

San Anselmo Council Minutes
Regular Meeting
Town Council Chambers and via teleconference
Tuesday, May 24, 2022

Mayor Fineman called the Closed Session meeting to order at 6:30 p.m.

Call to Order/Roll Call:

COUNCILMEMBERS PRESENT: Alexis Fineman, Mayor
Steve Burdo, Vice-Mayor
Eileen Burke
Brian Colbert
Ford Greene

STAFF MEMBERS PRESENT: Dave Donery, Town Manager
Carla Kacmar, Town Clerk
Megan Acevedo, Town Attorney
Sean Condry, Public Works Director
Erica Freeman, Building Official

1. Adjourn to Closed Session on the following matter:

Conference with Labor Negotiators
Government Code Section 54957.6
Agency Designated Representatives: Dave Donery, Jeff Zuba and Christopher Boucher
Employee Organizations: Service Employees International Union (SEIU) Local 1021
Management Employees; Confidential Employees

Mayor Fineman called the Regular meeting to order at 7:00 p.m.

Call to Order: Optional Pledge of Allegiance

COUNCILMEMBERS PRESENT: Alexis Fineman, Mayor
Steve Burdo, Vice-Mayor
Eileen Burke
Brian Colbert
Ford Greene

STAFF MEMBERS PRESENT: Dave Donery, Town Manager
Carla Kacmar, Town Clerk
Megan Acevedo, Town Attorney
Sean Condry, Public Works Director
Erica Freeman, Building Official

Open Time for Public Expression

Ms. Lucy Dilworth, Coalition of Sensible Taxpayers, opposed the proposal to double the Sales Tax in San Anselmo and make it a perpetual tax. It is a regressive tax and hurts those with limited funds the most.

Mr. Doug Kelly, Coalition of Sensible Taxpayers, asked the Council to commit to using the Sales Tax Revenue for roads and other infrastructure projects. He does not support doubling the tax or making it “in perpetuity”.

Mr. Ross Asselstine, San Anselmo Avenue, discussed flood control issues. He read from a document regarding the amount spent by Flood Zone 9. He is of the opinion there has been no credible benefit.

Report Out from Closed Session

Mayor Fineman stated the Council met in Closed Session and there was no reportable action.

2. Proclamation honoring outgoing Town Clerk Carla Kacmar

Town Manager Donery presented a staff report.

Mayor Fineman read the Proclamation Honoring Outgoing Town Clerk Carla Kacmar.

The Council thanked Town Clerk Kacmar for her ten years of service and wished her well in her future endeavors.

Mayor Fineman opened the meeting to public comments.

Ms. Jessica Rising, Chair of the San Anselmo Economic Development Committee, thanked Town Clerk Kacmar for her support and guidance.

Mayor Fineman closed the meeting to public comments.

Council requests for future agenda items

Vice Mayor Burdo stated he would need to leave the meeting early and reported on the following: 1) Ross Valley Fire Board meeting of May 11th; 2) Marin Wildfire Prevention Authority (MWPA) meeting of May 19th; 3) Fire Safe Marin’s “Ember Stomp” is scheduled for this Saturday; 4) The recent senseless act of gun violence against our children and the need for better advocacy.

Councilmember Burke reported on the following: 1) June 10th is Graduation Day for Archie Williams High School at 4:00 p.m.; 2) She wanted to continue agenda item #8, Council Assignments, since Vice Mayor Burdo is leaving the meeting.

Councilmember Colbert reported on the following: 1) The background report for the Marin County Economic Vitality Strategy Plan; 2) The Marin/Sonoma Impact Ventures; 3) Ribbon-cutting at Pixie Dust; 4) The Fiscal Sustainability Committee Meeting; 5) “Bike to Work Day”; 6) Association of Bay Area Government (ABAG) Regional Housing Needs Allocation (RHNA) numbers; 7) Naming the Red Hill Trail after Brian Crawford; 8) Future discussion about the open time comments about the Sales Tax.

Councilmember Greene stated he had no items to report.

Mayor Fineman reported on the following: 1) Capital Programs Monitoring Committee (CPMC) meeting; 2) The Gun Buy-Back Event in Marin County on Saturday, June 4th; 3) The Elders Garden Work Party; 4) Congressional Art Competition won by Mae Wu, a resident teenager; 5) A San Anselmo mail carrier recently saved a life; 6) A review of Rosenberg Rules.

It was the consensus of the Council to continue agenda item #8 and to send a letter to ABAG regarding the RHNA numbers.

Town Manager Donery stated he had no updates to report.

3. Consent Agenda

3.1 Minutes of May 10, 2022

3.2 Revenue and Expenditure Reports, April 2022

3.3 April Financial Report on Recreation Fund

3.4 Consider Adopting a Resolution Declaring June 2022 LGBTQ Pride Month and Directing Staff to Fly the Rainbow Flag Throughout the Month of June at Town Hall

3.5 Resolution Authorizing the November 8, 2022 Election

3.6 "Measure A" Parks Tax Allocation- Fiscal Year 2022/2023

3.7 Accept 2021 Street Surfacing Project- Phase A

3.8 Initiate Opting Out of the Congestion Management Program

3.9 Consider Renewal of Central Marin Police Authority Lease

3.10 Proclamation for Virginia Stapleton

Mayor Fineman opened the meeting to public comments.

There were no comments.

Mayor Fineman closed the meeting to public comments.

Mayor Fineman stated she would like to pull Consent Agenda items #3.1, 3.4, and 3.10 for discussion.

M/s, Greene/Colbert, Motion to approve the Consent Agenda with the removal of item #3.1, 3.4, and 3.10 for discussion.

AYES: Burke, Colbert, Greene, Mayor Fineman

ABSENT: Burdo

3.1 Minutes of May 10, 2022

Mayor Fineman made a correction to the minutes- they should reflect that a motion was made to put the tanks under the Memorial Park Fields.

3.4 Consider Adopting a Resolution Declaring June 2022 LGBTQ Pride Month and Directing Staff to Fly the Rainbow Flag Throughout the Month of June at Town Hall

Mayor Fineman stated she is working with the SPARS Center and has scheduled a flag-raising event on June 4th at 2:00 p.m.

3.10 Proclamation for Virginia Stapleton

Mayor Fineman reported that Virginia Stapleton, owner of the Stapleton School for Performing Arts, will be retiring. The Chamber of Commerce will hold an event in recognition of Ms. Stapleton on June 7th.

M/s, Fineman/Greene, Motion to approve Consent Agenda item #3.1, 3.4, and 3.10 with the amendment to the May 10th minutes.

AYES: Burke, Colbert, Greene, Mayor Fineman

ABSENT: Burdo

Council Items

4. Marin Wildfire Prevention Authority- Ross Valley Shaded Fuel Break- Presentation by MWPA Executive Officer Mark Brown

Executive Officer Brown presented a PowerPoint presentation that included the following: 1) Greater Ross Valley Shade Fuel Break Project; 2) MWPA Mission; 3) MWPA Goals; 4) Central Marin- Core Project; 5) Project Objective and Location; 6) Project Description- Features, Treatments; 7) San Anselmo; 8) How the Fuel Treatments Were Designed; 9) Prioritization Based on Modeling Outcomes; 10) Examples of Similar Fuel Reduction Work; 11) Environmental Review; 12) Private Landowner Participation; 13) Schedule; 14) MWPA Insurance Related Efforts; 15) Defensible Space Inspections; 16) Questions.

MWPA Executive Officer Brown answered questions from the Council regarding whether prescribed burns were part of the plan; staffing for the work; if the plan including removal of debris that has been chipped or if it is left in place and if a biologist helps to make this determination; the use of a "limbing up" technique; the plans for Bald Hill; the use of arborists; how potential pathogen and seed spread is mitigated; use of active volunteer groups; timeline for removal of debris; notice vs. "cold calls" by inspectors; vegetation abatement.

Mayor Fineman opened the meeting to public comments.

Mr. Rene Voss supported the "home out" approach and wanted to see fuel break work starting after August. He talked about the Bald Hill Project.

Ms. Ellie Cohen, Hawthorne Hills, stated work was done in her neighborhood and some of the combustible vegetation was left. It was a very arbitrary process.

Mayor Fineman closed the meeting to public comments.

The Council thanked MWPA Executive Officer Brown for his presentation.

5. PG&E Tree Discussion

Public Works Director Condry presented a staff report.

Mr. Mark Van Horter, representing PG&E, gave a PowerPoint presentation that included the following: 1) Vegetation Management Program; 2) State and Regulatory Requirements- CPUC, PUC; 3) Routine Vegetation Management Program; 4) Drought and Tree Mortality Program; 5) How We are Engaging Our Customers; 6) Customer and Community Resources; 7) Manage Trees and Plants Near Power Lines- Laws and Regulations.

Mr. Van Horter answered questions from the Council regarding who does the tree trimming work (subcontractors, etc.); adherence to local ordinances governing tree removals; procedures used

to work with local jurisdictions; provisions built into agreements; how contractors give notice to homeowners; complaints by homeowners and possible remedies; how homeowners could differentiate between the two PG&E programs; topping of trees; would work be discontinued until an issue is resolved; does each tree receive consideration by an arborist and/or biologist; is special consideration given to trees in the riparian corridor; the definition of notice and an "opportunity to be heard".

Mayor Fineman opened the meeting to public comments.

Denise was opposed to the slaughter of mature, healthy trees.

Mr. Rene Voss discussed Public Resources Code Section 4295.5. Cutting tree with birds or nests is a violation of the Migratory Bird Treaty Act.

Mayor Fineman closed the meeting to public comments.

Councilmember Colbert was frustrated. It is difficult to get any action with respect to third-party contractors cutting down trees. The community wants action.

Councilmember Burke appreciates the work of PG&E. She asked Mr. Van Horter to review Public Resources Code Section 4295.5 which calls for adequate notice and the opportunity for the public to be heard. She would like to know who has the ultimate authority on these matters.

Mayor Fineman would like more information on Public Resource Code 4295.5, what defines "notice", how to include an additional layer through the Open Space Committee, and the biological monitoring piece.

Mr. Van Horter stated he would get answers to the questions and concerns raised tonight.

Councilmember Greene left the meeting.

The Council took a 5-minute break at 9:35 p.m.

6. Introduction and First Reading of an Amendment to the San Anselmo Municipal Code adding Chapter 24 "All Electric Construction in Newly Constructed Residential Buildings" to Title 9 "Building Regulations"; and Amendment to Chapter 9-19 "Green Building Requirements" for consistency

Mayor Fineman stated she would like to open the Public Hearing but postpone the Introduction and First Reading of the Ordinance until the entire Council is present.

Building Official Freeman gave a Powerpoint presentation.

Ms. Cathleen Dunn, Chair of the Climate Action Commission, spoke in support of the Ordinance.

M/s, Greene/Colbert, Motion to continue this item to a future meeting.

AYES: Burke, Colbert, Greene, Mayor Fineman

ABSENT: Burdo

7. Approve the 2022 Street Resurfacing Project and authorize staff to advertise for construction bids

Engineer Scott Scheider gave a PowerPoint presentation that included the following: 1) 2022 Street Resurfacing; 2) Current PCI.

Mayor Fineman opened the meeting to public comments.

There were no comments.

Mayor Fineman closed the meeting to public comments.

Councilmember Greene stated the improvements on Sir Francis Drake Boulevard are great. He thanked staff for the on-going attention to the streets.

Mayor Fineman asked about the maximum achievable CPI. Engineer Scheider stated the theoretical maximum is around 84.

M/s, Greene/Colbert, Motion to Approve the 2022 Street Resurfacing Project and authorize staff to advertise for construction bids.

AYES: Burke, Colbert, Greene, Mayor Fineman

ABSENT: Burdo

8. Town Council Committee Assignment Discussion

Mayor Fineman stated this item has been continued.

Town Clerk Kacmar stated it was a privilege and a pleasure to have worked for the Town of San Anselmo, the Council, and staff.

M/s, Greene/Colbert, Motion to adjourn the meeting at 10:04 p.m.

Respectfully submitted,

Toni DeFrancis,
Recording Secretary