

TOWN OF SAN ANSELMO
Minutes of the Town Council Meeting of November 14, 1995

Present: Breen, Chignell, Hodgens, Kroot, Yarish
Absent: None

7:25 p.m.

Announce adjournment to closed session for conference with real property negotiator regarding negotiations with Peter and Pamela Fraser, and Anthony Quilici, on the terms and exchange of real property in the vicinity of Bald Hill, Redwood Road, and Oak Avenue, A/P 7-154-04; 7-101-02; 7-071-02 and 7-071-03, pursuant to Government Code Section 54956.8.

7:30 p.m.

Closed session for conference with real property negotiator regarding negotiations with Peter and Pamela Fraser, and Anthony Quilici, on the terms and exchange of real property in the vicinity of Bald Hill, Redwood Road, and Oak Avenue, A/P 7-154-04; 7-101-02; 7-071-02 and 7-071-03, pursuant to Government Code Section 54956.8.

8:00 p.m.

1. CALL TO ORDER AND PLEDGE OF ALLEGIANCE.

Boy Scout Troop 50 led the Pledge of Allegiance.

2. APPROVE RESOLUTION DECLARING THE CANVASS OF RETURNS AND RESULTS OF THE MUNICIPAL ELECTION HELD ON NOVEMBER 7, 1995, AND DELIVER OATH OF OFFICE TO COUNCILMEMBERS JUDITH HODGENS AND TIMOTHY YARISH, TOWN CLERK DEBRA STUTSMAN, AND TOWN TREASURER M. G. SHELDON.

M/s, Kroot/Breen, to approve Resolution No. 3328 declaring the canvass of returns and results of the municipal election held on November 7, 1995. Ayes: All

Police Chief Del Santo administered the oath of office to Town Clerk Debra Stutsman.

Town Clerk Stutsman administered the oath of office to Councilmembers Judith Hodgens and Timothy Yarish and Town Treasurer Merlin Sheldon.

Hodgens said she will work hard over the next four years to keep San Anselmo wonderful.

Yarish thanked constituents for his re-election and said he is happy to work four more years for San Anselmo.

3. RECOGNITION OF FORMER TOWN CLERK CAROLINE FOSTER.

This item was continued to November 28, 1995.

4. REORGANIZATION OF TOWN COUNCIL: ELECTION OF MAYOR AND VICE MAYOR.

M/s, Chignell/Kroot, to nominate Peter Breen as Mayor. Ayes: All.

M/s, Chignell/Hodgens, to nominate Jeff Kroot as Vice-Mayor. Ayes: All.

Mayor Breen acknowledged the presence of his family, fellow Councilmembers, the Town staff, Fire Service staff, Supervisor Hal Brown, and Councilmember spouses Tina Kroot and Evan Hodgens. He said in the coming year the Council will be looking at completion of Downtown Revitalization, Measure G work, an accelerated permit process, holiday chamber events, a fire safe San Anselmo, Red Hill Sports Complex, Marin Town & Country Club and Marin Humane Society services.

Supervisor Hal Brown said the job of a Councilmember is very difficult and this Council does a great job.

Mayor Breen and Vice-Mayor Kroot presented recognition awards to Yarish.

Chignell said a number of goals were accomplished during Yarish' tenure, including Measure G and Downtown Revitalization. Yarish has shown good leadership qualities in both human and practical terms.

Kroot said the Bald Hill Planning Group was also a major accomplishment for the last year.

5. PRESENTATION OF PEDESTRIAN SAFETY AWARD BY THE CALIFORNIA AUTOMOBILE ASSOCIATION.

Merry Banks, California State Automobile Association, presented the Town with an award for Pedestrian Safety.

6 OPEN TIME FOR PUBLIC EXPRESSION

Chris De Gabriel, Manager of North Marin Water District, thanked the Town Council for the Town's contribution of \$1,000 to Paradise Ranch Estates Improvement District. The money will be used to rebuild the redwood water tank destroyed in the recent wildfire.

Roberta Robinson, Bank of America, thanked Councilmembers Chignell and Breen for coming downtown at 4 a.m. Saturday morning to steam clean the streets. They did a wonderful job.

Breen acknowledged Dan Goltz who was also present for the steam cleaning.

Stephanie Roth, Woodland Avenue, said she is grateful for the hard work of this Council. The job takes about 60 hours a month in Council meetings, organization membership meetings, reading materials, ceremonial functions, and even street cleaning. The token monthly payment of \$99 is a very small amount. Thank you to Councilmembers.

7. COUNCIL REQUESTS FOR FUTURE AGENDA ITEMS, QUESTIONS AND COMMENTS TO STAFF; STAFF MISCELLANEOUS ITEMS.

Hodgens mentioned the San Anselmo Guide for Residents has been published recently by the San Anselmo Volunteer Effort.

Chignell asked about the lighting issue with the Racquet Club. Planning Director Chaney said the Racquet Club is rethinking plans and the project is on hold for now.

Breen said there was a closed session this evening and no action was taken by the Council.

Breen recognized Sarah Nome and David Gladysz in the audience, who both ran unsuccessfully in the recent election for Town Council.

8. CONSENT AGENDA: ITEMS ON THE CONSENT AGENDA MAY BE REMOVED AND DISCUSSED SEPARATELY. OTHERWISE, ALL THE ITEMS MAY BE APPROVED WITH ONE ACTION.

- (a) Approve minutes: October 23 and 24, 1995
- (b) Acknowledge and file warrants: Nos. 20285-20436, in the amount of \$964,095.44.
- (c) Ratify collective bargaining agreement with the San Anselmo Police Officers Association, and approve transfer of funds from Contingency.
- (d) Cancel Council meeting of December 26, 1995.
- (e) Authorize contract with the County of Marin for recruitment services (Resolution No. 3329).
- (f) Approve job description, salary range, and recruitment of Plan Check Engineer, and appropriate funds from Contingency.

- (g) Appropriate up to \$17,000 from the Equipment Fund for purchase of equipment for the new fire engine.
- (h) Authorize participation in countywide effort to support state legislation to retain excess ERAF funds, and appropriate up to \$1,361 from Contingency.
- (i) Authorize participation in countywide effort to review animal control services, and appropriate \$1,488 from Contingency.
- (j) Appropriate funds from the Capital Projects Fund for completion of nuisance abatement slide repairs on Camino de Herrera.
- (k) CONTINUE TO DECEMBER 12, 1995: Appeal of a Planning Commission denial to convert property from rental status to condominium ownership status. The property is located at 865 and 865A San Anselmo Avenue, which involves two separate housing units. The project also involves Design Review and a Variance to allow four tandem spaces where four clear spaces are required.
- (l) Announce expiration of one term on the Board of Review, and open for applications.

Items (e) (h) and (i) were removed for discussion.

M/s, Yarish/Kroot, to approve items (a), (b), (c), (d), (f), (g), (j), (k), and (l) on the consent agenda. Ayes: All.

Regarding Item (e) on recruitment, Yarish expressed disappointment that the Assistant Planner position hasn't been filled yet. The issue is service to the public. Town Administrator Pollard said she is disappointed too and is looking forward to getting the position filled.

On Item (h), Excess ERAF Funding, Chignell asked who selected the lobbyist firm and whether other firms were invited to apply. Town Administrator Pollard said she would find out and report back. The cost of the lobbyist will be allocated on a prorated basis to agencies. Chignell asked if most jurisdictions are supportive. Pollard said there is support on the staff level but she hasn't heard on the elected bodies level. Chignell said that a premier republican law firm doesn't seem like the best choice to work with elected state officials. He said he would like to know where other agencies stand on this issue and from where the dollar amount came. Pollard will find out.

Regarding Item (i), Animal Control, Chignell confirmed that Mill Valley will do this analysis and \$1500 will be appropriated as our share of the cost of the consultant, DMG.

M/s, Chignell/Yarish, to approve Items (e) and (i), and continue Item (h) to the next regular meeting. Ayes: All.

9. RECOGNITION:

- (a) Recognize Jo Julin and Bill Ollinger for service on the Planning Commission.
- (b) Recognize the Solid Waste and Recycling Advisory Committee for receipt of the Neighborhood Achievement Award from the Marin Community Foundation.

Town Administrator Pollard presented former Planning Commissioner Bill Ollinger with a certificate of appreciation for his service to the Town.

In lieu of attending, former Planning Commissioner Jo Julin sent the Town a gift, a framed sketch of Chester, the town cat.

Regarding the receipt of the Neighborhood Achievement Award from the Marin Community Foundation by the Solid Waste and Recycling Advisory Committee, Town Administrator Pollard congratulated the Committee on their award.

10. REPORT ON DEVELOPMENT AND IMPLEMENTATION OF THE DOWNTOWN REVITALIZATION PLAN.

Planning Director Chaney said the Downtown Revitalization Plan was adopted in concept by the Town Council, while reserving the right to make some decisions when more information would be available. Council is being asked to direct staff to prepare and distribute a Request for Proposal for design and drawings, allocate up to \$25,000 for design and engineering, and to expand the Finance Committee's efforts to refine funding ideas. Chaney said the Committee is looking at about thirty street trees, placed perpendicular to the sidewalks, with concern to storefront visibility. Irrigation systems are recommended. The recommended is of an old-fashioned style, with a banner arm, and to remove the old cobra lights. The Tunstead gate and signage committee has a number of ideas, all presented pictorially on the Council wall. It is planned that a consultant would look at locations of directional signs. Pedestrian benches are suggested in certain locations. Facade improvements have been suggested, perhaps with low or no interest loans. Cost estimates in the staff report include the committee's estimates, as well as consultant Michael Freedman's estimates, as he felt the committee estimates were low. The Financing Committee has come up with good financing ideas. Staff recommends that to get started we do a Request for Proposal (RFP), review proposals and costs, and review the package at the Town Council meeting. When this is done, working drawings can begin. It won't be known how much the RFP will be until we get the proposals back.

Yarish complimented staff on this report. Chignell asked if we should be working on the finance plan before we get too far along. Chaney said she recommends the current finance committee get help from others, perhaps Hodgens, a banking representative, etc.

Kroot said a donation fund or a charitable trust should be set up.

Yarish said he would like to see a benefit assessment district included as one of the funding options.

Hodgens asked about timing between the RFP and funding. Chaney said that the RFP requests a timeline from consultants. Hodgens said she feels step 5 on the timeline should really be step one. Feasibility work can be done ahead of time. She would like to see a fundraising type consultant hired.

Pollard said no money is budgeted for a fundraising consultant, just an urban design consultant.

Hodgens would like to see more information on a fundraising consultant for a capital plan

Francia Stanton, Finance Committee Member, said their plan is to start writing a non-profit proposal and begin trying to raise money. Nancy Altman is coordinating a Dine for Design evening which is already underway. Nine restaurants will be involved and the date is December 14. The committee needs a place to put the funds so they can be matched. They want this money to go for something visible, like trees or benches. Other events planned are a town-wide yard sale from SWARAC and a rainforest day by one of schools. Their idea is to keep doing events to keep the project visible. The Historical Commission will be doing a wine and cheese party on the December 14th date as well.

Sarah Nome, 77 Alder, said she supports the Marin Town & Country Club plans, but the downtown plan seems too cutesy and will cost \$3 million. The old style lights were once all over town but were taken out for modern, tall lights. Short, incandescent lights don't really light up the street; safety should be a consideration. The lower lights are easier to break. This is a poor time of year to be making a decision of this magnitude. She suggested it be tabled until the first meeting in January.

Breen said the revitalization won't cost as much as Ms. Nome says and incandescent lights are not planned.

Stephanie Roth, Woodland Ave., said all the committees have been thoughtful and they were aware that these lights were in place before and inadequate. Today's technology provides better lighting from these lights, plus the globes are unbreakable.

Kroot said an enormous amount of time has gone into this effort, as well as much volunteer time. The effort is still fluid and in process. Some costs can be brought down with donations. Supervisor Brown is looking into whether the County can donate some funds.

Hodgens said the financing plan may need a subcommittee together soon, perhaps with Town Administrator Pollard participating. She would like to add to staff recommendation #2 a financing consultant. Also perhaps a bench in memory of John Haapala would be a good first purchase. She would be willing to sit on a funding development committee.

Yarish said financing issues should be a primary focus. The business community will need to be supportive of this effort.

Chignell said he too feels it can be done for less than Friedman's estimate. A special account should be set up for these fundraising efforts.

Breen said he would endorse Hodgens asking to have a financial consultant added to staff recommendation No. 2, allocating money from the Capital Projects Fund.

M/s, Kroot/Yarish to direct staff to prepare and distribute a Request for Proposal for schematic design plans and working drawings for San Anselmo Avenue streetscape improvements; to allocate up to \$25,000 in the capital Projects Fund for preparation of design and engineering and a financial consultant, to implement the Downtown Revitalization improvements; and expand the Finance Committee's efforts to refine funding ideas and carry out fundraising ideas. Ayes: All.

11. INTRODUCE ORDINANCE ADOPTING THE UNIFORM FIRE CODE AND THE UNIFORM FIRE CODE STANDARDS, 1994 EDITION.

Fire Chief Ron Zeise said the Council is being asked to consider adopting the 1994 Edition of the Uniform Fire Code. We have until January 1 to adopt the UFC, or we can use the code only as adopted by the State of California. The adoption of the 1994 Edition will not delete or add any provision to the Town's requirements, but there are substantial changes in the numbering system of the Code provisions.

M/s, Yarish/Kroot, to introduce Ordinance No. 971 amending Title 3 of the San Anselmo Municipal Code adopting the Uniform Fire Code and the Uniform Fire Code Standards, 1994 Edition. Ayes: All.

12. INTRODUCE ORDINANCE AMENDING ARTICLE 6, OF CHAPTER 3, OF TITLE 3 OF THE MUNICIPAL CODE RELATING TO THE ABATEMENT OF FIRE HAZARDS ASSOCIATED WITH FLAMMABLE VEGETATION AND OTHER MATERIALS.

Fire Chief Zeise said the Fire Service has been involved for two years in the Fire Safe Marin program. They meet with residents and help them develop a plan for their home. This program is very time-intensive. The Fire Service also completes grass and brush hazard inspections throughout the service area. Last year they did 1,200 inspections, and only about 60 haven't complied. That is why this ordinance is brought before you. This is the ultimate vehicle to get this work done for the safety of everyone. A similar ordinance was implemented eight months ago in Fairfax and it hasn't been necessary to utilize it yet. In the appeal process the Fire Chief is the final authority. In the regular abatement process the appeal goes back to the Town Council.

Chignell confirmed that what we do now does not involve an abatement proceeding, other than a standard public nuisance abatement. Chief Zeise said citation is the next step and they have been thrown out because the bail schedule is so low that it's not worth pursuing.

Chignell said a certified letter isn't specified in the ordinance. Zeise said if all three notices are ignored, they move into the second phase, which begins the process.

Kroot asked if other communities use this type of ordinance. Zeise said Monterey County uses this as well as a number of others.

Hodgens asked if there is any help available for those who need it. Zeise said the California Conservation Corps charges, but at a reduced rate and churches help as well.

Chignell asked about the hearing provision and whether the Chief could deny a hearing. Zeise said he could deny a hearing.

Breen confirmed that the Town fronts the money for abatement and liens are paid back upon sale of the property.

Heidi Hanson, 144 Oak Springs, said the cost of fire fighting is considerably higher than fronting money on a lien. Oakland taught everyone a painful lesson.

Breen said it would be helpful if Zeise could produce a periodic status report on what properties are involved in the process.

Chignell said he will oppose this ordinance because he feels the language should mandate the hearing, as citizens should be so entitled. He said he is willing to give the power to the Fire Chief, but citizens should have a hearing. He said he likes the citation system better but it just doesn't work. He is concerned that the liens take so long to get the money.

Breen the ordinance could be reworded to mandate a hearing if requested.

Chignell suggested that the hearing with the Fire Chief be held within 15 days.

Town Administrator Pollard suggested just a hearing, without putting in a number of days.

Hodgens asked how to ensure that the hearing will happen expeditiously.

M/s, Yarish/Kroot, to direct staff to bring back the ordinance with clarified language regarding the requirement for a hearing at the request of the property owner. Ayes: All.

13. DISCUSS TRAFFIC AT INTERSECTION OF TUNSTEAD AVENUE AND SAN ANSELMO AVENUE, AND RESULTS OF TRAFFIC SIGNAL TIMING TEST.

Public Works Director Bush reported that the problem at this intersection is congestion and not enough queuing space. The timing on the signal was reset from a 130 second cycle to 65 seconds. Coordination continues on Drake, but Tunstead is double-cycled. Volunteer Bill Kessel counted cars before and after the change. Before the change, there was an average queue of 7.9 cars. After the signal change, the average queue was 3.4 cars. With the new timing, the instances of backups are reduced greatly. There are longer queues at Bank Street, but they are manageable. Bush said he would like to leave the setup in place as it is and encourage comments..

Hodgens said she is delighted with the results.

Breen asked if there is an emergency activation on the signals for emergency vehicles. Bush said that part had to be dropped because it was too costly.

14. APPOINT COUNCILMEMBER TO SERVE AS REPRESENTATIVE ON THE LEGISLATIVE COMMITTEE OF THE MARIN COUNCIL OF MAYORS AND COUNCIL MEMBERS.

It was the consensus of Council to appoint Councilmember Kroot to serve as the San Anselmo representative on the Legislative Committee of the Marin Council of Mayors and Council Members.

15 ADJOURN.

The meeting was adjourned at 10:45 p.m.

Debbie Stutsman