

## **TOWN OF SAN ANSELMO**

Minutes of the Town Council Meeting of September 23, 2014

Present: McNerney, Coleman, Kelly, Greene

Absent: Wright

### **1. INTERVIEWS WITH BOARDS, COMMISSIONS AND COMMITTEES**

Town Council interviewed the applicants to the Library Parcel Tax Oversight Committee and Capital Programs Monitoring Committee.

7:00 p.m.

### **2. CALL TO ORDER AND PLEDGE OF ALLEGIANCE**

#### **ANNOUNCE ACTION TAKEN, IF ANY, IN CLOSED SESSION**

No closed session was held.

### **3. OPEN TIME FOR PUBLIC EXPRESSION**

Rohanna McLaughlin, San Francisco Blvd, Steve Emory, San Francisco Blvd, Ross Asselstine, San Anselmo Ave, Matt Brown, Brookside Dr, Barry Spitz, San Francisco Blvd, spoke in opposition of Memorial Park Detention Basin. Documents were handed out and filed in the Memorial Park Detention Basin Record at Town Hall.

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

Councilmember Coleman attended the Homeless Policy Steering Committee meeting and discussed housing vouchers. Coleman attended the CDBG meeting which distributes HUD grants. Coleman also attended a Marin Telecommunications Agency (MTA) meeting and discussed internet neutrality. Coleman attended the Economic Development Committee meeting and they discussed branding for San Anselmo.

Councilmember Kelly attended the Chamber of Commerce meeting and discussed Dinner under the Stars. Kelly mentioned he would like to look into the Town's sound ordinance, if Dinner Under the Stars wanted to start later. Kelly also attended a California League of Cities Legislative Committee and overviewed the statewide ballot measures that the League supports. Kelly attended the Community Facilities meeting which discussed the Community Facilities Master Plan and invited the public to attend the upcoming meetings. Kelly also invited people to come to Country Fair Day.

Councilmember Greene would like to agendize a discussion of whether or not the Town would like to hold a public vote for the fate and future of Memorial Park. Greene attended a Marin

Clean Energy (MCE) meeting and reported the County of Napa has joined and is participating; the City of Albany is on deck, and the City of El Cerrito is lining up after that. Greene mentioned MCE has entered into a dollar a year agreement with Chevron to lease capped toxic bay land on which to put solar panels, which will generate renewable energy locally.

Town Manager Stutsman reported that the project had been completed to put LED lights in all of the street lights. Stutsman also stated the Town Hall signs are being updated and the flag pole is being repainted.

**5. 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 September 9, 2014.
- (b) Approve Resolution No. 4099 setting the Statement of Investment Policy for fiscal year 2014-15.
- (c) Approve contract with County of Marin for reimbursement of expenses incurred with respect to Building Bridge 2 grant acquisition.
- (d) Approve Resolution No. 4100 accepting the Offer of Dedication from H.F. and P.C. Picciolo for a Public Road Right-of-Way at 183 Oak Avenue, APN #007-241-65.
- (e) Approve special event application for the Goblin's SPOOKtacular, a trick or treat event on San Anselmo Avenue between Woodland and San Rafael Avenues, closing side street crosswalks temporarily from 5 p.m. to 7 p.m.

McInerney asked for public comment.

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

Coleman pulled Item (b) and Item (c).

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

With regards to Item (b), Coleman asked if the Town reviews the Statement of Investment Policy yearly. Carrillo confirmed.

M/s, Coleman/Greene, to approve Item (b). AYES: McInerney, Kelly, Greene, Coleman NOES: None ABSENT: Wright

With regards to Item (c), Coleman asked if the only fiscal impact would be for staff time during the application process. Condry confirmed this and stated that if the Town were to get the grant, the grant would pay for 75% of the project and the remaining 25% would come from the County. Greene asked if Condry tracks staff time on a project by project basis. Condry answered typically staff starts tracking their time after the grant is approved. Greene asked if staff tracked their time before the grant is approved. Condry said no. Greene asked if part of the agreement would pay

for the time it takes to perfect the grant application. Condry answered not that he is aware of. Greene asked what was the idea between the Town and the Flood Control District sharing the ownership of data and drawings. Condry stated sharing of ownership is so that any data collected can be used for flood control in general. Greene asked why the Town is on the hook for public outreach. Condry stated it is a Town sponsored grant application.

M/s, Coleman/Kelly, to approve Item (c). AYES: McInerney, Kelly, Coleman NOES: Greene ABSENT: Wright

**6. APPOINT MEMBERS TO THE LIBRARY PARCEL TAX OVERSIGHT COMMITTEE**

Town Manager Debra Stutsman presented the staff report, noting there are three applicants for three seats on the Library Parcel Tax Oversight Committee.

McInerney asked for public comment.

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

M/s, Kelly/Coleman, to appoint Sheila Girton, Marcy Kalat, and Ted Freeman to the Library Parcel Tax Oversight Committee. AYES: McInerney, Coleman, Kelly, Greene NOES: None. ABSENT: Wright

**7. REVIEW THE UPDATE ON THE SAFE ROUTES TO SCHOOL PROJECT FOR NEW SIDEWALKS, CROSSWALKS, TRAFFIC SIGNAL IMPROVEMENTS AND OTHER TRAFFIC CALMING MEASURES**

Public Works Director Sean Condry presented the staff report. The Town of San Anselmo applied for the Safe Routes to School (SRTS) grant on July 15, 2011 in the amount of \$619,200 and was awarded the grant on October 13, 2011. The Safe Routes to School Projects are for increasing the number of children walking or biking to school by improving the safety of the infrastructure to and from schools. The project locations and descriptions were provided to Town Council. Condry passed the meeting onto Dan Blomquist.

Senior Engineer Blomquist outlined the revisions to the preliminary design plans, in response to the comments received from the public. After design the total budget available for construction with the SRTS grant is \$496,400. The current estimated cost for constructing the improvements is \$627,490 (including a 20% contingency). Therefore, an additional contribution by the Town of up to \$131,090 may be needed to construct the base improvements that are needed to fulfill the grant application. An additional \$202,070 to \$223,070 over the above estimate would be needed to construct all items included with the original grant application. These items such as drainage and landscape improvements are not necessary to provide an ADA-compliant and safe path of travel but could be built now if construction bids are favorable or if additional funds can be identified prior to construction. These alternate items could also be deferred as a potential Phase 2 project should additional funds become available at a later date.

McInerney asked for public comment.

Rohanna McLaughlin, San Francisco, was complimentary of staff for how the project has gone so far. McLaughlin mentioned the traffic in the park and would like to see more police enforcement in the area.

Jeanine Stark, the Alameda, mentioned the traffic on Alameda. Stark questioned creating more parking when there is a green initiative at Brookside. Stark also asked if the home owners would be responsible for upkeep of the street if it is a non-city maintained street.

Condry confirmed homeowners on a non-maintained street would have to maintain the street.

Cusimano stated there are 15 schools in this area. Traffic is the number one issue and the Police are working on it.

Stark stated she wanted Arroyo and Butterfield to be no left turn in the morning.

Tom Peacock, Durham Rd, mentioned San Francisco Blvd needed attention and he considered it hazardous. Condry stated the Town has San Francisco Blvd on the schedule for 2016 but was hoping for earlier if able.

Steve Lamb, Laurel Ave, stated Sir Francis Drake location 1 option b did not seem to be an effective barrier and asked if this was an industry standard. Lamb also wanted to highlight comments in the notes about the eastbound busses blocking crosswalks and intersections at the intersection of San Francisco, Tamal and Sir Francis Drake. Lamb also asked about the bike sensor coming out of Tamal.

Condry contacted Marin Transit and Golden Gate regarding the bus stop and they stated the busses are pulling further in and not blocking crosswalks.

Blomquist stated the Sir Francis Drake pedestrian barrier is a visual barrier only; however, there will be more of a vertical separation between the cars and pedestrians. Blomquist stated the last signal timing project implemented the bicycle signal timing, so all the minimum lead times have been set to help bikes get through the intersections and that will be carried forward at Drake and Tamal.

Adam Weis, San Francisco Blvd., was in favor of sidewalks on Santa Cruz and wants to see a barrier at the San Francisco Blvd, Tamal, Sir Francis Drake intersection as an added safety measure.

Condry stated the east corner of the intersection is offset from the street and will look into what the Town can do to address that issue.

Madeline Galiani, Berkeley Ave, stated some neighbors are still in strong disagreement. Goldyani stated she has not attended the meetings, but believes another neighbor asked to put the sidewalk on her side of the street.

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

McInerney stated staff should bring it back for further discussion.

Greene stated he is concerned about Berkeley and mentioned it is narrow.

Kelly stated that he wanted to walk Berkeley with Condry.

Condry stated that most of Berkeley will not be narrower, because the Town would be using the public right of way.

Coleman wants more public outreach to teach people and build ways to get the children to school. Coleman thinks the project is really well thought out and is appreciative of staff's work.

McInerney was complimentary of staff's work on this project. McInerney would like to make sure the Town is comfortable they have done sufficient outreach.

**8A. APPROVE RESOLUTION NO. 4101 ADOPTING AMENDED RULES FOR PUBLIC PARKS**

Community Services Director Dave Donery presented the staff report. Donery outlined the history of rule changes for Memorial Park and Robson Harrington Park.

McInerney asked for public comment.

Barry Spitz urged adopting an ordinance which can be enforced.

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

Greene would like to add "clean up after pet and dispose of it in a sanitary manner." Greene asked Donery to change the section regarding bikes to get rid of "furthermore" and change to "[o]therwise, no one may operate or possess a bike on town property unless permitted."

M/s, Kelly, Greene to approve Resolution No. 4101 adopting rules for public parks as amended.  
AYES: McInerney, Kelly, Coleman, Greene NOES: None ABSENT: Wright

**8B. INTRODUCE AND WAIVE THE FIRST READING OF AN ORDINANCE AMENDING TITLE 11 CHAPTER 1 OF THE MUNICIPAL CODE (REGULATIONS FOR PARKS AND PLAYGROUNDS)**

Community Services Director Dave Donery presented the staff report. Donery outlined the history of rule changes for Memorial Park and Robson Harrington Park.

McInerney asked for public comment.

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

M/s, Greene/Kelly to introduce and waive the first reading of ordinance amending San Anselmo Municipal Code Title 11 Chapter 1 regarding citations for violations of park rules. AYES: McInerney, Kelly, Coleman, Greene NOES: None ABSENT: Wright

Stutsman read title.

**9. APPROVE LEASE BETWEEN TOWN AND CENTRAL MARIN POLICE AUTHORITY FOR LEASE OF THE FIRST FLOOR OF TOWN HALL, AGREEMENT TO ALLOW SUBLEASE OF A PORTION OF THE PREMISES AND SUBLEASE TO THE MARIN COUNTY SHERIFF'S OFFICE FOR USE OF ONE AND A HALF OFFICES**

Police Chief Todd Cusimano presented the staff report. The San Anselmo police station, located on the first floor of the Town Hall building, continues to be utilized as a police station after the consolidation of San Anselmo and Twin Cities Police Authority creating Central Marin Police Authority (CMPA). Most recently, CMPA has been working closely with the Marin County Sheriff's Office to share one and a half offices with their deputies on a sublease situation.

Coleman asked what the Sheriff's officers would do there. Cusimano stated the Sheriff's officers would conduct their regular police work. Coleman asked who would pay for the painting, carpet cleaning, and general wear and tear. Cusimano stated CMPA would cover the costs and if there was a lot of damage, the lease would not last long.

Kelly asked what the Sheriff's officers would be using in the office. Cusimano stated it would be a minimal footprint and it adds more officers to San Anselmo.

Greene asked why the term is so short. Cusimano stated to see how it goes.

McInerney asked where the officers are assigned. Cusimano stated it is a wide area that is bordered by Richmond Bridge and Fairfax.

McInerney asked for public comment.

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

M/s, Greene/Kelly to approve lease between the Central Marin Police Authority and the Town for the first floor of Town Hall. AYES: McInerney, Kelly, Coleman, Greene NOES: None ABSENT: Wright

M/s, Greene/Kelly to approve agreement between the Central Marin Police Authority and the Town to allow sublease of rental property to the Marin County Sheriff's Office. AYES: McInerney, Kelly, Coleman, Greene NOES: None ABSENT: Wright

M/s, Greene/Kelly, to approve sublease between Central Marin Police Authority and the Marin County Sheriff's office for the use of one and one-half offices, three parking spaces, storage space and access to certain common areas with the CMPA police station. AYES: McInerney, Kelly, Coleman, Greene NOES: None ABSENT: Wright

**10. REVIEW ORDINANCES FROM ADJACENT CITIES REGARDING THE PROHIBITION OF SMOKING IN MULTI-FAMILY RESIDENCES AND PROVIDE DIRECTION TO STAFF**

Town Manager Debra Stutsman presented the staff report. Recently there have been requests that the Town consider regulating smoking in multi-family residences or duplexes. The current ordinance does not regulate smoking in multi-family residences or duplexes.

McInerney asked which jurisdiction is more restrictive. Stutsman stated San Rafael is most restrictive. Town Attorney Acevedo added there have been no complaints about San Rafael's regulation.

McInerney asked for public comment.

Trista McCauley stated her property borders apartments where people smoke all the time and would like a rule that the complex could enforce.

Steve Lamb, Laurel Ave, asked about e-cigarettes.

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

Kelly would like to see an ordinance written up and stated his preference is the more restrictive ordinance like San Rafael's. Kelly stated he also has concerns with marijuana.

Greene stated he liked Fairfax's ordinance.

McInerney stated he would support an ordinance like San Rafael's with the Fairfax descriptions of harm added. McInerney would like for it to include marijuana and e-cigarettes.

Coleman confirmed she would support a no smoking ordinance, but had difficulty with Fairfax's 75% of the multi-unit residences would be smoke free.

Greene supported bringing the issue back.

**11. REVIEW MATERIALS PRESENTED ON GOVERNANCE TOPICS, INCLUDING EMAIL, TEXTING AND AGENDA SETTING AND PROVIDE DIRECTION TO STAFF**

This item was moved to next meeting of October 14, 2014.

**12. CONSIDER CANCELLATION OF TUESDAY, NOVEMBER 11, MEETING DUE TO THE VETERAN'S DAY HOLIDAY**

Town Manager Debra Stutsman presented the staff report.

McInerney asked for public comment.

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

M/s, Greene/Kelly to cancel November 11 meeting due to Veteran's Day. AYES: McInerney, Kelly, Coleman, Greene NOES: None ABSENT: Wright

**13. ADJOURN**

The meeting was adjourned at 9:50 p.m. in honor Phyllis Ostrander.

Respectfully submitted,

Carla Kacmar