

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

In the Town Hall of the Town of Corte Madera, on October 21, 2008 at 7:30 p.m.

PRESENT: Mayor Lappert
Councilmembers Cock, Condon, Dupar, Ravasio
Town Clerk Christine Green
Twin Cities Police Chief Phil Green
Director of Planning/Assistant Town Manager Robert Pendoley
Town Attorney Veronica Nebb
Acting Director of Emergency Services Roger Sprehn
Interim Dir .of Recreation & Leisure Services Mario Fiorentini

COMMISSIONERS PRESENT

Richard Esteb, Parks and Recreation Commissioner

CLOSED SESSION

Closed Session Pursuant to Government Code Section 54956.9(c)

CONFERENCE WITH LEGAL COUNSEL - ANTICIPATED LITIGATION

Initiation of litigation pursuant to subdivision (c) of Section 54956.9: One Case

The Town Attorney stated that Town staff met in Closed Session and that by a unanimous vote, the Town Council authorized the filing of an initiation of litigation against Nationwide Auction Systems for recovery of monies due for the sale of a used vehicle.

OPEN SESSION

Salute to the Flag

1. OPEN TIME FOR PUBLIC DISCUSSION

Jen Reidy, 447 Manzanita Avenue, stated that on the evening of September 27, 2008, she was woken by loud noises and footsteps from four large men in her backyard. She was home alone with her two young children when she discovered that the four men had been involved in a fight at a quinceañera party held at the Recreation Center and they were hiding in her yard. Ms. Reidy noted that she and her neighbors are consistently disturbed by the larger weekend parties held at the Recreation Center and on occasions like this, feel threatened.

She asked that the Council reconsider a cost structure associated with events at the Recreation Center, noting that it is a "bargain basement" price relative to other event halls would seem to invite a less desirable crowd with no interest in the welfare of the Town. She also asked that event deposits be directly linked to the post-party condition of the surrounding neighborhood as well as any complaints received by neighboring residents.

Dan Reidy, 447 Manzanita Ave., stated that he has lived at his home for nine years and recognized the role of the Recreation Center when he moved in. He explained that most weekend parties are very boisterous and that while the majority of hosts are very responsible, his family and neighbors regularly pick up bottles of alcohol, beer cans, and fast food wrappers from their yards. He feels that the overflow of parking onto residential streets is the sole cause of the material and physical intrusion into their neighborhood. He noted that this sort of damage seems to primarily result from parties hosted by non-residents and fears that the events of September 27, 2008 are bound to happen again if policy and fee structure are not reevaluated. He provided the following suggestions:

- Increase rental fees for non-residents and large parties in general;
- Increase security deposits;
- Require security deposits to be connected to the condition of the nearby neighborhood;
- Require the host use a valet service to park cars on the West-side parking lot during large events;
- Track the impact of Recreation Center events on the surrounding neighborhoods.

Mayor Lappert asked how many of Mr. Reidy's complaints were associated with a Latino-based event such as a quinceañera and he estimated 90%.

Mayor Lappert asked how a situation with someone who cannot provide legal ID or is a non-documented alien is handled. Twin Cities Police Chief Green explained that the county-wide policy is not to address illegal alien status unless there is an actual crime.

James Hardy, 123 Buena Vista Drive, echoed the Reidy's comments and added that from a utilitarian point of view, the parties offer no benefit to the Town. He understands the events to operate at a break-even point financially while providing substantial negative connotations for all of the local residents. He stated that Corte Madera has no duty to be the lowest common denominator of the surrounding cities, especially provided the substantial amounts the Town and residents pay to beautify their surroundings.

Thomas Luehrsen, 244 Sausalito Street, said when he participated in the public workshops for the future Recreation Center Master Plan, the primary issue was that this center should be first for the residents and second for those outside the community. He recalled that there have been numerous violent incidents associated with parties here and asked the Town Council to address their profits, or lack of, generated by rental of the park and Recreation Center.

Richard Esteb, 33 Harbor Drive, suggested that the Town enforce a two-hour parking limit on the residential streets surrounding the area. Residents would be given a parking permit while others would be ticketed, deterring overflow parking.

Linda Bruehn, 438 Manzanita Avenue, stated that while amplified music is required to end at 11 p.m., partygoers and the entertainment make considerable noise outdoors until midnight or 1 a.m.

and she suggested ending parties earlier.

Bettina Jetter, 417 Manzanita, said that in addition to the events of September 27, her neighbor recently had a car stolen. She enjoys her neighborhood but the two incidents make her unsure of its safety and asked for a greater police presence during and after larger events.

Janet Lorenzo, 425 Tamalpais Drive, explained that she used to regularly make complaints about loud music from parties at the Recreation Center. When the problem continued, she modified her behavior by arranging to spend evenings away when a party is scheduled. It would be helpful if the Town website posted an events schedule, including start and end times. She currently calls the police department to find out the weekend's schedule and arranges to stay out until several hours after the party's end. She also noted that party security is generally ineffective, hired by the host, and has no vested interest in the community or its residents.

Mayor Lappert said that he expects the Recreation Center to modify its behavior, not local residents. He finds the current situation intolerable and stated that inviting a culture into the Town that goes against what the community stands for is unacceptable. Drunk and disorderly behavior should be grounds for more serious consequences, including deportation if offenders cannot provide proof of their residency.

Elizabeth Cook, 421 Manzanita, said all racial groups have the potential to be obnoxious and asked that the issue not be aimed at a specific group. She felt the real issue is a Recreation Center that holds 400 people using a parking lot that holds only 30 cars. Whatever the ethnicity, overflow parking enters the surrounding neighborhoods and affects residents.

Mayor Lappert said he does not oppose a specific race but does oppose a group of people failing to behave in accordance with the standards of the Town they are visiting.

The Interim Director of Recreation and Leisure Services said he spoke with several members of the community and appreciates their input on any activities at the Recreation center. He explained that the Town Council will soon receive staff reports regarding fee resolutions and policy changes at the center. There are currently several options under consideration to alleviate the parking issue, including using the blacktop at Neil Cummins gym and having staff work more closely with hosts regarding a parking plan. He stressed that he would like staff to work more closely with everyone to mitigate the impact on neighbors.

Mayor Lappert questioned what immediate action could be taken to manage the parties in the upcoming weekend. The Interim Director of Recreation and Leisure Services explained that he has already spoke with this Saturday's fundraiser host and has alerted them to parking issues as well as offered assistance in obtaining a valet service.

Councilmember Ravasio noted that as a neighbor of the Recreation Center, he considers noise to be

a major issue and asked if this will be addressed. Interim Director explained that the policy was modified last year to end music at eleven p.m. and that the volume is governed by the municipal code which indicates an allowed decibel level during certain hours.

Councilmember Cock questioned whether or not the decibel level is or could be monitored, and Councilmember Ravasio believed that the overflow noise was very disruptive. Mayor Lappert explained that there are plans to invest nearly \$250,000 in upgrades to the Recreation Center and promised to ensure that some of those improvements address sound attenuation.

Councilmember Condon referred to an earlier comment that hired security has no interest in the Town and suggested that party hosts be allowed to hire off-duty Twin Cities Police officers for their events.

Mayor Lappert noted that although Recreation Center staff presence is required at events, most staff members are too inexperienced to handle these situations and enforcement properly. He asked that Town Staff investigate using a professional trained in crowd control to police the parties.

Councilmember Cock asked if there is a standard practice for patrolling the area when these parties are ending. The Police Chief explained that when the officers are aware of the events the department typically arranges for extra patrol of the area, especially when the events are scheduled to shut down. If officers are not tied up elsewhere, they respond to citizens' complaints and advise them on safety measures.

Mayor Lappert believes the situation to be a top priority; residents have a right to quiet enjoyment of their property and he would like to see every effort to address these concerns.

2. COUNCIL AND TOWN MANAGER REPORTS

Councilmember Condon provided the following report:

- She attended the MCCMC Legislative Committee meeting where they reviewed various pieces of legislation. The Governor signed legislation that would require public notice and an opportunity for public hearing in the event of spraying for the light-brown apple moth. She remains concerned by the language in Senate Bill 375 but has been assured that Marin County will receive Federal Transportation Funds if it complies with its emissions target strategies.

Councilmember Dupar provided the following report:

- The Marin Telecommunications Agency met last week and discussed a problem resulting from the low-income lifeline rate for cable services and the elimination of the bulk rate for low-income housing. This means that more of the cost for the low income housing service will be shifted to the jurisdictions and paid for out of the cable franchise revenues. This, combined with the shift in service providers from AT&T to MTA, results in a program that

costs more to service than it provides. The Town is responsible for 6% of this cost to the MTA; since there are not many low-income residents in Corte Madera, the Town will be paying for more than it receives in benefits.

The Director of Planning provided the following report:

- A “virtual” emergency drill began today which was based on a 6.9 magnitude earthquake that occurred this morning and damaged parts of the Civic Center. The drill will go active Thursday morning.

CONSENT CALENDAR

- 3a. Approved Warrant and Payroll for the Period 10/01/08, through 10/15/08, Warrant Check Numbers 121319 through 121442 and Payroll Check Numbers 2621 Through 2634, Payroll Direct Deposit Numbers 12456 through 12538, and Payroll Wire Transfer Numbers 796 through 799 and Wire-Twin Cities Police Monthly Payment

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

To Approve Warrant and Payroll for the Period 10/01/08, through 10/15/08, Warrant Check Numbers 121319 through 121442 and Payroll Check Numbers 2621 Through 2634, Payroll Direct Deposit Numbers 12456 through 12538, and Payroll Wire Transfer Numbers 796 through 799 and Wire-Twin Cities Police Monthly Payment

BUSINESS ITEMS

4. Adopt Ordinance No. 908, Amending the Municipal Code to Modify Application of Certain Sections of the 2007 Edition of the California Fire Code and the 2006 Edition of the International Fire Code, as Adopted by the Town of Corte Madera. And Add a Requirement for the Installation of Automatic Shut-Off Devices

The Acting Director of Emergency Services explained that this is the second reading of Ordinance No. 908.

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

To Adopt Ordinance No. 908, Amending the Municipal Code to Modify Application of Certain Sections of the 2007 Edition of the California Fire Code and the 2006 Edition of the International Fire Code, as Adopted by the Town of Corte Madera. And Add a Requirement for the Installation of Automatic Shut-Off Devices, by title only, waiving further reading.

5. Approve Minutes of October 7, 2008

Councilmembers requested the following amendments to the Minutes of October 7, 2008:

- Page 6, line 35, amend as follows: “Councilmember Dupar said he is acquainted with one of the applicants and believes ~~they~~ **she** would be a fine addition to the AAC.”

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

To approve the minutes of October 7, 2008, as amended.

ADJOURNMENT

The meeting was adjourned at 8:10 p.m. to the next regular meeting to be held on November 4, 2008.