

REGULAR TOWN COUNCIL MEETING - JULY 8, 1986

Council convened in closes session at 7:00 p.m. for a report from the Town Attorney on the Release of Opinion on Brown Act aspects of the Del Santo Personnel matters and to discuss the appointment of the Town Librarian. Recessed at 7:45 p.m.

Council convened again at 7:45 to conduct interviews of applicants for the Library Planning Committee.

At 8:00 p.m. Mayor Anne Wooliever convened the regular meeting of the Town Council with Councilmembers Cordingley, Chignell, Sharp, and Walsh in attendance.

2. OPEN TIME FOR PUBLIC DISCUSSION

Tim Blaisdell, 36 Fern Lane, asked what plans the Town has for future storm related damage on the creek and what will be done to prevent other occurrences.

The Town Administrator said there is litigation or pre-litigation involved and this discussion should be left in the hands of the Director of Public Works.

Sarah Nome, 77 Alder Avenue, said she asked at the meeting of April 15 to have the minutes of April 8 amended to show the remarks of Michael P. Garvey that there were no warrants on the consent agenda pertaining to the Del Santo Matter. She said this had not been done.

The Administrator explained the reason he thought there were no warrants on the agenda. He said formerly warrants were approved on a biweekly basis and as of the first of the year warrants are presented on a monthly basis, hence the error.

Ms. Nome had asked for the letter to her from the Administrator regarding this matter be made a part of the minutes. Upon Advice of the Town Attorney, it was the consensus of the Council that the letter not be attached and made a part of the minutes.

Sarah Nome stated she had written to other Town Councils to find out when they knew what their fee would be for the JPA. It was her feeling that the Administrator knew on April 24th that the fee for San Anselmo would be \$324,000 instead of \$524,000.

Ms Nome then questioned the \$53,000 overpayment to the JPA and asked if it were to be left as an overpayment. No decision was made at this time.

Stephany Kramer, 211 San Anselmo Avenue, said she felt it appropriate to include the question of the warrant payment in the minutes since public funds were being expended. She asked the Council to consider posting of a warrant list on the bulletin board in the future.

3. APPOINTMENTS

A. Town Librarian. The Mayor announced the appointment of Eliza Wingate as Town Librarian. She said Ms. Wingate presently serves as the Head Librarian for the Belmont Hills, Pennsylvania Public Library and will be returning to California after a thirteen year absence. Ms. Wingate was raised in Oakland. She is a graduate of UC, Berkeley, and eared a Masters Degree in Library Science from Drexel University in 1983.

B. Park and Recreation Commission. Interviews and appointment appointment scheduled for July 22, 1986.

C. Library Planning Committee. One additional interview and appointment scheduled for July 22, 1986.

4. ADOPTION OF BUDGET

The Administrator brought up the question of \$15,000 for Capital Reconstruction for Spring Grove Avenue, explaining that the Marin Municipal Water District would be completing work at this location and the two projects could be dovetailed. He also asked if the Council would consider including the \$50,000 for Capital Reconstruction that he had previously deleted. He said the present budget allowed no funding for the Council Chamber sound system. He recommended holding that in abeyance until further investigation could be made. A preliminary estimate came in at \$2,000.

There was a discussion regarding Animal Control funds if it becomes necessary for the Town to make a financial contribution for this purpose. The Administrator suggested the Council might wish to restore \$10,000 to the Council contingency fund.

Phil Heinecke, 97 Spring Grove, asked the Council to approve the money to repave Spring Grove Avenue.

Pat Broadbent asked about the retirement for the Ross Valley Fire Service, how it was figured.

M/S Wooliever, Cordingley to adopt Resolution 2078 adopting the Budget for the fiscal year commencing July 1, 1986, consisting of appropriations shown in attached Exhibit "A". Passed by the following vote:

AYES: Sharp, Cordingley, Wooliever

NOES: Chignell, Walsh

ABSENT: None

M/S Cordingley, Chignell, to adopt Resolution 2079 setting the 1986-87 Pension Override Requirement. Ayes All.

M/S Sharp, Cordingley, to adopt Resolution 2080 establishing the amount of Municipal Services Tax for the 1986-87. Passed by the following vote:

AYES: Sharp, Cordingley, Wooliever

NOES: Chignell, Walsh

M/S Cordingley, Sharp to adopt Resolution 2081 establishing appropriations limit for Fiscal Year 1986-87. Ayes all.

5. DISCUSSION OF ESTABLISHMENT OF AD HOC COMMITTEE TO REVIEW DEL SANTO PERSONNEL MATTER

Vice Mayor Cordingley reported on the last closed session on the subject.

Mayor Wooliever said reports were ready. The answers were prepared for the questions submitted to the Council in a letter dated May 20, 1986 from the Citizens for Responsible Local Government and would be available on Wednesday, July 9. The Town Attorney had prepared a report to the Council regarding the requirements of the Brown Act as it applies to the Chief Del Santo Personnel Matter and copies would be available in Town Hall July 9. The Mayor said she hoped these two reports would settle the matter for once and for all. She said she opposed the formation of the Committee.

Pat Broadbent said she had asked for an opinion of the Attorney General. She asked if any of the Council had called. Cordingley said he had called and reported a rulings were not given by the Attorney General in a case like this.

Sharp pointed out that Attorney General rulings, if they could be obtained, were not without expense since they require the matter to be set up in a specified way and it would require an attorney's time to prepared the facts.

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Tim Geraci said he really resented the people who caused all of this in the first place. He said legal opinion do not come free.

Paul Brand, 130 Allyn Avenue, suggested if people were truly friends of the Chief they would lay it to rest.

Helen Cameron, Sir Francis Drake, encouraged the Council not to establish an Ad Hoc Committee.

Ed Cunningham, 21 Lincoln Avenue, said he felt the matter was a personnel matter and should have been handled as a personnel matter. He said it was mishandled. He pointed out the Mayor had given ground level rules for Council meetings and he felt everyone should abide by those. He said he agreed the matter was over and done.

Cynthia Barrows, Crescent Road agreed with the Mayor. She said there were many more productive things citizens could spend their time on.

Chignell said he did not see how any Ad Hoc Committee could go forward unless there was a unanimous vote of the Council, and it was obvious there would not be.

6. AMENDMENT TO SIGN ORDINANCE RE: TEMPORARY SIGNS FOR PUBLIC HEALTH/SAFETY EMERGENCIES

M/S Chignell, Sharp to introduce, and waive reading of Ordinance No. 883 amending the Municipal Code Section 9, Chapter 7, signs, to add an exemption for emergency Public Health Notifications. Ayes all. Ordinance scheduled for adoption July 22nd.

7. AWARD OF CONTRACT, SIR FRANCIS DRAKE BOULEVARD CULVERT MODIFICATION AT SIR FRANCIS DRAKE HIGH SCHOOL PROJECT

Assistant Director of Public Works, Rabi Elias reported on bids received and suggested awarding to low bidder.

M/S Sharp, Walsh, to award a contract for the Modification of the Sir Francis Drake Culvert in the vicinity of Drake High School to John Watterson Co., in the amount of \$46,546; in the event that contractor does not qualify, then the award will be to the next lowest bidder, Valentine Construction in the amount of \$46,669. Ayes all.

8. CONSIDERATION OF SAN FRANCISCO BOULEVARD - OLD QUARRY OPEN SPACE RESOLUTION

Sarah Nome wished to reiterate her interest in a road from somewhere in Fairfax or San Anselmo to go north to Terra Linda, and she hoped that any acquisition of property would make provision for such a roadway easement.

Several Councilmembers expressed their appreciation to Jonathan Braun and his committee for the hard work and excellent results toward this end.

M/S Sharp, Chignell to adopt Resolution No. 2083 endorsing the efforts under way to acquire open space in the San Francisco Boulevard and Old Quarry Areas. Ayes all.

Mr. Earnst of Vallejo asked if the land is privately owned and if the owner would be compensated for his loss of use.

M/S Cordingley, Sharp to appoint the following people to the Town's Open Space Committee: Gus Kanis, Jerry Draper, Barrett Denton, Steve Best, Ann Adams and Jonathan Braun. The two hold-over members are John Cowperthwaite and Gay Kagy. Ayes All.

M/S Sharp, Chignell, to appoint Cordingley as liaison member to the Town Open Space Committee. Four Aye votes; Cordingley abstained.

Jerry Draper said Supervisor Harold Brown was also a liaison member from the Board of Supervisors.

9. REPORT OF DISCUSSION FROM JULY 7, WORKSHOP ON COUNCIL OPERATING PROCEDURES AND DEPARTMENT HEAD EVALUATIONS

The Administrator distributed evaluation forms. He said he had contacted Dick Brown for a workshop.

The Mayor mentioned Mr. Brown had great success in workshops in team building and the interrelationship of Councilmembers. The workshop would take approximately one day. There will be a catered lunch and participants should plan to stay for dinner. It will probably take place at Robson House. The fee is a total of \$250.00 for the day. It was suggested Mr. Brown should be contacted and asked to speak to the Council at the July 22 meeting.

Department Heads are to receive evaluation form and perform a self-evaluation in coordination with the Town Administrator. Several of the Council expressed reservation in evaluating Department Heads inasmuch as they do not have equal contact with all Department Heads.

Cordingley suggested the Town Attorney be included in the evaluation process.

10. APPROVAL OF REQUEST FOR BID - SIR FRANCIS DRAKE BOULEVARD IMPROVEMENT PROJECT

Assistant Director of Public Works Rabi Elias, said two of the major reasons for the extremely high bids at the first bidding were the traffic control and the striping to Fairfax. There is minor concrete work in that section and the Town has modified the specifications by providing a traffic control plan and by having the Town's crew do some of the minor concrete work. He said modified specifications should be ready by Monday or Tuesday and would like to go to bid at that time. Provision has been made to keep two lanes of traffic open at all times.

Dr. Geraci, 145 Barber Avenue urged the Council to rethink the whole project. He felt widening the road will encourage more traffic to west Marin and he feels San Anselmo has no obligation to provide this access.

Kay Coleman, 22 Agatha asked about smoothing the crown of Drake all the way to Fairfax.

The Mayor asked if the street division were doing the patching would cause their other street projects to suffer.

Chignell said he felt the improvement necessary to keep traffic out of the neighborhoods.

Sharp agreed with Chignell and said the real problem was people who used routes they perceived to be shortcuts.

Pat Broadbent asked if left turn lanes would be available during construction.

M/S Walsh, Chignell to approve Request for Bids on Sir Francis Drake Boulevard with the modifications. Ayes all.

The Mayor said she appreciated the haste with which the Public Works Department had moved the plan.

11. CONSIDERATION OF RESOLUTION APPROVING ROSS VALLEY PARAMEDIC AUTHORITY TAX

The Administrator stated the Council's roll was ministerial. He said the tax rate had dropped from %16.50 to \$13.50.

Paul Brand spoke on the Paramedic Authority.

M/S Walsh, Cordingley to adopt Resolution 2082 approving the Ross Valley Paramedic Authority tax levy for the 1986-87 Fiscal Year. Ayes all.

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12. COUNCIL REQUESTS FOR FUTURE AGENDA ITEMS, COMMENTS AND DIRECTION TO STAFF: STAFF MISCELLANEOUS ITEMS

Sharp reported he would be attending the 101 corridor meeting.

Chignell asked about towing abandoned cars.

Cordingley announced the retirement of Chief Beedle at the end of July.

13. CONSENT AGENDA

- a. Approval of Warrants for June 1986. This matter continued to the meeting of July 22 due to the volume caused by the close of the budget year.
- b. Approval of minutes of April 15. Cordingley said Item 4, second paragraph should read: Nominated Sharp, seconded Wooliever.
- c. Approval of minutes of May 13, 1986
- d. Approval of minutes of June 24, 1986.

M/S Cordingley, Walsh to approve consent agenda with modification.

At 11:25 p.m. the meeting adjourned to the next regular meeting of July 22, 1986.

Thelma Foster