

TOWN OF SAN ANSELMO

Minutes of the Town Council Meeting of August 25, 1992

7:30 p.m.

Closed session regarding personnel matters.

8:00 p.m.

1. CALL TO ORDER.

Mayor Kanis convened the regular meeting, with Councilmembers Breen, Yarish, and Zaharoff present, and Councilmember Chignell not present.

2. OPEN TIME FOR PUBLIC EXPRESSION.

Sarah Nome, 77 Alder Avenue, said San Anselmo had overpaid its share of the cost of the Ross Valley Fire Service in the amount of \$2 million over a 10 year period; that 49,000 gallons of fuel had been sold to San Anselmo Garbage without fuel tax charged, and said that four times a year the Council should place on its agenda for discussion an update review on the fire department by the two Council representatives to the Board.

3. CONSENT AGENDA.

- (a) Approve minutes: July 28 and August 11, 1992.
- (b) Announce vacancy on the Parks and Recreation Commission to a term to expire July, 1993.
- (c) Proclaim September "School's Open - Drive Carefully" month.
- (d) Extend deadlines for submission of applications for appointment to the Solid Waste and Recycling Advisory Committee, Tax Equity Board, and Volunteer Program Advisory Board.

M/S, Zaharoff/Breen, to approve the consent agenda. Motion passed unanimously.

4. CONSIDER RESOLUTION IN SUPPORT OF THE CORRIDOR PLAN RECOMMENDATIONS SUBMITTED BY THE MARIN DELEGATION OF THE 101 CORRIDOR ACTION COMMITTEE.

The item was continued to the September 8 regular meeting so that Marin County Supervisor Roumiguere or someone from his office could attend and make a presentation.

Hannah Creighton, Marin Advocates for Transit, said she and members of that organization would attend September 8, and offered to speak to individual Councilmembers in the meantime.

5. PUBLIC HEARING ON SETTING FEES FOR TOWN SERVICES:

Town Administrator Bonander explained that there would be a series of public hearings on the fee proposals for each department, with a minimum of two hearings on each fee proposal.

(a) Resolution setting fees for planning services.

Planning Director Chaney presented the staff report. The report explained the advantages and disadvantages of fixed rates compared with hourly rates for planning application fees; fees charged by other agencies; and average costs and times to process planning applications.

Bonander explained that the 10 percent overhead figure used in calculating the fees reflects direct overhead, not

indirect overhead such as amortized costs of fixed asset inventory, maintenance, and similar costs.

The following ideas arose from the discussion on fees:

1. Overhead can be an elusive cost, but the Town should look at ways to identify it; check with former County Administrator Barrows as a resource for how County identified direct and indirect costs.
2. Keeping track of hours worked on an application is a good way to go, but it could be a bookkeeping burden. Look at the hourly fee system as a one-year pilot project to see if it works; experiment with keeping track of hours worked on applications for several months before fee system is implemented.
3. The fees for planning services should be calculated similar to the manner of private sector fees; the basis for this approach is that projects that will take extensive staff time would otherwise require hiring a consultant, and the staff time spent on these applications takes away from time spent on work benefitting the community as a whole. A consultant's approach to setting hourly rates is on the basis of hours per year available for project work, not the total amount of work hours in a year.
4. Look at a permit or fee for garage sales.
5. Add an appeal process for staff's decision on whether a staff member or consultant will handle the planning application.
6. Clarification is needed in the agreement for planning services.
7. Some Town services benefit individuals while others benefit the community as a whole. Fees are often charged to cover the costs of services identified as benefitting individuals more than the community as a whole.
8. Under an hourly fee system, applicants are more likely to submit clear and complete information to help save staff time and costs.
9. A deposit fee of \$500 or more was recommended for hourly fee based projects, noting that it was easier to refund fees than to charge more later.

Sarah Nome, 77 Alder Avenue, asked if the Town was drawing ideas from magazines, said she paid \$90 for an appeal on a second unit but there was only a drive-by staff visit, and questioned who arbitrates when someone disputes which staff member is assigned to a project or what fee is charged. She supported charging flat rates based on average cost, because hourly fees open the door to legal fees and auditing costs.

Chaney suggested adding an appeal or arbitration process regarding the fee charged on an hourly fee-based application.

The fees will be discussed again at the meeting of September 8.

(b) Resolution setting fees for police services.

Bonander noted that there were few police services for which fees could be charged.

Council members made the following comments on the suggested fees:

Yarish questioned whether alarm permit fees be burdensome and difficult to collect?

Zaharoff did not support charging for vacation checks or fix-it tickets.

Breen questioned whether charging for vacation home checks would be a liability problem, whether there could be a waiver of fees for foster/day care parents, and if the cost of preparing a report could be charged above and beyond the costs to produce a copy.

Kanis asked if there were extraordinary services that the police provide for which it would be appropriate to charge a fee.

Yarish inquired about the calculation for the cost of providing police services for events such as the Art and Wine Festival.

Sarah Nome, 77 Alder Avenue, expressed concern that the Town was heading towards a double-tier system, where those with needs will have to pay for services, and those who are less affluent will not come for services.

Further discussion on the fees was scheduled for the meeting of September 8.

- (c) Introduce ordinance allowing a fee to be charged for the cost of police services in responding to an event where alcohol is being consumed by minors and/or an event is a threat to the peace, safety or general welfare of the public.

The Councilmembers raised the following issues:

1. Why is the ordinance limited to alcoholic beverages? Should it also provide for other intoxicants or illegal substances?
2. There should be adequate warning for parents.
3. Is it fair and legal to single out minors in the ordinance section pertaining to illegal use of alcohol?

It was the consensus of the Council to ask legal counsel and police to respond to these questions and continue the introduction to the next regular meeting.

6. RESOLUTIONS ESTABLISHING 1992-93 PENSION OVERRIDE TAX AND MUNICIPAL SERVICES TAX.

M/S, Yarish/Zaharoff, to approve Resolution No. 3197 establishing the amount of the Municipal Services Tax for the 1992-93 fiscal year at \$78 per living unit and per 1,000 square feet of structure of nonresidential use. Motion passed unanimously, Chignell absent.

Sarah Nome, 77 Alder Avenue, said that Town employees who were retired at the time the pension program was approved by the voters in the 1950's had long since died, and objected to continuing to pay for retirees without a public vote.

M/S, Breen/Zaharoff, to approve Resolution No. 3198 setting the 1992-93 pension override tax rate at 5.9 cents per \$100 of assessed value. Motion passed unanimously, Chignell absent.

7. DESIGNATE VOTING DELEGATE FOR LEAGUE OF CALIFORNIA CITIES ANNUAL CONFERENCE.

M/S, Yarish/Zaharoff, to designate Town Administrator Jean Bonander as the voting delegate. Motion passed unanimously, Chignell absent.

8. UPDATE ON 1992-93 BUDGET.

Bonander reported that the State of California had not yet adopted a budget, and the level of funding cuts for cities was still unknown.

It was the consensus of the Council to agendize consideration of setting a deadline for adoption of a Town budget even if the State does not adopt a budget and local revenue cuts remain unknown; this consideration will be set on an agenda following Chignell's return.

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

Arts Commission - Kanis reported that there was a proposal being developed to start an Arts Commission, and asked that it be agendized in the next month to six weeks.

Art & Wine Festival - Yarish reported that December was the deadline for setting the date for the Art & Wine Festival, and asked that the use permit public hearing be set prior to that deadline, and that it be determined before the October 8 festival workshop as to whether a use permit is required.

Sidewalk hazards - Breen reported trip hazards in the sidewalks in front of the MaGarr House and in front of St. Anselm's school.

Sir Francis Drake Boulevard road improvement project - The project got behind schedule on pavement grinding, which the contractor hopes to make up on paving.

Leaf blowers - Bonander reported that a letter had been received from a citizen regarding regulation of leaf blowers. She will refer it to planning and public works staff for research on policies in other communities.

Phoenix Lake - Bonander reported that she had received a couple of calls from citizens complaining about the Town of Ross's consideration of charging a parking fee at Phoenix Lake. The Councilmembers asked staff to let Ross know they were concerned about the proposal.

10. ADJOURNMENT IN MEMORY OF FREDERICK FAUDE.

The meeting was adjourned at 10:35 p.m. in memory of Frederick Faude, benefactor to the Town of San Anselmo who contributed the open space now known as Faude Park.

Beth Pollard