

AGENDA ITEM 1(b)

**TOWN OF SAN ANSELMO
STAFF REPORT**

July 1, 2003

For the meeting of July 8, 2003

TO: Town Council

FROM: Debra Stutsman, Town Administrator

SUBJECT: Referendum Election – November 4, 2003

A. RECOMMENDATION

That Council approve the resolution authorizing the procedures for said election submitting to the voters the question relating to the Town's award of a five-year franchise for refuse, recycling and green waste collection services.

BACKGROUND

A referendum petition was filed in September 2002, protesting Town Council action on August 27, 2002, approving a Franchise Agreement for Solid Waste, Recycling, and Green Waste Services with Marin Sanitary Service. The referendum petition was certified by the County Clerk and the Council decided to submit the question to the voters on November 4, 2003.

B. DISCUSSION

The resolution calls for the following question to be submitted to the voters at the election:

Shall the motion of the San Anselmo Town Council awarding a five-year franchise agreement to Marin Sanitary Service for Solid Waste, Recycling, and Green Waste Services be adopted?	Yes	
	No	

Respectfully submitted,

Debra Stutsman
Town Administrator

AGENDA ITEM 1(c)

**OWN OF SAN ANSELMO
Staff Report
July 2, 2003**

For the Meeting of July 8, 2003

TO: San Anselmo Town Council

FROM: Jim Wheeler, Recreation Director

SUBJECT: Skate Park Update Report

Recommendation

Acknowledge and file the skate park update report.

Background

The Town Council has directed staff to explore the feasibility of developing a skate park at the Memorial Park basketball court area. Using community input a design was developed by Landscape Image of Chico, CA . In November of 2002 request for proposals were developed for noise and traffic studies. The studies were scheduled for spring and summer when the park was busier in order to reflect accurate noise and traffic levels.

Analysis

A traffic study was begun in February, the initial results were reviewed by Town staff in June. The results were returned to the consultant for more detailed information. Additional traffic study services, as requested from the consultant, will be provided in 4 to 6 weeks.

Illingworth and Rodkin of Petaluma have been retained for the noise study portion of the project. Noise study boxes were placed in the vicinity of the proposed project the weekend of June 28 & 29, 2003. Once data has been gathered it will be shared with the Town.

Fiscal Impact

The traffic study will cost approximately \$3,200. The noise study will cost approximately \$2,200.

Conclusion

Staff will be working with consultants to get these projects completed and the project into the environmental review process as soon as possible.

Respectfully Submitted,

Jim Wheeler
Recreation Director

AGENDA ITEM 1(d)

**TOWN OF SAN ANSELMO
Staff Report
July 8, 2003**

For the meeting of July 8, 2003

TO: San Anselmo Town Council
FROM: Sharon Burns, Recreation Supervisor
SUBJECT: Snack Shack Expenditures/Improvements to Memorial Park

Recommendation:

That the Town Council approve appropriation of up to \$2,500 from the snack shack account in the capital reconstruction fund for the following expenditures:

- a. Up to \$2100 for a shade structure for the Millennium Playground tot lot.
- b. Up to \$200 for an American flag for the Memorial Park flagpole
- c. Up to \$200 for a wheelbarrow for field maintenance purposes.

Background:

At their meeting of June 12, 2003, the Parks & Recreation Commission unanimously approved the recommended appropriations. The snack shack committee originally recommended these appropriations after their April 14, 2003 meeting. Present at the snack shack committee meeting were: Cook Segale, SABA; Ken Conroy, SABA; Lisa Giuliani, Softball; Dean Nyberg, Staff, and Sharon Burns, Staff. The purpose of the meeting was to address Nyberg's request for funds for a shade structure for a tot lot.

Analysis:

Parks Director Nyberg had previously mentioned the need for a shade structure at the tot lot at Memorial Park. The committee requested additional information before considering the request. Nyberg obtained a bid from AFS (Architectural Fabric Structures) of Sausalito, which was presented to the committee.

Issues:

The committee was in support of the proposed expenditure, and had no major concerns. The Parks & Recreation commission expressed their opinion that the canvas shade should be flame retardant and of a natural color.

The need for a new American flag and the replacement of a lost wheelbarrow arose after the formal meeting. An informal poll was taken of committee members by telephone; all members supported the expenditure of funds for a flag and a wheelbarrow.

Fiscal Impact:

Prior to this meeting, the unallocated balance in the fund was \$10,492. Upon approval of this allocation, the remaining balance will be \$7992.

Conclusion:

The Parks & Recreation supports the above expenditures and feels they will benefit the users of Memorial Park.

Respectfully submitted,

Sharon Burns
Recreation Supervisor

c: Debra Stutsman, Town Administrator
Dean Nyberg, Parks Director
Jim Wheeler, Recreation Director

AGENDA ITEM 1(e)

**TOWN OF SAN ANSELMO
STAFF REPORT
June 30, 2003**

For the Meeting of July 8, 2003

TO: Town Council

FROM: Kay Coleman,

Director, Community Resources

SUBJECT: Antique Fair

RECOMMENDATION

That Council approve the request of the Antique Dealers' Association to close off eight (8) parking spaces in front of Creekside Antiques parking lot on Sunday, August 10, 2003 for their annual *Townwide Parking Lot Antiques Sale*. (Other parking lots that they plan to close are dealers' lots and are thus private property.)

BACKGROUND

The Antique Dealers Association holds two antique sales a year and this is their summer sale. They use parking lots to display goods and, as last year, they seek to close the eight (8) parking places that are at the short end of the Creek parking lot and in front of The Yellow Emperor. The one handicapped parking space would remain available for accessible parking

DISCUSSION

Staff recommends that the closure of the Creek Park parking lot be limited to the requested spots at the southerly end (in front of the Yellow Emperor) because a "Music in the Park" event is scheduled for that day in Creek Park. This would keep the bulk of the parking lot available for parking and emergency access as requested by the Fire Department.

The association states that they will provide a clean-up crew and portable toilets.

Respectfully submitted,

Kay Coleman
Director, Community Resources

AGENDA ITEM 1(f)

**TOWN OF SAN ANSELMO
STAFF REPORT
July 2, 2003**

For the Meeting of July 8, 2003

TO: Town Council

FROM: Kay Coleman, Community Resources

SUBJECT: Application for Downtown Events
SAVE Salutes the Beatles

RECOMMENDATION

That Council approve the request to hold SAVE's "Salute to the Beatles" event at Creek Park on Friday, July 25, 2003, from 5:00 p.m. to 10:00 p.m.

BACKGROUND

Last year's event was the first Beatle's event and drew a crowd of singing and dancing Beatle fans of all ages. The music is provided by local musicians all donating their time and efforts as a benefit for SAVE.

DISCUSSION

The request has been reviewed by the Police, Fire, Public Works, Recreation, Parks and Volunteer Departments and no additional conditions are required.

Respectfully submitted,

Kay Coleman
Director, Community Resources

AGENDA ITEM 1(g)

**TOWN OF SAN ANSELMO
STAFF REPORT**

July 1, 2003

For the meeting of July 8, 2003

TO: Town Council
FROM: Debra Stutsman, Town Administrator
SUBJECT: Office of Emergency Services MOU

C. RECOMMENDATION

That Council approve the Memorandum of Understanding (MOU) between the Town and the County of Marin for the purpose of providing emergency management services, at an annual rate of \$4,140.

BACKGROUND

The County of Marin, through the Office of Emergency Services provides emergency management services to the cities and towns of Marin. Services include emergency operations planning, assistance with Federal and State program requirements, training and emergency exercises.

Respectfully submitted,

Debra Stutsman
Town Administrator

AGENDA ITEM 1(h)

TOWN OF SAN ANSELMO STAFF REPORT July 2, 2003

For the Meeting of July 8, 2003

TO: Town Council

FROM: Janet Pendoley, Finance & Administrative Services Director

SUBJECT: Resolution Setting Confidential Employee Salary Ranges for Fiscal Year
2003-04

RECOMMENDATION

That Council approve the attached Resolution Setting Confidential Employee Salary Ranges for Fiscal Year 2003-04.

BACKGROUND AND DISCUSSION

In April 2002, the Council first formally recognized two positions as constituting the Confidential employee group of the Town of San Anselmo, the Accounting Benefits Technician and the Police Department's Dispatch/Records Supervisor. Resolution No. 3597 set their salary ranges for the 2001-02 fiscal year and provided that periodic salary

and benefit adjustments would follow those of the Marin Association of Public Employees (MAPE) and San Anselmo Police Officers Association (SAPOA) respectively. Resolution No. 3620, passed and adopted on November 12, 2002, updated the salary ranges for the 2002-03 fiscal year.

ANALYSIS

The attached Resolution updates the salary ranges for the 2003-04 fiscal year. In addition, the Resolution reflects the restructuring of the Police Department position that will occur during 2003-04.

Salary Range Increases: The current three year Memorandum of Understanding between MAPE and the Town of San Anselmo (July 1, 2002 through June 30, 2005) provides a 4% salary increase for MAPE employees effective July 1, 2003. The current Memorandum of Understanding between SAPOA and the Town of San Anselmo, (July 1, 2001 through June 30, 2004), provides a 5% salary increase for SAPOA employees effective July 1, 2003. The salary ranges for the Confidential Employees indicated on the attached Resolution reflect these salary adjustments.

Restructuring of Position: The Police Department's Dispatch/Records Supervisor position will become vacant in mid-August with the current employee's resignation. In analyzing the Police Department's needs, it has been determined that the position's dispatch oversight would best be accomplished by elevating a current Dispatcher position to the level of Lead Dispatcher and the position's administrative functions by creating the Senior Police Administrative Assistant. Therefore, it is intended that the Senior Police Administrative Assistant will replace the Dispatch/Records Supervisor position in the Confidential Employee group in August 2003.

FISCAL IMPACT:

Staff estimates that the cost of the 4% and 5% increase to the salary ranges and the cost of elevating a Dispatcher to Lead Dispatcher will be offset by the restructuring of the Police Department position and the turnover in that position.

Respectfully submitted,

Janet Pendoley
Finance and Administrative Services Director

Attachment #1: Resolution No. _____, Resolution of the San Anselmo Town Council Setting Compensation for Confidential Employees for Fiscal Year 2003-04.

TOWN OF SAN ANSELMO

RESOLUTION NO. _____

RESOLUTION OF THE SAN ANSELMO TOWN COUNCIL SETTING
COMPENSATION FOR CONFIDENTIAL EMPLOYEES FOR FISCAL YEAR 2003-
04

WHEREAS, the performance of the confidential employees and changes in the cost of living have been reviewed by the Town Administrator and the Finance and Administrative Services Director; and

WHEREAS, the duties, responsibilities, and compensation of the confidential staff of the Town of San Anselmo have been reviewed in relation to comparable positions in comparable cities and towns in Marin; and

WHEREAS, the Marin Association of Public Employees (MAPE) Memorandum of Understanding Exhibit A-2 provides for a 4% salary increase effective July 1, 2003; and

WHEREAS, the San Anselmo Police Officers Association (SAPOA) Memorandum of Understanding Exhibit B-3 provides for a 5% salary increase effective July 1, 2003;

NOW THEREFORE, BE IT HEREBY RESOLVED, that the following monthly salary ranges of the confidential staff are set as of July 1, 2003:

	<u>Step A</u>	<u>Step B</u>	<u>Step C</u>	<u>Step D</u>
<u>Step E</u>				
Accounting Benefits Technician \$4,777 (37.5 hour workweek)	\$3,930	\$4,127	\$4,333	\$4,550
Dispatch/Records Supervisor \$5,108 (40.0 hour workweek)	\$4,202	\$4,412	\$4,633	\$4,864
Senior Police Admin Assistant \$4,626 (40.0 hour workweek)	\$3,806	\$3,996	\$4,196	\$4,406

BE IT FURTHER RESOLVED, that the Accounting Benefits Technician shall follow the MAPE Memorandum of Understanding for regular work hours and for all employee benefits including periodic salary adjustments and scheduled equity studies;

BE IT FURTHER RESOLVED, that the Dispatch/Records Supervisor and its replacement position, the Senior Police Administrative Assistant, shall follow the SAPOA Memorandum of Understanding for regular work hours and for all employee benefits including periodic salary adjustments and scheduled equity studies;

I hereby certify that the foregoing resolution was passed and adopted by the San Anselmo Town Council on the 8th day of July, 2003 by the following vote, to wit:

AYES:

NOES:

ABSENT:

Peter Kilkus, Mayor

ATTEST:

Town Clerk

AGENDA ITEM 1(I)

**TOWN OF SAN ANSELMO
STAFF REPORT
July 3, 2003**

For the Meeting of July 8, 2003

TO: Town Council

FROM: Janet Pendoley, Finance & Administrative Services Director

SUBJECT: Resolution Setting Pay Rates for Part Time Employees for Fiscal Year
2003-04

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RECOMMENDATION

That Council approve the attached Resolution setting pay rates for part time employees of the Town.

BACKGROUND AND DISCUSSION

On March 25, 2003 the Town Council approved Resolution No. 3627 which identified and reaffirmed the terms, conditions and compensation for its part time employee group including hourly workers, substitutes, (i.e. on-call or reserve) and other temporary workers paid on a timesheet basis. That resolution established the hourly pay rates for fiscal year 2002-03.

ANALYSIS

The attached resolution does not offer new provisions for part time employees. It simply updates the hourly rates for these positions effective July 1, 2003, based on the salary increases granted to the bargaining unit with which the function is most closely associated. In the case of safety positions, the hourly rates have been increased by the 5% provided for in the San Anselmo Police Officers Association Memorandum of Understanding. In the case of non-safety positions, the hourly rates have been increased by the 4% provided for in the Marin Association of Public Employees Memorandum of Understanding.

FISCAL IMPACT

The cost of increased hourly rates for these positions Town wide is estimated to be \$13,000. A portion of this cost, approximately \$5,000, will be offset in the Library as a result of the recent restructuring of positions and decrease in the use of hourly employees.

Respectfully submitted,

Janet Pendoley, Finance and Administrative Services Director

Attachment #1: Resolution No. _____, Resolution of the San Anselmo Town Council Setting Pay Rates for Part Time Employees for Fiscal Year 2003-04

WN OF SAN ANSELMO

RESOLUTION NO. _____

RESOLUTION OF THE SAN ANSELMO TOWN COUNCIL SETTING PAY RATES FOR PART TIME EMPLOYEES FOR FISCAL YEAR 2003-04

WHEREAS, the Town employs individuals in a part time capacity to perform ongoing work functions; and

WHEREAS, the term “part time capacity” identifies individuals who are employed with the Town on an hourly basis for an annual average of less than twenty hours per week; and

WHEREAS, the duties and responsibilities of part time employees are monitored by department managers, and further, that compensation is based on specific hours worked as recorded by employees on semi-monthly timesheets and approved by department managers;

NOW THEREFORE, BE IT HEREBY RESOLVED, that the following hourly pay rates are set as of July 1, 2003:

Assistant to Community Resources Director:	\$17.00 per hour
Library Assistant (on-call):	\$16.46 –20.01 per hour
Library Pages (high school students):	\$8 -- 9.50 per hour
Librarian (on-call):	\$21.15 – 28.79 per hour
Maintenance Worker:	\$15.60 per hour
Police Reserve Dispatcher/Parking Enforcement:	\$20.20 – 24.57 per hour
Police Reserve Officer:	\$24.67 – 29.99 per hour
Public Works Engineer:	\$34.32 per hour
Recreation Childcare Aide:	\$10.50 – 15.60 per hour

BE IT FURTHER RESOLVED, that:

- Initial placement on an hourly pay range as well as periodic increases within the range are made at the discretion of the department manager and in consideration of an individual’s knowledge and skills, prior work experience and job performance in the current position;
- Pursuant to federal law an employee who works four consecutive hours is entitled to one paid 15 minute break, an employee who works eight consecutive hours is entitled to a second paid 15 minute break, and an employee who works five or more consecutive hours is required to take an unpaid lunch break of at least 30 minutes in length;

- Positions in this classification are not eligible for paid Town holidays;
- Positions in this classification are not eligible for accrual of paid vacation leave, sick leave, or floating holidays;
- Positions identified in this classification are not eligible for Town paid employee health insurance benefits including but not limited to medical, dental, vision, life and long term disability;
- Positions in this classification are eligible for Social Security contributions including FICA and Medicare as required by law but are not eligible for membership in the Public Employees Retirement System (PERS) unless provided for by PERS membership requirements.

I hereby certify that the foregoing resolution was passed and adopted by the San Anselmo Town Council on the 8th day of July, 2003 by the following vote, to wit:

AYES:

NOES:

ABSENT:

Peter Kilkus

ATTEST:

Town Clerk

AGENDA ITEM 1(j)

TOWN OF SAN ANSELMO

TOWN COUNCIL STAFF REPORT

For the meeting of 7-8-03

DATE: 7-2-03

TO: Mayor and Council Members

FROM: Rabi Elias, Public Works Director

SUBJECT: Pavement rehabilitation project, Center Blvd. from San Anselmo Ave. / Sycamore Ave. to Saunders Ave. Accept the project and authorize filling Notice of Completion.

RECOMMENDATION

Accept the project as completed on 5-30-03 and authorize filling Notice of Completion.

BACKGROUND

The Town Council at the meeting of 4-22-03 awarded the contract to Ghilotti Bros. Inc.

DISCUSSION

All work was completed according to the plans and specifications. All work was completed within the contract allotted time.

FISCAL IMPACT

Contract	\$182,388.50
Extra work	\$ 4,419.85
Total cost	\$186,808.35
Measure G funds	\$186,808.35

If and when the grant money of \$158,500 comes in it will be put back into the Measure G fund.

AGENDA ITEM 1(k)

**Town of San Anselmo
Staff Report**

July 3, 2003

For the meeting of July 8, 2003

TO: Mayor and Members of the Town Council

FROM: Janet Pendoley, Finance and Administrative Services Director

SUBJECT: Town of San Anselmo 2003-04 Municipal Services Tax, 2003-04 Pension Override Tax, and 2003-04 Measure G Debt Service Tax

RECOMMENDATION

That Council approve the attached resolutions establishing:

1. the Municipal Services Tax for the 2003-04 fiscal year at the rate of \$78.00 per living unit and per 1,500 square feet of non-residential structure; and
2. the Pension Override Tax rate of the 2003-04 fiscal year at the rate of 5.9 cents per \$100.00 of assessed valuation; and
3. the Measure G Debt Service Tax rates for the 2003-04 fiscal year at .6 cents per \$100.00 of assessed valuation for the Series 1995, at .7 cents per \$100.00 of assessed valuation for the Series 1997, at .8 cents per \$100.00 of assessed valuation for the Series 2000, and at 1.1 cents per \$100.00 of assessed valuation for the Series 2003 Measure G Bonds respectively, for a total debt service tax levy of 3.3 cents per \$100.00 of assessed valuation.

BACKGROUND

The Municipal Services and Pension Override taxes have been levied at the rate proposed above since the 1987-88 fiscal year. These taxes are necessary in order to provide for the level of municipal services currently provided by the Town of San Anselmo and also to provide for the pension benefits offered to Town of San Anselmo employees.

The combined Measure G tax levy of 3.3 cents per \$100.00 of assessed valuation is necessary to pay the debt service on the general obligation bonds sold by the Town to pay for improvements to streets, drainage, and the Library, as authorized by San Anselmo voters on June 6, 1995. The levy includes the debt service on the 1995, 1997, 2000, and 2003 bond series.

FISCAL IMPACT

The funds that will be raised by the above tax rates are projected to be:

Municipal Services Tax	\$470,487
Pension Override Tax	952,360
Measure G Debt Service, Series 1995	97,090
Measure G Debt Service, Series 1997	111,989
Measure G Debt Service, Series 2000	125,009
Measure G Debt Service, Series 2003	175,378

Respectfully submitted,

Janet Pendoley
Finance and Administrative Services Director

Attachment #1: Municipal Services Tax Resolution
Attachment #2: Pension Override Tax Resolution
Attachment #3: Measure G Debt Service Resolution

TOWN OF SAN ANSELMO

RESOLUTION NO. _____

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF SAN ANSELMO SETTING THE 2003-04 PENSION OVERRIDE TAX REQUIREMENT

Be it Hereby Resolved by the Town Council of the Town of San Anselmo that the tax rate for Pension Override on property tax for the fiscal year 2003-04 necessary to meet the Town's obligation to the Public Employees' Retirement System is hereby fixed at 5.9 cents per \$100.00 of assessed valuation.

I hereby certify that the foregoing Resolution was passed and adopted by the San Anselmo Town Council at a regular meeting thereof held on the 8th day of July, 2003, by the following vote, to wit:

AYES:

NOES:

ABSENT:

ATTEST:

Peter Kilkus

Town Clerk

TOWN OF SAN ANSELMO

RESOLUTION NO. _____

**A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF
SAN ANSELMO ESTABLISHING THE AMOUNT OF THE MUNICIPAL
SERVICES TAX FOR THE 2003 – 04 FISCAL YEAR**

Whereas, Ordinance No. 845 of the Town of San Anselmo authorizes the Council by Resolution to establish the amount of municipal services tax to be imposed and levied during the ensuing fiscal year; and

Whereas, the Town Council has determined that for the fiscal year commencing on July 1, 2003, the cost of maintaining municipal services will exceed the amount of funds and revenues generated from all other sources of income,

NOW, THEREFORE, BE IT HEREBY RESOLVED, ORDERED, AND DECLARED AS FOLLOWS:

A tax is hereby levied on all improved real property at the flat rate of \$78.00 per living unit and per 1,500 square feet of structure of non-residential use, except that the tax derived from a non-residential structure seventy-five (75) percent or more occupied by a single enterprise or institution shall not exceed \$1,000.00.

I hereby certify that the foregoing Resolution was duly passed and adopted at a regular meeting of the San Anselmo Town Council held on the 8th day of July, 2003, by the following vote, to wit:

AYES:

NOES:

ABSENT:

ATTEST:

Peter Kilkus, Mayor

Town Clerk

TOWN OF SAN ANSELMO

RESOLUTION NO. _____

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF SAN ANSELMO SETTING THE 2003-04 TAX REQUIREMENT FOR GENERAL OBLIGATION BONDS, SERIES 1995, SERIES 1997, SERIES 2000, SERIES 2003

Whereas, on June 6, 1995, the voters of San Anselmo approved Ordinance No. 964 authorizing the issue of general obligation bonds in the principal amount of \$10.8 million to finance improvements to streets, storm drains, and the library building; and

Whereas, to date the Town of San Anselmo has sold three installments of the general obligation bonds, the Series 1995 Bonds of \$2.125 million, the Series 1997 Bonds of \$3.55 million, the Series 2000 bonds of \$2.56 million, and the Series 2003 bonds of \$2.565 million; and

Whereas, the partial repayment of both the Series 1995, the Series 1997, the Series 2000, and the Series 2003 bonds will take place in the 2003-04 fiscal year,

NOW, THEREFORE, BE IT HEREBY RESOLVED that the tax rate for the general obligation bonds Series 1995 shall be .6 cents per \$100.00 of assessed valuation, the tax rate for the general obligation bonds Series 1997 shall be .7 cents per \$100.00 of assessed valuation, the tax rate for the general obligation bonds Series 2000 shall be .8 cents per \$100.00 of assessed valuation, and the tax rate for the general obligation bonds Series 2003 shall be 1.1 cents during the 2003-04 fiscal year.

I hereby certify that the foregoing Resolution was passed and adopted by the San Anselmo Town Council at a regular meeting thereof held on the 8th day of July, 2003, by the following vote, to wit:

AYES:

NOES:

ABSENT:

ATTEST:

Peter Kilkus, Mayor

Town Clerk

AGENDA ITEM 1(I) – continued to July 22, 2003

AGENDA ITEM 2

**TOWN OF SAN ANSELMO
TOWN COUNCIL STAFF REPORT**

July 1, 2003

For the meeting of July 8, 2003

TO: Mayor and Members of Town Council

FROM: Tom Bell, Planning Director

SUBJECT: Environmental Review, Zone Change from R-1, R-3, & C-L to PPD/SPD, Use Permit, Design Review, and protective appeal to consider 13 residential dwelling units on .874 acres.

DISCUSSION

At the June 24 meeting, the Council directed staff to prepare a resolution approving a Negative Declaration for the project with appropriate mitigation measures which would allow for a less intense project (revision) to be referred to the Planning Commission. The Council also continued the hearing to tonight to consider the resolution.

Attached is a resolution that would approve the Negative Declaration subject to mitigation requirements to address the related geology and grading impacts, utility company concerns, and general plan/design impacts.

Additionally, the resolution provides for project denial in the event that adequate revisions are not accomplished within time limits of law. State law requires a project decision within 60 days of the negative declaration approval unless an extension of time is agreed upon in writing. If no extension is provided and no decision is made within 60 days, the project would otherwise be deemed approved [Gov. Code 65956(b)].

Should the Council determine that the above resolution is unacceptable, the alternative action recommended by staff would be to deny the Negative Declaration based upon inconsistency with the General Plan, and deny the project for the same reasoning. If this were the determination of Council, the applicant would need to submit a new application and project for processing if he

so desired. An alternate resolution denying the project is attached for your consideration.

Respectfully submitted,

Tom Bell
Planning Director

- Attachments:**
1. Staff report of June 24 (all attachments previously provided)
 2. Resolution approving the Negative Declaration and conditionally denying the project
 3. Resolution denying the Negative Declaration and denying the project Zoning, Use Permit, and Design Review.

AGENDA ITEM 3

TOWN OF SAN ANSELMO STAFF REPORT

July 2, 2003

For the meeting of July 8, 2003

TO: Town Council

FROM: Debra Stutsman, Town Administrator

SUBJECT: Red Hill Field Terms of Use and Funding

D. RECOMMENDATION

That the Council authorize the Town Administrator to enter into an agreement with the Tamalpais Union High School District (TUHSD) and the Ross Valley School District (RVSD) regarding the improvement of Red Hill field, in substantially the form presented this evening and commit \$150,000 from Park bond funds.

BACKGROUND

The Town has been working in partnership with TUHSD to explore the possibility of jointly developing the RVSD field at Red Hill School. At the meeting of June 10, 2003 the Town Council reviewed an executive summary of the proposed agreement. Council was supportive of the project in concept and regarding possible funding. There was discussion about the importance of conducting a traffic study as soon as feasible, possible funding sources for maintenance and the overall cost of the project. The staff report and minutes from the June 10 meeting are attached.

E. DISCUSSION

At its meeting of June 24, 2003, the TUHSD Board of Trustees authorized their superintendent to enter into an agreement with the Town and RVSD in substantially the form presented to them. The Trustees committed \$300,000 to the project. (Letter from John Wright, Trustee, dated 6/26/03, attached).

The attached agreement, as presented in draft form, provides for a number of milestones that must be accomplished if the agreement is to remain in force. For example:

- The plans must be submitted to RVSD within 15 months of the execution of this agreement and submitted to approval agencies 30 days after RVSD approval.
- Approval from county or state agencies must be received within 12 months after submission to those agencies.
- The Town or TUHSD may determine in its sole discretion at any time up to 18 months from the execution of the agreement that there is not likely to be sufficient funding.
- Town and TUHSD must enter into a further agreement regarding operation, scheduling and maintenance of the field by March 31, 2004.

There are still two issues to be negotiated. TUHSD and Town would like the lease period to be 20 years. RVSD Board members have consensus that the entire term should be related to the useful life of the field. In addition, there is an issue regarding liability that the respective attorneys will need to resolve before a final agreement is signed.

F. CONCLUSION

The Town will require that a traffic study on the impact of this project be done first and foremost, and paid for out of the raised funds for the project.

Respectfully submitted,

Debra Stutsman
Town Administrator

Attachments:

- Proposed Draft Agreement
- Staff Report – June 10, 2003 meeting
- Minutes – June 10, 2003
- Letter from John Wright, TUHSD Trustee