

TOWN OF SAN ANSELMO
Minutes of the Town Council Meeting of April 9, 1996

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

6:30 p.m.

Closed session regarding pending litigation, pursuant to Government Code Section 54956.9(c), and regarding performance evaluation of the Town Administrator, Planning Director, Police Chief, Police Captain, Recreation Director, Assistant Recreation Director, Parks Superintendent, Public Works Director, Street Maintenance Supervisor, and Town Librarians.

7:40 p.m.

Interview applicant to the Robson-Harrington House Association Board of Directors.

8:00 p.m.

1. CALL TO ORDER

2. PLEDGE OF ALLEGIANCE.

The pledge of allegiance was led by youth participants in San Anselmo Baseball and Softball.

3. ANNOUNCE ACTION TAKEN, IF ANY, IN CLOSED SESSION.

Breen announced that no action was taken in closed session.

4. OPEN TIME FOR PUBLIC EXPRESSION.

Sarah Nome, 77 Alder, asked if the approved budget figure for internet participation is \$4,000 or \$5,800. She asked if this project will generate revenue and, if so, how will we know if it is a success. Town Administrator Pollard said the correct figure is \$5,800. Merchants will know if it is successful by their sales.

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

Yarish recognized Bob Mellin who landscaped the exterior of the Library on a volunteer basis.

Chignell asked that the new signs at UNOCAL be abated as they violate the sign ordinance.

Chignell asked if unprogrammed street projects can go forward. Pollard said it would be appropriate for neighborhoods to put forward proposals once the Capital Improvement Program is approved.

Chignell said Marilyn Izdebski would like to be on a future agenda for 15 minutes to present plans for the Marin Community Playhouse. It was agreed to set aside the time before the first meeting in May.

Chignell said a union contract has been ratified in Fairfax with the garbage company employees. He understands San Anselmo employees are still without a union contract. He would like a status report.

Chignell said the Posthuma matter has an outstanding nuisance abatement. He understands the Council as a group can appeal the Planning Commission action.

Planning Director Chaney said she spoke with Town Attorney Roth about this. He says our ordinance says any person can appeal, but this probably does not mean the Council as a whole.

Yarish asked if the appellant is limited to bringing up items brought up during the meeting. Chaney said this rules applies only to court challenges.

Kroot said he feels an appeal should be made as the Council abated basically what the Planning Commission approved.

Town Administrator Pollard said an appeal could be heard May 14.

Kroot asked if the Dutch Elm program has started. Pollard said no notices have been sent out as it is awaiting Council action.

Hodgens asked that Item 12 be moved after Item 8.

Breen acknowledged the Recreation Department for receiving a Golden Bell Award for outstanding programs.

6. 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: March 26, 1996
- (b) Acknowledge and file warrants: Nos. 21530 to 21721, in the amount of \$724,511.62.
- (c) Approve flexible staffing of Administrative Services Assistant series, and appropriate \$730 from contingency for 1995-96 implementation.
- (d) Approve Joint Powers Agreement with Bay Cities Liability Insurance Authority.
- (e) Approve Resolution No 3343 terminating the Hazardous and Solid Waste Joint Powers Agreement, and authorization to approve a reconstituted Joint Powers Authority to meet the mandates of AB 939.
- (f) Appropriate up to \$3,000 from Contingency for joint effort on Marin Town & Country Club public opinion survey.
- (g) Appropriate \$250 from contingency for Friends of Corte Madera Creek Watershed project to photograph and record the conditions of creeks in San Anselmo.
- (h) Acknowledge and file status report on 1995-96 Town workplan.
- (i) Approve changes in the Elm Tree spraying program, including enhancing Town coordination, and waiver of permit fees.
- (j) CONTINUE TO MAY 14, 1996: Public hearing on a resolution authorizing the Police Department to enforce the State Vehicle code on the Town unmaintained portion of Oak Avenue.

Items (c) and (f) were removed for discussion and Item (d) will be discussed after Item 11.

M/s, Kroot/Chignell, to approve the consent agenda, excepting Items (c), (f), and (d), (d) to be heard after Item 11. Ayes: All.

Regarding Item (c), Town Administrator Pollard said the cost of the flexible staffing plan can be absorbed within the current Recreation budget, so there is no need for \$730 from Contingency.

M/s, Chignell/Kroot, to approve consent agenda item (c). Ayes: All.

On Item (f) Town Administrator Pollard said this is a joint proposal from groups involved in the "It's Time for a Park" committee. They are ready for a public opinion survey to see what people want and how it might be paid for.

Yarish said SRI has been selected for this survey; they have an excellent reputation in this area. The survey is crucial if a bond measure is to be attempted.

Sarah Nome, 77 Alder, said there are a lot of proposals in San Anselmo for spending money. She feels the Marin Town & Country project is being given short-shrift by this Council. She feels Ross, Kentfield, the Buck Center, etc. should be contacted. Public meetings should be held in San Anselmo. Perhaps a regional meeting at Drake High School could be held. The park would draw a lot of people to San Anselmo.

Breen said there have been a number of public meetings on this subject. He feels San Anselmo is well-represented in this area.

Yarish said a public meeting was held at Isabel Cook in San Anselmo and was well attended.

Dan Goltz, San Anselmo Avenue, asked about the outcome of community workshops and for what the \$3,000 is to be used. Breen said the community will be asked about which of three options they prefer.

M/s, Kroot/Yarish, to approve consent agenda item (f). Ayes: All.

7. APPOINTMENTS:

(a) Open Space Committee (1 seat)

Chignell said he was not present at Mr. Walters' interview but is up to speed on both candidates.

Yarish said we have two well-qualified applicants. The committee membership could be expanded to accommodate both applicants.

Hodgens said she supports this proposal as a current member has indicated he/she will be leaving the Open Space Committee in a few months.

M/s, Yarish/Hodgens, to temporarily expand the Open Space Committee by one extra seat until attrition returns it to the normal size, and to appoint Don Vita and John Walters to the Open Space Committee. Ayes: All. Abstain: Breen.

8. REPORT FROM COUNCIL SUBCOMMITTEE ON CRITERIA FOR COMMUNITY EVENTS IN THE DOWNTOWN.

Planning Director Chaney said Michael Freedman has met several times with a group concerned with establishing criteria for downtown events. From the last meeting came criteria for downtown special events, including standards, objectives, and other ideas. Chaney went over the twelve standards which were considered most important by participants. Staff recommends that Council adopt these criteria, to be returned on the next agenda in the form of a resolution.

Hodgens said items 2 and 5 are really Town commitments, not special events problems. They should be worded from an events perspective if that's the intent. Item 7 should be clarified.

Yarish asked about the requirement for uniform booths. Chaney said large booths obscure some storefronts. The intent is to keep storefronts visible.

Sarah Nome, 77 Alder, said she cannot get to downtown shops when the street is closed. She thought it was to be included that there would be no alcohol. The Town is losing a lot of income from street fairs.

Rich Yuling, Sir Francis Drake Blvd., said he feels the booths should allow visual access to downtown merchants. He feels the item on merchant exhibits should be better defined.

Marilyn Ormond, 562 San Anselmo Avenue, said she thinks the 12 standards are basically already being done.

Oveda Maurer, Greenfield Avenue, said she feels the standards are fine.

Emily Dvorin, 411 San Anselmo Avenue, Chamber of Commerce, said they are working on the Art & Wine Festival, but they can't make any changes until next year due to their contract. They are working on providing local parking for this year.

Holly Hopper, San Anselmo Avenue, said that as a merchant she feels closing San Anselmo Avenue is intolerable.

Sydney Halladay, 10 Bank Street, asked about the survey that was done on San Anselmo Avenue regarding how merchants feel about street closure. Can any more standards be added at this point? She would like no alcohol included.

Michael Chadwick, 526 San Anselmo Avenue, said he supports the closing of the street. He feels the criteria are reasonable. Conflict resolution is needed on the street to rid it of tension and start the healing process.

Stephanie Roth, Woodland, said she agrees that a healing process is needed.

Breen read a letter from Louise Mathews, Foothill Road. She asked that the vote be delayed until a May event is held. The issue before Council tonight allows for complete street closure. A more thorough review is needed.

Drew McEachron, Antique Timepieces, said a tremendous amount of money is lost on these street closure days. He would like events alternating through the years. The Town may be liable for merchant losses if they knowingly close the street.

Leslie Shea, resident, said it would be preferable to rotate locations for street fairs. Last year the street was closed eight times.

Emily Dvorin said Stroll San Anselmo won't be held this year because of the controversy. The closures that are under question are for the Art & Wine Festival (2 days), Antique Fair, and Country Fair Day.

A merchant from the Pavilion said four or five closures is not a lot in one year because it brings a lot of people into the area.

John Rissos, 538 San Anselmo Avenue, said the Antique Dealer's don't make a fortune on their event.

Arthur Hippensteel, Yanni's Antiques, said he feels the vast majority of merchants are in favor of street events. He asked Council to go to merchants and talk to them.

Hodgens said she circulated a survey to 88 businesses on San Anselmo Avenue. The survey indicated that the majority didn't have a problem with a one day closing. Two day closings are more objectionable.

Michael Chadwick, San Anselmo Avenue, said he is delighted with how things are going on San Anselmo Avenue. He doesn't do well during the closures either, but it's just four days a year.

Jane Burroni, merchant, said she is proud of San Anselmo, and is proud how things are going. Thousands of people come here for these events.

Richard Mauer, residents, said we need to respect the democratic process.

Sarah Nome, 77 Alder, asked about the restroom problem with all these crowds.

Holly Hopper, San Anselmo Avenue, said no one is discounting the exposure these events bring to town, but there are other ways to get this exposure.

Planning Director Chaney said item 7 under Ideas addresses the restroom issue. "No liquor" should have been included on the list.

Dan Goltz, San Anselmo Avenue, said there should be a limit to the number of events and who gets to put on an event.

Kroot said there was a large turnout at this particular meeting and many business owners are residents too. These standards are also supported by the majority of the merchants. Most supported having some street closures. He feels the standards need fleshing out, such as #12, merchants exhibiting without charge.

Hodgens said she agrees with the criteria in concept, but they are not complete or absolute at this point. She feels a reasonable effort should be made toward alternate locations and alternating locations. There needs to be more dialog around alternatives.

Yarish said the standards are a work in progress and a great beginning. Limiting events and alternate locations should be looked at, as well as validated parking for local shop owners.

Chignell said he embraces the standards; this is an evolutionary process and needs to be more specific. The vast majority do support these events; there are benefits to everyone.

Breen agrees that this is a work in progress. Council is working to achieve consensus on the issues that have been brought up. This can be a win win situation. It is time to move forward.

M/s, Chignell/Kroot, to direct staff to bring back these standards to the next meeting with an implementation plan. Ayes: All. Abstain: Hodgens.

Hodgens said she supports this in concept, but feels some issues are still left unresolved.

9. INTRODUCTION OF ORDINANCE MODIFYING THE MAXIMUM DWELLING UNIT SIZE REGULATIONS.

This item was continued to the next meeting. Hodgens asked that the item be put at the beginning of an agenda as it has been continued before. It was agreed to continue this item to the next regular meeting when it is possible for it to be the first item.

10. APPROVE JOB DESCRIPTION, COMPENSATION, AND RECRUITMENT OF VOLUNTEER & COMMUNITY SERVICES COORDINATOR.

Town Administrator Pollard presented the staff report. Issues to be addressed include number of hours per week and whether the position would be a department head. Staff recommends that recruitment be initiated. Regarding the department head question, Pollard said it could go either way. The job requires significant relations with community groups. Technically, it doesn't fall into the Department Head criteria, but the nature of the work is highly visible so the Town Council may want more control.

Chignell asked about the recruitment process timeline. Pollard said the process takes three to four months.

Lucky Phelps, SAVE Board, said on behalf of the Board that they appreciate the input they had in this process. The position requires a lot of extra curricular activity on weekends and evenings and they are glad it's acknowledged. They are still concerned about including grant procurement by this person, but realize there's a need for it in the Town. She thanked the Interim Volunteer Coordinator for her work.

Sarah Nome, 77 Alder Avenue, said San Anselmo is a small town to have a paid volunteer coordinator.

Chignell said the previous volunteer coordinator had department head status. This is a status given to the position, saying it is important. Regarding the 32 hours per week, the suggestion to keep it at 32 hours, and maybe put it at 40 later, seems reasonable.

Hodgens said she supports 32 hours, but doesn't agree that it is a department head.

Town Administrator Pollard said the new Accounting Manager would not be a department head. The department head title increases the span of control for the Town Council.

Breen said that although in the traditional model the job doesn't fall in department head status, it is reasonable to do it for the status of the position.

M/s, Yarish/Chignell, to approve the job description, compensation, and recruitment of a Volunteer & Community Services Coordinator, considering it to be a department head in light of the number of people managed and the status the Town Council gives the position. The number of hours to be set at 32 with review at a later date. Ayes: Breen, Chignell, Kroot, Yarish. Noes: Hodgens.

11. CONSIDER PROPOSAL TO REQUEST EACH TOWN BOARD, COMMISSION, AND COMMITTEE TO INVOLVE YOUTH IN A PROJECT OR PROGRAM. (COUNCILMEMBER HODGENS, MAYOR BREEN)

Breen said he and Hodgens met with Kate Hacker representing the Campaign for a Healthier Community for Children regarding the role children play in our community. They discussed the possibility of two youth representatives on selected commissions/committees/boards. Perhaps a Town Council meeting could be held at Drake. They are seeking Town Council authority to ask Town boards and commissions to think of a project with youth in the community.

It was the consensus of Council to pursue this avenue of youth involvement.

12. APPOINT TWO COUNCIL REPRESENTATIVES TO THE WORKSHOP ON MARIN COUNTY'S INFORMATION TECHNOLOGY FUTURE.

Town Administrator Pollard said this is a workshop for municipal officials to get cities and towns planning together for the future of technology. It is recommended that we have two representatives from the Town Council and one from the Planning Commission.

Yarish asked if staff members will attend. Pollard said yes, but this workshop is for officials.

Hodgens said that Jo Julin expressed an interest in this. It was the consensus of Council that they will check at the next meeting to see who is able to go. The Planning Commission should make their appointment to the workshop.

6(d). APPROVE JOINT POWERS AGREEMENT WITH BAY CITIES LIABILITY INSURANCE AUTHORITY (from consent agenda).

Town Administrator Pollard said this change is recommended because it is a larger pool with which to share risk. Currently we pay one premium and the JPA handles everything. With the proposed system, there would be a deductible amount under which the Town would be responsible, plus a premium to handle costs above the deductible. The lower the deductible the less control the Council has over the claim. It may be better to have a high deductible until we have more experience with this. She altered her recommendation to a \$100,000 deductible for the first year.

Chignell asked why Corte Madera isn't doing this. What will premiums be in comparison? He'd like more information on claims and costs. How much does Michael Patterson charge? Why not go with ABAG?

Pollard said costs will be higher initially, as premiums have been artificially low the last three years. Corte Madera's interim town manager was unfamiliar with the issue and didn't want to commit. Ross, Tiburon, and Belvedere are in ABAG, but it would be more costly and it was felt that it was so big that small towns would have little say. San Rafael is with a private carrier.

Kroot said he would like figures on what would be cost effective regarding the deductible.

Sarah Nome, 77 Alder, asked if we would no longer be with Marin Risk Management. Regarding Measure G funds and sinkholes, she envisions a number of sizable lawsuits in the future.

Pollard said we would still be with Risk Management, just not for liability. Pollard said all lawsuits would be handled as with the current JPA.

M/s, Chignell/Yarish, to authorize execution of the Joint Powers Agreement with Bay Cities Joint Powers Insurance Authority for an excess liability self-insurance program effective July 1, 1996, with the deductible amount coming back to Council. Ayes: All.

13. ADJOURN.

The meeting was adjourned in memory of Sam Knoles at 10:55 p.m.