

TOWN OF SAN ANSELMO

Minutes of the Town Council Meeting of November 26, 1991

7:00 p.m.

OPEN SESSION TO ANNOUNCE POSSIBLE LEASE OF PROPERTY AT 535 SAN ANSELMO AVENUE.

Town Administrator Bonander announced that the property to be considered for possible lease was located at 535 San Anselmo Avenue.

The Council adjourned to closed session.

7:05 p.m.

Closed session regarding pending litigation pursuant to Government Code Section 54956.9(a), and regarding real estate negotiations pursuant to Government Code Section 54956.8.

7:50 p.m.

Interview with applicant to the Marin-Sonoma Mosquito Abatement District Board of Trustees.

8:00 p.m.

1. CALL TO ORDER.

Vice Mayor Colteaux convened the regular meeting at 8:00 p.m., with Councilmembers Chignell, Kanis, and Walsh present, and Mayor Zaharoff not present.

2. OPEN TIME FOR PUBLIC EXPRESSION.

Bill DeBisschop, 91 Elm Avenue, said that from Scenic and Elm to Morton Lane, there are 5 motorcycles, 1 boat/trailer, and 42 cars; and there are 12 homes, two second units, and one illegal conversion of a garage to living space.

3. CONSENT AGENDA.

- (a) Approve minutes: August 13, 1991.
- (b) Announce expiration of term, Board of Review.
- (c) Cancel Town Council meeting of December 24, 1991.

M/S, Walsh/Chignell, to approve the consent agenda. Motion passed unanimously.

4. APPOINTMENT TO THE MARIN-SONOMA MOSQUITO ABATEMENT DISTRICT BOARD OF TRUSTEES.

M/S, Chignell/Walsh, to appoint Joan Jacobson, to a term to expire December, 1993. Motion passed unanimously.

5. INTRODUCE VICTORIA ENGEL, ADMINISTRATIVE SERVICES ASSISTANT FOR THE PUBLIC WORKS AND PLANNING DEPARTMENTS.

Assistant Administrator Pollard introduced Ms. Engel, a new Town employee, to the Council and community.

6. PRESENTATION ON TOWN'S LIABILITY INSURANCE PROGRAM.

Darrell Heppner, administrator for the Marin County Risk Management Authority and the Marin Cities Liability Management Authority, the self-insurance joint powers authority, gave a presentation explaining the two programs.

He noted that in addition to liability and workers compensation, property insurance is also provided through his office. He explained the start-up of the self-insurance program, which had its beginnings on July 1, 1977.

Risk Management Principles

- o To eliminate and prevent claims, injuries and losses
- o Provide sound claims management
- o To fund for expected and unexpected loss costs.

Heppner said a comparison of the self-insurance program with the state workers compensation program shows that the Marin cities participating in the JPA have a savings of between 13 and 83 percent. The lower costs for self-insurance are due to lower overhead and the cities' ownership of their own assets.

Currently, a city's losses are limited to \$275,000; excess commercial reinsurance pays for additional losses.

Liability program

In the liability program, the individual cities are responsible for the first \$250,000 of loss; additional losses are paid for out of the JPA's excess liability fund. The JPA is worker towards having an excess liability fund of \$10 in 10 years. Heppner explained that larger cities pay more than smaller cities into the excess liability fund.

The liability insurance does not cover land use or other similar deliberate Town decisions. It does cover automobile accidents, trips, falls, police actions, storm damage, and person injuries in recreation programs.

Heppner said the both the risk management and liability programs were accredited by the State at the first opportunity, in 1990.

Property insurance

There are nine Marin cities participating in the property insurance program, which has had the same underwriters since 1982, and which covers all buildings and equipment except motorized vehicles. There is a \$10,000 deductible, and earthquakes and floods are not covered.

Town Administrator Bonander reported that she receives monthly reports on the programs, which the Council may choose to review as a group in closed session, or review individually.

Kanis inquired about any gaps in the Town's insurance coverage. Heppner responded that a great effort has been given to include what is a part of traditional insurance coverage, but removing the typical onerous restrictions. He noted that the program does not extend to third parties, and that independent contractors are not covered. He said that a contractor for day care would have to have his/her own insurance.

Bonander reported that she and Heppner discussed reviewing insurance provisions for recreation programs and facilities, and contractual agreements.

It was the consensus of the Council to have a report from staff on the December 10 agenda, on when to expect a report as outlined by Bonander.

7. REPORT ON PROCESS TO APPEAL A STAFF DENIAL OF AN APPLICATION FOR A PERMIT TO PARK ON THE STREET OVERNIGHT, AND CONTINUED CONSIDERATION OF AN APPEAL BY JIM MOSHER, 163 TUNSTEAD AVENUE.

Mr. Mosher had stated earlier that day he would be present, but was not in attendance this evening.

Staff reported that the current permitted use of the property was single family residential, and that the Town Council was the appropriate authority for appeals of parking permit decisions.

It was the consensus of the Council to not require a fee for an administrative appeal.

Colteaux noted that the appeal period specified on the parking permit application should be the 10 day appeal period stated by the Town Code.

M/S, Chignell/Walsh, to deny the appeal for 163 Tunstead Avenue on the grounds that no hardship has been presented. Motion passed unanimously.

8. PROPOSAL FOR JOINT MEETING WITH THE PLANNING COMMISSION ON THURSDAY, DECEMBER 19.

It was the consensus of the Council to conducted the meeting.

9. PROPOSAL REGARDING HANGING OF BANNERS FOR PUBLIC INFORMATION AND PUBLICITY.

Bonander reported that after reviewing the amount of staff time involved in handling the hanging of banners, the priorities and workload in Recreation and Parks, the reliability of the equipment necessary to hang the banners, and the revenues received, staff recommends the Town discontinue hanging banners for outside agencies effective July 1, 1992.

Councilmembers inquired about agencies contracting directly with a private company, and said that the Town has a responsibility to promote programs sponsored by other agencies, such as the Antique Dealers Faire, or that the business the Town ought to be in is to promote San Anselmo events. There was discussion on what would be considered a Town-sponsored event.

It was the general feeling of the majority of the Councilmembers to continue hanging banners for outside agencies, but that staff bring back a proposal to raise the banner fee if the current fee does not cover costs.

10. DISCUSS PRELIMINARY CAPITAL PROGRAM FOR SPRING, 1992.

Bonander submitted a report of ten potential capital maintenance/reconstruction projects for Council discussion and preliminary consideration.

Walsh said Supervisor Brown would commit to \$50,000 in County funds over two fiscal years and County engineering services towards repaving a portion of Sir Francis Drake Boulevard.

Colteaux asked if there were funds from the outside agencies available for the Sir Francis Drake Boulevard work due to its status as a highway; if there were, perhaps the County money could be directed towards Butterfield Road, which also serves County residents.

It was the general feeling of the Council that Sir Francis Drake Boulevard was a high priority, and to have a report back December 10 on whether other funds were available for that project.

11. REPORT ON DRUG FORFEITURE SEIZED ASSET ACCOUNT.

M/S, Kanis/Chignell, to approve the following changes to the Town's financial policy regarding the Police Department's Seized Asset Account:

1. That the Seized Asset Account, with a balance of \$2,545.46, be established as a separate fund in the Town's accounting system.
2. That any future donations (revenues) made to the San Anselmo Police Department for the purchase of equipment be accepted by the Town Council and be placed in the Equipment Fund as a separate line item for police equipment purchases. Previous donations, which were placed in the Seized Asset Account and total \$14,330.67, shall also be placed in the Equipment Fund, and devoted specifically to Police equipment purchases.
3. That any appropriations (expenditures) from this newly established line item in the Equipment Fund be recommended by the Police Chief, approved by the Town Administrator and appropriated by the Town Council as it is with other fund transactions.

Motion passed unanimously.

12. RESOLUTIONS SETTING MANAGEMENT COMPENSATION EFFECTIVE JULY 1, 1991:

- (a) Resolution setting compensation for Town Administrator.
- (b) Resolution setting compensation for all other management staff.

The first resolution would increase the Town Administrator's salary by 7 percent, which includes a 5 percent cost of living adjustment and 2 percent in recognition of the additional duties being performed as Executive Director of the Ross Valley Fire Service. The second resolution would increase the salaries of other management staff by 5 percent.

Walsh said she appreciated meeting with department heads and to conduct evaluations. However, in the current economic climate there are layoffs and salary freezes, and the Town has not given anything back to the community in infrastructure. She objected to breaking out the administrator's salary increase from other department heads, said that the Town Administrator has just taken the Executive Officer position in September, wanted to see an evaluation of the administrator, and she has a list of jobs that have not been completed.

Chignell said he would not support either recommendation, that he did not agree with a blanket 5 percent for all managers, adding that they should be done on a case-by-case basis, and supported the administrator receiving a 5 percent increase.

Kanis and Colteaux expressed their support for the resolutions as cost of living increases.

Due to the lack of consensus, the resolutions were continued to a meeting in which Mayor Zaharoff was in attendance.

13. Council requests for future agenda items, comments and directions to staff; staff miscellaneous items.

North Bay Division of the League of California Cities meeting - Kanis sought a substitute for the upcoming meeting.

Community disaster preparedness meeting - A meeting will be scheduled after the first of the year.

14. ADJOURNMENT.

Vice Mayor Colteaux adjourned the meeting at 9:55 p.m., in honor of the birthday of Mayor Zaharoff's son, Peter Smith.

Beth Pollard