

MINUTES OF THE SAN ANSELMO TOWN COUNCIL MEETING OF JANUARY 26, 1988

Mayor Cordingley convened the regular meeting at 8:00 p.m. in the Council Chamber, following a closed session regarding personnel matters, with Councilmembers Chignell, Sharp, Walsh and Wooliever present.

2. OPEN TIME FOR PUBLIC EXPRESSION

Sarah Nome, 77 Alder Avenue, said that a policy set by the previous town administrator to charge 25¢ per page for copies of all documents was illegal because there is a comment on the Statement of Economic Interest form distributed by the California Fair Political Practices Commission (FPPC) that the cost charged to reproduce the document shall not exceed 10¢ per page. Staff responded that the 10¢ per page limit applied only to certain financial disclosure documents produced by the FPPC.

William Jelinek, 53 Florence Avenue, asked the Council the status of the funds set aside in the contingency budget for promotion of commerce. Cordingley responded that negotiations for management salaries have not yet been completed and therefore the final status of the contingency budget has not been set.

Bill Bandy suggested that the Town be involved in the development of a plan that includes use of these funds.

3. DISCUSSION REGARDING POTENTIAL TRAFFIC IMPROVEMENT PROJECTS.

The Marin County Transportation Expenditure Plan Committee is developing a very preliminary prioritized list of transportation improvement projects. This list will be used to determine whether the County should seek a sales tax increase, and if so, which projects should be funded through the tax. Public Works staff recommended that the Town submit three projects in order to preserve the Town's future option of proceeding with the projects in the event the projects are included on the Committee's list, a sales tax measure is placed on the ballot and approved by the voters, and each project is approved by the Council at each stage of project development. The three projects proposed include Center Boulevard improvements per the DKS Corridor Study, various Sir Francis Drake Boulevard improvements and various Miracle Mile improvements.

William Jelinek, 53 Florence Avenue, said that when the DKS traffic study was issued in 1985, residents near Center Boulevard were opposed to adding an extra lane.

Sarah Nome, 77 Alder Avenue, asked how much property would be confiscated for the traffic improvements. Assistant Public Works Director Braun responded that no right-of-way acquisitions would be required.

Lew Tremaine, editor of The Fax, said he thought public works projects would be given less of a priority than other schemes such as a transit system.

Bill Bandy said that Center Boulevard is in good condition and that it seemed it would be at the bottom of the list since other roads in town are in worse shape.

Nancy Olson, 1329 San Anselmo Avenue, said that if there is going to be any improvements on Sir Francis Drake Boulevard, pedestrian safety should be taken into account.

Noting that they have not endorsed a proposal for a sales tax measure for transportation projects and have not reviewed or approved the proposed San Anselmo projects, it was the consensus of the Councilmembers that staff's proposed projects be submitted to the Committee to prevent San Anselmo from being excluded from funding if funds become available, but that the projects should be submitted in as general wording as possible and that the submittal order be Sir Francis Drake Blvd., Miracle Mile and Center Blvd. It was also the consensus

that the Council reserves its right to delete, replace or add projects in the future.

4. REVIEW OF STOP SIGNS ON SAUNDERS AVENUE

The Council had requested a 60 day review following installation of the stop signs on Saunders Avenue. Police Chief Del Santo said the police have not done any selective enforcement in that area, but have issued warnings and tickets and have not received any complaints.

Jake Ours, 125 Saunders, said the stop signs are working very well and would be improved if stop bars were painted on the street.

Kim Dias, 129 Saunders, said the signs work well and slows down traffic.

Liz Bourne, 133 Saunders, said she sees police officers citing violators often, and that she would like to see stop bars painted on the street.

Millie Shore, 3 Agatha Court, said she no longer hears screeching tires or sees cars racing down the street and endangering her children.

It was the consensus of the Council that the stop signs were successful and to direct staff to paint stop bars on the street.

5. DISCUSSION REGARDING REMOVAL OF GRAFFITI FROM BUILDINGS IN THE DOWNTOWN.

Town Administrator Dickens reported that the owner of the building on San Anselmo Avenue at Tamalpais agreed to have the Town paint over the graffiti and reimburse the Town.

Regarding resolution of future incidents of graffiti, Dickens proposed that there be an agreement between the Town and property owners whose buildings are the target of graffiti to allow the Town to have paint on hand and hire volunteers to paint the buildings when graffiti appears. This is designed to be a short term solution in order to remove the graffiti in short order; the property owners would still have long term responsibility for the appearance of the building.

Bill Bandy asked the cost of Town crews performing the work compared with a painting contractor. Dickens said the Town did not have time to paint over graffiti on an on-going basis.

Sarah Nome said she applauded Dickens' plan, but noted that graffiti proliferates and suggested it be removed quickly. She said she noticed that Mill Valley and San Francisco were strict about graffiti and suggested obtaining copies of their ordinances, and said that perhaps the Council would like to put up a reward leading to the arrest of the offenders.

6. REQUEST TO REMOVE THREE REDWOOD TREES AT ROBSON-HARRINGTON PARK.

Connie Bruce, 88 Tamalpais, contacted the Town Council about the removal of the redwood trees from the lower portion of the Park. She said the ten redwood trees were planted in the mid-1970's to deter baseball playing on the new lawn but now have grown to threaten her view of Mt. Tamalpais. She was further concerned about the inappropriateness of the fast-growing trees for so small an area and their increasing reduction of the usable lawn space because the shade and acid needles they cast prevent the grass from growing. If there must be planting in the area to deter ball games, she suggested the trees be replaced with shrubs or small ornamental trees. She said she has been repeatedly told by Town officials that the trees are inappropriate and would be removed.

Town Administrator Dickens reported that the possibility of the removal of some of the trees had been discussed, and he felt that Mrs. Bruce would find this to be acceptable. The proposed removal of three trees was then approved by the Parks and Recreation Commission. The removal could be accomplished with Town crews.

William Jelinek, 53 Florence Avenue, said he did not believe the public is guaranteed a view, other trees will spread into this space, and was surprised the Parks and Recreation Commission agreed to the proposal. He said they were large trees, there were no safety issues, it was precedent setting and there was no report from an arborist stating they were overcrowded despite the requirement in the tree ordinance.

It was noted that the Council received a report last summer that the trees were growing too close together and it would be better for the health of the trees to remove some.

Jay Weill, 2 Raymond, said that although the trees did not block his view, he thought all the trees should be removed. He felt that they probably should not have been planted in that that they impede the use of the park and ruin the use of the lawn, and he added that there are plenty of other shady locations in Town.

Esther Buhle, 99 Tamalpais Avenue, said the trees never should have been planted, they kill anything that tries to grow, and they were planted out of meanness to prevent children from playing in the park. The trees are completely intertwined and create a solid barrier to green; this results in more winter shade on her property.

Bill Hazell, 99 Tamalpais, said he would like to see all the trees removed. He said they were put there to keep children from ruining the lawn, but the trees are ruining the lawn.

Jelinek said that last year 20 elm trees in town were removed due to dutch elm disease, but not enough have been replanted due to lack of money. He said he felt property values were what was at stake in this issue and suggested the neighbors of Robson-Harrington Park pay an "in-lieu" fee to fund the replanting of elm trees if the redwood trees are removed.

Sarah Nome said the Town has lost more and more trees, each one has its own particular beauty and objected to cutting them down all at once because some people do not like them. She said that ball games on the lawn would raise insurance considerations. She said the trees are not crowding each other, and she wanted the opinion of an arborist on this issue.

Walsh said the trees are young and overcrowded, and that the Council had received a report from an arborist confirming they were overcrowded. She said she was originally opposed to their removal, but she now supports total removal of the trees or the compromise removal of three trees.

Wooliever said she supported removal of at least three trees.

Based on the comments made by the neighbors of the Park, and 18 years of staff promises to have the trees removed, Chignell said he thought all the trees should be removed, but felt only three at the minimum should be removed immediately. He wanted the Park and Recreation Commission to review the total removal of the trees.

Sharp said he thought the removal of at least three trees was warranted and said he was willing to delegate to staff the matter of whether all should be removed for the betterment of the park.

Dickens stated that the three trees proposed to be removed were located on the edge of the grove and were selected because of their impact on Mrs. Bruce's view; he was unaware of the overcrowding and noted that if three trees were removed because of this condition, they would be selected differently and would be in the interior of the grove.

Cordingley noted that the Town had previously made promises regarding the removal of the trees, but supported asking the Parks and Recreation Commission to make a recommendation on the removal of all the trees and plans for the park, such as whether something else should be planted in place of the trees if they support their removal.

M/S, Sharp/Walsh, that staff be authorized to pursue removal of at least three redwood trees in Robson-Harrington Park at its discretion, based on the information previously obtained and the guidance given tonight, and that the matter be sent back to the Parks and Recreation Commission for direction on whether to remove more trees or all the trees and for a plan on the use of this area of the park, and report back to the Town Council. Motion passed unanimously.

7. REPORT ON STUDY OF DOWNTOWN MERCHANTS, LANDLORDS AND TOWN OFFICIALS CONDUCTED BY RANNY COCKBURN.

At the request of the Economic Development Committee, Ranny Cockburn completed a study of downtown merchants and landlords on their attitudes toward Town ordinances and permit procedures. He wrote a report on the comments and suggestions he received and told the Council he would be willing to do additional work with this information.

Town Administrator Dickens recommended the report be forwarded to the Chamber of Commerce and/or the Downtown Business Association to determine what changes, if any, they wish to promote. He requested Council direction on whether staff should respond to the report prior to sending it to the merchants or after receiving their responses.

Lew Tremaine, editor of The Fax, said he thought Mr. Cockburn did a great job on the report and that the Town can feel good that 75% of the respondents were satisfied with the Town. He thought the packet was an excellent idea and that staff should put together a packet in conjunction with merchants.

Bill Bandy commented that four different areas for use of the money earmarked in the budget for promotion of commerce had been discussed that evening and suggested that there be a group similar to the Creek Park Planning Committee with representatives from the Chamber and the Downtown Business Association to review changes.

It was the consensus of the Council that Mr. Cockburn had done an excellent job on the report and that staff should review the report prior to sending it to merchant organizations for their comments. It was the further consensus to support creation of a packet of information for new merchants.

Bill Hendrickson asked if it would be appropriate to also send the report to downtown property owners. Cordingley responded affirmatively.

8. REVIEW PROPOSED REORGANIZATION OF THE ROSS VALLEY FIRE DEPARTMENT AND AMENDMENT TO THE JOINT POWERS AGREEMENT.

Fire Chief Mollenkopf reported that the Fire Department has researched a reorganization of the department and completed an exhaustive and unsuccessful recruitment for the position of Assistant Fire Chief/Fire Marshal. The Fire Department is now proposing eliminating the Assistant Chief position and creating a new job classification of Captain/Shift Supervisor/Acting Fire Chief. The responsibilities of the Assistant Chief/Fire Marshal would be distributed among three Captain/Shift Supervisor positions, the Fire Chief and the Administrative Assistant. The emergency management responsibilities of the Fire Chief would be increased to five days per week, 24 hours per day, while the Captain/Shift Supervisor position would assume these responsibilities two days per week. The new position would also include coordination of all the activities of the assigned shift. There would be no increase in the department staffing or budget. While the increased responsibilities of the Captain/Supervisor/Acting Chief position would be recognized with a salary differential over the other captains, there may be a cost savings by reallocation of the Assistant Fire Chief position to the position of firefighter. Mollenkopf noted that due to the nature of shift scheduling, there would be a loss of continuity in some of the Assistant Chief functions, particularly the Fire Marshal functions, it creates a dual supervisory role for this position, and this position would be assigned to the main fire station.

The proposed staff changes require an amendment to the Joint Power Agreement.

San Anselmo Town Council, January 26, 1988

Chignell commented that when the Fire Department was recruiting for Assistant Chief, they had been advised that it was illegal to have a residency requirement for that or any other position. He asked if any steps had been taken to alleviate the conditions that led to the unsuccessful recruitment for Assistant Chief. Mollenkopf responded that the salary level is low compared with other jurisdictions and compared with the salaries of other positions within the department due to overtime compensation for other positions, and that even if the fiscal issues were resolved he did not feel they would necessarily be able to fill the position. This configuration parallels the battalion chief idea, but is a different as well as untried idea. Chignell inquired about the requirements for appointment to the position and how many captains were eligible for appointment. Mollenkopf explained the educational and experience requirements for the position. He added that the changes had been approved by the Fire Board.

Wooliever stated that the change in positions was not an attempt to slip in a plan for battalion chiefs, noting that the Fire Department was at this juncture because of unsuccessful attempts to fill the Assistant Chief position, and that the requirements for this position were underscored by all the parties involved.

Chignell said he would rather retain the Assistant Chief position and felt the Fire Service Board of Directors should have pursued changes that could result in a successful recruitment. He said he took exception to the comments made by Mollenkopf regarding the residency requirements, but that he would support the changes.

Wooliever said the Fire Board did pursue changes to the position, but there are not enough funds to change it without affecting the entire organization.

Cordingley said he supported the change, although he would prefer it if a different operation could be afforded. He said the efforts of the Fire board, Fire Chief and Administrator were great and that he felt they had to proceed.

M/S, Chignell/Walsh, to approve the amendment to the Joint Powers Agreement as discussed in the staff memorandum dated January 22, 1988. Motion passed unanimously.

Wooliever stated she wanted to publicly acknowledge her appreciation for the work Chief Mollenkopf has done, especially over the last year.

9. ANNOUNCEMENT OF VACANCY ON THE OPEN SPACE COMMITTEE

Spencer Sias has submitted his resignation from the Committee.

M/S, Sharp/Chignell, to authorize the announcement of the vacancy on the Open Space Committee. Motion passed unanimously.

10. CONSENT AGENDA

- (a) Approval of minutes: January 5 and 12, 1988.
- (b) Continue public hearing on adoption of an interim ordinance to prohibit applications for a general plan amendment, zone change, zoning ordinance amendment, annexation, rezoning, subdivision of lands in the R-1 H zoning district, and subdivisions, development and land use applications on properties where the current zoning is inconsistent with the current San Anselmo General Plan, to February 9, 1988.
- (c) Approval of salary and benefits agreement with Account Clerk and Payroll/Business License Clerk.

M/S, Sharp/Chignell, to approve the Consent Agenda. Motion passed unanimously, with the exception of an abstention by Wooliever and Sharp on the minutes of January 5.

11. COUNCIL REQUESTS FOR FUTURE AGENDA ITEMS, COMMENTS AND DIRECTIONS TO STAFF; STAFF MISCELLANEOUS ITEMS.

San Anselmo Town Council, January 26, 1988

Animal control ordinance - Dickens reported that the County of Marin is conducting a public hearing on changes to the animal control ordinance proposed by a committee appointed by the Board of Supervisors. Whatever the County adopts becomes a part of San Anselmo's code by reference, and asked the Council to advise him whether they wanted any deletions or additions to the proposed changes.

Ballet group - Sharp asked whether the San Anselmo School of Ballet had submitted a request for Town endorsement of its trip to Russia.

Nome suit - Cordingley asked the meaning of the statement in the judgement on this suit that the defendants shall recover from the plaintiff the costs of the suit. Sharp noted that this meant only the court costs, not attorneys' fees.

Tam High School District - Cordingley reported that the president of the Tamalpais School District Board of Directors and the Superintendent discussed with him ideas on working with the Town with respect to shrinking revenues, such as by pooling library resources.

12. ADJOURNMENT

The meeting was adjourned at 10:17 p.m.

Beth Calamar