

TOWN OF SAN ANSELMO

Minutes of the Town Council Meeting of January 28, 2014

Present: Coleman, Greene, Kelly, McInerney, Wright

Absent: None

7:00 p.m.

CALL TO ORDER AND PLEDGE OF ALLEGIANCE

ANNOUNCE ACTION TAKEN, IF ANY, IN CLOSED SESSION

Mayor McInerney recognized members of the Renew San Anselmo Committee for their volunteer work in passing the recent sales tax measure to address the Town's most pressing infrastructure needs.

OPEN TIME FOR PUBLIC EXPRESSION

Vance Frost spoke on behalf of the San Anselmo Community Foundation regarding water usage at Imagination Park. Frost said that power washing of the walkways will be done bi-weekly and that a specialist will closely monitor the water usage and assures that they stay in the bottom tier of water usage.

Thomas Fallon, 15 Plumas Avenue, asked the Council if they have taken any action on his request a few weeks ago to draft a resolution reaffirming the voting rights and the power of the citizens of San Anselmo to determine the Town's Mayor; to develop a fair and predictable protocol based on an ascension process and to agendize and pass the resolution therein avoiding the filing of a petition to recall Mayor McInerney.

McInerney said the Council can't discuss or take action as the item isn't agendized.

Michael Glasser, Magnolia Avenue, said he appreciates the Library staff and he is grateful for their service. Glasser also commented on the excellent service that is provided by the employees of Marin Sanitary Service.

COUNCIL REQUESTS FOR FUTURE AGENDA ITEMS

Coleman announced that on Thursday, January 30, 2014, there will be a one day census that will provide a count of the homeless people in Marin County. This census will help in determining the amount of Federal Funding to Marin County for homeless people. Coleman also reported on a recent meeting of the North Bay League of California Cities.

Greene reported on the TAM Board voting last November on how to allocate \$39.8 million to Corte Madera corridor and he described it as was a \$40 million dollar decision on about 24 hour notice. Greene said Metropolitan Transportation Commission (MTC) has reservations for approving money for studies of plans. We should hear back from MTC staff in early February and then the ultimate decision from MTC Board sometime in May. There may be an alternative so that we don't lose the funding and for the opportunity of getting a SMART train from San Rafael to Larkspur. Also it may be possible to reduce the bottleneck on the Richmond Bridge by opening up a third lane. In the event the MTC is not ready for the Corte Madera Corridor Plan, the fall-back plan would be to use the funds to fund a study of the transportation center in San Rafael.

Kelly reported on the New Mayors and Councilmembers Conference in Sacramento.

Kelly asked to agendize a future discussion regarding dogs at San Anselmo parks and rules that will encompass off leash dog use at parks.

Stutsman said the discussion will be included at a future meeting with the discussion of rules for a skate park.

Wright asked Council to agendize a future discussion regarding the amendment to Proposition 13.

Stutsman announced that Marin Municipal Water District (MMWD) will speak at an upcoming Town Council meeting regarding the upcoming water shortage.

Public Works Director, Sean Condry, announced that staff has reduced the watering at Town parks and have also reduced the washing of town vehicles.

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 January 14, 2014.
- (b) Approve Treasurer's Quarterly Investment Report for quarter ending December 31, 2013.

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

M/s, Coleman/Kelly, to approve the consent agenda. AYES: Coleman, Greene, Kelly, McNerney, Wright. NOES: None.

2. APPOINT MEMBERS TO THE FLOOD COMMITTEE (ONE SEAT).

Town Manager, Debra Stutsman, presented the staff report. The Flood Committee has a membership of 5 seats and 2 Council Liaisons. There is one seat available and two applicants. Jon Elam and Eric Cutter have applied for the position and were interviewed on January 14, 2014.

There was no comment from the public.

Greene suggests the appointment of both of the applicants.

M/s, Greene/Kelly, to temporarily expand the number of seats on the Flood Committee and to appoint Jon Elam and Eric Cutter to the Flood Committee. AYES: Coleman, Greene, Kelly, McNerney, Wright. NOES: None.

3. CONSIDER RATE INCREASE REQUEST OF 5.52% FROM MARIN SANITARY SERVICE, TO BE EFFECTIVE JANUARY 1, 2014, RAISING THE COST OF THE BENCHMARK 32-GALLON CAN FROM \$31.95 TO \$33.71 PER MONTH AND RECEIVE RESULTS OF SIX MONTH TRIAL REGARDING GREEN WASTE.

Councilmember Kelly stated that Marin Sanitary Service (MSS) transacts a small amount of business with his company, approximately \$1,000 per annum. Kelly said that after discussions with the Town Manager and Town Attorney, it was decided that this would not preclude Kelly from participating in the discussion.

Town Manager, Debra Stutsman, presented the staff report.

Greene said that he and Barbara Thornton had done previous extensive research that led up to the current contract. Greene asked if that research and information can be currently used to determine the Town's eligibility for the Franchisers Group. Stutsman answered affirmatively.

MSS President, Patty Garbarino, spoke on rate increases, truing-up costs and operational efficiency.

MSS Operations Manager, Steve Rosa, spoke on the Green Waste outreach program to the Ross Valley Community.

McInerney asked if MSS has put any caps on employee benefits.

Garbarino said they are doing an efficiency study to make sure they are doing everything they can to keep the rates as low as possible.

There was no comment from the public.

M/s, Greene/Coleman, to approve the rate increase of 5.52% for all services from Marin Sanitary Service to be effective January 1, 2014 raising the cost of the benchmark can from \$31.95 to \$33.71 per month. AYES: Coleman, Greene, Kelly, McInerney, Wright. NOES: None.

4. RECEIVE UPDATE REPORT FROM THE LIBRARY DIRECTOR REGARDING RENEWAL OF THE CURRENT PARCEL TAX SET TO EXPIRE JUNE 30, 2015 AND PROVIDE DIRECTION TO STAFF.

Town Librarian, Linda Kenton, presented the staff report.

Public comment

Scott Fletcher, San Anselmo resident, said he was on the working committee and that they decided on \$54 a parcel because it was a 10.6% increase and would be in symmetry with the 9 year term.

Eli Welber, Avenue Del Norte, thinks it is a good idea to append the measure with an increase and he also likes the nine year term.

Kelly supports the 9 year term.

Coleman supports \$54 for an extended period.

Greene likes the 9 year term and he supports option number two.

Wright favors option number one because it is a predictable amount. He favors a 9 year term.

McInerney supports a 9 year term and he prefers option number one.

McInerney suggests for staff to come back to Council to discuss this item at a subsequent meeting.

Greene said he would rather not make the decision at this time. He would like time to think about it and to take some time to talk to the residents and get their input.

5. HOLD PUBLIC HEARING AND APPROVE RESOLUTION NO. 4057 ABANDONING A PORTION OF A PUBLIC RIGHT-OF-WAY WITHIN BROOKSIDE SCHOOL, 116 BUTTERFIELD ROAD.

Public Works Director, Sean Condry, present the staff report.

Public Comment

There was no comment from the public.

M/s, Greene/Kelly, to approve Resolution No. 4057 abandoning a portion of the public right-of-way within Brookside School, 116 Butterfield Road. AYES: Coleman, Greene, Kelly, McInerney, Wright. NOES: None.

George Baranoff, Project Manager, Ross Valley School District thanked Council for working with the School District and for their support in abandoning this portion of the public right-of-way.

6. APPROVE RESOLUTION NO. 4058 AUTHORIZING CHANGES IN THE MID-YEAR BUDGET REVIEW.

Finance and Administrative Services Director, Daria Carrillo, presented the staff report.

Increase the General Fund Property Tax revenue in the amount of \$60,000 for overcharged fees in the Sales Tax Triple Flip and Vehicle License Fees swap; Increase construction permit revenue by \$35,000; Increase Engineering and Inspection Salaries by \$10,000 to reflect leave buy out payments due to employee resignation and retirement; Decrease Engineering and Inspection Salaries by \$40,000 to reflect retirement of the Building Official; increase Engineering and Inspection Outside Services by \$100,000 to allow for the cost of temporary services due to the resignation of a Permit Technician and for plan checking services due to paid leave and retirement of a Building Official; Increase Engineering and Inspection Supply Budget by \$5,000 for update of code books; Increase Streets Outside Services by \$20,000 for Clean Water Services; Adjust Road Maintenance Fund as follows: increase salaries and benefits by \$100,000 to reflect the hiring of a Senior Civil Engineer and temporary hourly engineer, increase revenue by \$83,000 to reflect distribution of the Town's share of funding from the City of San Rafael for the Surface Transportation Program, move \$50,000 allocated for bridge work to unprogramed drainage.

Public Comment

There was no comment from the public.

M/s, Greene/Coleman, to approve Resolution No. 4058 amending the 2013-2014 Budget. AYES: Coleman, Greene, Kelly, McNerney, Wright. NOES: None.

7. DISCUSS OPTIONS FOR ADDRESSING LACK OF PUBLIC COMMENT DURING COMMISSION AND BOARD APPOINTMENT AGENDA ITEM AT THE NOVEMBER 12, 2013 COUNCIL MEETING.

Town Attorney, Rob Epstein, presented the staff report.

Wright asked if the people who were appointed were validly appointed.

Epstein said yes they were validly appointed. Epstein does not believe that the Brown Act affords the possibility that the action could be nullified.

Public Comment

There was no comment from the public.

Wright is strongly in favor of taking no action.

Coleman favors no further action.

Greene agrees with Wright and favors taking no further action.

Kelly favors taking no further action.

McNerney suggests to agendize the item to give the public a chance to weigh in on the matter.

Wright thinks it is best to put this behind and for Council to move forward.

Kelly agrees that it would be right to give the public an opportunity to speak on the issue.

The Council consensus is three to two to do nothing on this item.

8. APPOINT TOWN REPRESENTATIVES TO VARIOUS ASSIGNMENTS REQUIRING TOWN REPRESENTATION.

Town Manager, Debra Stutsman, presented the staff report. Town Councilmembers serve on a variety of committees, some of which are internal to the Town and some are regional. With the recent election of two new Councilmembers, it has been the Council's practice to review the list of appointments and make new appointments as desired.

Public Comment

The following people spoke in favor of having Ford Greene be the Town's representative on the Transportation Authority of Marin (TAM): Peter Breen, Andy Peri, Eli Welber, Patrick Seidler, Jean Sevringhaus.

M/s, Greene/Wright, to appoint the following representatives to the various assignments as follows:

Association of Bay Area Governments (ABAG) General Assembly – Kelly. Alternate: Greene.

Capital Program Monitoring Committee – McInerney and Wright.

Community Development Block Grant (CDBG) - Upper Ross Valley – Coleman.

Central Marin Police Authority Council – Wright and McInerney. Alternate: Kelly.

Chamber of Commerce liaison – Kelly.

Downtown Merchants liaison – Coleman.

Economic Development Committee – Coleman and Wright.

Flood Committee – Wright and McInerney.

Flood Control District Zone 9 Advisory Board – McInerney.

Homeless Policy Steering Committee – Coleman.

League of California Cities, North Bay – Coleman.

Marin Energy Authority – Greene; Alternate: McInerney.

Marin Telecommunications JPA – Coleman; Alternate: Greene.

MCCMC JPA Oversight Committee – Coleman.

Marin Emergency Radio Authority (MERA) – Coleman; 1st Alternate: Stutsman; 2nd Alternate: Kelly.

MCCMC Legislative Committee – Kelly; Alternate: Greene.

Ross Valley Fire Board – McInerney and Kelly; Alternate: Greene.

Ross Valley School District liaison – Wright.

Safe Routes to Schools – Wright; Alternate: Coleman.

Transportation Authority of Marin (TAM): Greene; Alternate: McInerney.

Mayor McInerney adjourned the meeting at 10:35pm. In memory of Pete Seager and also in memory of long time San Anselmo resident Paul Purdom.

Respectfully submitted,

Joanne Kessel