

TOWN OF SAN ANSELMO
Minutes of the Town Council Meeting of June 24, 2014

Present: McInerney, Greene, Wright, Coleman, Kelly
Absent: None

7:00 p.m.

CALL TO ORDER AND PLEDGE OF ALLEGIANCE

ANNOUNCE ACTION TAKEN, IF ANY, IN CLOSED SESSION

Mayor McInerney advised that no action was taken in closed session.

Central Marin Police Authority Lieutenant Theo Mainaris introduced newly-hired Central Marin Police Authority Police Officers, Ronald Flores, Benjamin Axthelm and Jared Boss.

Mayor McInerney recognized the Library Tax volunteers for their dedication and hard work for the Library.

OPEN TIME FOR PUBLIC EXPRESSION

No one spoke during this time.

COUNCIL REQUESTS FOR FUTURE AGENDA ITEMS

Councilmember Kelly attended the MCCMC Legislative Committee. Kelly reported the Marc Levine bill (AB 1537) is coming up. The bill changes the City of Novato and City of San Rafael from urban to suburban. They also discussed AB 2381 which gives authority to regulate private parking lots. Kelly also mentioned the upcoming bill SB 1077 regarding a vehicle-miles-traveled fee.

Councilmember Coleman attended the Homeless Policy Steering Committee. The committee endorses Home For All, Marin County's updated ten year plan to prevent and end homelessness. A great concern to the committee is the children and student population that are unhoused. The committee has plans to develop a tool box for cities to use. Coleman would like to begin the discussion about the lack of housing and the lack of affordable housing for people. Coleman requested Wright report about the MCCMC meeting he attended for Council which discussed Home For All.

Vice Mayor Wright reported MCCMC has an Elected Officials Home For All Subcommittee. Wright stated there was a lot of information regarding what towns' have to do to comply with state mandates, which San Anselmo already does. Wright included there were reports regarding

the levels of homelessness which are relatively low in San Anselmo, but quite high along the 101 corridor.

Wright reported the Police Council meeting was mainly about the budget. Wright noted San Anselmo is being asked to make a contribution to their reserve over a period of 4-5 years in the amount of approximately \$75,000 per year. Wright mentioned even with this additional amount of money included in the budget, San Anselmo's portion is reduced this year over last year.

Wright requested further discussion with Staff regarding more frequent meetings for the Capital Program Monitoring Committee particularly with all of the advisory items in the coming years.

Coleman asked if anything has been done to help the victims of the apartment fire at 730 Sir Francis Drake and if there was anywhere they could go. Greene noted that they were put up in a hotel but they are now on their own. Stutsman stated the Town is the lead agency in this matter and Public Works Director Condry has received calls and referred people to Ritter House and Marin Housing Authority.

Councilmember Greene reported the Town was at risk to lose two traffic guards that are financed through Safe Routes to School. One traffic guard is at Butterfield and the other is at Tamal. Greene noted the traffic guard at Tamal will be kept. Greene stated the Transportation Authority of Marin (TAM) will discuss the traffic guards in an upcoming meeting. If San Anselmo wanted to finance our own crosswalk guards, it would cost \$13,400 per year per guard per place. Greene stated the Metropolitan Transportation Commission (MTC) has approximately \$600,000 for the Safe Routes to School program and a TAM subcommittee studies how to allocate the money.

Public Works Director Condry stated TAM had presented the criteria for the scoring system based upon number of vehicles, pedestrians, and it is based upon turning movements. Condry mentioned if you have a traffic signal, it doesn't help, because it is considered to be a controlled intersection. Tamal was placed back in the program by showing them there were conflicts based on buses during drop-off times at the crosswalks. Butterfield doesn't score high enough.

Greene noted AB 2145, which is the legislation that would reverse opt-in/opt-out provisions for Community Choice Aggregation (CCA), made it out of the Senate in an amended form. The opting in and out has been removed and what has been imposed as a requirement is the size of a CCA be limited to 3 contiguous counties.

Mayor McInerney reported on recent developments at the Ross Valley Fire Department JPA, which he and Councilmember Kelly attended. Approximately a year and half ago, the JPA was expanded to bring in Ross, with fairly significant savings to all member agencies. Shortly after the expansion there was a changeover in the Ross Council as well as a new Town Manager. Some of the new members, who weren't part of the previous discussions, are raising questions about Ross' share to the JPA and the financial management of the JPA. Historically, the Executive Officer or lead staff person working with the Fire Chief has rotated between Town Managers of Fairfax and San Anselmo. Since the expansion, they have formed a management committee with the three Town Managers and then the Executive Officer would rotate, unless

the board decides otherwise. At the next meeting Fire Chief Mills will be discussing the expectations of the role of the Executive Officer, the management committee, and the Board.

Town Manager Stutsman announced the Creekside Q would be occurring the following night and encouraged people to attend. Stutsman also stated that the Town was getting closer to having live video feed of the Council meetings and that night they were testing for the first time. Stutsman noted the video would soon be live streamed on the Town website and scheduled on specific public education channels, 26 or 27 for Comcast and 99 for AT&T.

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 June 10, 2014.
- (b) Acknowledge and file warrant numbers 77368 to 77486 issued during month of May 2014, in the amount of \$752,668.40, 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 May 31, 2014.
- (d) Approve Recreation revenue and expenditure report for the month ending May 31, 2014.
- (e) Approve Resolution 4075 setting the Statement of Investment Policy for fiscal year 2013-14.

McInerney asked for public comment.

As there was no comment from the public, McInerney returned the discussion to Council.

M/s, Greene/Kelly, to approve Items (a) through (e). AYES: McInerney, Greene, Kelly, Wright, Coleman NOES: McInerney [Item (a) only]

2. **APPOINT MEMBERS TO THE LIBRARY ADVISORY BOARD (TWO SEATS)**

Town Manager Debra Stutsman presented the staff report, noting there are three applicants for two seats on the Library Advisory Board.

Wright commented there has been recent precedence for expanding committees where there are good applicants and Greene stated he would support this.

McInerney asked for staff input. Stutsman commented there were three excellent candidates and confirmed the staff liaison, Town Librarian Linda Kenton, felt expanding the board by one additional seat would be good.

McInerney asked for public comment.

As there was no public comment, McInerney returned discussion to Council.

As there was no public comment, McInerney returned discussion to Council.

M/s, Wright, Kelly, to appoint Elihu Welber, Scott Fletcher and Judy Anderson and expand the Library Advisory Board by one seat temporarily. AYES: McInerney, Coleman, Greene, Kelly, Wright. NOES: None. ABSENT: None

3. CONDUCT PUBLIC HEARING REGARDING AMENDING UNDERGROUND UTILITY DISTRICT NO. 5 ALONG SIR FRANCIS DRAKE BOULEVARD IN THE 700 BLOCK, REMOVING A PORTION ALONG LUNA LANE

Greene recused himself because he resides within 500 feet of the subject property.

Public Works Director Sean Condry presented the staff report. Condry explained on October 25, 1988, the Town approved Resolution 3068, establishing Underground District No. 5 located along Sir Francis Drake Boulevard to a point approximately 300' east of Sais Avenue. The map adopted at the time mistakenly included the existing overhead lines which run along Luna Lane. The maps need to be amended now in order to remove the existing poles from being in an underground area and to allow PG&E to use an existing overhead aerial easement they have had since December 27, 1945. It was hoped that if the area was removed from the Underground Utility District, 790 Sir Francis Drake would be able to get overhead power; however, that is not going to happen. Condry has confirmed with PG&E, power for 790 Sir Francis Drake will come across Sir Francis Drake Boulevard.

Coleman asked Condry if the state only funds undergrounding in the commercial district. Condry responded that is correct for PG&E. Rule 20A is only for commercial or highly trafficked areas. In the case of undergrounding in residential areas, the funding would come from the residents or property owners.

Wright asked Condry for clarification regarding whether the power for 790 Sir Francis Drake will have to go under Sir Francis Drake anyway and the power would not be going through Luna Lane. Condry stated that was correct.

Kelly asked Condry for clarification the power for 790 Sir Francis Drake would be coming from the opposite direction now and going underground which is a problem because some of the road on Sir Francis Drake would need to be dug up. Condry confirmed yes.

McInerney clarified with Condry that Sir Francis Drake would be dug up. Condry stated they would be trenching or hopefully, if all goes well, they would try to do some trenchless work. He is trying to get it to happen as soon as possible, because the owner of 790 Sir Francis Drake has tenants lined up for which he will lose if he doesn't get power to the building. McInerney asked Condry if he knew how long this would obstruct Sir Francis Drake. Condry stated he did not know but he was hoping it would be a week or less. McInerney wanted to know if this would be work that would be done at night. Condry confirmed that the Town would try to do night work for this project.

McInerney opened the public hearing and asked for public comment.

Cherilyn Gilboy, Luna Lane, stated the poles are not on Luna Lane and not on private property. She claimed things were being said that were not factual. She stated she spoke with PG&E and they would bore underground. She felt that the time and energy spent on this should have been spent on drainage issues on Red Hill. Gilboy stated she is not asking for the poles to be undergrounded on Luna Lane, but for the poles to be kept in the underground district. Gilboy stated she does not want more poles added, higher poles, transformers, or more 3 phase high tension/high voltage wires next to her house. Gilboy stated she wanted all of the commercial buildings on the 700 block of Sir Francis Drake have their power undergrounded instead having their power go to the poles.

Pat Haven, Luna Lane, stated it is good that the power supply for 790 Sir Francis Drake will now be going underground. Haven stated that he had been going over it with PG&E, the Public Utility Commission (PUC) and the city for two years and felt as if they could have gone ahead and done this a long time ago. Haven wanted to make sure an additional pole would not be placed until it is needed. Haven claimed the poles along Luna Lane currently supply apartments, Marchant Chapman and the gas station. Haven would like to see the utilities undergrounded along Sir Francis Drake. Haven added the poles are not in contention.

Cherilyn Gilboy returned to the microphone and stated the Town notified the owners on Sir Francis Drake in November 1988 that they may be required to underground their utilities at a later date. Gilboy added they have had notification since 1988, so she would like to see the intent of an underground district be acknowledged.

As there was no further comment from the public, McInerney returned the discussion to Council.

Kelly stated he met with Gilboy earlier. He read the law and his understanding is the reason for the undergrounding is to avoid power outages due to traffic accidents and due to storms. Luna Lane is closed, at one end of Luna Lane a fence has been placed, so it is more of a parking lot. Kelly stated the law is for truly commercial districts where there are traffic and pedestrians, not residential areas.

Wright confirmed with Condry that since the 790 Sir Francis Drake issue has been dealt with by PG&E, from a purely practical level, doing nothing has no consequence. It is totally status quo and is correcting an error. Condry stated nothing would change, but technically you would have 2 poles that are in an underground district but not underground. Condry included that a note had been provided on an attachment from 1988 that showed the error had been noted a couple of weeks after the utility district had been adopted. Stutsman commented that she understood keeping the utility district the same does not restrict PG&E in anyway. Condry confirmed PG&E would have access to the poles. Condry included the Town cannot restrict what they do to the poles height wise or what they put on the poles, that is governed by the State PUC.

McInerney clarified with Condry the concern raised regarding taller poles, removing poles, changing poles at all would not be affected by the decision made tonight. Condry stated that is correct.

M/s, Coleman/Wright, approves Resolution No 4076 amending Underground Utility District No. 5 by designating an area to be removed along Luna Lane. AYES: Greene, Kelly, Wright, Coleman, McInerney NOES: None. ABSENT: None

4. CONSIDER ALTERNATIVE SELECTION FROM MARIN CLEAN ENERGY TO JOIN THE DEEP GREEN PROGRAM AT AN ADDITIONAL ANNUAL COST OF \$6,196.80, REDUCING THE TOWN'S EMISSIONS BY 267,082 LBS. ANNUALLY

Town Manager Debra Stutsman presented the staff report. At the last Town Council meeting, staff was asked to bring back an item reconsidering the Town's preference of being in Marin Clean Energy's (MCE) light green energy program versus the deep green 100% renewable energy. The light green option costs less than PG&E. The deep green option is \$3,813.77 more than PG&E service annually; however, deep green's emission factor is zero. Going with the deep green option would aid in meeting the Town's goal of reducing greenhouse gas emissions by 15% below 2005 levels by 2020. This goal is consistent with the requirements of AB 32, which set the 2020 greenhouse gas emissions reduction goal into law.

Greene asked Stutsman if she has done any quantification of what the Town's AB 32 responsibilities are at any point in terms of how much CO2 reduction the Town is supposed to have accomplished and where would the Town be if it continued with light green and where it would be if it changed to deep green. Stutsman stated the Town did an inventory in 2010 and it included the Police. Now the Town no longer has the Police, so the inventory is incorrect. Greene asked if it would take a lot of staff time to conduct an inventory. Stutsman stated Christine O'Rourke of MCEP did an assessment, but it was difficult to assess. Stutsman doesn't believe it is something the Town could do itself so she would recommend Christine O'Rourke complete a new emissions inventory without the Police.

Greene noted one of the things he noticed during his review of the materials, including the Climate Action Plan, the recommendation was to revisit this once a year. Coleman stated it was to revisit it in a couple of years. Stutsman stated O'Rourke met with Stutsman and Senior Planner Phil Boyle with a draft report. Stutsman confirmed she would check in with O'Rourke regarding the final report.

Greene asked of all of the different approaches identified by the Climate Action Plan for reduction of the Town's carbon footprint, is Deep Green the most cost effective. Stutsman stated absolutely, it costs \$6,000 and anything else the Town would do would have a much bigger investment. Stutsman used the example of installing solar panels which would have a large upfront cost.

Greene asked if there were consequences for the Town if compliance of the mandates imposed by AB 32 were not met. Stutsman stated it was unclear if there are actual penalties because it is so difficult to measure.

Wright asked whether the Town has any sense of what other local towns are doing, such as who is picking deep green. Stutsman stated she did not know. Greene commented Fairfax is deep green, but they may be the only one.

McInerney asked for public comment.

As there was no public comment, McInerney returned discussion to Council.

Kelly commented he agreed with Wright, in 2011 it seemed to be a financial concern and he would be supportive of going with the deep green program.

McInerney stated as a person who expressed those financial concerns, he agreed with Kelly and supports this.

M/s, Greene/Wright, to approve enrollment in the Deep Green program for Marin Clean Energy, at an additional annual cost of approximately \$6,200. AYES: McInerney, Greene, Kelly, Wright, Coleman NOES: None ABSENT: None

McInerney asked if there were grant programs for solar panels for municipalities. Stutsman stated there have been some low interest and zero interest loans and the Town actually qualified for a program, but the Town would be going into debt to do it. Stutsman added some of the things that would need to happen would not be covered. For example, if you need a new roof, it will not be covered. Stutsman stated MCE is good about giving the Town notice about grants available. Greene stated there are pretty good grants for municipal agencies as a distinct category from residential homeowners, so he believed grants are available if the Town wanted solar. McInerney stated as an initiative, MCE should work with the cities and towns to have a goal of each city and town have solar panels.

5. AUTHORIZE AWARD OF THE TOWN HALL TOWER PROJECT TO LOW BIDDER, WEDGE ROOFING INC., IN THE AMOUNT OF \$100,268 AND CONSIDER AUTHORIZING STAFF TO AWARD ALTERNATE BID FOR PAINTING

Public Works Director Sean Condry presented the staff report. Town Hall Tower was constructed in 1911 with the original Town fire house. The peak of the tower was leveled in the 1930's for installation of an emergency radio communications tower. The proposed project includes removal of damaged framing and finish materials, repair and replacement of framing and finish materials and to restore the peak of the Town Hall Tower. On June 10, 2014, the Town received three construction bids with the lowest responsive bid from Wedge Roofing. The base bid for the tower plus alternative additive bids A, D & E is \$100,268 and within the amount currently budgeted of \$100,821 in the Capital Reconstruction Fund. If approved, the additional funds to paint the library in the amount of \$29,820 would come from the current line item in the proposed budget in the Capital Reconstruction Fund that is funded from excess ERAF funds in the proposed 2014/15 budget.

Coleman asked what the \$145,000 in the staff report included. Condry responded that number included the additives A, C, D & E. Condry stated he had taken town hall off of the list because in his view it is less urgent. Coleman asked when was the last time town hall was painted. Stutsman stated it had been a long time, though some had been painted in 2007 after the flood. Condry stated town hall would cost about \$25,000 by itself. Condry suggested authorizing up to a certain dollar amount.

Stutsman added 2015 will be the centennial anniversary celebration of the Library, so if the Town went ahead and painted the Library, it would be good timing.

McInerney asked for public comment.

As there was no public comment, McInerney returned discussion to Council.

Kelly stated the Town talked about more money initially for painting town hall and the library, for the sake of uniformity, he supports A through E, including town hall. Kelly added in the scheme of things, it is not much money.

Greene and Coleman agreed with Kelly.

M/s, Kelly/Greene, to authorize award by the Director of Public Works of the Town Hall Project to Wedge Roofing Inc., for items A through E AYES: McInerney, Greene, Kelly, Wright, Coleman NOES: None ABSENT: None

6. ADJOURN

The meeting was adjourned at 8:25 p.m. in memory of Jackie McInerney.

Respectfully submitted,

Carla Kacmar