

TOWN OF SAN ANSELMO
Minutes of the Town Council Meeting of July 19, 1994

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

1. CALL ADJOURNED MEETING TO ORDER.
2. APPOINTMENT TO OPEN SPACE COMMITTEE (2 SEATS).

M/s, Kroot/Breen, to nominate Tamra Peters and Leonard Charles to the Open Space Committee. Ayes: All.

3. ADOPTION OF AN ORDINANCE APPROVING THE OAK AVENUE MASTER PLAN AND DEVELOPMENT AGREEMENT - DAVID HANSEN, APN'S 7-54-02, 7-154-05, MICHAEL AND LINDA GILL APN'S 7-154-08, 09, AND 11, AND WILLIAM BRODERICK APN'S 7-154-10, 7-201-02 AND 12.

Planning Director Ann Chaney said there are two minor changes that staff recommends be incorporated into the approval action. First, page 12 of the Development Agreement was inadvertently omitted and includes language agreed to by both Hadden Roth and Neil Sorensen. The new language reads "... or within the unexpired term of a previously granted Subsequent Approval as provided in Section 5.4 below." Second, in Exhibit I - Condition 20, the applicant requests, and staff concurs, that wording on page 6 of Exhibit I be added for clarification, as follows: "Pruning of trees for any other reason outside the building envelope *is permitted but* shall not exceed 25% of the total tree canopy area.

Town Attorney Hadden Roth said this agreement is a Development Plan, not a Master Plan.

Mayor Chignell asked Messrs. Hochstrasser, Gill and Sorensen if they are in agreement with this document. All responded in the affirmative. Chignell asked for any public comment on the matter and there was none.

M/s, Yarish/Breen, to adopt the ordinance approving the Oak Avenue Development Plan and Development Agreement. Ayes: Breen, Chignell, Kroot, Yarish. Abstain: Zaharoff.

Breen thanked a number of people who have worked hard on this agreement, including Councilmember Yarish for his behind the scenes work, the Gill's for their community concern, the Reverend Harriet Nelson of the Seminary on the water issue, technical experts Ann Chaney, Wayne Bush, and Scott Hochstrasser, Peter Fraser, the Planning Commission, Open Space Committee members, the Ross Valley Fire Service, trail hikers, and Attorneys Roth and Sorensen for their hard work.

4. TO CONSIDER:
 - PURSUIT OF A BALLOT MEASURE FOR REPAIRS AND IMPROVEMENTS TO ROADS, STORM DRAINS AND OTHER PUBLIC FACILITIES;
 - A RESOLUTION DETERMINING THAT THE PUBLIC INTEREST AND NECESSITY DEMAND THE ACQUISITION, CONSTRUCTION, AND COMPLETION OF MUNICIPAL IMPROVEMENTS, AND THEIR FINANCING THROUGH THE ISSUANCE OF GENERAL OBLIGATION BONDS OR THE LEVYING OF A PARCEL TAX;
 - A RESOLUTION DECLARING INTENT TO REIMBURSE EXPENDITURES FROM THE PROCEEDS OF TAX EXEMPT SECURITIES.

Town Administrator Pollard said that the Council has two alternatives in the pursuit of a ballot measure for repairs and improvements to road, storm drains and other public facilities. The two alternatives, general obligation bonds and a parcel tax, and the differences between them were discussed at a recent public meeting. Council must decide which of the two alternatives it wishes to place on the ballot, the dollar amount, and what the money will be for. Wording for a ballot measure for the November ballot must be in the County Clerk's office by August 12. A decision is needed tonight to meet that time frame. Representatives from Stone & Youngberg, the Town's financial advisors; Nossaman, Guthner, Knox, & Elliott, bond counsel and Bryan Godbe of Godbe Communications are available to answer any questions.

In response to questions from Council, it was learned that general obligation bonds are a good parallel to a home mortgage. When the cash you need is not available, you take out a mortgage, financed over a long period. Bonds are at a lower interest rate than home mortgages. Bonds provide for a 5% inflation rate annually. If the actual inflation rate is lower, the money would become more valuable. For a home valued at the average of \$138,000, the tax would be \$46/year. A home valued at double that, or \$275,000, would pay around \$90/year, figuring in the homeowner's exemption.

A parcel tax measure would assess each property owner a fixed amount each year, on a pay as you go basis. Council would be responsible to set that amount. The public opinion poll found highest voter acceptance at \$95/year. Parcel tax funds can be used for slurry seals on streets and to buy equipment, while the bonds can not. A parcel tax can be structured to exempt seniors. However, with a parcel tax there is a risk that council would have to go back to the voters if the Gann limit is exceeded, but only a majority vote would be needed.

Dick Tracy, 228 Crescent Road, said that since the average assessed median value of homes in San Anselmo is \$135,000, general obligation bonds would be cheaper for more residents. There is a more equitable distribution to commercial buildings and multi-unit dwellings. He said parcel taxes cost more to administer and have a higher interest rate because the credit isn't as strong, although they can be used for equipment and services. He feels it makes sense to borrow long for long-term investment.

John Barrows, 265 Crescent Road, said a parcel tax is regressive in that everyone pays the same. He is willing to pay his proportional share and others should be too. A parcel tax has the uncertainty of future elections and will cause long delays in doing our projects as there is a big backlog now in San Anselmo. He recommends general obligation bonds for \$10 million.

Lise Stampfli Torme, 38 Morningside Dr., a member of the Open Space Committee, asked that an Open Space component be included in any tax measure. She asked that \$250,000 be included for acquisition of Bald Hill. She feels the Public Opinion Survey supported open space, specifically Bald Hill. Putting in funds for open space will send a message to other towns and agencies that San Anselmo is committed to it. She has worked as a professional for political campaigns and knows that voters like open space. This would be a permanent contribution to the Town's landscape. She asked the Council to discuss this and let the Open Space Committee know their concerns and feelings.

Brian Godbe, Godbe Communications, said the open space issue was not directly tested on the public opinion poll. Respondents were not asked directly if they would pay to acquire open space. Poll results do show respondents rather unwilling to pay for parks. He said there are not enough details to make a specific determination.

Zaharoff expressed concern about the bonds because you indebt yourself for a long time. With the parcel tax the obligation ends in a certain number of years. Also, the bonds are based upon the assessed value of the property, and because of Proposition 13 there are many inequities in our property tax situation. This just exacerbates the inequities of the system.

Zaharoff also expressed concern that if the open space issue was not on this measure, it would be very difficult to get one passed later. Mr. Godbe said that Novato and a number of other cities have passed subsequent tax measures. The voters generally decide separately on each issue and the amount of money requested.

Regarding the open space issue, Breen asked what he would tell a voter who asked him about a Bald Hill purchase. At this time the owner of Bald Hill doesn't want to sell, and we haven't consulted the Town of Ross.

Lise Stampfli Torme, 38 Morningside Drive, said that she has experience with issues where all the factors are not perfectly lined up. She said neither willing sellers nor a big plan is necessary. When the Town has the financial backing, the seller will know we are serious.

Judith Hodgens, 245 Los Angeles, said that matching funds will be available only for a certain amount of time. Down the road, this funding may not be available.

Breen said he is committed to an infrastructure measure that addresses the problems of streets, storm drains and safety. He would hate to see the open space added to the measure at this late hour. He feels the voters would want to look at the issue separately. He is committed to an open space measure in its own time and the Town's commitment to that is evident. He is also in favor of general obligation bonds because they allow the Town the money up front, there's no risk of an election every four years, and the Town will have more net money up front that is not eroded by inflation.

Kroot said he feels that adding the open space issue at this point would weaken the campaign. He would support either a parcel tax or bond measure, with a preference for the parcel tax, because it provides a steady flow of funds, good accountability, a majority vote if we have to go back to the voter, and the Town could buy equipment and do slurry sealing with it. The drawback to a parcel tax is that there is not a lot of money in any one year.

Yarish said he is leaning toward the bonds -- long term borrowing for long term capital improvement. The parcel tax is largely regressive in that every parcel pays exactly the same amount. In a bond measure the inequities of Proposition 13 cause problems as well. The uncertainty of a parcel tax in the future is a big issue, as it would compete with other measures. He feels \$95 per parcel is too high for San Anselmo and a lower figure should be targeted, perhaps \$75 per parcel. Yarish said he is torn on the open space issue, but agrees with Breen, that there are not enough specifics at this time to put it on the ballot.

Chignell said that after this decision is made, we must be united. A ballot measure in San Anselmo has been deferred long enough. The Ross Valley School District has deferred their bond measure, so as to give the Town an opportunity in November. He said he has gone back and forth on the open space issue, and feels it would not be good to add it now. He feels residents would support a separate ballot item in a year or two. The Council is very committed to open space. He supports the general obligation bonds for the library, storm drains, and streets. He also feels the Parks should not be included in the measure.

Zaharoff reiterated that she supports a parcel tax and would like open space included in the measure.

M/s, Yarish/Breen, to adopt a resolution determining that the public interest and necessity demand the acquisition, construction and completion of municipal improvements, including streets, storm drains, and the library building, through the issuance of general obligation bonds. Ayes by roll call: Breen, Chignell, Kroot, Yarish. Noes by roll call: Zaharoff.

M/s, Breen/Yarish, to adopt a resolution declaring intent to reimburse expenditures from the proceeds of tax exempt securities. Ayes: All.

5. ADJOURN.

The meeting was adjourned at 10:15 p.m.

Debbie Stutsman