

# TOWN OF SAN ANSELMO

Minutes of the Town Council Meeting of March 11, 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 announced there was no action taken in closed session.

## **OPEN TIME FOR PUBLIC EXPRESSION**

Rich Berkson, Terrace Ave, presented Council with letter from residents of Terrace Avenue requesting that the reconstruction of Terrace Avenue (between Greenfield and Ross Valley) be given the highest priority when considering the use of recently approved sales tax funds and other CIP funds for roadway improvements. Berkson said the road is seriously deteriorated and this section of the road has a Pavement Condition Index of "1". Berkson hopes the Town will take immediate steps to remediate the problem as he feels there will be increasingly adverse safety risks if the road is not brought up to a minimum standard.

## **COUNCIL REQUESTS FOR FUTURE AGENDA ITEMS**

Greene said rumor on the street that it is too costly to enforce traffic laws in San Anselmo.

Lieutenant Norton, Central Marin Police Authority, noted that traffic enforcement has increased since January 2014. A large focus of the enforcement has been on Butterfield Drive especially near Brookside School. The traffic division dispatches to all traffic complaints and monitors the area to see if the complaint has merit.

McInerney said he has asked the Central Marin Police Authority (CMPA) to agendize a future discussion on a higher visibility traffic enforcement program.

Stutsman added that the Town's Traffic Safety Program will be reviewing and updating the Town's traffic safety guidelines.

Wright reported on a recent meeting of the San Anselmo Economic Development Committee and on the recent meeting of the San Anselmo Flood Committee.

Coleman reported on the recent meeting of the Community Development Block Grant group.

McInerney requested clarification of the cancellation of numerous Planning Commission meetings in recent months.

Henderson responded the cancellations are due to two factors: 1) less remodels, less new home construction and less design review applications and 2) staff is concentrating on handling matters at the staff level. Staff is working with applicants to ensure projects are supportable and consistent with the rules. There are still a good amount of building permits being processed but with much less planning issues.

**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 February 25, 2014.
- (b) Acknowledge and file warrant numbers 76953 to 77039 issued during the month of February 2014, in the amount of \$804,380.43, in addition to a wire transfer in the amount of \$324,786 to Central Marin Police Authority.
- (c) Approve revenue and expenditure report for the month ending February 28, 2014.
- (d) Approve Recreation revenue and expenditure report for the month ending February 28, 2014.
- (e) Approve Special Event Application for the annual San Anselmo Baseball Association (SABA) opening day parade, to be held on Sunday, March 16, 2014, at 9 a.m. beginning at the Chapel of the Hills and progressing to Memorial Park.
- (f) Accept the reports prepared by Moss, Levy & Hartzheim, as part of the Annual Independent Audit Report for the fiscal year ending June 30, 2013, including the Single Audit Report on Federal Programs and the Management Report and Auditor's Communication letter.
- (g) Approve budget adjustment to Recreation Fund to upgrade Recreation Department computers and install a wireless network covering Recreation facilities, in an amount not to exceed \$12,000 from the Recreation Fund Ending balance.
- (h) Authorize Mayor to send letter to FEMA approving participation in the FEMA Community Rating System (CRS).

Public comment

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

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

**2. APPOINT A TWO-PERSON COUNCIL SUBCOMMITTEE TO WORK WITH THE TOWN MANAGER TO CONDUCT A MEET AND CONFER PROCESS WITH MARIN SANITARY REGARDING THE ISSUE OF GREEN WASTE PICKUP.**

Town Manager, Debra Stutsman, presented the staff report.

McNerney thinks the meet and confer language is tied to change in law or regulations and that it does not apply to the contract in this instance. McNerney is unaware of any changes in the law; therefore, he does not see it as a legal obligation under the contract for the Town to meet and confer with Marin Sanitary. However, he would support the appointment of a subcommittee to work with Marin Sanitary regarding the green waste pickup.

Public Comment

There was no comment from the public.

M/s, Coleman/Kelly, to appoint Greene and Wright to a two-person Council sub-committee to work with the Town Manager to conduct a meet and confer process with Marin Sanitary regarding the issue of green waste pickup. AYES: Coleman, Greene, Kelly, McInerney, Wright. NOES: None.

**3. REVIEW MATERIALS PRESENTED REGARDING RULES OF GOVERNANCE FOR THE TOWN COUNCIL AND PROVIDE DIRECTION TO STAFF.**

Town Manager Debra Stutsman, presented the staff report.

McInerney thinks the discussion should allow everyone to have the opportunity for input but does want a free flowing discussion. McInerney prefers something more definitive to focus on.

Coleman suggests Council consider the topics of discussion, gather the information, and discuss the topics in sections.

Public Comment

Eric Warner, Crescent Road, applauds Council for looking at the governance issue. Warner favors the Larkspur "Conflict of Interest" clause because it includes perceived conflicts of interest.

Kelly favors the idea of identifying the topics for discussion then grouping the topics. Kelly suggests topics of discussion include mayoral succession, a procedures document and agency representation.

Wright's suggests topics of discussion include: conflict of interest, whom shall set the Council agenda, the role of a Council representative on a regional body, rules for succession of mayor, and general housekeeping, like time limits on meetings, taking positions on legislation.

Greene suggests topics of discussion include: consent agenda items and whether or not citizens can ask for items to be pulled, Councils charge (broader than just San Anselmo), restructuring the appeal process, decorum, conflict of interest, relationship of councilmembers to staff, relationship to press, and Council policy regarding email and texting.

Coleman topics for discussion include: Menlo Park's housekeeping and study session policies, not starting a discussion that requires a vote after 10:30pm, review email policy and no politicking in uniforms.

McInerney suggests topics of discussion include: conflict of interest, roles of representatives on regional bodies, mayoral succession, agenda setting, email policy among the Town Council, relationships to staff and Town Attorney regarding communications. McInerney also thinks it is worthy to discuss Council's relationship with the press.

Greene believes the topics are worthy of open discussions that will provide direction to staff on the kind of governance protocol that should be prepared.

Coleman offers to work with the Town Manager and organize the samples of governance documents by topic so Council can discuss the topics in sessions, such as two or three topics at each Council meeting.

Council's consensus was for staff to return with a list of the topics brought forward so Council can prioritize the topics for discussion and then agendaize a few topics at Town Council meetings. Councilmember Coleman to work with the Town Manager to organize, by topic, the materials presented from other jurisdictions.

**4. APPROVE RESOLUTION NO. 4061 RE-ESTABLISHING THE CAPITAL PROGRAMS MONITORING COMMITTEE TO INCLUDE OVERSIGHT OF THE EXPENDITURE OF FUNDS RECEIVED THROUGH THE SUCCESSFUL MEASURE D ONE-HALF CENT SALES TAX.**

Town Manager, Debra Stutsman presented the staff report.

Public comment.

There was no comment from the public.

M/s, Kelly/Wright to approve Resolution No. 4061 re-establishing the Capital Programs Monitoring Committee to include oversight of the expenditure of funds received through the successful Measure D one-half cent sales tax. AYES: Coleman, Greene, Kelly, McInerney, Wright. NOES: None.

**5. RECEIVE UPDATE REPORT ON THE STATUS OF THE PLASTIC BAG BAN ORDINANCE UNDER CONSIDERATION BY MARIN CITIES AND TOWNS.**

Interim Director of Planning, Diane Henderson, presented the staff report on the status of the plastic bag ban ordinance under consideration by Marin cities and towns. Marin Hazardous and Solid Waste Joint Powers Authority (JPA), of which the Town is a member, has prepared a Model Single-Use Bag Ordinance to encourage all agencies to adopt an ordinance which bans single-use plastic carry-out bags by certain retailers within its jurisdiction. The model ordinance focuses on three types of major retailers – grocery stores, drug stores and liquor/convenience stores and it requires the retailers who choose to make paper bags available to customers as an alternative charge at least five cents for each recyclable paper carry-out bag provided.

Kelly asked if the fee for the bags is set by the retailer or by the Ordinance.

Stutsman said the fee is set in the Town ordinance.

Public Comment

There was no comment from the public.

Kelly opposes a Town ordinance that would require a charge for carryout bags.

Greene, Coleman, McInerney and Wright support the model ordinance with the addition of increasing the minimum charge for recycled paper carryout bags to 10 cents, applicable only to supermarkets, pharmacies and convenience/liquor stores.

McInerney wants to make sure there is outreach to the San Anselmo Chamber of Commerce and the Town's Economic Development Committee so they have a chance to weigh in on the matter and are in support of the ordinance.

Council directed staff to prepare a draft ordinance similar to San Rafael and Novato that would include a charge for recycled paper carryout bags to 10 cents, applicable only to supermarkets, pharmacies and convenience/liquor stores.

**6. Adjourn**

The meeting adjourned at 8:55pm.

Respectfully submitted,

Joanne Kessel