

TOWN OF SAN ANSELMO
Minutes of the Special Town Council Meeting of July 30, 1996

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

7:00 p.m.

Closed session regarding pending litigation pursuant to Government Code Section 54956.9(c), and regarding collective bargaining negotiations with the Marin Association of Public Employees.

7:30 p.m.

1. CONVENE SPECIAL MEETING.

Mayor Breen announced that no action was taken during closed session.

2. PUBLIC HEARING ON NUISANCE ABATEMENT ON CONSTRUCTION OF A STEEL FRAME PATIO COVER AND DECK AT 379 OAK AVENUE; THEODORE POSTHUMA, PROPERTY OWNER.

Town Administrator Pollard said the applicant has requested that this item be continued to the meeting of August 13, 1996.

Chignell said the subcommittee met with Mr. Posthuma and they are still negotiating. They need more time to try to reach an agreement that will prevent litigation. He feels a two week delay is reasonable.

Breen said Mr. Posthuma's attorney has been in trial and unable to devote his time to this issue.

Yarish said this appears to be just another delay on the part of Mr. Posthuma. He feels it is time for closure on this matter.

Barbara Schmidt, 59 Austin, said the public is getting tired of this issue. He should go ahead with his project.

M/s, Kroot/Chignell, to continue the public hearing to the meeting of August 13, 1996. Ayes by roll call: Breen, Chignell, Hodgens, Kroot. Noes: Yarish.

Hodgens said she won't be at the meeting on August 13. She said that unless Council receives a response to the item they've requested, she would vote to abate.

3. PUBLIC HEARINGS ON THE 1996-97 PROPOSED BUDGET AND WORKPLAN.

Town Administrator Pollard said the budget will come back for final revisions on August 27, with final adoption scheduled for September 10.

Louise Mathews, Foothill Road, asked that comments from the audience be made from the microphone so they can be heard on the tape.

a. **Legal Services** - Town Administrator Pollard said the proposed legal budget is \$100,000 with \$40,000 of that going to litigation and legal contingency.

b. **Library** - Town Administrator Pollard said the Library will be joining the MarinNet system in the upcoming year, resulting in additional costs over last years in the Collection Database area of the budget.

Yarish said he has a letter from Jo Julin requesting additional money so the Library can be open on Fridays.

Town Librarians Lamb and Chambers said they like the idea of being open Fridays.

Pollard said she too feels it is an excellent idea. The Friends of the Library have suggested fundraising efforts -- she would like to see the Friday goal associated with this fundraising effort.

Hodgens said perhaps after a year that would work. She would like the budget to come back with ideas of where we could come up with the additional \$8,000. Perhaps the money could come through Police savings, rather than having an officer on campus.

Cynn timer Barrows, Crescent Road, said the Friends have discussed fundraising goals and Friday opening. They'd like to use income from the their endowment for these things, but it will be a while before the endowment can generate that kind of money.

Kroot asked about negotiations with Ross. Barrows said they are not ongoing as they are waiting for Council direction, probably after the construction work is done. We need to be able to offer Ross something, especially in the area of children's services.

Pollard said the \$8,000 set side from Police is from seized assets and can't be used for the Library. However, new revenue of \$4,000 can be identified from the state.

Edith Stump, Calumet, said they'd like to have the library open seven days a week.

Hodgens asked about the status of County residents. Town Administrator Pollard said they pay into the County system at present.

Louise Mathews, Foothill Road, asked if the MarinNet on-line Catalog is in the budget.

Town Administrator Pollard said it is carried over from the previous budget.

George Buckle, Indian Rock Court, said the Library budget is up \$27,000, yet the same number of employees and operating times are proposed.

Town Administrator Pollard said the actuals were down because of savings last year during the construction period.

c. **Parks** - Pollard said the Parks Department is at full, permanent staffing now. Most aspects of the budget remain the same as last year. There is a request in the Equipment Fund for a pickup truck. Parks Superintendent Nyberg would like \$1500 added to Overtime/Temporary for emergency situations.

Dean Nyberg, Parks Superintendent, said most of the increased budget is taken up by the new employee. They came in under budget this year.

Chignell complemented Nyberg for working well with staff and Council on the Snack Shack issue as well as with the various groups involved.

Hodgens said she is amazed at how well the Parks facilities are kept up considering how few employees we have to do it. They're doing a beautiful job.

Breen asked if this is an additional pickup. Parks Superintendent Nyberg said it is.

Barbara Schmidt, 59 Austin, complemented Mr. Nyberg for his volunteer community service for AIDS.

Louise Mathews, Foothill Road, asked why the reduction in Outside Services for fire fuel removal. She also asked about the decrease in revenue in banner fees.

Town Administrator Pollard said the fire fuel reduction effort has been caught up. Regarding banner fees, there are no out of pocket expenses, just staff time spent putting up the banners. It was the Town Council's decision to provide this as a service to community groups.

d. **Recreation** - Town Administrator Pollard said last year the Town Council decided Recreation would be self-sufficient, excluding the cost of the Recreation Director and the Robson Stop cost. Some accounting changes have had to take place in order to make this happen. This has been a very big project, due in part to office accounting staff turnover. A balanced budget is projected for the 1996-97 fiscal year.

Hodgens asked if they had expected a surplus of funds at one point during this process. Where is revenue expected to increase? Rookie sports and youth soccer look like the areas that are increasing. She would like that information for the final deliberation. She'd also like to know how Recreation determines what classes to eliminate.

Chignell said he agrees with Hodgens. He needs to be persuaded that these are real numbers when we come back in August.

Recreation Director Schweiger said it was the deferral of revenue funds that was later determined to be too high that balanced the budget.

Breen asked if this format helps Recreation to follow the process. Recreation Director Schweiger said they find the system much improved.

Hodgens said if there is a major program change, she would expect that it would come back to Council.

Barbara Schmidt, 59 Austin, asked about the children's playground at Robson

Nyberg said it was unsafe and in too small an area, according to State regulations.

e. **Isabel Cook Complex** - Town Administrator Pollard said this is a separate fund receiving revenue from the rental of space. Expenditures are for maintenance and repair of the complex. The '96-97 budget includes money for removal of the building at 1024 Sir Francis Drake Blvd. Recreation Director Ginny Schweiger said they're taking an aggressive approach to the maintenance of the building, without spending a lot of money. Gary Hassfeld has done an excellent job.

Kroot asked if the windows have been repaired and if the lead abatement will be done.

Town Administrator Pollard said the lead abatement project didn't make the cut in 1996-97, and is projected for 1997-98.

Kroot said he feels the destruction of 1024 Sir Francis Drake may cost more than the budgeted \$5,000.

Louise Mathews, Foothill Road, said the ICC had revenues of \$101,000 in the last financial report. That is quite a difference from what is in the budget. She also asked why maintenance from other Town facilities is included in this fund.

Town Administrator Pollard said Mr. Hassfeld does similar work for other town facilities. To recognize this, an appropriation is taken from the General fund.

Dan Goltz, Holstein, asked how many square feet are involved in rental. He will discuss this question further with staff.

Town Administrator Pollard said rents have been increased recently at the facility.

(f) **Non-Departmental/ Community Investments** - Town Administrator Pollard said the funding in this area is the same as last year, except for the Ross Valley Ecumenical Housing Association which asked for less.

Chignell asked about the rationale behind budgeting no money for the Festival of Student Art.

Pollard said the newly formed Art Commission is charged with raising this money.

Hodgens asked if the money is primarily for awards. She would like a breakdown of where the money goes.

Yarish said he feels it would be appropriate to fund the Festival if this new commission is unable to get a fundraising effort going.

Sophia Spencer, 18 Jordan, said she feels the monetary prizes were too high.

Louise Mathews, Foothill Road, asked about Tax Rebates, projected to be \$1,200. Pollard will share a brochure with Ms Mathews.

Dan Goltz, Holstein, said he is here to talk about holiday lights.

Town Administrator Pollard said the low bid is \$2950 to do the work. There are two quotes on tree lighting on Sir Francis Drake Blvd, one for \$835 (with extension cords visible) and one for \$1,300 (with underground conduit).

Roberta Robinson, Chamber of Commerce, said the Chamber took over the lighting due to Prop 13, and now they need the Town's help.

Town Administrator Pollard said this plan is just emerging so nothing is presented in writing from staff. They are recommending a \$5,000 appropriation, then staff would work with Chamber on where the lighting would take place.

Hodgens said she understands we will get more benefit for the same amount of money.

George Buckle asked about the \$10,000 requested. Town Administrator Pollard said bids have actually come in lower than expected.

Dan Goltz, Holstein, said the Chamber will hold a meeting on August 20 and asked if they will know Council's budget action by then. Town Administrator Pollard said budget approval isn't scheduled until September.

Kroot said he supports the community services and the holiday lights on this budget. Yarish agreed.

Yarish noted that insurance funds have doubled. Town Administrator Pollard said a number of factors have increased these costs.

(g) **Boards, Commissions, Committees.** - Town Administrator Pollard asked if Council has any questions or comments on the workplan. Any changes Council wishes to make can be taken up subsequently.

(h) **SAVE** - Town Administrator Pollard said this budget is proposed to decrease because the administrative support is being funded under the Administration and Finance budget. We are currently recruiting for a Volunteer Coordinator; the person should be on board in September.

Lucky Phelps, SAVE chair, said 17,000 volunteer hours were contributed to the Town this year.

Hodgens asked about the salary listed on this budget. Town Administrator Pollard said it reflects ten months at the permanent salary. The budget will be higher next year.

Louise Mathews asked about other SAVE revenue. Town Administrator Pollard said the Friends of SAVE fund line items that don't show up on the budget.

Hodgens asked if any other committees fund departments. Town Administrator Pollard answered negatively.

I **Revenues** - Town Administrator Pollard said staff is recommending a Stormwater Assessment of \$15 for residential property. This is another opportunity to discuss this issue. Staff recommends we proceed to bring back a \$15 assessment, with varying rates for multiple residential and commercial properties. This would generate \$75,000 in revenue for State mandated cleanwater programs and would support the corporation yard vehicle wash project. There is no set period for this fee; it could change anytime.

Hodgens asked if some cities and towns are not required to participate in this program.

Town Administrator Pollard said all are required to participate and are complying.

Hodgens said she understands that we should be more aggressive in our participation so we don't get permitted.

Town Administrator Pollard said the Water Quality Control Board monitors the program. One criteria is the source of funding. They look favorably on a dedicated fund. If we don't do this, we could be required to be under a more stringent permitted program.

Chignell said the Town has a lot of mandates and they are funded through the General Fund, not by taxing citizens. Once we put this on the tax bill it will be on forever. It should be put on a ballot so people can vote. Placing it on the property tax roll is a big step.

Yarish said this year may not be our only chance to do this, unless Gann passes in November.

Town Administrator Pollard said if Gann passes in November, we may be required to put this measure to a vote.

George Buckle, Indian Rock Court, said he is against the mandate, not the assessment. He would like to see the actual mandate text. He thinks the Council should take a stand against this.

Louise Mathews, Foothill Road, said she doesn't believe the requirements are as stringent as we have been led to believe. If we continue painting the drains, etc, we can get by. She has a problem with assessment of the public for corporation yard drainage. She requests staff bring this matter up at a public meeting.

George Buckle, Indian Rock Ct, said revenue is projected at \$75,000. What will this be spent on?

Town Administrator Pollard said that for 1996-97 program (the only period this fee is recommended for), the money would be earmarked for the vehicle wash, with the remainder to be spent in enforcement and storm drain maintenance and repairs.

George Buckle, Indian Rock Ct., said to be cautious of the word "enforcement."

Mr. Sheldon, Brookside Drive, said this is a boondoggle--you can't sanitize all runoff.

Kroot said he would like to look at this at the next regular meeting to give the Council time to think it through.

Yarish said it is important to try to mitigate problems for future generations. Perhaps the amount can be modified.

Hodgens asked if we can find \$70,000 to avoid this fee? She would like to know what items would have to be eliminated to pay for this, then she could make an informed decision.

Chignell said the law says the people must vote in new taxes. Breen agreed.

M/s, Chignell/Kroot, to place this item on the agenda of August 13, for a public hearing and to decide how much to fund. Ayes: All.

Franchise Garbage Fee - Town Administrator Pollard said currently we charge a 6% franchise fee on all revenues. Staff is recommending this be increased to 10% in order to generate more revenue. A survey of other Marin cities has been done. Most, but not all, are 10%. This is a way to balance the budget with a revenue increase.

Chignell confirmed that Council still has the authority to go forward with a rate increase or not. He's afraid we're locking consumers into raised rates.

Kroot asked if this fee would be placed directly onto consumers. Town Administrator Pollard answered affirmatively.

Louise Mathews, Foothill Road, said she agrees that the public should have an idea of what the rate increase will be at a public hearing.

Merle Sheldon, Brookside Drive, asked if the garbage company is going to submit a certified audit of their books. Pollard said their financial statements were submitted.

Breen said if this fee is not approved, \$35,000 would have to be found elsewhere.

Chignell said there are a lot of issues around the garbage company right now, including the office moving and no contract for union employees.

Yarish said the fee increase should be incorporated into a thorough rate review study.

Town Administrator Pollard said she doesn't feel it would affect negotiations as it is a passthrough fee.

Chignell said we are balancing the budget on the backs of consumers.

Town Administrator Pollard said the alternative would be to schedule a public hearing at the same time as the rate review. This would be a timing problem with the budget, however.

It was the consensus of Council to schedule a public hearing on the subject.

Hodgens said Town Administrator Pollard is giving us a series of recommendations and cuts; finally, however, it is Council's job to balance the budget.

George Buckle asked where the Measure G money appears in the budget. Town Administrator Pollard said it is on a separate budget. She will include it at the August 27th meeting.

J. **Council** - Town Administrator Pollard said this budget is smaller as there are no elections this year

K **Administration/Finance** - Town Administrator Pollard said this budget incorporates changes already reviewed and approved by Council.

L. **Capital Projects**. Town Administrator Pollard said several projects are awaiting Council action on the budget, including the repair of the bridge over the creek near Creek Park, the vehicle wash, Laurel Avenue fire road, and Town Hall roof repairs. They can be brought back for action on August 13, pending Council comment.

Yarish said the Creek Park bridge is a hazard and an eyesore. It should be dealt with quickly.

Town Administrator Pollard said regarding the vehicle wash that this project must be done, bids have been obtained and will lapse if it has to wait.

Breen asked if we can somehow combine this service with Ross or Fairfax. Town Administrator Pollard said sharing our facility would increase traffic on San Francisco Blvd. Equipment isn't always movable and convenient to wash elsewhere. Town Administrator Pollard will look at again at the possibility of sharing.

It was the consensus of Council to put this on the agenda for August 13, 1996.

M. **Equipment** - Town Administrator Pollard said the listing is in priority order. Chignell said he feels the building inspector's vehicle is important should be looked at carefully.

Louise Mathews, Foothill Road, asked about the Police motorcycle repair. Was reimbursement received from the insurance company? Town Administrator Pollard said it is being requested, but is not yet received.

n. **Insurance** - Town Administrator Pollard said that in the past all expenses came out of the General Fund. Because of changes to our insurance, it is better to account for this in a separate fund. Staff proposes to call it the Insurance Fund, with a balance of \$101,000. This is a one time payment for closeout of Marin Cities Management Authority. Our Workers Compensation premium went up double due to experience, and the way it was figured previously. We would end with a fund balance of \$255,000. These funds may be needed at a future date by the Marin Cities Liability Management Authority if prior claims come forward.

Hodgens asked if this risk is low. Town Administrator Pollard said it is, but if another city is affected it could affect us all.

o **Contingency** - Town Administrator Pollard said she recommends a \$100,000 contingency. This gives flexibility for changed conditions or unanticipated costs.

Hodgens said that as we make these difficult decisions on what to cut, this amount is used for snap decisions throughout the year for items not given the same consideration as the items on the budget.

p **Emergency Reserves** - Town Administrator Pollard said our policy is to retain \$100,000 for emergencies that occur during the year. Staff recommends that \$100,000 be transferred from Carryover to the Emergency Reserve to replenish it.

Louise Mathews, Foothill Road, asked about use of Gas Tax money. Shouldn't this money supplement what the Towns are doing. Town Administrator Pollard said the use of budgeted funds for Streets is more than what is proposed here from Gas Tax money.

4. ADJOURN.

The meeting was adjourned at 10:50 p.m.

Debbie Stutsman