

TOWN OF SAN ANSELMO

Minutes of the Town Council Meeting of May 22, 2012

Present: Coleman, Greene, Kroot, Lopin, McInerney

7:06 p.m.

CALL TO ORDER AND PLEDGE OF ALLEGIANCE

ANNOUNCE ACTION TAKEN, IF ANY, IN CLOSED SESSION

Mayor McInerney announced there was no closed session.

OPEN TIME FOR PUBLIC EXPRESSION

Arnie Schere, Durham Road, commented on the recent sewer project at Durham Road stating the project has resulted in poor road conditions. Schere requested re-pavement of Santa Cruz Avenue and Durham Road be scheduled within the next year.

Tom Peacock, Durham Road, acknowledged Schere's concerns as being real regarding road conditions on Durham Road, Santa Cruz and Santa Barbara Avenues. Peacock has concerns that delays of the Greenfield Avenue project and other town paving projects will delay the paving of Durham Road. Additionally, Peacock expressed concerns regarding the property located at 15 Santa Barbara Avenue stating the property is a huge fire hazard as it has paint cans buried within four feet of grass. He requests the grass be cut and the paint cans be removed.

Stutsman stated the Town's Public Works Director (PWD) feels the road will make it through the winter. Paving the road will not be possible this year as the Town's 2012 Capital Improvement Project is already out for bid. Durham Road is planned to be paved next year.

Stutsman noted in regards to the paving of Greenfield Avenue the road will be paved up to Spring Grove; the Town has held back the paving of Spring Grove to Sequoia because of much concern expressed from the merchants regarding Greenfield parking. The section that is in real poor condition will be paved this year.

McInerney asked if there is a safety concern on Durham Road or if there are potholes in the street.

Stutsman replied the Town's PWD, Sean Condry, is not present to respond, however, the Town has a regular pothole filling program and potholes that may develop over the winter are filled.

McInerney asked who should be contacted if residents have concerns. Stutsman stated concerns should be addressed to the PWD; he will be back in the office on Tuesday.

COUNCIL REQUESTS FOR FUTURE AGENDA ITEMS

Lopin reported on the Community Opening of the 680 Trail. Lopin also reported on discussions at a recent meeting of the San Anselmo Chamber of Commerce. The Chamber does not want the Town to hold up permits for projects in San Anselmo as they do not want to see something similar to the Lucas debacle in San Rafael.

Coleman congratulated Drake High School for their Baseball Team who recently won the MCAL title and their Mountain Bike Team for winning their fourth consecutive State title.

Coleman announced that the Marin County Emergency Medical Services Agency will be having a hands-on CPR training event happening, "Don't Miss a Beat", on Saturday, June 9 from 10:00am to 2:00pm. Various event locations include: Tiburon Ferry Plaza, Mill Valley Depot, Fairfax Festival, Northgate Mall, Village Shopping Center, Red Hill Shopping Center, Vintage Oaks Shopping Center and Toby's Feed Barn. For further information and locations logon to their website at "marinemems.org".

Police Chief Charles Maynard introduced on-duty police officers Sergeant Toby Miller, Corporal Mark Reischel, Officer Jorge Solorzano.

1. CONSENT AGENDA: ITEMS ON THE CONSENT AGENDA MAY BE REMOVED AND DISCUSSED SEPARATELY. DISCUSSION MAY TAKE PLACE AT THE END OF THE AGENDA. OTHERWISE, ALL ITEMS MAY BE APPROVED WITH ONE ACTION.

(a) Approve Minutes of May 8, 2012.

(b) Award the Lansdale Fish Project to the low bidder Glissman Excavating in the amount of \$317,400.

There was no comment from the public regarding the consent agenda.

McInerney pulled item 1(a), Minutes of May 8, 2012 from the consent agenda.

M/s, Kroot/Greene, to approve item 1(b) of the consent agenda. AYES: Coleman, Greene, Kroot, Lopin, McInerney.

McInerney requested clarification of the discussion regarding bringing back a chain store ordinance. McInerney stated he was not expressing an opinion as to whether or not Council should pass the ordinance. He was asking the Deputy Town Attorney, Megan Acevedo, whether it was feasible to pass an ordinance banning chain stores; it was Acevedo who responded to the legality of the question, not Stutsman.

M/s, Greene/Kroot, to approve item 1(a) of the consent agenda with the noted changes. AYES: Coleman, Greene, Kroot, Lopin, McInerney.

2. CONSIDER APPROVAL OF RESOLUTION No. 3978 IN SUPPORT OF STATE PENSION REFORM EFFORTS.

Town Manager Stutsman presented the staff report.

Lopin asked if the legislature looks at towns that adopt these types of Resolutions. Stutsman acknowledged Town Resolutions as such are usually sent to the State.

Coleman requested clarification of page two of the staff report regarding calculating benefits based on regular, recurring pay and asked how this change would affect San Anselmo.

Stutsman replied that the State law would have to change for the Town to do anything different. The Town is required to use longevity pay, the educational stipend, and assignment pay in the PERS calculation.

Coleman noted the SAPOA agreed to a second tier retirement program in 2007, 3% at 55; currently seven of the seventeen Sworn Police Officers are enrolled in the second tier. Coleman asked what the retirement program is for Sworn Officers that are not in the second tier. Stutsman replied the plan is 3% at 50.

McInerney acknowledged the Governor's plan includes equal sharing of pension costs and asked if that means employees are expected to pay their full share of PERS. Stutsman gave an illustration of her understanding of the equal sharing of pension costs to be if the PERS rate were 20% the employee would pay 10%.

McInerney acknowledged Town employees as currently paying 3% of the employee share. McInerney asked, if the Town so desires, if it is possible to negotiate a hybrid risk sharing employee pension plan to be considered as a new tier for new employees. McInerney is not suggesting this and asked if the Town can negotiate with the unions a hybrid pension plan for existing employees; a new tier that may include negotiating retirement ages.

Stutsman believes the negotiations are possible and that they would have to negotiate a new tier.

McInerney asked Stutsman to explain her leadership role in a 2009 Pension Reform Policy with the Marin Managers Association.

Stutsman stated the Marin Managers group included five people who worked together to outline pension programs that would give the towns/cities in Marin County, as well as the County, something to work toward together. It was along the lines of 2% at 60 or 2% at 65 for miscellaneous employees and 2% at 55 for safety employees.

McInerney asked if Stutsman thinks the resolution would set policy going forward regarding negotiations with the Town's bargaining units and future employees.

Stutsman thinks it will set a frame work as the Town negotiates with employees.

Coleman emphasized the importance of employee relations in San Anselmo by reading a section on page five of the staff report, *"Employees are the Town's most valuable resource and should be fairly compensated for the work they perform on behalf of the citizens of San Anselmo. The Council has a responsibility to ensure that employees are adequately compensated while at the same time being fiscally responsible regarding short and long term budgets and financial realities."*

Public comment

Peter Hoag, Sequoia Road, believes the Town has made significant steps toward addressing pension reform. Hoag encouraged Council to approve the resolution as he endorses the Governor's Twelve Point Pension Plan.

Tom Peacock, Durham Road, thinks staff should present a report which includes financial figures to support the pension cost savings and how the savings will affect the Town.

Bess Niemcewicz asked if they have considered possible implications regarding sharing of services with Twin Cities and if they are considering a similar framework.

Stutsman replied yes it has been considered; it is negotiable and the Town of Corte Madera has approved a similar resolution.

Carla Overberger, Nokomis Ave, believes many employees are unacquainted with their retirement plan and in order to get people to accept retirement plan changes the Town should help people understand the implications of the changes.

Greene supports approving the resolution stating it is a good idea in that it enumerates the Twelve Point list of actions that can be taken and adjustments that can be made to bring unfunded liabilities under control.

Coleman supports approval of the resolution though she senses that people are afraid of the uncertainty regarding changes to the Town's retirement plans and believes it is important to facilitate and educate employees of the changes being made to their retirement plan.

Kroot thinks the Twelve Point Plan is good and he supports approval of the resolution.

Lopin is in favor of approving the resolution stating it is important to follow the resolution guidelines.

McInerney is in support of the resolution and he believes the Town should move toward a hybrid pension plan.

M/s, Lopin/Kroot, to approve Resolution No. 3879 in support of the State pension reform effort. AYES: Coleman, Greene, Kroot, Lopin, McInerney. NOES: None.

3. UPDATE REPORT ON THE POLICE DEPARTMENT SHARING SERVICES WITH TWIN CITIES POLICE AUTHORITY, CONSIDERATION OF NEXT STEPS AND PROVIDE DIRECTION TO STAFF.

Stutsman explained over the last several years Council has directed staff to find ways to share services with other cities with the intent to reduce costs while improving services. In 2009 Twin Cities began construction of their new facility and temporarily moved their dispatch to San Anselmo. The arrangements worked very well as both agencies were able to save money while improving services and with Council's encouragement additional services are being explored between the two agencies.

San Anselmo Police Chief, Charles Maynard, outlined shared police services currently in place with Twin Cities. Maynard recognized the sharing of services as a positive experience for both organizations in addition to cost savings, improving services and enhancing employee opportunities.

Greene senses thus far the sharing of services has worked well. Greene asked if the agencies have addressed potential problems that may arise.

Maynard does not foresee any problems and believes sharing services will continue to benefit all three communities in addition to addressing current pension issues. Maynard acknowledged both Larkspur and Corte Madera Town Council's have been in support of the shared services provided to date.

Greene feels a majority of the success in the shared services reflects the involvement of Chief Maynard and Chief Cusimano who are like minded and have put together a well working program.

Coleman asked what the downsides might be and what may not be visible.

Dave Bracken, Town Manager, Town of Corte Madera, believes it is an excellent opportunity for all three agencies stating San Anselmo has an excellent chief who is planning retirement; Twin Cities has an excellent young chief with exuberance to take this on. There is support from the San Anselmo Town Council and the support of the Corte Madera Town Council in addition to full support from both police officer's associations.

Dan Schwarz, City Manager, City of Larkspur, noted the Police Authority respects the culture of the Cities/Towns budgets and there is a lot of internal communication regarding what the organizations need to make it work.

Coleman requested information regarding the make up and the purpose of the Twin Cities Police Council (TCPC).

Chief Cusimano explained the TCPC consists of the Police Chief as staff, two City/Town Managers as the Management Committee and two Councilmembers from each City/Town as the Council. All police authority matters, including budgets go before the Council and any action taken needs a vote of three Councilmembers in support of the action. If the consolidation were to be approved there would be two Councilmembers from each City/Town. In order to approve an action a vote of support from at least one Councilmember from each City/Town would be needed.

Stutsman noted San Anselmo has been part of the Ross Valley Fire Department JPA for over twenty five years. The JPA is set up similar to the Twin Cities JPA where as each City/Town has two representatives on the board; it is a consensus driven board in which the individual members have significant control over what happens.

Coleman has concerns the Town may be taking on additional pensions and liabilities.

Schwarz stated transition discussions will include the police chiefs figuring out how to make it work on an operational level and the three city/town managers figuring out how to make it work on a financial level.

Lopin asked if salary schedules have been worked out. Maynard replied the salary schedules are similar and that the POA's are currently working a few changes that will be needed to get parity.

Schwarz stated there is a lot of work to be done in gathering financial information for the consolidation. Schwarz emphasized the importance that attention is given to how the data is collected.

Lopin asked Maynard if there have been any changes, since March, to the services that the police provide to the community.

Maynard noted they recognized, in light of the shared services, the department needed to monitor and review their response times, types of calls and types of service. They noticed during shift change there was an extended period of time for response. Captain Shirk worked out the shift change and the extended period of response time was eliminated. The department is watching all the variables.

Kroot is concerned that with the consolidation the Town will lose control of its Police Department.

Schwarz noted it seems intuitive that you would have less control but his experience has been one hundred percent the opposite mainly because of the nature and structure of the JPA. The Town Managers are integrally involved.

Maynard acknowledged the Town's police services as being fully staffed and as having more police officers in Town than before when we did not share services.

Public Comment

Bob Ravasio, Mayor, Town of Corte Madera extended the invitation of continuing to move forward with the sharing of police services. On behalf of the Corte Madera Town Council Ravasio announced the Corte Madera Town Council is in full support in moving forward with the shared services. Ravasio acknowledged that the Twin Cities Police operates like a small town police force with the highest level of professionalism and they are sensitive to the needs of the communities.

Barbara Thornton, Scenic Avenue, former San Anselmo Town Councilmember, thanked Chief Maynard for an outstanding staff report regarding the shared services. Thornton acknowledged the Ross Valley Fire JPA as being an excellent testament to how sharing of services can provide better service with fewer people and less cost.

Ethel Syderman, Park Drive, thanked Chief Maynard for having a police officer patrolling the Saunders Avenue and Center Boulevard intersection. Syderman stated Maynard has done a wonderful job and as he leaves he will be leaving behind an abundance of strength; to know the legacies are there and let the strength take over.

Greene supports moving forward full steam ahead with sharing of police services with the Twin Cities Police Authority.

Lopin supports sharing of services with Twin Cities Police and she is very interested in reviewing proposed salary schedules, financial figures, liability issues and things of that sort.

Kroot supports the police sharing of services though he believes it is moving quickly. Kroot suggests Council review the issue in six months.

Coleman does not want to lose the small community feeling. Coleman supports the shared services.

McInerney also supports the sharing of services with the Twin Cities Police. Additionally McInerney supports staff to come back to Council with a detailed financial analysis of costs for the San Anselmo Police Department to fully merge with the Twin Cities Police Authority. McInerney also requested for the staff report to include all the details. McInerney suggests the review and discussions should be over a period of meetings rather than one long five hour meeting.

4. ADJOURN.

The meeting adjourned at 10:00pm.

Respectfully submitted,

Joanne Kessel