

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 18, 2007 at 7:30 p.m.

PRESENT: Mayor Gill
Councilmembers Condon, Dupar, Lappert

Town Manager David Bracken
Director of Recreation and Leisure Services Jackie Branch
Town Clerk Christine Green
Twin Cities Police Chief Phil Green
Director of Planning/Assistant Town Manager Robert Pendoley
Town Attorney Jeff Walter

COMMISSIONERS PRESENT

Harris Holzberg, Parks and Recreation Commission
Patrick Pagnillo, Planning Commission
Kitty Prosser, Parks and Recreation Commission

CLOSED SESSION

Closed Session Pursuant to Government Code Section 54956.8

CONFERENCE WITH REAL PROPERTY NEGOTIATOR

Property: 250 Doherty Drive
Agency Negotiators: David Bracken, Town Manager and Town Representative of the
Twin Cities Police Council
Negotiating Parties: Town of Corte Madera, City of Larkspur and Twin Cities
Police Authority
Under Negotiation: Lease price and terms of payment

OPEN SESSION

Salute to the Flag

The Mayor stated that there was nothing to report as a result of the closed session.

PRESENTATION

Valerie Pitts, Larkspur School District Superintendent, Will Discuss the Future of Kindergarten Enrollment and Facility Needs and What May be Needed to Accommodate that Enrollment

Superintendent Valerie Pitts gave a presentation regarding the issue of increasing enrollment. She

stated that the vision of the Enrollment, Land Use and Facilities Committee is to provide an extraordinary education for every child and a positive, supportive environment where each student can thrive. The committee includes representatives from parents, the Council, and Neil Cummins Elementary and Hall Middle School staff. Their charge is to look at enrollment trends and to make recommendations for the fall of 2008. She presented enrollment facts, class statistics, and noted a 14% increase from 2005 to 2007. She said with bond, parcel tax, property leases and joint use agreements, they constructed a new wing at Hall Middle School to create a grade 5-8 campus, they moved 125 5th graders to Hall School, and their total enrollment is now 1171, they anticipate 1185 to 1205 students next year and believe they will begin to level off in 2010. Ms. Pitts noted they use historical numbers in calculating enrollment projections, and concluded that they are three-quarters through the enrollment increase curve, and may need to add 1 to 2 classrooms at Neil Cummins by 2008/09 and 1 to 2 classrooms by 2009/10 at Hall Middle School to accommodate larger classes of students.

She said the District owns four properties in Larkspur and Corte Madera; Hall Middle School, Neil Cummins, Marin Primary/Middle and San Clemente School. Regarding existing facilities, the committee concludes that the existing facilities are at capacity, Neil Cummins would create smaller learning environments regardless of expansion; there is a desire to maintain rooms for specialists and enrichment programs, traffic in the loop at Neil Cummins is a safety concern, there is more land to expand on at Neil Cummins; Hall Middle School can accommodate 2 more portables if needed, and renovating/modernizing San Clemente is cost-prohibitive.

The Committee recommends another process of facilities master planning which is to assess the needs of all current school facilities; develop a 5-10 year facilities master plan that is aligned with educational specifications, a vision, core values, enrollment projects, resources, assign timelines and funding mechanisms, recommended land uses, joint use and revenue enhancement strategies. The schools and children deserve facilities that will provide maximum educational benefit, maintain diversity, create new opportunities, are family- and travel-friendly, safe, flexible, and fiscally responsible.

Mayor Gill noted her concern is the capacity of Neil Cummins, which seems to be whatever the enrollment is, and she asked for this to be addressed. Ms. Pitts said the statewide move is toward lengthened kindergarten classes, which has an impact on facilities. They have 38 classrooms at Neil Cummins, but when you dedicate them to other science, art and music programs, 35 classrooms can be used. She said the State looks at capacity differently, so those added rooms do not qualify for modernization funds.

Councilmember Lappert referred to the boundary map and questioned if it was actual. The Town Manager noted it is an assessor's boundary, but not surveyed. Councilmember Lappert said he understands the needs, but when it expands, he felt this area of the park would be a major target and questioned what would happen when/if the school starts to shrink. Ms. Pitts felt there were options and they are looking at locating facilities in the back of the campus which could increase classrooms.

Councilmember Dupar questioned why the District was including San Clemente when it is known

that it will be costly to improve, and felt the portables alone would not solve the problem. Ms. Pitts said they acknowledge there are options; she said the District still owns the property and there is also an idea of sharing programs and how creative and innovative that might be, as well.

Patrick Pagnillo said there are 4,000 households in town and suggested a survey be taken to project the number of children needing schools, and felt it would be more accurate than using historical numbers. Ms. Pitts said the kindergarten enrollment is based on a 5 year average.

Matt Rogers said he assumed some facilities were sources of revenue, but he did not get the sense that the revenue stream versus the cost of some projects made sense and suggested looking at this, given the \$13 million needed for renovation. Ms. Pitts said if they were to look at modernizing it will take a bond. He also asked what some of the revenue alternative enhancements included, and Ms. Pitts said they need to look at the current lease situations, long-term, short-term, and other alternatives.

Michael Futterman, School District Board President, said the \$13 million is anticipated construction costs and not lost revenue.

Harris Holzberg suggested selling San Clemente School and utilizing its proceeds for the other schools. Ms. Pitts said this is an option which has been brought up. Mayor Gill noted there was a complicated process for selling public schools. Ms. Pitts agreed, but noted it had been done in California, most recently in South San Francisco. Mr. Holzberg confirmed the District needed interested participants on the master plan committee and welcomed him to join.

Jennifer Bernadine said she had attended many meetings, acknowledged there were tough decisions about land use and finances. She said the land shows up as a soccer field in the new recreation center plans and questioned how open and flexible the Council was in working with the District. She felt that many current properties were owned by the District such as San Clemente Park and people do not always perceive them as school property.

Mayor Gill said people perceive these properties as community property and noted this arrangement could not be done due to school district regulations. She said the Town and District have a history of working together and anticipates this will continue in the future.

Jennifer Ginnsburg referred to planning for the future; wants short and long term goals to be met; said she wants San Clemente to open; but that aside she questioned those who have been taken out of the District which could be used to supplement numbers for San Clemente. Ms. Pitts said this idea has been identified, noted there were financial implications to it and changing attendance boundaries become political. The re-districting includes Granada School and there has been discussion of Larkspur opening this up, and they would continue to talk about it. Ms. Ginnsburg said her neighborhood was brand new when San Clemente closed and suggested this also be looked at for re-alignment.

Michelle Rutledge asked what the timeline for determining this information, particularly when

students start school, and she confirmed with Ms. Pitts that student/teacher ratios would not change.

Councilmember Lappert said the student/teacher ratio is important, but felt it had nothing to do with the quality of education; he briefly discussed sustainability and diversity in schools, and questioned the need for limited ratios to be in place.

Kathleen Ashiri said when she went to school there were students with special needs and this was not part of diversity. She noted a survey was done by the school a couple of years ago, and Ms. Pitts confirmed the District had contacted families with pre-school children. Ms. Ashiri confirmed that San Clemente's major cost was addressing Americans with Disabilities Act (ADA) requirements, and they are required to comply with State guidelines and private schools had different, but similar requirements.

Matt Rogers said they heard a lot about Neil Cummins and the 9 classes, 4th graders were moved to middle school and he asked if Hall Middle would become crowded. Ms. Pitts said they need to add 2 portables for 2008-09. She noted one problem was the need for office space which takes up 4 portables.

Councilmember Dupar said he suggested the District purchase two single family lots and extending the parking lot, but this has not been discussed and he felt it would solve the problem while not encroaching onto the grassy area.

Board President Michael Futterman felt this was creative, and one thing to keep in mind is that this is not a housing and space issue, but a programmatic issue and how to best administer the campus while making it safe. One option considered is having a separate kindergarten and pre-kindergarten on the left side of Neil Cummins. There are benefits and detriments to this, but it would help to create a smaller type of campus for a kindergarten and pre-school facility which require different educational space and supervision. He felt there were attractive notions to separating it out rather than buying properties on the other side, so they look at it from what it would do to the environment, programming, alleviating burdens on administrative staff.

Mayor Gill thanked Ms Pitts for the District for her presentation, noted the Council will have a representative on the long-range planning committee and will continue to work with the District.

1. OPEN TIME FOR PUBLIC DISCUSSION

There were no items brought forth at this time.

2. COUNCIL AND TOWN MANAGER REPORTS

- Town Manager Report

The Town Manager gave the following report:

- He introduced and welcomed the Town's new Public Works Manager, Debra Sue Johnson, who came to Corte Madera from the Town of Fairfax.
- The Countywide Get-Ready training program for elected officials will be held on Saturday, September 29 at 10:00 a.m. in the San Rafael Council Chambers. Councilmember Lappert felt the training was important, noted it was a multi-jurisdictional training and hoped the entire Council could attend.
- The Flood Control Board had met last week and they appointed Clyde Marquart as Chair and Dr. Robert Bundy as Vice Chair.
- The Town is advertising for membership on the Bicycle Plan Advisory Committee (BPAC). The deadline for application is Friday, September 29.
- A meeting was held with the presidents of various town homeowner associations and the Mayor. A number of items were discussed. The Mayor also received a resolution of appreciation from the Mariner Cover Neighborhood Association
- The Parks and Recreation Commission met last night and reviewed the Parks and Recreation Community Center Master Plan. They will be forwarding to the Council a recommendation which is the new facility in the same location.

- Council Reports

Mayor Gill reported a Community Choice Aggregate meeting would be held on September 27th and she would attend.

Councilmember Condon gave the following report:

- She attended the League of California Cities Annual Conference, noted she serves on the Policy Committee for Housing and Community Development and a resolution was presented regarding an ordinance that would restrict residential care facilities from locating within 300 feet of each other. She noted Los Angeles has a proliferation of residential care, drug and alcohol rehabilitation and group homes; if there are 6 or less residents in the home, they do not fall under a city's purview. She noted in Sausalito the Alta Mira had been purchased along with surrounding homes in an attempt to open group homes. There are concerns of traffic, safety, as well as changes in neighborhood characteristics. She said ultimately, the Committee voted to support the resolution; it was brought before the General Assembly and was currently being brought forth for someone to carry the legislation. She said it was also being discussed on city levels for jurisdictional review.

Councilmember Dupar gave the following report:

- Central Marin Sanitation Agency (CSMA) met last week and awarded a contract for they wet weather improvement project.
- The consolidation merger between San Rafael and Ross Valley had occurred.
- He referred to the project along San Clemente Drive and questioned whether the area on the bay side trail which was being used by McLellan Contractors for staging of heavy equipment and vehicles. The Town Manager said the area was not authorized for staging and agreed to follow-up on the situation.

Councilmember Lappert gave the following report:

- Reported progress on the Ross Valley Paramedic Authority and the boundary drop, money was coming in for the work, there would be reimbursement, and removed was the issue for a mediator and sharing in the cost.

CONSENT CALENDAR

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

To approve Items 3a, 3b and 3c on the Consent Calendar.

- 3a. Approved Warrant and Payroll for the Period August 30, 2007, through September 11, 2007, Warrant Check Numbers 117497 through 117632 and Payroll Check Numbers 2117 through 2131, Payroll Direct Deposit Numbers 9876 through 9961, and Payroll Wire Transfer Numbers 632 through 635
- 3b. 2007-08 Street Resurfacing Project No. 06-001 – Adopted Resolution No. 3527 Awarding Contract, Approval of Supplemental Appropriation, and Authorization of Expenditures for Construction
- 3c. 2007-08 Street Sealing Project No. 06-001 – Adopted Resolution No. 3528 Awarding Contract and Authorization of Expenditures for Construction

BUSINESS ITEMS

4. Discussion and Possible Action Concerning Adoption of Ordinance No. 899 Adding Section 10.44.085 and Amending Sections 2.22.040 of the Corte Madera Municipal Code to Establish Procedures for the Designation of Disabled Parking Spaces in Town Right-of-Ways By Title Only, Waiving Further Reading

Mayor Gill provided an overview of the item, stating a resident visited the Public Works Department and requested a disabled parking space in front of her residence. Because of a lack of history on the matter, staff brought forth the matter before the Traffic Advisory Commission and the Accessibility Advisory Commission for review. In early June a joint meeting was held of both commissions wherein a resolution was passed to grant the resident the parking space. However, it was felt that a more formalized process should be in place.

After conducting research, it was found that the process is handled by the Traffic Advisory Committee in many cities. Therefore, staff and both the TAC and AAC recommended that an ordinance be adopted which would add the decision-making process to the Accessibility Advisory Commission's role and based on established criteria and examined on a flexible, case-by-case basis. Also included will be a right of appeal to the Town Council, the disabled parking space was not a dedicated space for the resident but would serve the entire public. There would be one space per

5,000 residents and therefore, Corte Madera would have a total of 2 allocated spaces.

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

To adopt an Ordinance No. 899 Adding Section 10.44.085 and Amending Sections 2.22.040 and 10.44.090 of the Corte Madera Municipal Code to Establish Procedures for the Designation of Disabled Parking Spaces on Town Right-of-Ways, by title only waving further reading.

5. Discussion and Possible Action Concerning Pre-hearing Workshops for the Updated General Plan

The Planning Director presented the staff report. The next formal steps include public hearings on the EIR and the General Plan and hearings before the Council. The EIR should be ready for release on November 30, there is an opportunity for citizen participation; staff has outlined a schedule of Planning Commission workshop meetings, and he discussed publicity items in order to provide notice to the community. He said the draft was available at Town Hall on CD and is downloadable on-line on the Town's website.

Mayor Gill referred to the solar installation fee, and confirmed Chapter 3 is the sustainability portion in the General Plan which talks about a committee to review sustainability issues. The Planning Director noted the plan is evolving and recommended the Council appoint a task force and define programs it may want to incorporate. The task force will review what other communities are doing such as the use of hybrid vehicles, solar panels and those less expensive and easily sustainable, and others could be developed at any time during the process.

Mayor Gill felt it was important to invite members of the original General Plan committee and Councilmember Dupar confirmed that the meetings would be scheduled during the regular Planning Commission meetings; the first one being October 9, 2007.

There was Council consensus to accept staff's recommendations for the proposed pre-hearing workshops and process for the updated General Plan.

6. Update on the Highway 101/Greenbrae/Twin Cities Corridor Project

The Town Manager reported that in 2002, the Town looked at alternatives to improvements to alleviate congestion and increase safety in the subject areas. A study done by CH₂M Hill was looked at and an alternative was selected, with the provision there be no closure of the ramps at Madera Blvd. He presented existing conditions, reviewed southbound options, and stated it would eliminate any merger heading southbound onto Sir Francis Drake. Positives included reducing merging conflicts on Highway 101 and one would not have to enter Highway 101 to access Sir Francis Drake from Lucky Drive. Problems include difficulty in accessing Highway 101 from Sir Francis Drake, it would eliminate the Madera ramps completely; and would increase congestion on local streets.

The Manager summarized a number of north- and south-bound scenarios. He noted that the Town's comments were sent to the Transportation Authority of Marin (TAM). Regarding the Highway 101/Tamalpais Drive Interchange project, while leaving the overpass and re-stripping a bike-lane on Tamalpais Drive, this plan shows a reconfiguration of Casa Buena Drive. There have been problems with turns at Sanford Street; it is not an easy heading toward Casa Buena Drive; there could be a new driveway into the bank and Peets Coffee. One concern with the entire interchange is traffic from bicyclists and pedestrians so lanes were proposed to be added. Another aspect of this design is that on Paradise Drive, a new access road would go in between Paradise and San Clemente Drive. It would make Paradise one-way and have a loop around to San Clemente. It would make for better access to the freeway, but a light would need to be added.

Councilmember Condon confirmed with the Town Manager that the location of the EAH project was located further south. The Town Manager discussed with the owners of the Honda dealership about this and one suggestion was to narrow Paradise Drive in exchange for the right-of-way, which could be attractive, but Honda asked them to move the road down further toward the EAH project. Councilmember Condon felt that if it were moved further south, EAH could be better accessed. He said one argument would be those circling on San Clemente would take longer getting out. He said the plan shows a round-about at Tamalpais and San Clemente but felt there was too much pedestrian traffic.

The Town Manager said one option does not show the round-about, and Councilmember Dupar suggested putting the round-about at the new road and San Clemente Drive, which would slow the traffic.

Another option would widen the Tamalpais Drive interchange, but it does not lengthen it. It allows for a dedicated southbound ramp which would alleviate queuing problems and help in congestion relief.

In summary, the Town Manager Bracken said all of the options were presented last spring in an outreach meeting, TAM gathered comments from agencies and they have refined the designs. He said the full diamond interchange at Wornum was the concept everyone liked the most, but it is costly. So, they are looking at the other three options; they have submitted a project study report to Caltrans, and will receive comments back by the beginning of October and TAM would like to attend the October 16 Council meeting and provide an update of the project based on the comments from Caltrans. Sometime in the end of October, TAM will also want to have another big public outreach meeting at Redwood.

Councilmember Lappert questioned opposition from the Tamalpais group on the diamond interchange. Mayor Gill felt the option has dollar implications; there probably is not enough funding to do all of it. Councilmember Condon said when this first came before the previous Council, the Council supported the concept to keep Madera in operation. The Town Manager said staff saw an option that showed Madera with both on and off ramp and staying open, so it was a refinement of what is seen. Councilmember Condon requested returning to this issue, felt many items had been

overlooked, and Mayor Gill suggested taking action at the October meeting after TAM's presentation, and Councilmember Lappert also suggested involvement with Chevron.

Councilmember Dupar questioned whether thought had been given to the impact on the side streets. Mayor Gill said the entire area was being studied and the Council discussed options for partial closure of ramps and streets during specific parts of the day, which was not deemed feasible.

Councilmember Dupar voiced concern with congestion during the holiday season, and the entire Council agreed that Caltrans should cease from using the same models and standards which were significantly outdated. The Council agreed for the need of a separate outreach meeting to focus on the Tamalpais Interchange, which the Town would host.

7. Approve Minutes of August 21, August 24, and September 4, 2007

August 21, 2007:

Councilmember Dupar referred to page 8, and confirmed impact fees were waived for two years. He referred to page 7, line 30, and requested the following amendment: "there are community choice aggregation and other modes." He referred to page 2, line 23, and requested the following amendment: "...units being construction and if the bill were to pass and be worded accordingly, the town might only be credited for half of the units".

MOTION: Moved by Dupar, second by Lappert, and carried unanimously, with Yang absent,
To approve the Minutes of August 21, 2007, as amended.

August 24: 2007:

MOTION: Moved by Lappert, second by Dupar, and carried unanimously, with Yang absent,
To approve the Minutes of August 24, 2007.

September 4, 2007:

Councilmember Lapper referred to page 2, line 9, and requested removal of: "due to extending the requirements of", and the addition of: "in order to allow additional noticing of this item."

He referred to the top of Page 3 and requested the sentence be changed to: "...suggested Councilmember Lappert be approached regarding his interest of another councilmember in representation and attending future meetings."

MOTION: Moved by Dupar, second by Condon, and carried unanimously, with Yang absent,
To approve the Minutes of September 4, 2007, as amended.

ADJOURNMENT

The meeting was adjourned at 9:24 p.m. to the next regular meeting to be held on October 2, 2007.