

# TOWN OF SAN ANSELMO

Minutes of the Town Council Meeting of October 9, 2012

Present: Coleman, Kroot, Lopin, McInerney

Absent: Greene

7:00 p.m.

## CALL TO ORDER AND PLEDGE OF ALLEGIANCE

## ANNOUNCE ACTION TAKEN, IF ANY, IN CLOSED SESSION

Mayor McInerney announced there was no action taken in closed session.

## OPEN TIME FOR PUBLIC EXPRESSION

Jeannine Stark, 118 The Alameda, has concerns regarding morning traffic on The Alameda being used as a short cut to main street arteries in addition to the treacherous speed in which the vehicles are traveling. Stark suggests repealing the no left turn sign at Meadowcroft and moving the sign to Arroyo. Stark said the vehicles are using it as a short cut and are not parents dropping their kids off at the school.

McInerney asked for clarification regarding the specific area she is referring too.

Stark explained the increased traffic is directly behind Brookside School on The Alameda which starts at approximately 8:00am and continues to approximately 8:40 a.m. In addition to the increased vehicles at that time she has concerns regarding the speed at which the vehicles are traveling up Berkeley to The Alameda. Additionally some vehicles take Broadmoor to Sir Francis Drake as they don't want to wait for the signal at Butterfield and Sir Francis Drake. Stark feels it is a safety issue and wonders what the next steps would be.

Police Chief Maynard stated they are aware the area is congested at that time of the morning and they will take a closer look at the situation.

McInerney confirmed Police Chief Maynard will address the issues brought forth and will follow-up with Stark and also report to the Town Manager, Debra Stutsman regarding the issue.

Lisa Graham is in agreement with Stark regarding the 30 to 35 mph speed of the vehicles. Graham suggests that a stop sign be installed at the end of The Alameda where it meets Arroyo; or possibly a yellow light to slow cars down; she is pleased to hear sidewalks are in the near future plans.

Sean Condry reported the Safe Route to School Program grant includes sidewalks on The Alameda, Arroyo Avenue, Berkeley Ave. and other traffic safety measures such as pedestrian tables and curb bulb outs.

Greg Martin, 114 The Alameda, thinks a "No Left Hand Turn between at 8:00am and 9: am" sign would be more efficient than speed bumps or sidewalks.

Nick Grahman, San Anselmo resident, stated he thinks sidewalks could help but will not slow down the vehicles.

COUNCIL REQUESTS FOR FUTURE AGENDA ITEMS

Kroot reported on the recent meeting of the Economic Development Sub-Committee. Kroot reminded those present at the meeting of the Goblins Parade on Monday, October 29, at 5:00pm and also the Holiday Lighting Festival on Saturday, December 1, at 5:00pm. Kroot thanked all the people who worked on County Fair Day.

Coleman reported on a recent meeting with the Downtown Merchants. Coleman stated the Merchants have scheduled their annual downtown open house on Friday, December 7, from 5:00pm to 8:00pm.

McInerney expressed appreciation to staff and Dave Donery for their efforts on a great Country Fair Day and for re-establishing a great town tradition.

Maynard introduced Lieutenant Sean Smith of the Twin Cities Police Authority as being the authority's local representative for its Field Operation Division.

**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 ITEMS MAY BE APPROVED WITH ONE ACTION.**

- (a) Approve minutes of September 25, 2012.
- (b) Acknowledge and file warrant numbers 73569 to 73770 issued during the month of September 2012, in the amount of \$2,220,670.30.
- (c) Approve the Revenue and Expenditure Report for the fiscal year ending June 30, 2012.
- (d) Approve Recreation Revenue and Expenditure report for the fiscal year ending June 30, 2012.
- (e) Approve Revenue and Expenditure report for the month ending September 30, 2012.
- (f) Approve Recreation Revenue and Expenditure report for the month ending September 30, 2012.
- (g) Approve the Memorandum of Understanding with the County of Marin (Sheriff's Office) to continue to provide emergency management services for the period July 1, 2012 through June 30, 2015.
- (h) Accept the 2012 Street Rehabilitation and Safety Improvement Project and authorize staff to file a Notice of Completion.
- (i) Award the construction contract for the 437 Scenic retaining wall projects to the low bidder, Linscott Engineering Contractors, Inc. in the amount of \$62,623, conditioned on the expiration of 30-days required in Resolution 4007.

There was no comment from the public regarding Consent Agenda.

McInerney pulled item a) from the Consent Agenda.

M/s, Kroot/Lopin, to approve consent agenda items b) thru i). AYES: Coleman, Kroot, Lopin, McInerney. NOES: None. ABSENT: Greene.

McInerney requested that item a), page three, of the minutes of September 25, reflect Stutsman's statement "*I am not aware of any applications or any chain stores interested in coming into the downtown area*".

M/s, Coleman/Lopin, to approve consent agenda item a) with noted changes. AYES: Coleman, Kroot, Lopin, McInerney. NOES: None. ABSENT: Greene.

2. **RECEIVE PRESENTATION REGARDING PROPOSITION 37, REGARDING GENETICALLY ENGINEERED FOODS AND MANDATORY LABELING (ORAL PRESENTATION BY MARK SQUIRE, GOOD EARTH NATURAL FOODS).**

Mark Squire, Good Earth Natural Foods, business owner, gave a presentation on Proposition 37, regarding genetically engineered foods and mandatory labeling. Squire also gave a brief history of Genetically Modified Organisms (GMO's) in the country. Squire stated Proposition 37 asks that food be labeled, pure and simple.

Katie Cartwright, Edina Beaumont, Kathy Eagle are in support of Proposition 37 and asked Council to endorse Proposition 37.

Marin County Board of Supervisors, Katie Rice, stated the Board of Supervisors is in support of Proposition 37 as it aligns with policies and goals of the County in terms of sustainability. Rice thinks it is about the right to know, about consumer protection and consumer awareness.

Grace Seiverson, Corte Madera resident, read a letter from San Anselmo residents Marcia and Charles Holquist. The Holquist's were unable to attend the meeting and in their letter to Council asked Council to endorse Proposition 37. Seiverson encouraged Council to support Proposition 37.

Kroot supports Proposition 37 but noted that the Council traditionally has not taken a formal position on issues outside the Council's span of control.

Lopin thanked Mark Esquire for a great educational experience on GMO's and Proposition 37.

3. **APPOINTMENTS:**

A) **APPOINT MEMBERS TO THE LIBRARY ADVISORY BOARD (ONE SEAT), PLANNING COMMISSION (ONE SEAT) AND THE PARKS AND RECREATION COMMISSION (ONE SEAT).**

Town Manager, Debra Stutsman, presented the staff report.

There was no comment from the public.

M/s, Lopin/Kroot, to appoint Elizabeth Dean McDonald, to the Library Advisory Board. AYES: Coleman, Kroot, Lopin, McInerney. NOES: None. ABSENT: Greene.

M/s, Kroot/Lopin, to appoint Stephen Burdo, to the Park and Recreation Commission and to reappoint Pascal Sisich to the Planning Commission. AYES: Coleman, Kroot, Lopin, McInerney. NOES: None. ABSENT: Greene.

**B) APPOINT MEMBERS TO THE FINANCIAL ADVISORY COMMITTEE (FIVE SEATS).**

Town Manager, Debra Stutsman, presented the staff report.

There was no comment from the public.

Lopin asked Councilmembers to be open-minded regarding the make-up of the commission and that Council may possibly want to consider increasing the number of community members on the commission from five to seven.

After a brief discussion Council decided the Financial Advisory Committee will be made up of seven community members.

M/s, Kroot/Coleman, to appoint Jack Barrows, Matt Brown, Liz Dahlgren, Gage Houser, Christopher Livermore, Roberta Robinson and John Wright to the Financial Advisory Committee. AYES: Coleman, Kroot, Lopin, McInerney. NOES: None. ABSENT: Greene.

Coleman would like to see Matt Brown on the Economic Development Committee.

Stutsman stated she will come back to Council at the next meeting with a revised resolution that expands the makeup of the committee to seven members. The revised resolution will also include the elected Town Treasurer as an advisory member of the committee.

**4. ALLYN AVENUE/REDWOOD ROAD PROPERTY ACTIONS:**

**A) ADOPT A RESOLUTION ABANDONING A PORTION OF A RIGHT-OF-WAY ADJACENT TO 15 ALLYN AVENUE AND RESERVING A PUBLIC UTILITY SERVICE EASEMENT THEREIN.**

Public Works Director, Sean Condry, presented the staff report stating the vacation proceeding is being conducted under California's Streets and Highways Code. On September 11, 2012 San Anselmo Town Council voted to adopt a resolution declaring its intent to abandon this portion of Town property and setting a public hearing date for October 9, 2012. In accordance with State law, Town staff posted the Resolution of Intent along the Lane Segment on September 19, 2012. In addition notice of the hearing on the proposed vacation was published in the Marin Independent Journal on September 23 and 30, 2012, as required by State law.

Condry said that staff's recommendation is for Council to consider adopting the proposed resolution abandoning a portion of a right-of-way adjacent to 15 Allyn Avenue in San Anselmo and reserving a public utility service easement therein. The abandonment is a 6-foot wide strip of Town-owned property. The property is an undeveloped lane containing an easement for utilities, which would be retained during abandonment. In conjunction with this abandonment, residents at 15 Allyn Avenue have requested that the Town sell a portion of an adjacent Town parcel to them in order to attain an 8-foot side-yard setback. In addition, as part of the owners' full proposal, the Town would acquire a small portion of 15 Allyn Avenue for potential future use to widen the roadway.

Condry noted the Town's Planning Department has found that the proposed abandonment is consistent with the Town's General Plan and also consistent with the Town's Municipal Code, which designates this parcel as Residential Single Family (R-1).

Condry stated the applicants have suggested that abandoning the Lane Segment is in the public interest for the following reasons:

- 1.) Removes the Town's responsibility to maintain this portion of the right-of-way. Maintenance would become the responsibility of the owners of 15 Allyn Avenue and 250 Redwood Road following the abandonment.
- 2.) Removes the Town's potential liability for this portion of the right-of-way.
- 3.) The lower portion of 15 Allyn Avenue would become part of the Town's property to be used for future road widening of Allyn Avenue as necessary.

**B) ADOPT A RESOLUTION DECLARING AS SURPLUS AND AUTHORIZING THE SALE OF A PORTION OF TOWN-OWNED PROPERTY AT 248 ½ REDWOOD ROAD, AUTHORIZING THE TOWN MANAGER TO PURCHASE A SMALL PORTION OF PROPERTY AND A LOT LINE RELOCATION AT 15 ALLYN AVENUE.**

Public Works Director, Sean Condry, presented the staff report.

Condry respectfully requested that Council consider adopting a resolution declaring the Subject Property as surplus to the needs of the Town authorizing the Town Manager to proceed with the sale of this surplus property, authorizing lot line relocations for the property at 15 Allyn Avenue and authorizing the Town Manager to purchase a small portion of the property at 15 Allyn Avenue.

Condry explained that prior to selling public property, the Town generally declares the property surplus. The Subject Property can be declared surplus because it is not needed for or adaptable to municipal purposes. The property is on a steep grade and is not easily buildable. The portion for the lot that is more appropriate to build on is at the upper portion and is most likely where a potential home would be located and this area is not being declared surplus. In this case, the Subject Property is considered Exempt Surplus Land under state law, because it is less than 5,000 sq.ft. and is not contiguous to land owner by a state or local agency that is used for park, recreational, open-space, or low and moderate-income housing purposes. Therefore, none of the statutory notification requirements apply in to the sale of the Subject Property.

Public Comment

Scott Couture, property owner 15 Allyn Avenue, stated the portion of land which he is requesting the Town sell to him is non-buildable. Couture acknowledged different approaches used in the two appraisals: Lenchner's approach is applicable for buildable land, in which this land is not buildable; Marsh used the excess land approach which is much more relevant in this particular case.

M/s, Lopin/Kroot, to adopt Resolution No. 4008 abandoning a portion of the right-of-way adjacent to 15 Allyn Avenue and reserving a public utility service easement therein. AYES: Coleman, Kroot, Lopin, McInerney. NOES: None. ABSENT: Greene.

M/s, Kroot/Lopin, to approve adopting Resolution No. 4009 declaring as surplus and authorizing a sale of a portion of Town owned property at 248 ½ Redwood Road, authorize the Town Manager to purchase a small portion of the property at \$7.12 per sq. ft and lot line relocation of the property at 15 Allyn Avenue. AYES: Coleman, Kroot, Lopin, McInerney. NOES: None. ABSENT: Greene.

**5. ADOPT RESOLUTION OF INTENT TO ABANDON A PORTION OF THE RIGHT-OF-WAY ADJACENT TO 39 MADERA AVENUE IN SAN ANSELMO AND SET A PUBLIC HEARING FOR OCTOBER 23, 2012.**

Council decided to defer the discussion until the applicants are present and moved on to the next agenda item.

**6. APPROVE RESOLUTION DEFINING THE FRAMEWORK FOR THE ECONOMIC DEVELOPMENT COMMITTEE.**

Community Services Director, Dave Donery, presented the staff report.

Donery stated at the September 11, 2012 Town Council meeting, staff presented a recommendation that Council consider expanding the scope of the Economic Development Sub-Committee (EDSC). Staff noted that the EDSC has been successful in bringing the Town's various business groups together to discuss issues and collaborate on producing events what would attract people to the downtown. Staff also noted that during the Town's Strategic Planning process, residents clearly indicated that the Town's economic health and vitality is a high priority for them. At that meeting, the Town Council directed staff to prepare for review a resolution outlining the parameters of an Economic Development Committee, including the committees charge, purpose, organization and membership guidelines. This transition would essentially transform the current Economic Development Subcommittee into an Economic Development Committee. At the September 11<sup>th</sup> Town Council meeting, Council members advised staff that it is very important that the Council establish clear goals and direction for this committee and carefully consider what is being set in motion. It was with this in mind that staff developed the framework for the Committee as stated in the proposed resolution.

There was no comment from the public.

Lopin wonders if five members would be sufficient for the committee. Lopin acknowledged commercial realtors as bringing many resources to the committee.

Coleman also has concerns regarding a five membership committee as being too minimal.

Kroot likes the idea of starting with five members and possibly adding members to the committee at a later date if needed.

McInerney likes the resolution and thinks it is a great start to the committee.

M/s, Lopin/Coleman, to approve Resolution No. 4010 defining the framework for the Economic Development Committee. AYES: Coleman, Kroot, Lopin, McInerney. NOES: None. ABSENT: Greene.

**ADJOURN.**

Mayor McInerney adjourned the meeting at 9:20 in memory of Richard K. Stutsman.

Respectfully submitted,

Joanne Kessel