

TOWN OF SAN ANSELMO

Minutes of the Town Council Meeting of November 13, 2012

Present: Coleman, Greene, Kroot, Lopin, McInerney

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 closed session.

OPEN TIME FOR PUBLIC EXPRESSION

There was no comment from the public during open time.

COUNCIL REQUESTS FOR FUTURE AGENDA ITEMS

Lopin reported on the first meeting of the Town's Financial Advisory Committee stating Matt Brown was elected Chair of the Committee and Liz Dahlgren was elected Vice Chair. Lopin stated the Committee decided to use the Community Survey as their discussion parameters and have requested the Community Services Director, Dave Donery and the Public Works Director, Sean Condry to attend the next meeting to discuss the Town's community facilities and infrastructure needs.

Kroot acknowledge the first meeting of the Financial Advisory Committee stating he feels it is a good group of people who will produce good things for the Town.

Greene reported on Marin Energy Authority (MEA) meetings and acknowledged MEA as taking the lead in California's renewable energy sources. Greene announced MEA has recently adopted a PACE program which allows commercial entities (not residential) to get financing to install solar panels on their roofs.

Coleman asked if the City of Richmond will be joining Marin Energy Authority (MEA). Greene confirmed that the City of Richmond is on board and has joined MEA.

McInerney reported on the recent meeting of the San Anselmo Flood Committee where discussion items included a potential storm drain impact fee; a potential storm water ordinance; and the recent meeting regarding the Memorial Park Detention Basin project.

McInerney commented on the potential of the Breakers and M-CAL Schools moving their High School soccer programs from the fall to the winter stating. McInerney asked if this would be a good thing for the Town and if the Town should support the idea.

Donery feels that more field space in the fall and the spring would undoubtedly be a good thing and would enable potential recreation programs especially in the afternoons. Donery stated he will look into the possibility of supporting the idea.

McInerney asked if the Town has power or legal ability to prevent empty buildings on prime property locations in the Town that have been vacant for many years.

Henderson said she is not aware of any ability the Town has to prevent the empty buildings.

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 October 23, 2012.
- (b) Acknowledge and file warrant numbers 73771 to 73991 issued during the month of October 2012, in the amount of \$1,274,410.19.
- (c) Approve the Revenue & Expenditure Report for the month ending October 31, 2012.
- (d) Approve Recreation Revenue and Expenditure Report for the period ending October 31, 2012.
- (e) Accept the Lansdale Avenue Fish Passage Project and authorize staff to file a Notice of Completion.
- (f) Approve the San Anselmo Chamber of Commerce's application for the Annual Holiday Lighting Ceremony event scheduled for Saturday, December 1, 2012.

There was no comment from the public regarding Consent Agenda.

Lopin pulled item (b) from the consent agenda.

M/s, Kroot/Lopin, to approve consent agenda items (a), (c), (d), (e) and (f). AYES: Coleman, Greene, Kroot, Lopin, McInerney. NOES: None.

Regarding item (b) of the consent agenda, Lopin asked if the monthly insurance premium payment to AFLAC is paid by the employees or paid by the Town.

Finance and Administrative Services Director, Daria Carrillo, replied most of the employees pay for their premiums. However, there are a few employees that the Town pays for their premium. The Town has an insurance cap that covers medical, dental, health life insurance.

Lopin asked why the Town is making a payment to the Transportation Authority of Marin. Stutsman explained that the Town pays an annual contribution to TAM.

Lopin also requested clarification for the \$540 payment to Pagan Construction for Town Hall Tower Construction.

Condry stated the payment was for work performed to install wire mesh on the tower to temporarily keep the owls away so reconstruction of the tower can be completed in the summer.

M/s, Greene/Kroot, to approve item (b) of the consent agenda. AYES: Coleman, Greene, Kroot, Lopin, McInerney. NOES: None.

2. APPOINTMENT TO THE PLANNING COMMISSION (1 SEAT), TAX EQUITY BOARD (1 SEAT).

Town Manager Debra Stutsman presented the staff report. Stutsman stated the Planning Commission has a membership of 7 seats. There are two vacancies available. Judy House has applied for a position and she was interviewed on October 23, 2012.

There was no comment from the public.

M/s, Greene/Kroot, to appoint Judy House to the Planning Commission. AYES: Coleman, Greene, Kroot, Lopin, McInerney. NOES: None.

Stutsman stated the Tax Equity Board has a membership of 3 seats. There is one vacancy available. Michael DeAngelis has applied for a position. He was interviewed on October 23, 2012.

M/s, Kroot/Lopin, to appoint Michael DeAngelis to the Tax Equity Board. AYES: Coleman, Greene, Kroot, Lopin, McInerney. NOES: None.

3. APPROVE RESOLUTION NO. 4012 INTENT TO ABANDON A PORTION OF A PUBLIC RIGHT-OF-WAY ADJACENT TO 39 MADERA AVENUE.

Councilmember Kroot recused himself from the discussion because he has performed architectural services for the property owners.

Public Works Director, Sean Condry, presented the staff report stating the property owners of 39 Madera Ave are seeking to correct an eccentric lot line, which passes through their living room and front stairway, putting their home in the public right-of-way. The applicants have requested the Town abandon the street segment which is part of the public right-of-way. Condry noted the immediate neighbors are in support of the abandonment. There is no negative impact on any neighbor and no change in the present traffic or parking situation in this area.

McInerney asked if there would be a potential liability issue for the Town if the house were to be damaged by fire or other means.

Deputy Town Attorney, Megan Acevedo, noted there would be some defenses the Town could put up but the liability is there. If the Town wants to take the liability away they should proceed with the abandonment.

Tom Robinson, 85 Crooked, stated he and his wife have been neighbors with the property owners for many years and they have no objection to the proposed abandonment of a portion of a public right-of-

way adjacent to 39 Madera Avenue. Robinson does not see the abandonment as adversely affecting the neighborhood.

Tom Herrington, property owner, 39 Madera Avenue, stated he believes it makes sense to correct the line so that the Town does not own a space of his living room.

Gary Millar, Santa Barbara Avenue, suggests Council be cautious when considering the abandonment. Millar asked if the Town will be paid for the property.

Deputy Town Attorney, Megan Acevedo, noted the Town is not allowed to charge a price for the land.

M/s, Greene/Coleman, to approve Resolution No. 4012, intent to abandon a portion of a public right-of-way adjacent to 39 Madera Ave. AYES: Coleman, Greene, Lopin, McInerney. NOES: None. RECUSED: Kroot.

Kroot rejoined the meeting.

4. APPROVE THE LOCATION AND INSTALLATION OF FOUR (4) ELECTRIC VEHICLE CHARGING STATIONS ON TOWN PROPERTY IN THE MAGNOLIA AVENUE PARKING LOT AND AUTHORIZE THE TOWN MANAGER TO EXECUTE THE NECESSARY AGREEMENTS FOR THE PURCHASE AND INSTALLATION.

Public Works Director, Sean Condry, presented the staff report stating staff's recommendation is for the Town Council to approve the location and installation of 4 electric vehicle charging stations on Town property at the Magnolia Avenue parking lot and authorize the Town Manager to execute the necessary agreement for the purchase and installation. The electric vehicle charging stations (EVCS) will be a service to the public and the town to promote electric vehicle use. Staff has worked with the Transportation Authority of Marin (TAM) to obtain a grant to cover expenses associated with the installation. The grant will cover 100% of the cost of purchasing and installing the stations.

There was no comment from the public.

M/s, Kroot/Greene, to approve the location and installation of four (4) electric vehicle charging stations on town property in the Magnolia Avenue parking lot and authorize the Town Manager to execute the necessary agreements for the purchase and installation. AYES: Coleman, Greene, Kroot, Lopin, McInerney. NOES: None.

5. APPROVE RESOLUTION ADOPTING AN UPDATE TO THE SAN ANSELMO GENERAL PLAN HOUSING ELEMENT.

Interim Planning Director, Diane Henderson, presented the staff report requesting that Council adopt the resolution adopting the Negative Declaration and the Updated Housing Element. Henderson stated that on October 12, 2012, the Planning Commission held a public hearing on the Updated Housing Element and found that it is consistent with the adopted Town of San Anselmo General

Plan. The Commission voted unanimously to recommend that the Town Council adopt the Negative Declaration and the updated Housing Element and forward it to HCD for certification. Henderson noted the Town's housing goal is to promote the social and economic diversity of the Town by encouraging safe and affordable housing for all social and economic segments.

Kroot asked how long the process will take. Henderson stated the length of time will depend on certification by the State.

Greene asked if there is a requirement that the Housing Element be updated yearly. Henderson said there is a process mandated by state law that it be reviewed yearly.

Greene asked if it is a matter of policy that amnesty for non- approved units is off the table in San Anselmo. Henderson said the Town does not currently have an amnesty program.

There was no comment from the public.

M/s, Kroot/Greene, to approve Resolution No. 4013 adopting an update to the San Anselmo General Plan Housing Element. AYES: Coleman, Greene, Kroot, Lopin, McInerney. NOES: None.

6. MEMORIAL PARK DUAL-USE FACILITY:

Public Works Director, Sean Condry, presented the staff report. Condry explained that the agreement provides funding to reimburse the Town of San Anselmo for specific costs incurred in the preparation of a grant application for the California Department of Water resources Storm Water Flood Management Grant program for the Memorial Park Dual-Use Facility for Recreation and Flood Control Detention Basin project.

Greene asked when the deadline is to apply for the grant. Condry stated sometime in January 2013.

Condry noted Memorial Park is in need of a lot of work especially in the area of drainage. He sees this as a win- win situation as the community will be getting a new recreation facility and the detention basin would reduce the flood risk throughout the Town.

Steve Emery, 38 San Francisco Blvd., has concerns regarding the cost ratio benefit. He asked Council to consider the concerns of adjacent property owners and for Council to address their concerns.

Condry stated the particulars are good questions for Stetson Engineering and many of the questions will be answered at the December meeting.

Rohanna McLaughlin, 150 San Francisco Blvd., believes the project will have a tremendous effect on the community especially the park users. McLaughlin requests that all town residents get notifications of future meetings regarding the project.

Kathleen Lipinski, San Francisco Blvd., expressed concerns that the neighborhood will lose its local charm and character.

Lopin asked if the project area includes Millennium Playground. Condry stated it is possible that the project area could include the playground. Condry noted the life expectancy for Millennium Playground is 15 years.

Lopin has concerns that neighboring property owners will have increased homeowner insurance rates as they will have a large detention basin adjacent to their properties.

Kroot feels there are few recreation facilities in the community, Memorial Park being one of the best facilities. He imagines the detention basin as not being nearly as useful as the baseball fields and playground and that it will be a major loss for the community as a park and recreation facility. He feels it is critical to review the landscape architect design.

Condry does not see the project as a loss but as a gain and for all intents and purposes it will still be a recreation facility and a great park.

McInerney acknowledged Kroot's concerns regarding the baseball fields. McInerney believes it is no ones intention to get rid of any of the baseball fields. McInerney stated this great opportunity to repair the fields. McInerney stated this will be a long process with dozens of public meetings before the project is approved. They do not want to do anything that would have a negative impact; it should have a positive impact for the residents on San Francisco Blvd. in addition to field drainage issues and neighboring property liability issues. The issues need to be worked through and it is critical that we proceed with the project as the Town wants input to make this an effective project.

A) APPROVE FUNDING AGREEMENT BETWEEN FLOOD CONTROL DISTRICT AND TOWN FOR THE MEMORIAL PARK DUAL-USE FACILITY FOR RECREATION AND FLOOD CONTROL DETENTION BASIN GRANT APPLICATION.

M/s, Coleman/Lopin, to approve the funding agreement between Flood Control District and Town for the Memorial park Dual-Use facility for Recreation and Flood Control Detention Basin Grant application. AYES: Coleman, Greene, Kroot, Lopin, McInerney. NOES: None.

B) APPROVE RESOLUTION AUTHORIZING THE TOWN MANAGER TO SUBMIT THE GRANT APPLICATION TO STATE DEPARTMENT OF WATER RESOURCES (DWR) FOR THE MEMORIAL PARK DUAL USE FACILITY.

M/s, Greene/Lopin to approve Resolution No. 4014 authorizing the Town Manager to submit the Grant application to State Department of Water Resources (DWR) for the Memorial Park Dual Use Facility. AYES: Coleman, Greene, Kroot, Lopin, McInerney. NOES: None.

C) AUTHORIZE THE TOWN MANAGER TO EXECUTE CONTRACT WITH STETSON ENGINEERS TO PROVIDE CONSULTING SERVICES FOR MEMORIAL PARK GRANT APPLICATION FOR DWR PROP IE GRANT.

M/s, Greene/Coleman, to authorize the Town Manager to execute contract with Stetson Engineers to provide consulting services for Memorial Park Grant application for DWR Prop IE grant. AYES: Coleman, Greene, Kroot, Lopin, McInerney. NOES: None.

7. UPDATE ON THE SHARING OF POLICE SERVICES WITH THE TWIN CITIES POLICE AUTHORITY AND ACTIONS UNDERWAY TO CONSOLIDATE.

Stutsman presented the staff report stating in order to fully analyze the proposed draft budget for the new authority it is helpful to review the Town's Police budget for 2012-2013. The current budget figure is considerably reduced over what it would have been if the Town had not been sharing services. Reduced costs are attributed to three fewer employees (a Captain, Sergeant, and Corporal) and reduced overtime costs and the issuance of Pension Obligation Funds to payoff off the Town's pension side fund. The total Police budget in the General Fund would be approximately \$4.7 million had the Town remained a completely standalone agency in 2012-2013.

Chief Cusimano presented the proposed draft budget for the new agency stating the proposed budget is approximately \$9.7 million dollars. Cusimano explained the funding formula which consists of costs relating to administration, communications and investigations: these costs would be shared on an equal basis, 33 1/3% to each member, approximately \$1.17 million for San Anselmo for these particular costs. Costs for patrol services and field operations are allocated according to a funding formula based upon the number of calls for service, the total number of crimes, citations and accidents. San Anselmo's share of these costs are estimated at \$2.6 million dollars. Other costs that are specific to each city include MERA, Bay Cities Insurance JPA, Major Crimes Task Force. Cusimano said San Anselmo's total estimated share of costs would be \$3.77 million dollars.

McInerney requested the information be put up on both agencies websites.

Stutsman said the 2012-2013 numbers are based on the whole year.

Greene stated he has heard complaints from citizens that traffic enforcement in San Anselmo is down. Greene has noticed a lack of enforcement on Center Avenue at Bridge Street during the evening commute. Greene stated in the past there has been a strict enforcement at the location because there is a lot of foot traffic in the area.

Coleman wonders if the traffic has gotten worse on Center Blvd. during the morning commute.

Cusimano noted they have added two additional officers to San Anselmo.

8. AJOURN.

Mayor McInerney adjourned the meeting at 9:15 p.m.

Respectfully submitted,

Joanne Kessel