

TOWN OF SAN ANSELMO
Minutes of the Town Council Meeting of August 12, 2014

Present: McInerney, Wright, Coleman, Kelly, Greene
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.

Woody Weingarten presented the Quality of Life Green Award to Heather Itzla for picking up discarded plastic in San Anselmo and then photographing it to show that it is *our* waste.

OPEN TIME FOR PUBLIC EXPRESSION

Jesse Gross, San Francisco Boulevard, Ben Godfrey, Santa Cruz Ave, Sofia S., Stacey S., Carol Marks, Camino de Herrera, spoke in opposition to the Memorial Park Detention Basin. Jennifer Asselstine, San Anselmo Ave, spoke of transparency regarding the Memorial Park Detention Basin. Gross passed out his public comment and it was filed in the Memorial Park Detention Basin record at Town Hall.

COUNCIL REQUESTS FOR FUTURE AGENDA ITEMS

Councilmember Coleman thanked the individuals for their input regarding the Memorial Park Detention Basin. Coleman also encouraged everyone to attend Picnics on the Plaza on Friday nights.

Councilmember Greene, Mayor McInerney, Vice Mayor Wright and Councilmember Kelly made statements regarding an appeal filed by Greene against the decision made by the Administrative Law Judge regarding the property at 711 Sir Francis Drake.

Town Manager Debra Stutsman outlined the considerations taken with regards to traffic on Center Boulevard and other upcoming slurry seal projects in town. Stutsman also mentioned the Town was having another trial run with the video for the Council meetings and reminded everyone to speak into their microphones.

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 July 22, 2014.
- (b) Acknowledge and file warrant numbers 77823 to 78061 issued during the month of July 2014 in the amount \$2,171,998.14, including a wire transfer in the amount of \$324,786 for the monthly payment to Central Marin Police Authority services.
- (c) Approve Resolution 4095 authorizing the submission of a grant to CalRecycle for the purpose of obtaining new recycling containers for downtown public areas.

McInerney asked for public comment.

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

M/s, Kelly/Coleman, to approve Items (a) through (c). AYES: McInerney, Kelly, Wright, Coleman, Greene NOES: None ABSENT: None

2. **INTRODUCTION AND FIRST READING OF AN AMENDMENT TO THE SINGLE-USE CARRYOUT BAG REDUCTION ORDINANCE, CHANGING THE EFFECTIVE DATE FROM JANUARY 1, 2015 TO AN EARLIER DATE, ESTIMATED TO BE ON OR NEAR OCTOBER 9, 2014**

Town Manager Stutsman presented the staff report. At the July 8, 2014, Mayor McInerney indicated that he had been contacted by Bill Daniels of United Market regarding the Town's recently adopted ordinance and requested the ordinance be brought back for discussion on the July 22, 2014 agenda. On July 22, 2014, the Council discussed this matter and directed staff to bring back the Single Use Carryout Bag Reduction Ordinance with the intent to change the date that the ordinance goes into effect, from January 1, 2015, to immediately (30 days after adoption).

McInerney asked for public comment.

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

M/s, Kelly/Coleman, to introduce and waive first reading of the Ordinance. AYES: McInerney, Kelly, Wright, Coleman, Greene NOES: None ABSENT: None

Stutsman read the title.

3. 2014-2015 BUDGET REVISIONS

Town Manager Debra Stutsman presented the staff report. At the meeting of July 22, 2014, the proposed budget for 2014-2015 was approved. Since that time, several items have come to staff's attention that require Council consideration. Stutsman mentioned the Town ended the 2013-2014 budget year with a positive balance of revenue over expenditures of \$312,000. These excess funds were not budgeted into the 2014-2015 budget year and are typically used at the mid-year review due to unforeseen circumstances. The proposal calls for two expenditures, the Housing Element and the Fire Security Alarm system, to be funded through the ending balance in the General Fund.

3a. APPROVE CHANGE ORDERS FOR THE TOWN HALL TOWER AND PAINTING PROJECT IN THE AMOUNT of \$24,670 DUE TO UNFORESEEN CIRCUMSTANCES, INCLUDING ADDITIONAL DRY ROT IN THE TOWER, DETERIORATED PAINT CONDITIONS BEYOND EXPECTATIONS, ETC. FROM THE ENDING BALANCE IN THE CAPITAL RECONSTRUCTION FUND

Senior Engineer Dan Blomquist outlined the additional unforeseen project expenditures beyond the contingency assumed for the contract with Wedge Roofing.

Greene confirmed with Blomquist the bird netting and bird wire would be replacing what the Town has had for some years. Blomquist confirmed.

Wright asked if the project was sufficiently advanced that Blomquist was fairly confident this is the extent of the expenditures for the tower repairs. Blomquist stated he became aware of another item today; however, funds had been set aside for these repairs.

McInerney asked for public comment.

Steve Lamb, Laurel Ave, believed the 33 percent above base amount seemed like a significant number and questioned if the initial evaluation could have been better. Lamb asked if the date of November 7, 2012 on the top of a letter from BioCare was a typo. Blomquist confirmed it was a typo. Stutsman added that it may have been the original estimate that BioCare submitted to the Town. Blomquist stated the additional out of scope work would have potential benefit to protecting the Town's investment now. Blomquist stated the primary work not covered by contingency was not discovered until demolition had started.

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

Greene asked if there was any foreseen impact to the future owl population. Blomquist confirmed the plan was to place an owl box on top of the tower. Greene asked how the location of wires that dissuades birds from perching would affect the owls. Blomquist confirmed the wires would not be placed on top of the tower and would not impact the owls.

Coleman and Kelly spoke in favor of awarding the additional work on the Town Hall Tower Repair Project.

M/s, Greene/Kelly, to authorize award for additional work associated with the Town Hall Tower Repair Project in the amount of \$24,670. AYES: McInerney, Greene, Kelly, Wright, Coleman
NOES: None ABSENT: None

3b. APPROVE THE EXPENDITURE OF \$50,000 FOR CONSULTANT CHRISTINE O'ROURKE TO WORK ON THE TOWN'S HOUSING ELEMENT FOR EXPEDITED APPROVAL IN 2015 FROM THE ENDING BALANCE IN THE GENERAL FUND

Town Manager Stutsman outlined the budget amendment for retaining the services of Planning Consultant Christine O'Rourke to prepare a streamlined Housing Element update.

Greene asked why the Town was not using Jeff Baird, the previous consultant to prepare the Housing Element. Stutsman stated previously the process took a much longer time than anticipated. Greene asked if O'Rourke has any other consultancies with municipalities in Marin. Stutsman believed O'Rourke was working with Tiburon. She also works as the Sustainability Coordinator for Marin Climate Energy Partnership, with which the Town is partners. She was also a Planner for Ross for many years. Greene asked if the decision to tag O'Rourke as the person to do this was Stutsman's call or was she referred by someone else. Stutsman stated Tiburon utilized her first and because the previous process had been so elongated, knowing O'Rourke had worked on one expedited process and knowing she is very efficient and very responsive was appealing. Stutsman mentioned O'Rourke came and spoke to the Town when the Climate Action Plan was presented. Stutsman added O'Rourke is sensitive to local issues and Stutsman felt O'Rourke would be a good choice for the Town.

Wright stated given the amount of controversy locally about Housing Elements, he was worried about the December 31, 2014 date. Wright questioned what happens if there is controversy and the Town gets past that date, is the money wasted. Stutsman stated no, if it goes beyond it, then the Town would have a non-expedited process.

Coleman asked if O'Rourke has Regional Housing Needs Assessment numbers experience. Stutsman stated yes, with Tiburon and Ross.

Kelly asked if the Town had any estimate of what the savings would be by doing the expedited Housing Element. Stutsman stated the process is the same, except expedited and if the Town did not make the deadline, it might be another \$10,000, but not tremendously more.

Greene asked if the Town adopted a Housing Element recently. Stutsman stated yes, but it is only good for 5 years and it took four years to adopt. Stutsman added this is a chance to do it fast. Greene asked if Stutsman had any discussions with O'Rourke about what the Town should expect to receive from her in the event that the Town doesn't make the expedited cutoff. Stutsman stated no, the Town would move forward with the idea that the Town could do the

streamlined update. Greene asked what does O'Rourke think the Town's chances are for getting it done in the next four months. Stutsman stated O'Rourke thought it was doable but tight.

Wright asked if the Town was likely to have any controversial issues. Stutsman stated she did not know if there was any rezoning that would be needed. The last time around, the controversial item was the homeless shelter.

McInerney asked if the expedited process would make for a shorter public comment period. Stutsman stated the public would have ample opportunity.

McInerney asked for public comment.

Steve Lamb, Laurel Ave, wanted clarification regarding the period of time in which the Town is covered by the Housing Element. Stutsman stated it is 5 years.

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

Greene stated it feels like a shake down and in principle he has always questioned consenting to it. Over time it becomes tiresome when every five years the Town has to spend \$50,000 to \$75,000 to update the Housing Element when he feels it is not necessary to do so. Kelly agreed.

M/s, Kelly/Wright, to approve \$50,000 to retain the services of Planning Consultant Christine O'Rourke to prepare the streamlined housing element update. AYES: McInerney, Coleman, Kelly, Wright, Greene. NOES: None. ABSENT: None

3c. APPROVE EXPENDITURE OF ZERO WASTE GRANT FUNDING IN THE AMOUNT OF \$45,858.75 FROM THE MARIN COUNTY HAZARDOUS AND SOLID WASTE JPA FOR ZERO WASTE PROJECTS

Stutsman outlined the additional expenditure of the Town's Zero Waste Marin grant funding from the Marin County Hazardous and Solid Waste Joint Powers Authority for zero waste projects.

Stutsman stated some of the recommendations staff has are to purchase canvas shopping bags with the ZeroWaste logo that would compliment the zero waste bag ban, kitchen composting bins, composting workshops for residents, portable recycling containers for Town events, outdoor water refilling stations, and hand dryers for public restrooms.

Wright asked where does this money come from. Stutsman stated the Hazardous and Solid Waste JPA is funded through tipping fees through the Redwood Landfill. The tipping fees are set by the JPA and a small portion of it is set for this. Wright mentioned the Town could possibly afford providing fixed water refilling stations at Town Hall.

Coleman stated what she would like to see the money go towards is recycling containers for Town events.

Kelly asked how much do the kitchen composting containers cost. Stutsman stated 5 dollars each and \$5,000 for 1,000 of them.

McInerney asked if it was possible to add updating our garbage and recycling containers in the Town. Stutsman stated yes.

McInerney asked for public comment.

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

M/s, Coleman/Greene, to approve the expenditure of the Town's Zero Waste Marin grant funding of \$45,858.75 from the Marin County Hazardous and Solid Waste Joint Powers Authority (JPA) for zero waste projects. AYES: McInerney, Coleman, Kelly, Wright, Greene. NOES: None ABSENT: None

3d. APPROVE EXPENDITURE FOR FIRE SECURITY SYSTEM FOR THE LIBRARY BUILDING AND COUNCIL CHAMBERS IN THE AMOUNT OF APPROXIMATELY \$25,000 (ENGINEER'S ESTIMATE) FROM THE ENDING BALANCE IN THE GENERAL FUND

Stutsman outlined the additional expenditure for a fire security system for the Library.

McInerney asked for public comment.

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

M/s, Greene/Coleman, to approve the expenditure of approximately \$25,000 for a fire security alarm system for the Library. AYES: McInerney, Kelly, Wright, Coleman, Greene NOES: None ABSENT: None

4. ADJOURN

The meeting was adjourned at 8:18 p.m. in honor of Donna Bjorn and William Ben.

Respectfully submitted,

Carla Kacmar