

TOWN OF SAN ANSELMO

Minutes of the Town Council Meeting of November 14, 1989

Mayor Walsh convened the regular meeting at 8:00 p.m., following a closed session beginning at 7:00 p.m. regarding personnel matters and regarding pending litigation pursuant to Government Code Section 94956.9(a)(1) re: Nancy Thurmond, etal, and Roger L. Thurmond, etal, end of Oak Springs Drive, as/P 5-291-06, and interview with applicants to the Open Space Committee beginning at 7:45 p.m., with Councilmembers Chignell, Colteaux and Zaharoff present, and Councilmember Sharp not present.

2. OPEN TIME FOR PUBLIC EXPRESSION

Diane King, 1055 San Anselmo Avenue, requested a red curb on the creek side of San Anselmo Avenue in front of her house, and that the speed limit be enforced on San Anselmo Avenue.

3. CONSENT AGENDA.

- (a) Approve Minutes: October 10, 1989.
- (b) Acknowledge and file warrants: Nos. 1303 - 1458 in the amount of \$554,908.97.
- (c) Acknowledge and file letter of support for state legislation which creates funding for unreinforced masonry buildings. CONTINUED TO NOVEMBER 28, 1989.
- (d) Approve Resolution approving the destruction of certain Police Department records.
- (e) Approve proclamation honoring the late Arthur Smith, former Mayor and Councilmember.
- (f) Approve proclamation honoring Bill Franchini upon his induction into the Marin Athletic Hall of Fame.
- (g) Approve proclamation declaring November 15, 1989 as "Drake High School Day."

4. APPEAL OF PLANNING COMMISSION'S DECISION TO ISSUE A NOTICE OF VIOLATION IN CREATION OF THE LOT, AND APPROVAL OF A CONDITIONAL CERTIFICATE OF COMPLIANCE, NANCY L. THURMOND, ETAL, AND ROBERT L. THURMOND, ETAL, END OF OAK SPRINGS DRIVE, A/P 5-291-06.

At the request of the applicant, the item was continued to the next regular meeting.

5. APPOINTMENTS: OPEN SPACE COMMITTEE.

M/S, Colteaux/Zaharoff, to appoint Cathleen Evangelista to the Open Space Committee, to a term to expire October, 1993. Motion passed unanimously.

Zaharoff commented that Gus Kanis, who decided not to seek reappointment to the Committee, has worked very hard on open space efforts and contributed greatly to the Committee.

6. PUBLIC HEARING ON REQUEST FROM SAN ANSELMO GARBAGE DISPOSAL COMPANY FOR RATE INCREASE AND EXTENSION OF FRANCHISE AGREEMENT.

Town Administrator Camuglia presented the staff report, recommending that Council approve the rate increase as proposed by San Anselmo Garbage Disposal for the three year period commencing December 1, 1989. Further, staff recommends that Council authorize the Town Administrator to negotiate a ten year extension of the franchise with San Anselmo Garbage Disposal, effective April 1, 1991 through March 31, 2001.

Colteaux had several questions regarding staff's proposal. He wondered what standard was to be applied in setting the monthly rate. Does the officer salaries include the salaries of the owners of the company? The spread sheet

provided only reflects the disposal fee but does not list other costs specifically relating to "tipping" fee or surcharges by landfill for extra processing. There are Federal, State and County requirements for environmental fees and those figures are not listed on the Income and Expense Statement. If a ten year grant was given to the company would that be transferable? And if it is transferable, on the occasion of the transfer, would the rates be reviewed again? Is there was a proposal to expand the recycling program?

Camuglia responded to each point as follows: If Council requests authorization of staff to review a contract on extension to the agreement, staff would review the recycling service and determine whether or not additional services might be of interest to Council and the public. According to the current agreement the contract is transferable. As far as a review of rates, it is upon request from the disposal company however Council could also address the issue of rates. Staff will research this area further. Staff will research the item about "tipping" fees and the question about the officer's salaries and address this at a future meeting.

Chignell was unclear as to why the proposed increase was so substantial. He would like to see specific information on the type of additional services available regarding recycling. He was in favor of a better recycling program for San Anselmo and could see an increase in fees associated with the recycling program.

Ranny Cockburn, 35 Carolina, was in support of San Anselmo Garbage Company's increase, and noted that twice a year they support a clean up program for the Town, at no charge to the citizens.

Kathi Burlew, 93 Medway, was very unhappy with the current recycling program and wanted the Town to concentrate on getting a better program to serve the residents of San Anselmo. She thought people should be encouraged to recycle and the current program is not adequate.

Ralph Merrill, 66 Park Drive, said that he takes his newspaper to the San Rafael Recycling Center because he has observed the garbage trucks churning the paper and not recycling it.

Suzanne Dondalet, 211 San Anselmo Avenue, was happy to hear there is so much interest about recycling in San Anselmo. She feels there is a need for a major recycling program in San Anselmo. Currently she takes her recycling to San Rafael because she is not satisfied with the program in Town.

Barbara Thornton, 448 Scenic, wanted to see a better recycling program in San Anselmo.

Larry Craig, 78 Madrone, has observed the garbagemen dump the recycled items into the truck with the rest of the garbage.

Ed Cunningham, 21 Lincoln, supported the proposal to increase the rates, noting that the rates are not out of line with the rates in other communities. He did not feel that recycling should be the primary issue discussed as to whether or not the increase was justified. He suggested that a questionnaire be sent to each resident, asking for suggestions.

Christine Craig, 78 Madrone, said that it is her understanding that residents of San Anselmo could use Marin

Sanitary without an additional charge added to the garbage bill.

Resident, Bennett Avenue, was very dissatisfied with the garbage company and urged the Council to consider another company.

Joyce Brown, Elan Fitness, Greenfield Avenue, said this is a small town business that has accommodated the needs of the residents and she was in support of the increase.

Peggy Sugars, 66 Lincoln, said the garbage men have knowingly placed glass into the truck rather than recycle it. She felt there should be a better recycling program available to the residents.

Mya Beaman, Xiom Design, said businesses would use recycling if a program was easily available.

Jan Margulis, 203 Scenic, had no complaints about the level of service for the garbage company picking up her garbage but she felt the Town should also retain a recycling Company that could concentrate on recycling. It is her understanding that a bill was passed by the Governor's Office that requires each Town to participate in a recycling program by 1999 or fines will be imposed.

Ray Forest, San Anselmo Garbage Company, said they are in the recycling business because there is a demand for it in San Anselmo. In the past year they have picked up 1,096,800 pounds of newsprint, 1,420,800 of cardboard, 490,000 pounds of glass, and 66,00 pounds of aluminum. The brush and debris picked up during the twice a year clean up program amounted to 4,953,850 pounds. Also, the recycling in the last two years has increased 265%. The residents taking their recycling to other agencies are defeating the purpose. Also, he was recently informed by Mr. Garbarino, Marin Recycling, that he has incurred a loss of \$685,00. San Anselmo Garbage Company has tried to satisfy the needs of the residents. He agreed there was a problem on one route but that person no longer works for the company. The mandate of AB939 recently passed, puts into service six full time directors and employs several hundred technicians that will try to come up with a recycling program for the State of California whereby 50% of garbage will be recycled by the year 2000. If the State recognizes that the recycling programs cannot be accomplished overnight the residents of San Anselmo should also recognize that we are doing the best we can. Mr. Forest said they are currently taking 23% less to the dump than in the past. That is why the dump fee has not gone up significantly.

Bill Franchini, 2 Agatha Court, thought the subject for discussion was the rate increases, not recycling.

Kathy Purdue, resident, said the space available on the trucks is limited and there should be separate bins for paper.

Jamie Gray, 37 Cordone, did not understand how the garbage company could continue to operate if they have been operating at a loss since 1985. She also thought the officer salaries have continued to increase and wondered how that is accounted for in the profit and loss of the company. She is unhappy with the current level of service and would like to see newspaper recycled separately from the rest of the garbage.

Betty Alvarado, resident, suggested that the unhappy residents bring their newspaper to Sir Francis Drake High School, and the school could make a small profit for the students.

Bob Capurro, 15 Lincoln Avenue, was proud of the efforts of San Anselmo Garbage Company and can see that recycling goes on daily. The trucks are costly to maintain and replace and the residents should be aware of this. He therefore approves of the increased rates.

John Holm, 10 Idelwood, supported the increased rates.

Richard Wheeler, Madrone Avenue, wondered if there could be two different companies, one to handle garbage and one to handle recycling.

Mr. Forest did not think it was feasible to split the two.

Colteaux would like to see the recycling project researched in detail and incorporated in the fee schedule. He would also like to get a committee together to work with the garbage company to discuss their concerns. He would like the Town Administrator to chair the committee and report back to Council.

Chignell agreed with Colteaux's comments and further stated that if the recycling concerns cannot be resolved, the Town should consider another entity to handle recycling. He was not willing to support the increase until recycling can be addressed.

Zaharoff was in favor of the citizen's committee to address recycling concerns. She was uncomfortable with the rate increase until more information was obtained regarding profit margin ratios, information on the increases beyond management control and up-to-date figures on the one and two can rate.

Walsh supported the rate increase and franchise agreement. The State of California is placing increasable demands of the landfill companies and they are passing that cost along to the disposal companies.

M/S Colteaux, Chignell, to continue this item until the meeting of November 28, 1989. Motion passed unanimously.

7. PUBLIC HEARING ON INTRODUCTION OF ORDINANCE REGARDING UNREINFORCED MASONRY BUILDINGS.

Public Works Department staff presented a slide show prepared by the State of California regarding the dangers unreinforced masonry buildings.

Assistant Public Works Director said that the proposed ordinance was essentially the same as the state model.

Chignell inquired about the criteria for historically significant buildings, and said the Town Council should be the final review body.

Concerning funding, Camuglia said that the property owners would become eligible for funding under the health and safety code, allowing them favorable interest rates and a long payment schedule.

Trish Williams, owner of the property at 508-510 San Anselmo Avenue, said her building had no damage during the October 17 earthquake, extensive work was done on the building's foundation after the flood, and asked if all buildings had to be retrofitted.

Tony Barbera, Carousel Antiques, asked what would happen if he is next to a building that may cave in on his building.

Jeff Kroot, a tenant of an unreinforced masonry building, expressed concern about the time requirements, and asked that the Council consider shortening the time period by which owners must comply with the ordinance.

Public Works/Planning Director Kottage said that staff supported shortening the time period for building reinforcement work.

Sig Herzog, said that San Anselmo buildings have lasted through 1906 and subsequent earthquakes, it was not practical to wipe out landlords by requiring the work be done immediately, and the requirements will create financial and lease problems.

Mike Cluse, 190 Sir Francis Drake Boulevard, requested information on the occupancy reading.

Braun explained that the building could be posted for an occupancy of less than 50 people, and extend the time requirements for compliance by 7 to 14 years.

Angela Dismuke, 310 San Anselmo Avenue, asked how a building could be classified as an historical landmark.

Trish Williams said shortening the time period would create economic hardships.

Jim Dismuke, 310 San Anselmo Avenue, said it would be a financial hardship to come up with the money in a short time.

Kroot said it would take six months maximum for an engineer's review and 12 to 18 months to do the work, yet the ordinance potentially allowed up to 14 years, which he felt was an excessive amount of time in light of the safety hazards.

Kottage said there would also be costs if the building is not retrofitted and it collapses, aside from the safety considerations.

Cluse asked that owners be kept abreast of financial aspects, noting that it would be difficult for them to go out independently for money, and requested more information on potential bonds and the historical building criteria.

Town Administrator Camuglia said that when staff has the information on the bonds, they will keep the affected property owners informed.

Adele Anthony, Bolinas Avenue, San Francisco Seminary, said there was no danger to the Seminary buildings, but they were on them.

Chignell asked staff to give each affected property owner a list of other affected property owners.

M/S, Colteaux/Chignell, to waive reading of the ordinance. Motion passed unanimously.

M/S, Colteaux/Chignell, to introduce Ordinance No. 907, regarding unreinforced masonry buildings. Motion passed unanimously.

8. REQUEST TO TRANSFER FUNDS FROM THE ISABEL COOK RENOVATION FUND FOR INSTALLATION OF SPRINKLER SYSTEM AT THE RECREATION CENTER.

Acting Parks Director Nyberg explained that an entire new pipeline would have to be run to the Recreation Center. The

previous line was cut during a project to improve Sir Francis Drake Boulevard.

Colteaux asked why it took so long for the Fire Department to find the fire sprinkler inoperative, and suggested that other Town buildings may need inspection.

It was the consensus of the Council to continue the item to the next regular meeting for further information and specifications.

9. REVIEW OF STOP SIGNS AT TUNSTEAD AND SAN ANSELMO AVENUES.

When the Council approved installation of the stop signs, a three month review was requested. Camuglia reported that the Police Chief and Public Works Director feel that the signs are a success, and that in general, the public has positive comments about the signs.

Zaharoff said that she felt the signs created a right of way problem in the intersection that was not previously present, and suggested pedestrian crossing signs instead.

Police Chief Del Santo said the signs have slowed down traffic on San Anselmo Avenue.

It was the consensus of the Council to keep the signs in place.

10. COUNCIL REQUESTS FOR FUTURE AGENDA ITEMS, COMMENTS AND DIRECTIONS TO STAFF; STAFF MISCELLANEOUS ITEMS.

Tree Committee: Colteaux said he would like to speak to the Tree Advisory Committee when they begin meeting.

Scenic Avenue: Colteaux asked if a response had been sent to the petitioners on the Scenic Avenue drainage problem.

Towing and service station bids: Chignell said he understood that the issue of towing vehicles with excessive parking citations has been put on hold, and inquired about bids by local service stations on Town repair work.

Forbes Avenue: Chignell noted that the residents are concerned about the parking of vehicles on sidewalks.

11. ADJOURNMENT

At 11:23 in memory of Arthur Smith.

Barbara Chambers
Beth Pollard