

TOWN OF SAN ANSELMO  
MINUTES OF THE TOWN COUNCIL MEETING OF JANUARY 28, 2003

Present: Breen, Chignell, Kroot, Thornton, Mayor Kilkus

8:00 p.m.

- CALL TO ORDER
- PLEDGE OF ALLEGIANCE
- ANNOUNCE ACTION TAKEN, IF ANY, IN CLOSED SESSION

Mayor Kilkus announced the Closed Session meeting was cancelled because it was not properly noticed.

OPEN TIME FOR PUBLIC EXPRESSION

Ms. Dolores Consequolo, 15 Plumas Avenue, thanked the Council for considering the resolution to oppose the Patriot Act in an expeditious manner. She stated this issue was very important to the citizens of San Anselmo.

- COUNCIL REQUESTS FOR FUTURE AGENDA ITEMS, QUESTIONS AND COMMENTS TO STAFF; STAFF MISCELLANEOUS ITEMS

Councilmember Breen reported the Congestion Management Agency took action to continue with the County Transportation Vision Plan. The next step is to bring the plan to regional workshops and have each of the five districts review the plan.

Councilmember Breen reported the Golden Gate Transit District was in a financial crisis and approximately 40% of their bus service could be eliminated. Many of San Anselmo's residents depend on Golden Gate Transit. He would like staff, the Council, and the public to work with the District to solve this serious problem.

Town Administrator Stutsman reported the Town was maintaining the Standard and Poore rating of "AA -" for the \$2.56 million bond issue. This is the highest rating the Town could expect. She reported Police Chief Maynard and Commander Kirton were in Sacramento to support the Assembly Bill that would pull the trigger on the Vehicle License Fee. The bill passed and is now going to the Senate.

1. CONSENT AGENDA: ITEMS ON THE CONSENT AGENDA MAY BE REMOVED AND DISCUSSED SEPARATELY. DISCUSSION MAY TAKE PLACE AT THE END OF THE AGENDA. OTHERWISE, ALL THE ITEMS MAY BE APPROVED WITH ONE ACTION.

- (a) Approve minutes: January 14, 2003
- (b) Approve Quarterly Treasurer's Investment Report for quarter ending December 31, 2002.

- (c) Approve Resolution No. 3628 setting policy for declaration and other support documents by Town staff.
- (d) Approve Resolution No. 3629 establishing policy regarding payment of invoices for litigation expenses.
- (e) Approve identification of standby officers in the event that members are unable to serve due to the existence of an emergency.
- (f) Approve Resolution No. 3630 urging the California legislature to reject the Governor's proposed shift of local Vehicle License Fee (VLF) revenues and to honor the 1998 commitment to restore the VLF.

Councilmember Chignell asked for the removal of item (f).

M/s Chignell-Kroot to approve the Consent Calendar with the removal of item (f). Ayes: All

Councilmember Chignell discussed the State Budget deficit and local government's efforts to restore the Vehicle License Fee revenue. He stated the deficit was real and there should to be some constructive comments regarding ways to solve the deficit. He encouraged local governments to come up with a comprehensive approach to the problem.

Mayor Kilkus stated the MCCMC Legislative Committee was addressing the problem and comments could be forwarded to the Chair.

Councilmember Breen stated there was talk that the State budget may not be finalized this year. He felt that local government would not be instrumental in any final decisions.

M/s Chignell-Kroot to approve item (f). Ayes: All

2. APPOINT MEMBERS TO THE ARTS COMMISSION (TWO SEATS) AND BOARD OF REVIEW (ONE SEAT)

M/s Kroot-Breen to appoint Mahanaum Satya and Suzanne Caprio to the Arts Commission for the terms set to expire in October 2005. Ayes: All

M/s Kroot-Thornton to appoint Jo Julin to the Board of Review for the term set to expire in December 2007. Ayes: All

3. INTRODUCE AND FIRST READING OF ORDINANCE AMENDING SECTION 10-3.607 (c) OF THE SAN ANSELMO MUNICIPAL CODE REGARDING NONCONFORMING USES TO PREVENT THE EXPANSION, ENLARGEMENT, OR INTENSIFICATION OF NONCONFORMING USES, AND TO DELETE THE REQUIRMENT RESTRICTING RECONSTRUCTION, STRUCTURAL ALTERATION AND MAINTENANCE OF STRUCTURES HOUSING NONCONFORMING USES.

Planning Director Bell presented the staff report. He stated the Council directed staff to prepare a Zoning Ordinance amendment that would allow owners of buildings containing nonconforming uses to rehabilitate such structures provided that the nonconforming uses would not be expanded. The Council felt that the structural integrity, safety, and maintenance of such structures should be encouraged and facilitated.

Mayor Kilkus opened the Public Hearing.

There being no testimony, Mayor Kilkus closed the Public Hearing.

M/s Chignell-Breen to waive reading and introduce Ordinance Amending Section 10-3.607(c). Ayes: All

4. (A) APPROVE MID-YEAR BUDGET REPORT AND APPROVE RESOLUTION NO. 3631 AMENDING THE 2002-03 BUDGET  
(B) ACKNOWLEDGE AND FILE REPORT REGARDING STATE OF CALIFORNIA'S PROPOSED FUNDING REDUCTIONS, POSSIBLE IMPACTS ON 2002-03 BUDGET, PRELIMINARY BUDGET DEVELOPMENT 2003-04 AND IMPACT OF POSSIBLE FUNDING CUTS OF UP TO 10%, AND PROVIDE DIRECTION TO STAFF REGARDING NEXT STEPS.

Town Administrator Stutsman presented the staff report. On August 13, 2002 the Town Council adopted the 2002-03 Budget. While General Fund revenue is projected to meet the budgeted amounts, the Governor of the State of California has proposed funding cuts that, if enacted, may affect Town revenues this fiscal year. Since the adoption of the budget, program and service needs have emerged that warrant attention in the mid-year budget review. She discussed the recommended mid-year budget revisions to the General Fund, the Capital Reconstruction Fund, the Downtown Revitalization Fund, the Emergency Projects Fund, the Insurance Fund, the Measure G Fund, and the Road Maintenance Fund. The General Fund Contingency balance is \$92,802 as of January 24, 2002. The recommendations would have the net effect of reducing this by \$63,698, leaving a balance of \$29,104. The Road Maintenance Fund, currently projected to have an ending balance of \$539,138, would be increased in the net amount of \$76,000, for a total of \$615,138.

Councilmember Breen discussed the return of \$23,338 to the Office of Emergency Services for overpayment of claims and asked whether this had been appealed. Finance and Administrative Services Director Pendoley stated "yes". Councilmember Breen asked about the surplus of \$55,000 in the Insurance Fund that was budgeted for earthquake Insurance. Town Administrator Stutsman stated the Town's Insurance

Authority, Bay Cities, was unable to obtain reasonable earthquake insurance for the pool members due to skyrocketing costs.

Councilmember Chignell asked staff if there were other changes that were contemplated but rejected. Town Administrator Stutsman stated there was a proposal to do some work on the Creek Park Bridge and to replace the turf in Creek Park. Proposed management staff increases were also eliminated. Councilmember Breen applauded the management team for proposing the delay of increases.

Mayor Kilkus opened the Public Hearing.

There being no testimony, Mayor Kilkus closed the Public Hearing.

M/s Thornton-Breen to adopt Resolution No. 3631 amending the 2002-03 budget and approve the recommended changes. Ayes: All

(B) ACKNOWLEDGE AND FILE REPORT REGARDING STATE OF CALIFORNIA'S PROPOSED FUNDING REDUCTIONS, POSSIBLE IMPACTS ON 2002-03 BUDGET, PRELIMINARY BUDGET DEVELOPMENT 2003-04 AND IMPACT OF POSSIBLE FUNDING CUTS OF UP TO 10%, AND PROVIDE DIRECTION TO STAFF REGARDING NEXT STEPS.

Town Administrator Stutsman presented the staff report. The Governor is predicting a \$34.6 billion deficit by the end of the fiscal year 2002-03. In his January budget address, he proposed cutting the Vehicle License Fee (VLF) backfill payments to cities and towns, not only for fiscal year 2003-04, but also for the remainder of 2002-03. For San Anselmo, this scenario would result in a \$252,000 loss of revenue in the current fiscal year and \$541,000 in 2003-04. She discussed possible measures for reducing expenditures in the remainder of fiscal year 2002-03 and for fiscal year 2003-04.

Mayor Kilkus stated the Town Clerk/Administrative Services Coordinator was a key position and he was concerned about not filling the position. He asked how the Town would function without a Town Clerk. Town Administrator Stutsman stated she would perform the Town Clerk duties and Finance and Administrative Services Director Pendoley would perform the administrative duties in the absence of a Town Clerk.

Councilmember Chignell stated the recommended cuts for the current fiscal year were prudent and appropriate.

Councilmember Breen agreed and stated it would put the Town in a better position for the upcoming fiscal year.

It was the consensus of the Council to direct staff to implement the recommended current year budget reductions.

Councilmember Thornton suggested the recommendations for possible budget reductions for the upcoming fiscal year be discussed during the budget preparation process.

Councilmember Chignell agreed and stated the public and the press needed to be informed about the severity of the issue. He added the public would not approve of cuts in Public Safety and those should be considered last.

Mayor Kilkus asked if the Town was legally required to provide animal control services. Town Administrator Stutsman stated that was a topic of discussion at the Marin Managers meeting and it is being looked into.

Councilmember Breen stated he would have a problem eliminating the contributions to various community service organizations, in particular the Marin Abused Women's Services. He discussed a tax proposition being considered by the State of Oregon.

Finance and Administrative Services Director Pendoley stated it was wise for the Council to hold off on making any decisions at this point since there were many unknowns. It would be helpful for staff to know the direction the Council is heading. She is starting to prepare the upcoming budget and would need some lead time to develop new options.

Town Treasurer Donna Cohen stated the management staff has done a very good job and she supported their proactive approach.

Councilmember Breen stated the Vehicle License Fee was not the only revenue source being threatened and everything was "on the table" in Sacramento.

Mayor Kilkus opened the Public Hearing.

There being no testimony, Mayor Kilkus closed the Public Hearing.

Town Administrator Stutsman stated the proactive approach taken by the Council was a big factor in the very favorable bond rating and she thanked the Council for requesting this financial information.

## 5. ADJOURN

The meeting was adjourned at 8:53 P.M.

Respectfully submitted,

Toni DeFrancis

Recording Secretary