

**TOWN OF SAN ANSELMO**  
**Minutes of the Town Council Meeting of September 23rd, 2003**

Present: Breen, Chignell, Kroot, and Thornton  
Absent: Kilkus

8:05 p.m.

- CALL TO ORDER.
- PLEDGE OF ALLEGIANCE
- ANNOUNCE ACTION TAKEN, IF ANY, IN CLOSED SESSION

Vice Mayor Chignell presided over the meeting in Mayor Kilkus's absence and stated that no reportable action was taken in closed session.

- OPEN TIME FOR PUBLIC EXPRESSION.

Louise Mathews, Foothill Road, stated that, as she was unable to attend the Marin Sanitary company's presentation at the last Council meeting, she would have appreciated having some written literature available.

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

Councilmember Breen said he noticed that the Walgreen's *open* banner sign has been folded over and asked staff to look into the matter. He attended Drake High's administration meeting where neighborhood parking problems were discussed. A proposal was made for a better working relationship for mutual benefit with the Town and Council. He asked for suggestions on the best way to achieve this.

Vice Mayor Chignell's recommended was using the Community Policing Project which is part of the adopted Budget Work Plan that will be administered by the Police Chief and Town Administrator. He suggested Peter Breen represent the Council in this effort. Councilmember Breen agreed to participate in this endeavor in order to ameliorate the neighborhood parking issues. Councilmember Kroot considered this was a good idea and endorsed keeping communications open.

Vice Mayor Chignell said he received a letter from Ms. Bender regarding the Sir Francis Drake Blvd. and Alderney Avenue issue and he asked the Traffic Safety Committee review this and report their recommendations to the Town Council. He forwarded a letter to the Town Administrator that he received from David and Lydia Bell regarding having a storage and garage structure on an adjoining vacant parcel. He asked for a staff analysis. The Vice Mayor complimented Town Administrator Stutsman for her competent handling of a couple of difficult issues in the past week that were of concern to constituents and they were happy with the outcome.

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: September 9, 2003.
  - (b) Zoning Ordinance Amendment to the Merger Ordinance, SAMC 10-3.2703(b)(4): refer back to Planning Commission to be heard at their regular meeting on October 6, 2003. CONTINUE TO THE TOWN COUNCIL MEETING OF OCTOBER 14, 2003.

M/s, Kroot/Breen to continue 1(b) to the October 14<sup>th</sup> Meeting. Ayes: All

Councilmember Kroot requested that Item 1(a), the September 9<sup>th</sup> Minutes, be changed to reflect that he abstained from approving the August 26<sup>th</sup> Minutes, as he was not present.

Louise Mathews, Foothill Road, requested that Item 4 of the Minutes of September 9<sup>th</sup> be changed to say that there was the potential for adding electrical and plumbing to the play structure, and not, the potential for adding a living unit as written. In addition, on Item 6 regarding approving the agreement for the improvement and lease of Red Hill Field, Ms.

Mathews said that Councilmember Breen's comment that the Town not providing the indemnity insurance would cause the agreement to be a "deal breaker," wanted this included in the minutes.

Vice Mayor Chignell requested the following statements he made be included in the Minutes of September 9<sup>th</sup> regarding the parking approval request for the Drake's Back-to-School-Night. He said that the portables on Sir Francis Drake were aesthetically displeasing and were a cause for traffic concerns; that the elimination of parking on Sir Francis Drake was inappropriate in light of the irony that parking on Drake be permitted when the Council voted 3-2 to eliminate it; and, that the school bond measure would never have passed without each of the Council's support.

M/s, Kroot/Thornton, to approve the minutes as amended. Ayes: All

2. AWARD CONTRACT FOR DRAINAGE IMPROVEMENTS ON SIR FRANCIS DRAKE BLVD. FROM EL CERRITO AVENUE TO CORDONE DR.

Public Works Director Rabi Elias stated the bids were opened at 10:00 am this morning and the lowest bidder was Ghilotti Brothers in the amount of \$65,842.

When Councilmember Breen noted that this bid exceeded the estimate by approximately \$30,000 and asked from which fund it would be paid from, Mr. Elias stated the overage would come from the 2003-04 Measure G budget. Mr. Breen inquired why San Anselmo's small stretch of roadway cost more than San Rafael's bid for the whole of the Miracle Mile. Mr. Elias responded that the job is not just an overlay project and the specifications require quality work that include six-inch digouts, the replacement of two catch basins and the application of three-inch asphalt/concrete overlay.

Councilmember Kroot asked why the bids were higher than expected. Mr. Elias stated the project was fast-tracked and the fact that it is on a major thoroughfare was not considered in the preliminary estimates.

Vice Mayor Chignell noted that John Sharp, former Mayor and Councilmember, was in the audience. Mr. Sharp stated he appreciated the recognition and said he was representing some clients who live in this vicinity and have had flooding problems. He said that the drainage issues were being resolved and he was working with Mr. Elias to tie this it into the drainage improvement project.

M/s, Breen/Thornton to award the contract to Ghilotti Bros., in the amount of \$65,842. Ayes: All

3. APPROVAL OF URGENCY INTERIM ORDINANCE OF THE TOWN OF SAN ANSELMO AMENDING SECTION 10-9.303, WITH LANGUAGE RELATED TO "TEMPORARY POLITICAL SIGNS," CHAPTER 9 OF TITLE 10 OF THE SAN ANSELMO MUNICIPAL CODE.

Town Attorney Hadden Roth stated this is an Urgency Ordinance regulating political signs and is necessary for the November elections. The section on political signs was inadvertently omitted during the 1999 ordinance revisions for temporary signs but is identical to the one previously adopted under Ordinance No. 723 in 1977. He read the ordinance and stated that each owner, tenant or occupant can erect one sign pro or con for each given issue or candidate.

Planning Director Tom Bell requested that Section 3 of this Ordinance be amended to read: *This Ordinance will become effective on September 23<sup>rd</sup>, 2003 and will expire and be of no further force and effect upon the effective date of an ordinance reinstating the language of Ordinance No. 723.*

When Councilmember Kroot asked what the sign size limitation was, Planning Director Bell replied that the maximum is six square feet for each sign.

Louise Mathews, Foothill Road, submitted a photocopied booklet that contained a multitude of queries with responses she had already faxed or delivered personally to the Town Staff. She stated the Town could not regulate the temporary sign at Walgreen's Drugs Store or the

Brookside School Oktoberfest signs since the ordinance was omitted. She asked whether the alphabet subsection should have been (e) instead of (c).

M/s, Kroot/Thornton to adopt Urgency Ordinance No. 1034 with the amendment as read by Mr. Bell and checked for the proper subsection insertion. Ayes: All

4. DISCUSSION REGARDING THE SIR FRANCIS DRAKE BOULEVARD CORRIDOR STUDY, ACKNOWLEDGE AND FILE REPORT.

Public Works Director Rabi Elias reported on the results of the traffic flow study completed by Whitlock and Weinberger, which cost \$39,000 and was paid for through the Traffic Congestion Relief Fund. The timing of traffic lights has been adjusted for maximum vehicular traffic flow and for safe pedestrian crossing. To move more cars through the Hub intersection and because of the curved configuration of the road, a recommendation was made to install an 18-ft pole with a signal head further away from the Hub on Sir Francis Drake Blvd. having the same light sequence. In this manner, cars can be on the alert and move through the intersection when they see the light turn green. The Hub is very saturated as it processes 66,000 cars per day and the signal timing is properly synchronized and further adjustments could throw it out of balance. The report discusses other issues related to the corridor and parking use.

Vice Mayor Chignell considered the study a waste of money and he disputed the consultant's report, that it was a benefit for pedestrians and motorists. The solution of installing a signal before the Hub didn't make any sense, Councilmember Chignell stated. He asked why there was always a long backup from the Hub to the Red Hill Shopping Center and none in the other directions. He disagreed with the report on the residential parking on Sir Francis Drake and took great exception to the statement that the high school neighborhood-parking situation was non-problematic.

M/s, Breen/Thornton to acknowledge and file the Sir Francis Drake Boulevard Corridor Study. Ayes: Breen, Kroot, and Thornton. Noes: Chignell

5. CONSIDER APPROVAL OF RESOLUTION SUPPORTING A STATEWIDE BALLOT INITIATIVE TO REQUIRE VOTER APPROVAL BEFORE STATE GOVERNMENT MAY TAKE LOCAL TAX FUNDS.

Town Administrator Debra Stutsman reported that the League of California Cities is sponsoring a statewide ballot initiative to empower the voters to limit the ability of state government to confiscate local tax funds and are asking the cities and towns for support. The initiative would not raise taxes, would not undo any actions the State has already taken, would not return ERAF property taxes and would not give a bigger share of the general fund for local government. What it would do is to amend the state constitution to make it harder for state to take away local resources.

Councilmember Breen stated that he supported this initiative to protect local funds and to place it on the ballot it will cost at least \$7M, of which San Anselmo's share is about \$5,000. An independent committee or individuals only can raise the monies, as no public funds may be used in support of campaign activities.

Councilmember Kroot said he supported the initiative however, he felt it was a sad state of affairs to have to pass an initiative in this manner but finds it necessary as the Town is losing its financial democracy.

M/s, Breen/Thornton, to approve Resolution No. 3658, supporting a statewide ballot initiative to require voter approval before state government may tax local tax funds.

Ayes: All

6. ADJOURN. The meeting was adjourned at 8:45 P.M.

Respectfully submitted,

Rose Wager, Senior Administrative Services Assistant