

MINUTES

TOWN OF SAN ANSELMO Minutes of the Town Council Meeting of June 25, 2002

Present: Hodgens, Breen, Chignell, Kilkus, Kroot
Absent: None

8:00 p.m.

- CALL TO ORDER.
- PLEDGE OF ALLEGIANCE

- ANNOUNCE ACTION TAKEN, IF ANY, IN CLOSED SESSION

Nothing finalized.

- OPEN TIME FOR PUBLIC EXPRESSION.

Suzanne Lindelli, 159 Tunstead, said that her landscaping was damaged by people who attended the San Anselmo Art Festival last weekend. She also complained about the lack of parking, and lack of police enforcement.

Hodgens asked staff to provide feedback about the Festival at the next meeting.

David Wolf, 100 Sycamore, San Anselmo Bicycle Task Force member, provided the Council with an updated reprinting of the plan, which has a new cover and asked if the Council Chambers would be available in the fall to give another presentation to the public.

- COUNCIL REQUESTS FOR FUTURE AGENDA ITEMS, QUESTIONS AND COMMENTS TO STAFF; STAFF MISCELLANEOUS ITEMS.

Breen advised the Council that he would be away for the July 23, 2002 meeting.

Kroot said the City Clerks Association gave our Town Administrator, Debbie Stutsman an award for all her efforts during the last year.

Chignell said he would like the Town Administrator to prepare a letter for the Mayor's signature, to congratulate former Town Treasurer, Merle Sheldon on his 88th birthday.

Chignell said a private sign has been erected between 259 and 269 Redwood Road, which is against the Agreement and would like staff to look into the matter.

Chignell requested that the Living Wage issue be heard at the July 23, 2002, meeting and said staff should research how the ordinance might affect the Town.

Stutsman reported that the Police Department said the Art Festival last weekend went well. Three officers were on duty and there were only minor complaints, mostly related to parking.

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 THE ITEMS MAY BE APPROVED WITH ONE ACTION.

- (a) Approve minutes: June 11, 2002.
- (b) Acknowledge and file warrants Nos. 41884-42173 issued during the month of May 2002 in the amount of \$913,705.09.
- (c) Acknowledge and file the revenue and expenditure report for the period ending May 31, 2002.
- (d) Approval and second reading of Ordinance No. 1027: Environmental Review (Negative Declaration) and Zoning Ordinance Amendment to the Land Use Table 3A by adding the requirement for Conditional Use Permit for the demolition of professional and residential uses, Section 10-3.1504(a)(3) by deleting demolition of commercial and multi-family units from design review, and Section 10-3.1305(f) by amending use permit findings for the demolition of commercial professional, and residential structures.
- (e) Approve Resolution No. 3603 amending the Town's Conflict of Interest Code, changing the title of Police Lieutenant to Police Commander and Town Clerk to Deputy Town Clerk.

M/s Breen/Kilkus, and unanimously passed (5-0) to approve Consent Agenda Items (a) – (e).

2. PROCUREMENT OF SOLID WASTE, RECYCLABLE MATERIALS AND GREEN WASTE SERVICES:

- (a) Select finalist from the shortlist of three proposals to provide solid waste, recyclable materials and green waste services.
- (b) Appoint a contract negotiating team to conduct final contract negotiations with finalist.
- (c) Direct negotiating team to conduct contract negotiations with the finalist, returning to Council on July 23, 2002.
- (d) Select one alternate from the shortlist in the event that the negotiating team determines that negotiations are unlikely to reach satisfactory conclusion.

Finance and Administrative Services Director Pendoley provided an overview of the staff report.

Peter Deibler, Consultant Brown Vence & Associates, representing the Town, presented the staff report and provided an overview of the Procurement Committee Report

Evaluation of Shortlisted Proposals. He distributed additional information that the three companies on the short-list provided since the staff report and Proposal was completed.

Barbara Thorton, 434 Scenic Avenue, Solid Waste Committee, said this is a result of extensive discussions and the committee has tried to reflect the strengths and weaknesses of all the companies.

Patti Garbarino, Marin Sanitary Service, is very proud of their 65% recycling and unblemished record.

Eric, Attorney representing North Bay Corporation, would like to suggest a few categories in the scoring that were misunderstood. Looking at the material submitted it is hard to imagine the mid-level of 3. Regarding the transition plan, they have added 6 communities in the last two years - Windsor and Rohnert Park were such cases and they got very high ratings. Looking at the refinement of the scores, they should be given a 5. He would give the company an additional 32 points. Regarding customer services, the response was that people were happy with their work, which would add 14 points, for a total of 66 more points. In addition, they will provide the lowest rates and lowest franchise fee.

Mark Mazad, Republic Services, believes they have offered the most user-friendly proposal for the town. San Anselmo will be their first contract in the bay area and they have a real incentive to perform. They are also the only large company in this process and they can provide local resources and a network of resources to draw upon. This company is a conglomerate of many small companies.

Resident, 1583 Sir Francis Drake, Fairfax, said a considerable amount of money was paid to the Dondero family for North Bay and he does not know why this is now happening. It is incomprehensible to present a garbage contract to someone by a survey.

Dan Corter, Sonoma, is a garbage collector with North Bay, said they have come a long way in six years when Ray Forrest sold SA Garbage to North Bay. The proposals meet the other companies and also exceed the other companies in customer services and fees. He is committed to work directly with the town and his workers.

Rick Powell, North Bay Corporation, agreed that the relationship between the town has been an arm's length relationship but he has made a commitment to make a positive relationship to the town. His proposal guarantees the employment of the men that currently work for the company in town.

Forrest Craig, 73 Angela Avenue, said that Marin Sanitary Service is locally run and operated and has provided excellent services to citizens for over 50 years. They are innovators of curbside and green waste recycling; have provided an environmental classroom for his children. They have provided the first hazardous waste in Marin County, and have created door to door service for seniors with hazardous waste and they operate with integrity.

Carl Yeakey, 3 Island Drive, expressed his support for North Bay.

Hollis Locke, 21 Arroyo, if preliminary proposal is still valid he would like to consider apples and apples, rather than apples and oranges. North Bay rates are cheaper and he supports them.

Resident, 14 Madera, supports North Bay.

Ron Austinson, Fairfax, said that one stream recycling is the way to go and supports North Bay.

John Colteaux, represents North Bay, said it has been his experience that people are most interested in the rates. What is being considered tonight is a rate increase in the failure to accept a rate decrease. What has not been analyzed is the single stream recycling which is an innovative proposal being discussed by North Bay alone. If it were advertised to the citizens that there might be a potential increase in garbage rates, many people would be at the public hearing.

Carol Asleson, 14 Rivera, North Bay, stated that many dumpsters have been donated to the town and the community for events.

Ed Cunningham, 21 Lincoln Park, said Marin Sanitary has an excellent track record in Marin County for its recycling facility in San Rafael. He would rather opt with a local company than someone from outside the County.

Tammy Asleson, 18 Rivera, North Bay, said they have been in the business for 20 years and are also in different communities as well. Single stream recycling would become easier for everyone to use. She would hate to see the employees leave after providing services from San Anselmo Refuse and now North Bay.

Stephanie Draper, 15 Belle, SWARAC, wants to reassure workers they will retain their jobs, thanks to the Franchise Agreement. SWARAC would like to see San Anselmo strive to have the standards we deserve. She supports Marin Sanitary.

Chignell stated he is troubled by language in the document by Marin referring to hiring the current employees.

Patti Garbarino, Marin Recycling, responded that they were trying to address the requirement that they adhere to the union contract. They are prepared to hire the current drivers and also add new staff.

Regarding contract with local 624, Chignell asked North Bay the status with union and non-union staff. Mr. Powell responded that they have both union and non-union employees and the wages are the same for both.

In response to Chignell, Mr. Mazad, Republic Services stated all employees are union and they have the ability of grandfathering all seniority and benefits to the San Anselmo workers.

Regarding garbage pickups that are missed, Kroot asked how Republic Services would respond. Mr. Mazad explained that all calls get logged in and they try to resolve the problem the same day.

Kroot questioned why North Bay's rates are so much lower than what they are currently charging the town. Mr. Powell responded that they could lower their rates because of single stream recycling. They feel it is increased value of paper that has gone up 15% and they have automated some of the pickup.

Kroot questioned why Marin Sanitary restricts number 3 and 7 recycling. Ms. Garbarino explained there they have done a lot of research and there is no technology to recycle this. It does go into the landfill.

Hodgens questioned why North Bay has already started the single stream recycling without knowledge of the Town Council. Mr. Powell responded that there is a combination of single and double stream processing. He also noted that 3-7 plastics do not go to a landfill; they go to processing and do count as diversion.

In response to Hodgens, Ms. Garbarino stated that Marin Sanitary would be able to meet the deadline stated in their contract.

Breen said that the Town has been presented with three excellent and well done proposals and all would benefit San Anselmo in recycling. The town is committed to shopping locally when they can. He is not convinced the single stream recycling is where we want to go now; it is relatively new and inexact. He is committed to supporting the countywide recycling as a community and supports Marin Sanitary Services. The Council will make sure that the employees of North Bay are protected. Side loading on small streets could cause accidents and he would rather see rear loading. He is worried about the flow of trucks during rush hour traffic. Residents are interested in their finances; all three are very close to being equal. He thinks the citizens want the best recycling in Marin and California. With the commitment to the local carrier, his concerns about single stream recycling and side loading, he supports Marin Sanitary Services.

Kroot said all three are excellent companies but he feels the town should go with a local company, Marin sanitary, who has an excellent diversion rate and excellent references.

Chignell said he was pleased with the committee report and give accolades to staff and the committee, as well as the consultant for their work in preparing and presenting the documentation. There has been no issue more contentious than the issue of garbage. That was because there was no competition. He spoke with Mr. Ratto years ago and they were not for unionization. The Town mandated in the contract that the employees were to be kept. He also agrees that people care about rates as well as state of the art

recycling. The Town now has a competitive bid. He has nothing but the highest regard for the haulers and the office workers. Their rates are somewhat disingenuous because they did not come back to the Town to reduce rates but now offer lower rates. Marin Sanitary Service is world renown and his first choice for San Anselmo; North Bay would be his alternate. He does not want Republic because they are too big.

Hodgens said what matters to her is diversion, rates and single stream. The community has changed over the last 10-15 years. She feels people would be willing to pay a little more to get more recycling. She agrees with Breen about the traffic concerns and congestion on the highways and supports Marin Sanitary.

Kilkus said he wanted to thank the committee for all their work. A proposal is just a proposal; part of what the Council now has to do is see if it can be represented in fact. The Town will lose money no matter which company we get. The lowest bidder is not necessarily the best, customer service is also very important. He doesn't support a decrease in rates and conscious attention to single stream recycling will increase volume but there will be additional contamination. He does not think it will increase recycling and does not advocate it. He supports local business and the amount of traffic should be minimized. Marin Sanitary is local. North Bay has done a good job compared to the previous company. North Bay provides the best rates, single stream recycling and a new attitude but their arguments were not compelling. Republic has a strong incentive and he believes they could have a small company approach and therefore would make them second. Marin Recycling is a leader in the community and wants to work with the community. They are the responsible choice.

M/s Kilkus/Breen and unanimously passed (5-0) to select Marin Sanitary Service as the finalist from the shortlist of three proposals to provide solid waste, recyclable materials and green waste services.

M/s Breen/Kroot and unanimously passed (5-0) to nominate Councilmember Chignell to act as part of the contract negotiating team to conduct final contract negotiations with finalist.

M/s Kroot/Kilkus and unanimously passed (5-0) to direct negotiating team to conduct contract negotiations with the finalist, returning to Council on July 23, 2002.

M/s Chignell/Kroot to select North Bay as the alternate from the shortlist. Motion denied with the following vote.

Ayes: Chignell, Kroot

Noes: Kilkus, Breen, Hodgens

M/s Breen/Kilkus to select Republic as the alternate from the shortlist. Motion carried with the following vote.

Ayes: Breen, Kilkus, Hodgens

Noes: Chignell/Kroot

The meeting was adjourned at 9:50 p.m. in memory of Gary Jewel.

Barbara Chambers
Planning Technician