

TOWN OF SAN ANSELMO

Minutes of the Town Council Meeting of October 13, 1992

7:15 p.m.

Closed session regarding labor negotiations and personnel matters.

8:00 p.m.

1. CALL TO ORDER.

Mayor Gus Kanis convened the regular meeting, with Council Members Peter Breen, Paul Chignell, Tim Yarish, and Maria Zaharoff present.

2. OPEN TIME FOR PUBLIC EXPRESSION.

Charles Basson asked that the neighborhood on eastbound Sir Francis Drake Boulevard be contacted about their ideas concerning on-street parking on Sir Francis Drake Boulevard, and inquired about obtaining Council meeting transcripts and when the Drake parking issue would be heard (tentatively scheduled for November 10).

3. CONSENT AGENDA.

- (a) Approve minutes: Joint meeting with Fairfax Town Council, July 20, 1992.
- (b) Acknowledge and file warrants: Nos. 10267 through 10475, in the amount of \$622,604.56.
- (c) Acknowledge and file financial reports through September 30, 1992.
- (d) Accept the Sir Francis Drake Boulevard repaving project as complete, and authorize filing of Notice of Completion.
- (e) Proclaim October 24 as United Nations Day.
- (f) Announce vacancy on Open Space Committee, to a term to expire October, 1993.

M/S, Chignell/Zaharoff, to approve the Consent Agenda. Motion passed unanimously.

4. PUBLIC HEARING ON VARIANCE APPLICATION TO SHOW FILMS IN CREEK PARK.

The proposal was to show three films in October, and up to ten films in 1993, at night in Creek Park, sponsored by the Downtown Business Association and Cafe Nuvo Film Night. No complaints had been received about the three film nights that took place in July.

In response to a question from Council regarding liability insurance, Boss said he could come back next year with information about liability insurance coverage.

Doug Sherer, 72 Lincoln Avenue, said that the noise from the films was loud on his street, going up Lincoln to Entrata. He said the neighbors had not complained about the noise because they thought it was only an occasional event, but that 10 showings in 12 months would be a problem. He asked that the sponsors consider starting and ending the movies as early as possible.

Council Members noted that the conditional approval would allow the Town to cancel the film nights if the Town received complaints that the events were a problem, suggested that residents register a complaint if the films are an unreasonable problem, and asked that the sponsors show the films as early as possible.

M/S, Zaharoff/Chignell, to approve the application for a variance to Section 4-7.302 of the Municipal Code, to allow amplified sound for a non-commercial event after 7:00 p.m., on Friday evenings, October 16, 23, and 30, 1992, and up to ten similar film nights in 1993 subject to review by Town staff, pursuant to the staff findings, with the following conditions: the events shall end by 10:45 p.m.; if the Town determines that there are negative impacts to the community during any of the events, the Town holds the right to cancel future events; the event organizers shall clean up any debris from the events; and no profit is to be made from the events. Furthermore, that the fee for the variance application be waived, with the exception of a \$30 payment to cover the postage costs for mailing notices for the October 13 public hearing. Motion passed unanimously.

Shawn Ross, a young Fairfax resident, asked why skateboarding was thought to be such a nuisance. Town Administrator Jean Bonander explained the hazards of skateboarding to pedestrians and infrastructure.

5. CONSIDER RECOMMENDATIONS TO ESTABLISH AN ART COMMISSION.

The proposal was to adopt a resolution establishing the San Anselmo Art Commission, establish an Art Fund to which Commission revenues and expenditures would be posted, and establish other procedures for the operation of the Commission.

Pam Martin, 43 Nokomis, explained that it was the intent of the Art Commission to do its own fundraising.

M/S, Zaharff/Chignell, to approve the attached resolution establishing the San Anselmo Art Commission; establish an Art Fund to which donations and proceeds from fund raisers shall be deposited, and from which expenditures shall be made for the operation of the Art Commission; appropriate \$100 from Contingency to the Art Fund in seed money towards the costs of developing and operating an Art Commission; authorize the use of Town office equipment for the operations of the Art Commission, as appropriate; require artists exhibiting works in Town-owned facilities to sign an agreement regarding security and liability; recognize that only minimal Town staff time will be available for coordinating with the Art Commission, and that Commissioners are expected to be working members responsible for the development and implementation of art projects and programs; authorize the Town Administrator to appoint a committee to work on the formation of an Art Commission; and solicit applications for appointment to a nine-member Commission with appointment scheduled for January, 1993. Motion passed unanimously.

6. PUBLIC HEARING ON REQUEST FROM THE TOWN OF FAIRFAX TO REVIEW THE BAYWOOD CANYON PROJECT.

Lee Stanley-Torme, San Anselmo resident and member of the Board of the Marin Conservation League, said that the League had made the following comments about the project: The recreational issues have not been thoroughly addressed in the environmental impact report (EIR). The recreational changes should be carefully evaluated in terms of how they will be replaced in the future. San Anselmo Open Space Committee and the Fairfax Parks and Recreation Commission contributed comments to the General Plan noting the lack of developed, quality recreational areas. she noted that there would be a widening of the road and bridge for fire protection, a loss of habitat for wildlife, and visual impacts on the community. She said the project may not be consistent with the Housing Element of the Marin County General Plan. She questioned the project's long-term

reliance on well water, and the assumptions about the tax revenues. A traffic analysis should include the impact on the entire length of Sir Francis Drake Boulevard. As a San Anselmo resident, she urged the Council to consider a resolution supporting no-growth for this property. In response to a question from Council, she said that the traffic study was not done during commute hours, and noted there were more than 120 new units approved for West Marin that had not yet been built.

Mike Shea, Fairfax resident, said the Fairfax Town Council voted 5-0 on the recreational zoning, that it was very important to the Town to maintain its character and recognize the impact of this project on schools and infrastructure, and asked the San Anselmo Town Council to consider voting to uphold the integrity of the zoning.

Cathy DeVito, San Geronimo Horseman's Association, said there is so much development coming out to the valley, and that there are 300 more people going to Lucas Film's Industrial Light and Magic. Her objection was that there were no more public stables left. There was a one-year waiting list to get into stables. Baywood is not a public facility, yet it is a great recreational area with wildlife that kids could enjoy. She said the traffic on Sir Francis Drake Boulevard is all backed up with no where to widen it. Fairfax, San Anselmo, and Nicasio cannot handle the development. They do not have facilities for children and seniors. She questioned where the wildlife would go, the tremendous fire danger, and that it does not benefit the public.

Shawn Ross, Fairfax resident, said there was a lot of fire danger in Fairfax, adding that MMWD had closed its trails because of fire danger. More people moving to the area increases the fire danger, and there is only one bridge available for fire engines.

Zaharoff said she was opposed to changing the zoning to multi-residential for several reasons. There was the historical use of the site for recreation with horses, camping, and gatherings, and recreational was the intelligent use of the property. She expressed concern about access and egress from the property, and that the steepness of the property lends itself to fire danger. She said that geologically it was suited for recreation. A housing development would have significant impact on Sir Francis Drake Boulevard. She said there were many parcels that they could not control because of their zoning, but this was one parcel that did not have to have 28 units because it is not zoned for that use. She said it was even more devastating to beyond San Anselmo to remove recreational facilities.

Breen and Yarish commented on the impacts of the project, including loss of recreational opportunities for kids, fire danger, and most notably the increased traffic.

Kanis commented that the proposal was diametrically opposed to the Marin County General Plan.

M/S, Yarish/Zaharoff, to send a letter from the Mayor indicating the Council's extreme concern, followed by a resolution to be prepared for the next Council meeting. Motion passed unanimously.

7. DISCUSS RESPONSE TO MARIN COUNTY CIVIL GRAND JURY ON THEIR REPORTS REGARDING TAX REBATE PROCEDURES.

The grand jury recommended that the tax rebate application indicate that the names of persons who receive tax rebate checks is a matter of public record, by state law.

The Council Members expressed interest in whether there was a procedure available and feasible whereby tax rebate recipients would not receive checks, but instead would not be taxed, and whether the names of those recipients could be confidential.

M/S, Zaharoff/Breen, to concur with the recommendation, and ask the Tax Equity Board to investigate other means of rebating the municipal services and pension override taxes to persons with a financial hardship. Motion passed unanimously.

8. PUBLIC HEARINGS ON 1992-93 PROPOSED BUDGET:

(a) Summary overview.

Town Administrator Bonander reported that the State budget included a 9 percent loss in property revenues to the town, which amounted to \$200,000. The proposed budget had no new programs, and included some reductions in services in response to the Council's directions to make some cuts in the proposed budget. Last year's actual figures were higher on the revenue side and lower on the expenditure side. Bonander reported the budget included projected increases in fees. On the expenditure side, cost savings were recommended in the elimination of the groundskeeper trainee position and the reduction of the one full-time Administrative Services Assistant I position in Administration/Finance to a part-time, .75 position. The workers compensation cost were being reduced by \$35,000. Bonander noted that the Town was at full-staffing for the first time in several years, and that some increases were made in utility expenditures to more accurately reflect actual costs.

(a) Town Council.

The recommended changes included adding \$5,000 to conduct a community survey, \$15,000 to conduct a special election if needed, and changing the Council election date from April to November (no savings in this budget year; estimated \$4,000 savings in election year).

(b) Administration/Finance.

The proposed budget included reduction of the Administrative Services Assistant I position from full-time to .75 time.

Yarish asked that the idea of an in-house payroll program be explored after the accounting positions are filled. Kanis asked if the committees using Town computers for correspondence and minutes could use a word processor instead.

(c) Non-Departmental.

The proposed budget included elimination of a recognition event for Town employees. Breen questioned the criteria used to evaluate funding requests from outside agencies, and whether they were limited to agencies based in San Anselmo and/or they can show a specific benefit to San Anselmo.

Breen suggested a community-wide event combined with an employee recognition event. Kanis suggested finding a volunteer group to help out with the recognition event, and volunteered to be part of the effort.

Dan Goltz, 107 Holstein, said it was an easy budget to follow and urged the Council not to add anything to the

budget. He said that the funds to maintain a full-time administrative services assistant should come from the public in general, not just business licenses.

9. REPORT FROM ART AND WINE FESTIVAL SUBCOMMITTEE (Breen and Yarish).

Breen reported that most of the concerns about the festival were being mitigated, that the public is starting to look at the community aspects, that a committee was formed at the last meeting to plan for the reaction to next year's festival, that they have demonstrated that the Town is actively involved in bringing the community together, and the Chamber of Commerce has done what it was supposed to do.

Yarish reported that the quality of the downtown business environment was improving, groups have volunteered to come together about parking and general promotion, and they are revisiting the issue of a downtown assessment district focusing on improving the downtown and making it attractive to local residents.

Concerning next year's festival, Breen and Yarish recommended the Council conduct a public hearing on the street closure permit. Chignell asked that residents who complained in the past to Council about the festival be notified of the hearing.

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

Herbicide - Chignell inquired about the status of this report.

Real estate signs - Chignell said he supported allowing signs on Sunday, asked that the issue be addressed by Council before the end of the year.

11. ADJOURNMENT.

The meeting was adjourned at 10:40 p.m. in memory of Grace Kramer.