance Adding Chapter 17.68, Lot Line Adjustments, to the Corte Madera Municipal Code, by title only and waving further reading.

PUBLIC HEARING

5. Discussion and Possible Action Concerning Adoption of a Resolution Finding No Objection to a Rate Reduction Request for the Delivery of Solid Waste Collection and Recycling Services by Mill Valley Refuse Service, Inc.

The Town Manager stated that the town's 20 year contract with Mill Valley Refuse, Inc. allows for periodic rate adjustments, as required to stay consistent with operating costs. He explained that in 2008, the town received no rate increase and that at that time the local agencies serviced by Mill Valley Refuse requested that a rate study be performed. He said the results of that study have yielded a 3.4% rate decrease for the town through the end of this fiscal year. A good deal of this reduction is due to the detail written into the town's contract and as a result, the consultant has recommended to other cities that they copy from this same contract.

Mayor Dupar questioned Mill Valley Refuse's involvement in the Food Waste to Energy program. Jim Iveroni, Mill Valley Refuse, confirmed their commitment, stating that they are currently in the process of gathering information for Mr. Dow of CMSA. Residential composting is a food waste proposal that may be implemented in the more immediate future once logistical details are worked out.

Councilmember Ravasio said it is evident that the town's contract was well crafted and has saved ratepayers a considerable amount of money.

Mayor Dupar opened the public hearing.

George Topor requested that Lifeline rates be better advertized to customers. Mr. Iveroni said that

they typically rely on customers to request that information and offered to add it to their website.

Mayor Dupar questioned and confirmed with Mr. Iveroni that the issue regarding multi-unit building billings has been resolved. Mr. Iveroni noted that apartment buildings have historically been charged a minimum of one can per residential unit, a rate that continued once one- and two-yard containers were put into use. He explained that because of the different billing methods apartment buildings and commercial properties ultimately paid a very different amount for the same size container. A detailed explanation of fee rates and computation methods is now included in the monthly statement. Mr. Bracken added that an explanation of those fee rates is also included in the resolution.

Councilmember Cock inquired about the recycling status of The Village and Town Center. Mr. Iveroni stated that both shopping centers are recycling predominantly cardboard. He noted that Nordstrom's has reassigned its compactor for recycling use rather than for garbage and also that it bales its own cardboard.

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

To adopt Resolution No. 3615, a Resolution Finding No Objection to a Rate Reduction Request for the Delivery of Solid Waste Collection and Recycling Services by Mill Valley Refuse Service, Inc.

TOWN ITEM

7. Approve Minutes of September 1, 2009

Mayor Dupar requested the following amendments to the minutes:

- Page 2, line 17 – “Mayor Dupar questioned ~~and~~ **about who will be impacted**. Ms. Christman confirmed that homeowners will not face an increase.”
- Page 3, line 36 – “He attended the Central Marin Sanitation Agency to continue review of **CMSA’s response for** the grand jury report.”

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

To approve the Minutes of September 1, 2009, as amended.

ADJOURNMENT

The meeting was adjourned at 8:18 p.m. to the next regular meeting on October 6, 2009.