

## **AGENDA ITEM 1(b)**

### **TOWN OF SAN ANSELMO STAFF REPORT January 28, 2003**

For the Meeting of February 11, 2003

TO: Town Council

FROM: Janet Pendoley, Finance & Administrative Services Director

SUBJECT: Approval of Resolution Reaffirming the Investment of Monies in the Local Agency Investment Fund and Designating Employees as Authorized Signers

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#### **RECOMMENDATION**

That Council approve the attached Resolution reaffirming investment of Town monies in the Local Agency Investment Fund (LAIF) and designating employees as authorized signers.

#### **BACKGROUND AND DISCUSSION**

On January 4, 1977 the Town Council approved Resolution #1689 authorizing the Town's participation in the California Local Agency Investment Fund. Since that time, the Town's idle operating funds have been invested in LAIF in compliance with the Town's Investment Policy. Following the Town's three bond issues in 1995, 1997, and 2000, separate LAIF accounts were established to invest idle bond proceeds. When proceeds from an issue were fully expended, the account for that issue was closed. Currently, the Town's active LAIF accounts include the General Operating Funds account and the Bond Proceeds Series 2000 account.

In the course of applying for an additional LAIF account for the fourth and final bond issue scheduled for February 2003, staff was requested by LAIF to seek the Council's reaffirmation of their original authorization for the accounts and their designation of current employees as signers on the accounts. The attached resolution designates the following employees (and their successors in office) to execute banking transactions with LAIF: Debra Stutsman, Town Administrator; Janet Pendoley, Finance & Administrative Services Director; Rabi Elias, Public Works Director; and Charles Maynard, Police Chief. These employees are the designated signers on the Town's other bank accounts.

#### **CONCLUSION**

It is recommended that the Town Council approve the attached Resolution.

Respectfully submitted,

Janet Pendoley  
Finance and Administrative Services Director

**Attachment:** Resolution of the San Anselmo Town Council Reaffirming Investment of Monies in the Local Agency Investment Fund and Designating Employees as Authorized Signers.

**TOWN OF SAN ANSELMO**

**TOWN COUNCIL RESOLUTION NO. \_\_\_\_\_**

**A RESOLUTION OF THE SAN ANSELMO TOWN COUNCIL REAFFIRMING INVESTMENT OF MONIES IN THE LOCAL AGENCY INVESTMENT FUND AND DESIGNATING EMPLOYEES AS AUTHORIZED SIGNERS**

**WHEREAS**, pursuant to Chapter 730 of the statutes of 1976 Section 16429.1 was added to the California Government Code to create a Local Agency Investment Fund in the State Treasury for the deposit of money of a local agency for purposes of investment by the State Treasurer; and

**WHEREAS**, the San Anselmo Town Council does hereby find that the deposit and withdrawal of money in the Local Agency Investment Fund in accordance with the provisions of Section 16429.1 of the government for the purpose of investment as stated therein is in the best interests of the Town of San Anselmo;

**NOW THEREFORE BE IT RESOLVED**, that the San Anselmo Town Council does hereby authorize the deposit and withdrawal of the Town of San Anselmo monies in the Local Agency Investment Fund in the State Treasury in accordance with the provisions of Section 16429.1 of the Government Code for the purpose of investment as stated therein, and verification by the State Treasurer's Office of all banking information provided in that regard.

**BE IT FURTHER RESOLVED**, that the following Town of San Anselmo officers or their successors in office shall be authorized to order the deposit or withdrawal of monies in the Local Agency Investment Fund:

Debra Stutsman  
Town Administrator \_\_\_\_\_

Janet Pendoley  
Fin & Admin Services Director \_\_\_\_\_

Rabi Elias  
Public Works Director \_\_\_\_\_

Charles Maynard

Police Chief \_\_\_\_\_

**PASSED AND ADOPTED** by the San Anselmo Town Council at a regularly scheduled meeting on February 11, 2003 by the following vote:

AYES:

NOES:

ABSENT:

\_\_\_\_\_  
Peter Kilkus, Mayor

ATTEST:

\_\_\_\_\_  
Debra Stutsman, Town Clerk

**AGENDA ITEM 1(c)**

**TOWN OF SAN ANSELMO  
TOWN COUNCIL STAFF REPORT**

February 4, 2003

For the meeting of February 11,

2003

**TO:** Town Council

**FROM:** Tom Bell, Planning Director

**SUBJECT:** Ordinance amending Section 10-3.607(c) of the San Anselmo Municipal Code regarding nonconforming uses to prevent the expansion, enlargement, or intensification of nonconforming uses, and to delete the requirement restricting reconstruction, structural alteration and maintenance of structures housing nonconforming uses.

**RECOMMENDATION**

Adopt attached Ordinance 1032 and waive the reading

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## **Previous Action by Planning Commission/Town Council**

January 6, 2003 The Planning Commission unanimously recommended approval of the attached ordinance draft.

January 28, 2003 The attached ordinance was introduced without Council comment.

## **Discussion**

### **Environmental Review**

Categorically exempt (existing facilities)

### **Zoning Ordinance Amendment**

Staff noticed the proposed Zoning Ordinance Amendment in the December 18, 2002 edition of the Marin Independent Journal, in accordance with the Government Code.

As the Council may recall, on October 22, 2002 the Council directed staff to prepare an ordinance amendment that would allow owners of buildings containing nonconforming uses to rehabilitate such structures provided that the nonconforming uses would not be expanded. At that time, the Council felt that the structural integrity, safety, and maintenance of such structures should be encouraged and facilitated.

On January 28, the Council introduced the ordinance draft without comment.

Notwithstanding any other provisions of the code, the attached ordinance would eliminate the requirement for nonconforming uses to conform as a condition of building rehabilitation or maintenance. It would however, maintain and clarify the prohibition of any expansion or intensification of nonconforming uses. The impact of this ordinance would enable property owners of buildings containing such uses to better maintain their buildings.

## **Recommendation**

Adopt the attached ordinance and waive the reading.

Respectfully submitted,

Tom Bell  
Planning Director

attachments: Proposed Ordinance  
Existing ordinance Section 10-3.607(c)

**ORDINANCE NO. 1032**

**AN ORDINANCE OF THE TOWN OF SAN ANSELMO AMENDING SECTION 10-3.607(c) OF THE SAN ANSELMO MUNICIPAL CODE REGARDING NONCONFORMING USES.**

THE TOWN COUNCIL OF THE TOWN OF SAN ANSELMO DOES ORDAIN AS FOLLOWS:

Section 10-3.607(c) of the San Anselmo Municipal Code is hereby amended to read as follows:

- (c) Expansion of nonconforming uses.
  - 1. Nonconforming uses shall not be expanded or intensified.
  - 2. Areas dedicated to nonconforming uses shall not be enlarged.

Introduced at a regular meeting of the Town Council on January 28, 2003, and PASSED AND ADOPTED by the Town Council of the Town of San Anselmo at a regularly scheduled meeting on February 11, 2003 by the following roll call vote:

AYES:

NOES:

ABSENT:

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Mayor

ATTEST:

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Debra Stutsman, Town Clerk

**AGENDA ITEM 1(d)**

**TOWN OF SAN ANSELMO  
STAFF REPORT  
February 6, 2003**

For the Meeting of February 11, 2003

TO: Town Council

FROM: Jim Wheeler, Recreation Director

SUBJECT: Film Night in the Park, Summer 2003

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**RECOMMENDATION**

That Council approve the request to hold the "Film Night in the Park" this summer in Creek Park on the specified Friday and Saturday evenings in July, August and September, 2003.

**BACKGROUND**

The Film Night organization requests approval to hold the annual "Film Night in the Park" this summer in Creek Park. Thirteen screenings of films are proposed from July 11<sup>th</sup> through September 20<sup>th</sup> as follows:

- ◆ Friday and Saturday, July 11 and 12, 2003
- ◆ Friday and Saturday, July 18 and 19, 2003.
- ◆ Friday and Saturday, July 25 and 26, 2003.
- ◆ Friday and Saturday, August 1 and 2, 2003.
- ◆ Friday and Saturday, August 15 and 16, 2003.
- ◆ Friday and Saturday, August 22 and 23, 2003.
- ◆ Friday, Saturday and Sunday, August 29, 30, and 31, 2003.
- ◆ Friday and Saturday, September 5 and 6, 2003.
- ◆ Friday and Saturday, September 12 and 13, 2003.
- ◆ Friday and Saturday, September 19 and 20, 2003.

All shows would start at dusk, about 8:30 p.m., and be finished by 11:00 p.m.

Film Night organizers request the waiver of two Town ordinances in order to hold the festival: no amplified music in the park and no one in the park after sunset. Organizers

also request that the Town Hall restrooms remain open until 11:00 p.m. and that a set of recycling cans be moved to another part of the park during the festival, as they block a viewing area.

## **DISCUSSION**

The request has been reviewed by the Police, Fire, Public Works, Recreation, Parks and Volunteer Departments and the following additional conditions are included. The Fire Department requires that two 6-foot wide unobstructed exits be maintained leading out of Creek Park. The Parks Department agrees to move the recycling containers in question for the duration of the summer Film Night performances.

In order to ensure that plans for park use over summer months are coordinated, staff (Recreation Director) met with Film Night organizer Tom Boss to discuss summer use of Creek Park and Film Night. The following items were agreed to:

- ◆ Jointly sponsored events featuring films with music beforehand were of interest to the staff and the Film Night organizers.
- ◆ Staff and Film Night organizers will have a wrap-up meeting in October and a planning meeting in January of each year, to evaluate the previous summer's events and plan a calendar for the upcoming summer.
- ◆ Future Film Night calendars may not be able to accommodate consecutively scheduled Film Nights; rather, several weekend breaks may be needed to allow park use by other groups. During the January planning session, a calendar would be worked out that would be satisfactory to all involved.
- ◆ Film Night advertising and brochures will mention the Town of San Anselmo as a sponsor.
- ◆ Staff continues investigating the possibility of building a storage shed on the Creek Park site for Film Night and Town Players.

Respectfully submitted,

Jim Wheeler  
Recreation Director

Attachment – Film Night request

## **AGENDA ITEM 1(e)**

**TOWN OF SAN ANSELMO  
STAFF REPORT**

**February 5, 2003**

For the Meeting of February 11, 2003

TO: Town Council

FROM: Debra Stutsman, Town Administrator

SUBJECT: Application for Downtown Events  
Outdoor Antiques Faire

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**RECOMMENDATION**

That Council approve the request of the Antique Dealers' Association to hold the 23<sup>rd</sup> annual Outdoor Antiques Faire on Sunday, May 18, 2003, closing San Anselmo Avenue from Tunstead to Tamalpais and the Creek Park parking lot.

**BACKGROUND**

The Antique Dealers' Association plans to hold the 23<sup>rd</sup> annual Outdoor Antiques Faire on Sunday, May 18, 2003 from 9:00 a.m. to 4:00 p.m., with set up and take down beginning at 6:00 a.m. and ending at 7:00 p.m. The Association requests that San Anselmo Avenue be closed from Tunstead Avenue to Tamalpais Avenue for booth placement. In addition, they request closure of the entire Creek Park parking lot for booths.

The application has been reviewed and approved by the Fire, Police, Public Works, Community Resources, Parks and Recreation Departments.

Respectfully submitted,

Debra Stutsman  
Town Administrator

**AGENDA ITEM 1(f)**

**TOWN OF SAN ANSELMO  
TOWN COUNCIL STAFF REPORT**  
For the meeting of 2-11-03

**DATE:** 2-4-03



**TO:** Mayor and Council Members

**FROM:** Rabi Elias, Public Works Director

**SUBJECT:** Compliance with the State of California General Permit for Stormwater Discharges for Small Municipal Separate Storm Sewer Systems (General Permit).

### **RECOMMENDATION**

Adopt resolution authorizing the Town Administrator to submit the appropriate application form and annual permit fees to the State of California Water Resources Control Board for coverage under the General Permit.

### **BACKGROUND AND DISCUSSION**

The U.S. Environmental Protection Agency (EPA), under amendments to the 1987 Federal Clean Water Act, imposed regulations that mandate local governments reduce, to the maximum extent practicable, pollutants in storm water discharged from municipal storm drain conveyance systems. Under authority of the California Porter-Cologne Water Quality Control Act, the State Water Resources Control Board (SWRCB) and its Regional Boards have been delegated the authority to issue National Pollutant Discharge Elimination Systems (NPDES) permits and waste discharge requirements for municipal stormwater discharges.

The county and all Marin municipalities are required by the EPA and the SWRCB to apply for coverage under a General Permit. The county, all Marin municipalities, and the Districts will be applying as co-permittees through the Marin County Stormwater Pollution Prevention Program (MCSTOPPP). The Town's stormwater program is administered by the Department of Public Works. MCSTOPPP will be collecting on behalf of all its member agencies the fees and signed application forms for submittal to the SWRCB by March 10, 2003.

A copy of the latest version of the State's Draft General Permit may be viewed at [www.swrcb.ca.gov/stormwtr](http://www.swrcb.ca.gov/stormwtr). At this time the State has not formally adopted the permit. However, MCSTOPPP's member agencies are required to apply for coverage under an NPDES permit by March 10, 2003. A copy of the latest version of the application form is attached. Due to the fact that the SWRCB has not formally adopted the permit or application form, the draft form is being submitted as a placeholder. Adoption of the attached Resolution authorizes staff to apply for coverage for the Town.

### **FISCAL IMPACT**

The Town must pay a State permit fee of \$1,500 for this year. This fee is separate from Town's annual share of \$24,137 to fund the MCSTOPPP program. Funding is included in this fiscal year budget.

### **AGENDA ITEM 1(g)**

**TOWN OF SAN ANSELMO**  
**TOWN COUNCIL STAFF REPORT**

For the meeting of 2-11-03

**DATE:** 2-4-03

**TO:** Mayor and Council Members

**FROM:** Rabi Elias, Public Works Director

**SUBJECT:** Red Hill Ave/ Sir Francis Drake Blvd Storm Drain Bypass project. Approve the project and authorize staff to solicit bids.

**RECOMMENDATION**

Approve the project and authorize staff to solicit bids.

**DESCRIPTION**

The project consists of installing a new 48 inch diameter storm drainage pipe to bypass an old inefficient system. The pipe will run underground along Greenfield Ave starting at Ancho Vista Ave then making the turn at the hub and run south under Sir Francis Drake Blvd (SFD) turning through the parking lot at the vet hospital No. 190 before the bridge and ending at the same location as the old outfall. A storm drain easement from the owners of No. 190 Sir Francis Drake Blvd. is needed.

**BACKGROUND**

The Federal Emergency Management Agency (FEMA) approved a Hazard Mitigation Grant on 12-30-98 in the amount of \$620,381 for 75% of the estimated total cost. The Governor's Office of Emergency Services (OES) is in charge to implement this grant. OES wanted to cancel the grant in July of 2001 due to Town not complying with the grant timetable. That was the period in between changes in Public Works Directors. When I came on board in August and after some convincing OES agreed to extend the date of completion of the project to 11-30-03.

The Town Council on 8-13-02 approved the Negative Declaration of Environmental Impact. In December 02 we secured the permits from the Army Corps of Engineers and Fish and Game.

### **DISCUSSION**

This project is a major upgrade of the storm drainage system for large water shed area and is very much needed. The present system is deficient. To install a 48 inch pipe in SFD from the Hub to the bridge is a big undertaking. The pipe has to be sloped for gravity flow and yet avoid running into existing under ground utilities. We pot holed to identify existing utilities at locations of possible conflicts in order to avoid problems of job delays and extensive change orders. This project will effect northbound travel on SFD, hours of work are limited from 7:30 AM to 3:30 PM and one lane will be maintained open. Businesses will be inconvenienced; we will notify them and keep them informed. Parking will be blocked as needed and only in the section where the actual work occurs. Project work is expected to start in June.

### **FISCAL IMPACT**

The engineers estimate for the project is \$750,000

Funding, Hazard mitigation grant \$468,000

Measure G \$282,000

### **AGENDA ITEM 1(h)**

### ***TOWN OF SAN ANSELMO***

## **TOWN COUNCIL STAFF REPORT**

For the meeting of 2-11-03

**DATE:** 2-3-03

**TO:** Mayor and Council Members

**FROM:** Rabi Elias, Public Works Director

**SUBJECT:** Demonstration project to stencil the East/West bicycle route from Bolinas Ave along San Anselmo Ave to Lansdale Station.

### **RECOMMENDATION**

Approve the project

**BACKGROUND**

The Town master bicycle plan called for stencils to tell bicyclists to get out of the open door zone by taking the lane properly, reminding motorists that this is a bicycle route and to watch for cyclists.

**DISCUSSION**

As of this date there is no State standard stencil. The California Traffic Control Device Committee (CTCDC) is in the process of arriving at a standard stencil. The stencil we are proposing to use is the same one that San Francisco is using for their demonstration project and the one that CTCDC is considering. This project is a demonstration project that we will observe and analyze the feed back from the bicyclists and motorists. Installation will be as per recommendations developed for the City of San Francisco that will be modified as applicable for our Town. Attached reading material is for your information.

**FISCAL IMPACT**

The cost of the template is \$500. It will take three days for two street crew members to paint the 16 stencils. The cost of this work will be contained in the present budget.

**AGENDA ITEM 2**

**TOWN OF SAN ANSELMO  
STAFF REPORT  
January 31,2003**

*For the Meeting of February 11, 2003*

TO: Town Council  
FROM: Debra Stutsman, Town Administrator  
SUBJECT: Appointments to Historical Commission

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**RECOMMENDATION**

That Council appoint three members to the Historical Commission (3 seats).

**BACKGROUND**

The Historical Commission has a membership of fifteen seats. The Commission presently has three vacancies, to terms expiring in September 2006. Council has interviewed three candidates, incumbent Charles Swensen, Andrea Henderson and Richard Martin. All three applications are attached.

Respectfully submitted,

Debra Stutsman  
Town Administrator

Attachment

### **AGENDA ITEM 3**

TOWN OF SAN ANSELMO  
STAFF REPORT  
February 5, 2003

**For the Meeting of February 11, 2003**

**TO:** Town Council  
**FROM:** Debra Stutsman, Town Administrator  
**SUBJECT: USA Patriot Act**

#### **RECOMMENDATION**

That Council review the attached materials regarding the USA Patriot Act and consider a resolution reaffirming the importance of constitutional rights and civil liberties in response to the USA Patriot Act.

#### **BACKGROUND**

The Patriot Act was signed into law on October 26, 2001 in the wake of the September 11 terrorist attacks. It started as a consultation draft circulated by the Department of Justice, to which Congress made modifications and additions over a five-week period. The stated purpose of the Act is to enable law enforcement officials to track down and punish those responsible for the attacks and to protect against any similar attacks.

#### **DISCUSSION**

The Patriot Act grants federal officials greater powers to trace and intercept terrorists' communications both for law enforcement and foreign intelligence purposes. It reinforces federal anti-money laundering laws and regulations in an effort to deny terrorists the resources necessary for future attacks. It tightens our immigration laws to close our borders to foreign terrorists and to expel those among us. Finally, it creates several new federal crimes, such as outlawing terrorist attacks on mass transit; increases

the penalties for many others; and institutes several procedural changes, such as a longer statute of limitations for crimes of terrorism.

Critics have suggested that the Patriot Act may go too far. Among the features troubling to some are modified authority to conduct wiretaps and monitor e-mail traffic, share grand jury information with intelligence and immigration officers, conduct asset forfeiture, impose new bookkeeping requirements on financial institutions and suspend habeas corpus.

The Act itself responds to some of these reservations. Many of the wiretapping and foreign intelligence amendments sunset on December 31, 2005. The Act creates judicial safeguards for e-mail monitoring and grand jury disclosures; recognizes innocent owner defenses to asset forfeiture; and entrusts enhanced anti-money laundering powers to those regulatory authorities whose concerns include the well being of our financial institutions.

Attached are the following documents:

- A proposed draft resolution reaffirming the importance of constitutional rights and civil liberties in response to the Patriot Act
- Anti-Terrorism Laws: Too Much of a Good Thing, Prof. Lewis R Katz, JURIST, Nov. 24, 2001, [www.jurist.law.pitt.edu](http://www.jurist.law.pitt.edu)
- A Guide to Provisions of the USA Patriot Act and Federal Executive Orders that threaten civil liberties, Bill of Rights Defense Committee, [www.bordc.org](http://www.bordc.org)
- San Anselmo Police Department Policy Manual section 402, defining and forbidding the use of Racial Profiling
- San Anselmo Police Department Policy Manual section 428, concerning the department's stance on Immigration issues

Respectfully submitted,

Debra Stutsman  
Town Administrator

**RESOLUTION NO. \_\_\_\_\_**

**A RESOLUTION OF THE TOWN OF SAN ANSELMO REAFFIRMING THE  
IMPORTANCE OF CONSTITUTIONAL RIGHTS AND CIVIL LIBERTIES IN  
RESPONSE TO THE USA PATRIOT ACT**

**Whereas**, a great crime against humanity occurred on September 11, 2001, resulting in new federal laws and enforcement powers; and

**Whereas**, on October 26, 2001, President Bush signed the Patriot Act into law, giving new powers to both domestic law enforcement and international intelligence agencies; and

**Whereas**, the United States Constitution is the basis for our civil rights and civil liberties, and a cornerstone of American liberty is defending and protecting our freedoms and Constitutional rights; and

**Whereas**, there is concern by some that the Patriot Act was rushed through Congress without adequate debate and public input; and

**Whereas**, it is within the purview of local governments to take a stand in support of our Bill of Rights because weakening of those rights threatens the broad range of political expression on the local, state and national level vital to our democracy; and

**Whereas**, at the request of members of its citizenry concerned about the suppression of civil rights by the Patriot Act, the San Anselmo Town Council makes this statement in support of the United States Constitution and Bill of Rights.

**Now Therefore, Be It Resolved** that the Town Council of the Town of San Anselmo reaffirms the importance of Constitutional rights and civil liberties and believes that all levels of government should ensure that all enforcement and administrative proceedings are conducted consistent with due process of law and Constitutional principles.

**Be it Further Resolved**, that the Town Council of the Town of San Anselmo acting in the spirit and history of our community, does hereby:

1. Affirm its opposition to any portion of the Patriot Act that weakens or destroys our civil rights and liberties.
2. Remain firmly committed to the protection of civil rights and civil liberties for all people including those who are citizens of other nations. We affirm this commitment to embody the spirit of democracy, to embrace and defend human rights and civil liberties, to make those liberties viable for all, regardless of citizenship status, gender, racial identification, religious affiliation, age, or country of origin.
3. Call upon all private citizens – including residents, employers, educators, and business owners – to demonstrate similar respect for civil rights and civil liberties.
4. Affirm for all Town departments and employees the following principles: Every person has the right to freedom of speech and association. Every person has the right to freedom of religion. Every person has the right to assembly and right to privacy. Every person has the right to due process in judicial proceedings. Every person has the right to counsel and attorney-client privilege. Every person has the right to be free from unreasonable search and seizure. Detentions or arrests may not be made without establishing reasonable suspicion or probable cause that a crime has been committed

or is about to be committed. Every person has a right to equal protection under the law and the right not to be deprived of life, liberty or property without due process of law.

5. Reaffirm its commitment to unbiased policing as expressed in the policies of the San Anselmo Police Department and endorse the principle that no law enforcement or other Town employee will discriminate against any person; and Town employees may not profile any person solely on the basis of ancestry, race, ethnicity, national origin, color, age, sex, sexual orientation, marital status, physical or mental disability or religious preference.
6. Request that federal officials acting within the Town work in accordance with policies of the San Anselmo Police Department, and in cooperation with the Department, that these officials neither engage in racial profiling nor permit arrests without charges.
7. Request that federal officials not engage, to the extent legally permissible, in law enforcement activities that threaten civil rights and civil liberties of the people of San Anselmo. Organizations should not be monitored based on their religious or political views. Information about political, religious or social views, associations, or activities should not be collected unless the information relates to public safety concerns or establishes suspicion of criminal activity or the potential for criminal activity.
8. Request that the Town Clerk send copies of this resolution to the President of the United States and to local Congressional representatives.

The foregoing Resolution was adopted by the Town Council of the Town of San Anselmo on \_\_\_\_\_ by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

ATTEST:

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Debra Stutsman, Town Clerk



## **AGENDA ITEM 4**

**TOWN OF SAN ANSELMO  
STAFF REPORT  
February 3, 2003**

For the Meeting of February 11, 2003

TO: Town Council

FROM: Debra Stutsman, Town Administrator

SUBJECT: **GARBAGE RATE REVISIONS**

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### **RECOMMENDATION**

That Council approve request of Marin Sanitary Service to:

- a) Modify the schedule of extra charges to reduce the single pickup charges by approximately 40% and
- b) Establish rates for compacted bins serviced by front-end loader.

### **BACKGROUND**

The Town entered into an Interim Service Agreement with Marin Sanitary Service to provide solid waste, recycling and green waste services effective December 1, 2002. Marin Sanitary now has two months' experience servicing the Town, and two issues have surfaced that require Council attention.

### **ISSUES**

#### Extra Pickup Rates:

In response to a requirement in the Request for Proposal (RFP) for refuse services, Marin Sanitary proposed customer rates for extra pickups (attachment #1). After further review of the routes, and because they can do more contiguous routing, they are able to offer a schedule of rates for extra charges that is approximately 40% lower (attachment #2) than the rates contained in the interim contract. If approved, these lower extra pickup charges would go into effect immediately.

#### Compacted Bin Service:

There are two types of compacted bin service, roll off and front-end loader, used in San Anselmo by grocery stores.

The roll-off compactors are provided by the refuse company and hold large amounts of compacted material (15, 20 or 30 yards), thus greatly reducing the number of weekly

pickups. United Market has just opted for this service to reduce noise impacts on their neighbors and reduce their refuse costs.

Front-end loaded compactors are provided by the customer and hold considerably less than a roll off type due to the weight of the compacted material and the manner in which the compactor is serviced. These compactors must be serviced more frequently, are more difficult to handle, and are smaller in size than the roll-off.

The Town's RFP contained no provision for front-loaded compacted bin service; consequently, no rates were proposed by Marin Sanitary for this service nor was there a provision for it in the interim service agreement. However, Andronico's Market has a 3-yard front-end loaded compactor that is being serviced by Marin Sanitary. Andronico's is the only front-end loaded compactor customer in San Anselmo.

## **DISCUSSION**

Marin Sanitary proposes a schedule of "Additional Charges for Compacted Bin Service" for front-end loaded compactors (attachment #3). The schedule is based on the number of pickups per week and the size of the compactor, and the charges listed would be in addition to the per pickup rates for bins listed in the rate schedule, included as attachment #4.

To use Andronico's as the example, they currently have a 3-yard compactor that is picked up six times a week. The monthly rate for a 3-yard bin picked up six times a week is \$1,658.69. To that figure the additional charge for compacted bin service would add \$1,089.78, for a total monthly charge for the compactor service of \$2,748.47. The proposed rates are comparable to the rates charged in other Marin cities for this service.

For Andronico's it would be considerably less expensive to utilize a roll-off compactor. However, because of space limitations in the back of the store, they are unable to accommodate the larger, roll-off compactor. Andronico's also has two 4-yard bins that are picked up six days a week at additional cost. Marin Sanitary is prepared to work with Andronico's to evaluate their refuse requirements and suggest improvements, if requested.

## **CONCLUSION**

The above changes are proposed to ensure that charges for refuse collection in San Anselmo are equitably distributed among customers.

Respectfully submitted,

Debra Stutsman  
Town Administrator