

AGENDA ITEM 1(b)

**TOWN OF SAN ANSELMO
STAFF REPORT
May 2, 2005**

For the meeting of May 10, 2005

TO: Town Council

FROM: Debra Stutsman, Town Administrator

SUBJECT: Appointment of Planning Director and Revision to Planning Director Salary and Benefits in Management Compensation Resolution #3675

RECOMMENDATION

That Council:

- Approve promoting Lisa Wight as Planning Director at an annual salary of \$96,288, effective May 2, 2005;
- Approve resolution revising Planning Director salary and benefits in Management Compensation Resolution #3675.

BACKGROUND

Ms. Wight has been serving as Acting Planning Director since the departure of Tom Bell in November 2004.

DISCUSSION

Ms. Wight has a Bachelor's Degree in Business Administration from San Francisco State University and a Master of Public Administration Degree from California State University Hayward. She has been employed with the Town for a total of 27 years, most recently as the Town's Senior Planner for the past 8 years. During her employment, Ms. Wight has served several times as the Acting Planning Director.

ANALYSIS

The agreed upon salary for the position is \$96,288 per year, with a monthly car allowance of \$100 and administrative leave of ten (10) days per year. In that the management staff has not had salary increases for two years, setting Ms. Wight's compensation at this level is done with the intent that it be reviewed for equity when all management salaries are next reviewed.

The proposed resolution revises Resolution No. 3675 to reflect these updates to the Planning Director salary and benefits.

FISCAL IMPACT

Costs incurred this fiscal year can be met within the approved budget of the Planning Department, due to savings created by the absence of a permanent Planning Director.

Respectfully submitted,

Debra Stutsman
Town Administrator

Attachment #1: Resolution No. _____, A Resolution Revising Resolution #3675 Which Established Salaries and Benefits for Members of the Management Employee Group In Order to Establish Salary and Benefits for the Planning Director Effective May 2005

TOWN OF SAN ANSELMO

RESOLUTION NO. _____

A RESOLUTION REVISING RESOLUTION #3675 WHICH ESTABLISHED SALARIES AND BENEFITS FOR MEMBERS OF THE MANAGEMENT EMPLOYEE GROUP IN ORDER TO ESTABLISH SALARY AND BENEFITS FOR THE PLANNING DIRECTOR EFFECTIVE MAY 2005

WHEREAS, the role of a manager is defined by its responsibility for the sound management and effective operations of a vital function of Town government; and

WHEREAS, management employees are expected to perform their duties and assignments in a manner and to the degree that recognizes this substantial responsibility and that serves the best interests of the Town; and

WHEREAS, the Town of San Anselmo management employees are defined to include the following positions:

Town Administrator

Department Managers

Police Chief

Public Works Director

Planning Director

Finance and Administrative Services Director

Librarian

Recreation Director

Parks Director

Community Resources Director

Mid-Managers

Police Commander (2)

Building Official

Streets Superintendent

Deputy Town Clerk

NOW, THEREFORE, BE IT RESOLVED that the Town Council of the Town of San Anselmo does herein define management benefits as follows:

Section 1. Salaries

Effective 1, 2003, monthly management salaries are as follows:

Town Administrator	\$9,488
Police Chief	\$9,056
Public Works Director	\$8,712
Planning Director	\$8,024 (effective 5-2-05) **
Finance and Administrative Services Director	\$8,024
Librarian	\$7,339
Recreation Director	\$7,083 (effective 2-1-04)
Parks Director	\$6,624
Community Resources Director	\$5,409
Police Commander (2)	\$7,964
Building Official	\$6,546
Streets Superintendent	\$6,247
Deputy Town Clerk	\$5,361

** indicates change

Section 2. Salary Adjustments

The Town Council will review management employee performance evaluations conducted annually by the Town Administrator, or by the employee's direct supervisor with review by the Town Administrator. The Town Council sets management salaries annually by resolution.

Section 3. Administrative Leave.

Management positions are classified as Fair Labor Standards Act (FLSA) exempt and therefore are not eligible for overtime or compensatory time off. However, in recognition of the long hours required to perform at the management level, including attendance at numerous meetings outside normal working hours, the follow Administrative Leave policy shall be implemented:

Management employees receive ten (10) days of administrative leave annually. Administrative leave shall be taken in whole day increments. Unused leave does not carry over from one fiscal year to year, nor is unused leave paid to employees upon termination. Employees who were awarded prior to July 1, 2002 annual administrative leave amounts that are in excess of ten (10) days shall retain their previous allotments, as follows: Building Official – thirteen (13). When this position is vacated, the administrative leave entitlement shall be ten (10) days.

Section 4. Employment Agreements.

In order to foster job security within a professional climate, management employees may negotiate employment agreements with the Town.

Section 5. Vehicle Allowance

The Town Administrator and Public Works Director are granted a monthly car allowance of \$350, and the Building Official and Planning Director a monthly car allowance of \$100. The

Police Chief and Police Commanders have the use of a Town car. All other management employees are reimbursed for specific job related travel at the rate per mile recognized by the Internal Revenue Service.

Section 6. Vacation Leave

Vacation leave accrues based on the employee's continuous employment with the Town. A management employee may at his/her option, receive cash for vacation days accrued in excess of 20 days, up to a maximum of five days (40 hours) cash payment, once during each fiscal year. A management employee with 20 years of service may receive cash for an additional 2.5 days for a maximum of 7.5 days (60 hours) cash payment.

Section 7. Callouts

The Streets Superintendent and the Parks Director may be called back to work for emergency purposes. For such specified callout work, they will be paid on a straight time basis for hours worked outside regular work hours, up to a maximum of forty (40) hours per year.

Section 8. Other Provisions

Unless herein specified otherwise, management employees are entitled to the employee benefits outlined in the San Anselmo Police Officers Association Memorandum of Understanding (for the Police Chief and Police Commanders) and in the Marin Association of Public Employees Memorandum of Understanding (for all other management employees).

I hereby certify that the foregoing resolution was approved by the San Anselmo Town Council on the 27th day of January 2004, by the following vote, to wit:

- AYES:
- NOES:
- ABSENT:
- ABSTAIN:

Peter Breen, Mayor

ATTEST:

Barbara Chambers, Town Clerk

AGENDA ITEM 1(c)

**TOWN OF SAN ANSELMO
STAFF REPORT
May 2, 2005**

For the meeting of May 10, 2005

TO: Town Council
FROM: Debra Stutsman, Town Administrator
SUBJECT: Assembly Constitutional Amendment 7

RECOMMENDATION

That Council approve the resolution supporting Assembly Constitutional Amendment (ACA) 7.

BACKGROUND

ACA 7 addresses a provision of Proposition 13 that requires a supermajority vote requirement on certain special taxes. Local taxes for a general purpose require only 50% plus 1 majority vote, while taxes for special purposes require 2/3 vote. Currently, in order for local governments to raise revenue for special services, such as transportation or public safety, they need to overcome a 2/3 vote.

DISCUSSION

ACA 7 lowers the vote threshold from 2/3 vote to 55% and enables local governments to become more self sufficient. ACA 7 does not change the tax rate based on the value of property – which is restricted under Proposition 13 – thereby continuing this valuable protection for homeowners. ACA 7 does not raise taxes; it allows 55% of local residents to decide whether or not to increase the taxes necessary to sustain local services.

Respectfully submitted,

Debra Stutsman
Town Administrator

TOWN OF SAN ANSELMO

RESOLUTION NO. _____

**A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF SAN ANSELMO
SUPPORTING ASSEMBLY CONSTITUTIONAL AMENDMENT 7**

Whereas, Assembly Constitutional amendment 7, by Assemblymember Joe Nation, D-San Rafael, which reduces the two-thirds vote requirement on parcel taxes, will be acted on by the California State legislature; and

Whereas, reductions in state General Fund revenue have reduced funding for critical local services, such as education, public safety and transportation to name a few; and

Whereas, state General Fund revenue is unstable and erratic, which results in unpredictable funding levels for cities, counties and special districts; and

Whereas, children deserve schools that provide a safe and constructive learning environment; and

Whereas, transportation infrastructure and services improvements continue to fall behind the demands and needs of the community; and

Whereas, local governments have implemented hard cuts in core public safety services, while at the same time, the demand for homeland security grows; and

Whereas, special tax revenue can provide a stable, predictable source of local revenue for such critical services; and

Whereas, passage of ACA 7 will empower local voters to invest in the needs of their communities by requiring a tough, but fair 55 percent vote to pass local special taxes, while protecting taxpayers and homeowners with accountability provisions that will ensure that funds generated from special taxes are not wasted or mismanaged.

Whereas, revenue from special taxes can be spent according to local priorities and are not subject to state control; and

Whereas, the two-thirds vote requirements results in minority rule by requiring two “yes” votes to cancel out one “no” vote; and

Whereas, passage of ACA 7 would allow local voters to decide to make investments in their neighborhoods in addition to state funding; and

Now, Therefore, Be It Resolved that the Marin County board of Education strongly urges the California State Legislature to support and adopt ACA 7.

The foregoing Resolution was adopted at a regular meeting of the San Anselmo Town Council, held on _____, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

Peter Breen, Mayor

ATTEST:

Barbara Chambers, Town Clerk

AGENDA ITEM 1(d)

Return to:
Abolition Now!
215 Lexington Ave,
Suite 1001
New York, NY
10016

MAYORAL STATEMENT IN SUPPORT OF THE COMMENCEMENT OF NEGOTIATIONS ON THE ELIMINATION OF NUCLEAR WEAPONS

I, Mayor Peter Breen, hereby draw the attention of the citizens of San Anselmo, California to an important resolution adopted by acclamation on 28 June 2004 by the U.S. Conference of Mayors, which represents the one thousand largest cities in the United States. The resolution reads as follows:

SUPPORT FOR THE COMMENCEMENT OF NEGOTIATIONS ON THE ELIMINATION OF NUCLEAR WEAPONS

1. WHEREAS, as long as nuclear weapons exist, cities around the world will be vulnerable to instantaneous devastation on a scale exceeding even that experienced by Hiroshima and Nagasaki in 1945; and
2. WHEREAS, a nuclear war would devastate many cities, an accidental missile launch would devastate several cities, and use of a nuclear weapon by terrorists would devastate a city; and
3. WHEREAS, any nuclear attack would obliterate Town Hall and all emergency response mechanisms rendering any town "planning" for such a disaster utterly futile; and
4. WHEREAS, the world's foremost line of defense against nuclear dangers is the Nuclear Non-Proliferation Treaty (NPT) which is currently in its seventh review cycle, with all parties to the treaty scheduled to meet next May to ensure that the treaty is being fully implemented; and
5. WHEREAS, all other weapons of mass destruction have been prohibited by international agreement and are being eliminated under international control, and the nuclear-weapon states party to the NPT have undertaken to pursue negotiations in good faith on nuclear disarmament; and
6. WHEREAS, the International Court of Justice unanimously found in 1996 that all states were obliged to "bring to a conclusion negotiations leading to nuclear disarmament in all its aspects under strict and effective international control;" and

7. WHEREAS, the World Conference of Mayors for Peace has launched an international campaign calling on the 2005 NPT Review Conference to launch negotiations on the elimination of nuclear weapons, to be concluded by 2010 and fully implemented by 2020, also known as the 2020 Vision; and
8. WHEREAS, weapons of mass destruction have no place in a civilized world,
9. **NOW, THEREFORE, BE IT RESOLVED that the U.S. Conference of Mayors calls upon the U.S. President to support a decision by the 2005 NPT Review Conference to commence negotiations on the prohibition and elimination of nuclear weapons and nuclear-weapon-related materials, and**
10. BE IT FURTHER RESOLVED the U.S. Conference of Mayors shall remain engaged in this matter until our cities are no longer under the threat of nuclear devastation.

I add my voice to the call upon President Bush to support a decision by the 2005 NPT Review Conference to commence negotiations on the prohibition and elimination of nuclear weapons and nuclear-weapon-related materials; and I personally resolve to remain engaged in this matter until my town is no longer under the threat of nuclear devastation.

Mayor Peter Breen
Town of San Anselmo, California

AGENDA ITEM 1(e)

SAN ANSELMO POLICE DEPARTMENT STAFF REPORT

For the Meeting of May 10, 2005

To: Town Council

From: Charles L. Maynard, Chief of Police

Subject: Quarterly Statistical Report

Date: April 26, 2005

RECOMMENDATION

That Council acknowledge and file the quarterly statistical report prepared by the Chief of Police.

SUMMARY

The San Anselmo Police Department is prepared to address Council with statistical information concerning crime and traffic issues that have occurred in the Town of San Anselmo. This report will provide statistical data for the first quarter of 2005. Future reports will be prepared on a quarterly basis.

BACKGROUND

The San Anselmo Police Department documents criminal and traffic statistics in a format that is consistent with the State of California Department of Justice guidelines. The Police Department is prepared to present this data to the Town Council annually and quarterly.

ISSUES

The Police Department is submitting crime and traffic statistics to Council covering the year 2004 in its entirety and the year 2005 broken down by quarters. Crime statistics include part one and part two offenses. They include actual crimes as well as persons arrested and cases cleared. Traffic Statistics include injury, non-injury and hit and run collisions. Traffic statistics include citation activity consisting of moving, administrative / mechanical and parking citations.

Part One and Part Two Offenses: The Town of San Anselmo experienced 335 reported part one crimes during calendar year 2004. During the first quarter of 2005 there were 81 reported part one offenses. Part one offenses include murder, forcible rape, robbery, aggravated assault,

burglary, larceny, auto theft and are reported to the state on a monthly basis. Part two offenses include malicious mischief, driving under the influence and all other misdemeanors.

Traffic Collisions: The data for traffic collisions included injury, non-injury, pedestrian and bicycle involvement.

Traffic Citations: Officers of the San Anselmo Police department are directed to enforce the traffic laws pursuant to the provisions of the California Vehicle Code. This enforcement consists of education, deployment of the department's radar trailer, warnings to traffic violators and the issuance of citations. Emphasis is added to those violations that are considered to be "hazardous" in nature or to those violations that are commonly deemed as primary collision factors in collisions. A hazardous traffic violation would include but not be limited to, speeding, stop sign, failure to yield to a pedestrian, right of way violation, following too closely, driving under the influence, unsafe starting or backing and signal light violations. Data is also provided regarding parking and abandoned vehicle enforcement.

ITEMS OF INTEREST THIS QUARTER

Staffing problems continue to plague the Department. Frozen positions due to the State and local budget crisis, coupled with officers off work due to injuries have left us operating with a skeleton crew. The following is an illustration of the personnel shortages.

- One Police Officer position frozen
- One Police Sergeant on work connected disability with a severe back injury. Likelihood of return, doubtful.
- One Police Officer who is in the California National Guard has been activated deployed to Iraq. This deployment is expected to last eighteen (18) months and is his second extended activation to active duty.
- One Police Corporal on work connected disability with a back injury.
- One Police Dispatch position frozen

The above mentioned shortages have and will continue to have a number of effects on the Department, including citation statistics, reduced time for community policing projects and related directed patrol activities and an increase in overtime. Additionally, the command staff continues to fill patrol shifts and work special events in an effort to not only cover shifts but to save on overtime expenditures. The department continues to operate efficiently under these increasingly difficult conditions but anticipates finding itself even further strained when the vacation season arrives.

The Department's 2004 Annual Report has been completed and published. This report provides the reader with an in depth, comprehensive look at the Police Department. Included in the report are crime and budget statistics, an overview of Department personnel, and historical items to name a few.

Officer Michael Wacholz resigned from the Department to accept a position as a Police Officer with the Novato Police Department. On the day of Officer Wacholz's resignation, Reserve

Officer Julie Gorwood was sworn in as a full-time Police Officer. Officer Gorwood brings with her, extensive experience from the Los Angeles and Concord Police Departments.

Sergeant Nick Valeri is attending the Sherman Block Leadership Institute (SLI). This cutting edge training is mandatory for all police sergeants and will continue to increase the level of professionalism in the Sergeant's ranks.

In January, the Department made great strides in becoming a paperless office. We now convert all police reports to PDF format and only create "hard" copies when sending reports to the District Attorney, other agencies or to provide copies pursuant to the Public Records Act.

During this quarter the Department's radar trailer had an electrical malfunction and is no longer serviceable. Funding is not available for repair or replacement of this item.

This was also a quarter of preparation. In anticipation of two vacancies in the Dispatch ranks, a recruitment was done for Police Dispatcher as well as Dispatch/Records Supervisor. Additionally, we prepared for a Sergeants examination in anticipation of the retirement of one Sergeant.

The following is a summary of some of the comments the Department has received regarding the performance of police personnel during this quarter.

Lisa Blair

- January 17, 2005 – Letter of appreciation from a citizen for her exceptional service during an attempted break-in at her home.

Anthony Boehle

- January 12, 2005 – Received the Operations Division Award of Commendation.
- March 16, 2005 – Thank you letter from a citizen expressing appreciation for his thoroughness, tact and professionalism during an incident involving a family member.

Monica Catlow

- January 12, 2005 – Received the Support Services Division Award of Commendation.
- January 17, 2005 – Letter of appreciation from a citizen for her exceptional service during an attempted break-in at her home.

Ryan Dunnigan

- January 5, 2005 – Thank you letter from Sunny Hills Children's Services for his presentation to the students at the James R. Sylla School.
- January 12, 2005 – Received Employee of the Year for 2004.

Grady Joseph

- January 24, 2005 – Letter of Commendation from Chief Rohrbacher with the San Rafael Police Department for his assistance in the apprehension of two suspects involved in an armed robbery.

Kevin McGoon

- January 17, 2005 – Letter of appreciation from a citizen for his exceptional service during an attempted break-in at her home.

Nicholas McGowan

- January 12, 2005 – Received the Chief's Award for 2004.

Michael Mejia

- February 17, 2005 – Thank you letter from the Santa Rosa College Police Cadet Program for his assistance in their monthly role-play training.
- March 16, 2005 – Thank you letter from a citizen expressing appreciation for his thoroughness, tact and professionalism during an incident involving a family member.
- March 19, 2005 – Thank you letter from a citizen thanking him for his assistance and honesty at the time of her car accident.

Jim Providenza

- March 16, 2005 – Thank you letter from a citizen expressing appreciation for his thoroughness, tact and professionalism during an incident involving a family member.

Rob Schneider

- January 14, 2005 – Citizens Commendation from a citizen commending him for his professionalism in the aftermath of a verbal assault at his business.

Denise Stinson

- February 17, 2005 – Thank you letter from the Santa Rosa College Police Cadet Program for his assistance in their monthly role-play training.

Nick Valeri

- ◆ January 17, 2005 – Letter of appreciation from a citizen for his exceptional service during an attempted break-in at her home.

Paige Nelson

- November 12, 2004 – Thank you letter from a citizen thanking her for her compassion and professionalism when dealing with the challenges they are facing with their son.

Chris Turner

- January 10, 2005 – Commendation and thank you from Charley Taylor, Communications Supervisor for San Rafael Police Department, for her thoughtfulness and offer of assistance during a search for two shooting suspects.

Professional Standards

The Police Department keeps records regarding personnel complaints and reports that data to the Department of Justice on an annual basis. During this quarter no personnel complaints were received.

CONCLUSION

As always, the Police Department strives to provide the highest possible level of service and protection to the citizens of San Anselmo and those who visit our community. Statistical data is compiled so that our attention can be focused on specific issues when necessary in order to further this effort.

CHARLES L. MAYNARD
Chief of Police

INCIDENT TYPE	Total Year 2004	<i>1st Quarter 2005</i>	<i>2nd Quarter 2005</i>	<i>3rd Quarter 2005</i>	<i>4th Quarter 2005</i>	<i>Total To Date Year 2005</i>
<u>TOTAL CALLS FOR SERVICE</u>	23,067	5934				5934
<u>PART I CRIMES – TOTAL</u>	335	81				81
HOMICIDE	0	0				0
RAPE	4	2				2
ASSAULT – SIMPLE	58	20				20
ASSAULT – AGGRAVATED OR WITH WEAPON	12	7				7
ROBBERY	1	0				0
BURGLARY	80	19				19
LARCENY / THEFT	156	31				31
MOTOR VEHICLE THEFT	24	3				3
ARSON	0	0				0
<i>TOTAL ARRESTS MADE</i>	382	121				121
<i>VEHICLE CODE ENFORCEMENT</i>						
DRUNK DRIVING	48	17				17
MOVING CITATIONS	2149	749				749
ADMIN. CITATIONS	209	74				74
PARKING CITATIONS	5255	1947				1947
ABANDONED VEHICLES REPORTED	433	76				76
ABANDONED VEHICLES TOWED	26	4				4
<i>TRAFFIC COLLISIONS – TOTAL</i>	194	51				51
<i>NON-INJURY COLLISIONS</i>	135	35				35
<i>INJURY COLLISIONS</i>	58	16				16
<i>BICYCLES INVOLVED</i>	13	5				5
<i>PEDESTRIANS INVOLVED</i>	8	1				1
<i>DRUNK DRIVING INVOLVED</i>	12	0				0
<i>FATAL</i>	0	0				0

Total Crimes for Town of San Anselmo
(Part 1 Crimes)

2001	272
2002	292
2003	345
2004	335

Moving Violations Issued

2001	2244
2002	2435
2003	1889
2004	2149

Parking Citations Issued

2001	5342
2002	4478
2003	4684
2004	5255

Total Arrests

2001	317
2002	360
2003	322
2004	382

Total Accidents

2001	192
2002	187
2003	205
2004	194

Total Calls for Service

2001	22,466
2002	21,233
2003	21,205
2004	23,067

<u>INCIDENT TYPE</u>	<i>Year Total</i> 2004	<i>1st Quarter</i> 2005	<i>2nd Quarter</i> 2005	<i>3rd Quarter</i> 2005
<u>MISCELLANEOUS CRIMES</u>				
HATE CRIMES	0	0		
SHOPLIFTING	24	5		
ANNOYING PHONE CALLS	37	7		
 <u>MISCELLANEOUS CALLS FOR SERVICE</u>				
ASSIST OUTSIDE AGENCY	365	87		
BUSINESS/BUILDING CHECK	580	94		
CITIZEN ASSIST	627	178		
EXTRA PATROL	2246	838		
MEDICAL AID	475	112		
DISTURBED PERSONS (5150 W&I)	48	12		
MISSING PERSONS (INCLUDING SUNNYHILLS SCHOOL & 9 GROVE LANE)	66	23		
NOISE ABATEMENT	355	72		
PARK CHECKS	1929	163		
RADAR TRAILER DEPLOYMENT	352	7		
SUSPICIOUS PERSONS	155	33		
TRAFFIC STOPS	3552	1270		
VACATION HOME REQUESTS	68	11		
VACATION HOME CHECKS	105	26		

AGENDA ITEM 2

TOWN OF SAN ANSELMO
STAFF REPORT
May 2, 2005

For the meeting of May 10, 2005

TO: Town Council

FROM: Debra Stutsman, Town Administrator

SUBJECT: Ballot Measures

A. RECOMMENDATION

That Council receive the report from the Council subcommittee of Barbara Thornton and Wayne Cooper regarding a November ballot measure and provide direction to staff.

BACKGROUND

At the Town Council meeting of April 26, 2005, staff presented the attached staff report, which described the Town's fiscal situation, outlined alternatives for ballot measures, and provided information on election timing and public information. At the meeting, the Council appointed a subcommittee of Councilmembers Thornton and Cooper to work with staff to recommend next steps. The subcommittee met to discuss the alternatives and arrived at the following recommendations

DISCUSSION

The subcommittee recommends:

- **Ballot measure** – That Council direct staff to report back on the specifics of a ballot measure for a Special Public Safety Tax to be instituted for a four year period with no cost-of-living escalation factor, and a low-income rebate component, generating revenue in the amount of approximately \$1.5 million per year (\$250 per living unit and per 1,500 square feet of nonresidential use).
- **Public Communication** – Before making any commitment to a ballot measure, however, the subcommittee recommends that Council and staff embark on a public communication effort to gather feedback from our taxpayers. This would include several Town Hall meetings, a mailer to all residents, speakers at civic groups, Town Board, Committee and Commission meetings, etc. In order to carry out the public communication, it is

important that a position paper be prepared that outlines clearly and factually the Town's fiscal position for presentation to the various community groups.

POSSIBLE TIMING

- May 24 TC meeting Staff to come forward with a position paper outlining the Town's fiscal situation for Council consideration.
- Early June Staff to send postcards to all residents announcing dates of public meetings.
- June 11 and 14 Council and staff to hold two Town Hall meetings to solicit community input.
- June 28 TC meeting Council to make decision on ballot measure; staff to provide draft ballot language.
- July 12 TC meeting Council to consider resolution calling for ballot measure on the November 8 election.
- July 26 TC meeting Additional opportunity to approve resolution and ballot measure language, if needed.
- August 9 TC meeting Last meeting before resolution must be completed.
- August 12 Last day to submit resolution and exact ballot wording to County Elections Office.

CONCLUSION

The subcommittee recommends the above steps in an effort to keep the public fully informed as the Council moves forward to place a measure on the November ballot.

Respectfully submitted,

Debra Stutsman
Town Administrator

TOWN OF SAN ANSELMO
STAFF REPORT

April 18, 2005

For the meeting of April 26, 2005

TO: Town Council
FROM: Debra Stutsman, Town Administrator
SUBJECT: Ballot Measures

B. RECOMMENDATION

That Council receive the report on alternative ballot measures for the November 2005 general election and provide direction to staff.

BACKGROUND

The Town Council appointed an 11-member Fiscal Advisory Committee in early February, charging them with becoming familiar with the Town's financial difficulties, understanding the dimension of the crisis, and recommending strategies for ensuring the Town's fiscal health going forward. The Committee presented their final report to the Town Council at the meeting of April 12, 2005. The Committee found that a new tax assessment is the only means within the Town's direct control to close the gap between the reduced revenue streams and increased costs of running the Town. The Committee's final report is attached.

CURRENT SITUATION

The Town currently has a Municipal Services tax (also called General Purpose tax) assessed on property owners' tax bills. The Municipal Services tax was enacted in 1983 at \$78 per living unit and per 1,500 square feet of structure of nonresidential use and has not been raised since that date. Currently the Town collects approximately \$470,000 per year from the Municipal Services Tax. The Town also has a Pension Override Tax that is assessed at 5.9 cents per \$100 of assessed valuation, but those funds are specifically designated by law for pension costs only.

The Fiscal Advisory Committee found that the Town needs an **additional \$1.66 million per year** in the next four years in order to restore and maintain personnel, services, and equipment and complete much needed deferred maintenance and capital projects.

ANALYSIS

There are four alternatives available for a ballot measure, as follows:

- Increase the current Municipal Services tax.
- Increase the percentage for sales tax charged in San Anselmo.
- Institute a special tax for a specific purpose, such as public safety, etc.
- Institute a utility users tax on specific utility or utilities.

Municipal Services Tax – The current Municipal Services tax is set at \$78 per living unit and per 1,500 square feet of structure of nonresidential use, and is used for general governmental purposes. If the Town Council were to increase the current tax by a ballot measure, it would require a 2/3 majority to pass. The following table illustrates a spectrum of increases and the resulting revenue:

Municipal Services Tax amount	Revenue
\$78 (current tax)	\$470,000 (current revenue)
If the tax were raised to:	The revenue to the Town would be:
\$150 (an additional \$72 tax)	\$900,000 (\$430,000 additional revenue)
\$200 (an additional \$122 tax)	\$1,200,000 (\$730,000 additional revenue)
\$250 (an additional \$172 tax)	\$1,500,000 (\$1,030,000 additional revenue)
\$300 (an additional \$222 tax)	\$1,800,000 (\$1,330,000 additional revenue)

Sales Tax – Increasing the sales tax by ¼ of 1%, or ½ of 1%, would require a simple majority to pass if the funds were utilized for general governmental purposes. San Anselmo has a very small business base from which to generate sales tax. The institution of a local sales tax measure would likely be unpopular with our business owners, who are having difficulty making ends meet. It could also make it more difficult for them to compete with neighboring business districts with lower sales tax rates. The following table illustrates the estimated revenue generated by a special sales tax:

Sales Tax increase	Revenue
¼ of 1%	\$228,000
½ of 1 %	\$457,000

Special Tax for Specific Purpose – A special tax would require a 2/3 majority to pass. A special tax could be proposed for any specific purpose. It may be charged on a per parcel basis, or on a per living unit basis with a non-residential component, as with our current Municipal Services tax. San Anselmo has approximately 4,457 parcels and 5,321 living units. If a special Public Safety tax, to use an example, were presented to the voters, the Council could choose to institute it per living unit (under the same or similar terms as the Municipal Services tax) or per parcel. The rationale for doing it per living unit and including commercial units would be that everyone who lives and does business in San Anselmo is receiving the benefit of Police and Fire protection.

-Per Living Unit -

Special Tax assessed per living unit & per 1500 square ft. commercial	Revenue
\$200	\$1,200,000
\$250	\$1,500,000
\$300	\$1,800,000

-Per Parcel –

Special Tax assessed per parcel	Revenue
\$200	\$890,000
\$250	\$1,100,000
\$300	\$1,300,000

Utility Users Tax (UUT) – A UUT may be imposed on the consumption of utility services, including but not limited to electricity, gas, water sewer, telephone, sanitation and cable television. The utilities to be included and the rate of the tax are determined by the local agency. The tax is levied by the local agency, collected by the utility and then remitted to the local agency. If levied for general governmental purposes, a UUT requires a simple majority vote to pass. For comparison purposes, following are two UUT’s already in place.

City and Population	UUT percentage	Assessment	Revenue received
Pacific Grove, 15,556	5%	Gas & Electric	560,000
		Telephone	315,000
		Cable TV	135,000

		Water	<u>131,000</u>
		Total	\$1,141,000
Fairfax, 7,386	4%	Gas & Electric	190,000
		Phone	<u>120,000</u>
		Total	\$310,000

TIMING

The November election will be held on Tuesday, November 8, 2005. Key election dates are as follows:

- August 12 Last day to submit resolution and exact ballot wording to County Elections Office.
- August 22 Last day to submit ballot arguments (followed by 10-day public examination period).
- September 1 Last day to submit rebuttal arguments (followed by 10-day public examination period).
- November 8 Election Day

PUBLIC INFORMATION

A key component to any important Town issue is public information and involvement. Communicating the dimensions of the Town's fiscal crisis to the residents and business owners of San Anselmo is imperative going forward. Methods of communicating with the public may include:

- Speakers at civic organizations such as the Chamber of Commerce, Rotary Club, Red Hill merchants, local school parent clubs, Town boards/commissions/committees.
- Newsletter mailed to all postal patrons (cost of approximately \$1500-2000)
- Meetings with neighborhood groups
- Town Hall meetings
- Press releases to Marin Independent Journal and Ross Valley Reporter

The Town may continue with a public education process regarding the current fiscal crisis until such time as a resolution is passed calling for a ballot measure on the November election. At that time, Town staff, funds and facilities may not be used to conduct any work related to an upcoming ballot measure. Town staff may, on their own time, choose to be involved in the campaign.

DISCUSSION

In the spring of 2004, a public opinion poll was conducted by Evans McDonough to assess voter support for an increase of \$250 or \$500 to the Town's current Municipal Services Tax. The conclusions for the survey were:

- Voters were optimistic about the direction San Anselmo is going.
- Voters were not aware of the Town's budget shortfall and any changes in Town services
- Ratings of the job the Town Council is doing and Town's financial management were good but not strong.
- The measure, as presented in the poll, was confusing to voters, and many were unsure of how to vote on it.
- One third of our voters were inclined to oppose any tax measure.
- Many of the proposed projects were not a high priority for voters.
- \$500 per living unit was a high amount to voters, even after hearing what the money would be used for.
- The positive arguments were effective but only brought the strong yes vote to 51%.

The complete survey is attached.

CONCLUSION

The Council and staff have been struggling with the current fiscal crisis for over two years. As we enter fiscal year 2005-06, the Town faces a shortfall of \$500,000. With eight positions vacant, salary increases deferred, department budgets cut, and equipment purchases and capital projects eliminated, the Town has tremendous pent up need that must be addressed shortly if we are to maintain the current minimum level of services to the residents of San Anselmo.

Respectfully submitted,

Debra Stutsman

5/6/2005

Town Administrator

**Town of San Anselmo
Fiscal Advisory Committee**

EXECUTIVE SUMMARY

Conclusion/ Major Findings

The Fiscal Advisory Committee found that a new tax assessment is the only means within the Town of San Anselmo's direct control to close the gap between the reduced revenue streams and increased costs of running the Town.

The model used by the FAC found that there will be a cumulative shortfall of \$6.5 million over the next 5 fiscal years. A tax measure which would generate \$1.66 million a year for four years (FY 2006/2007 through 2009/2010); will stop the increasing gap between revenue and expenditures. It will provide a funding level adequate to normalize the operations of the town, while providing revenue to rebuild the severely decimated reserve. If the cumulative revenue shortfall of \$6.5M through 2009/2010 equates to a \$1.66 million shortfall per year for a four year tax assessment, and a taxable parcel is the 'unit' used to establish an assessment per unit (4755 taxable parcels in San Anselmo), then a parcel tax of \$350 will return the revenue needed to normalize operations through FY 2009/2010.

Assuming that the residents of San Anselmo want to retain the nature and atmosphere they have enjoyed over the last decades, there is no other action which will remedy the fiscal pressures projected over the next several years.

Time is of the essence. If the Council decides to place a tax assessment on the ballot, a citizen's group will need to quickly form to develop an aggressive and educational campaign in support of the measure for passage in November, 2005. Passage of such a measure would avert a crisis of depleting the reserve, running a deficit budget, and drastically change how services in San Anselmo are provided.

Background

San Anselmo is in the midst of a long term and severe financial crisis. Over the last 2-3 years, Town staff and Council have proactively reduced expenses by freezing positions, deferring maintenance, increasing fees, and providing services with fewer resources. Staff and services are severely stressed by this long period of reduced revenue and increased expense. The existing municipal services tax of \$78 per living unit has not changed in over 20 years, yet the cost of providing services has risen substantially. The Town has been in a tight expense reduction mode for the last 3 years, and there is nothing left to cut without greatly impacting the quantity and quality of Town services. Three months ago the Council appointed a group of citizens to become familiar with the Town's financial difficulties, understand the dimensions of the crisis and explore strategies for returning the Town to solid financial health.

FAC Actions

Over the last 3 months the FAC has reviewed budgets and all supporting documentation of the last 5 years. It worked with town staff to understand how budgets and accounting categories are arrived at, and to project fiscal scenarios into the future. While much of the actions of the FAC were a review of those existing materials, the Committee also spent time discussing the

values that underlie the kinds of services residents have come to expect in San Anselmo. The intense exploration into the budgets and the issues which they reflect resulted in the FAC's findings presented within the body of this report.

Summary Findings Report to the Town Council

Fiscal Advisory Committee Creation, Membership, and Charge

On February 8, 2005, the San Anselmo Town Council appointed a Fiscal Advisory Committee (FAC) consisting of: two members of the Town Council, Wayne Cooper and Barbara Thornton; the Town Administrator Debbie Stutsman; the Town Finance Director Janet Pendoley; the Town Treasurer Roberta Robinson; and six community members: Doug Eisinger-Chair, Bess Niemcewicz-Vice Chair, Jack Barrows, John Grey, Carla Overberger, and Ian Roth. The FAC was charged with "becoming familiar with the Town's financial difficulties, understanding the dimensions of the crisis, and recommending strategies for ensuring the Town's fiscal health going forward." The FAC met in February, March and April 2005. This report presents the committee's findings.

Background on the Town's Financial Problems

The Town's financial situation has steadily worsened over the past five years. During the 2000-2001 and 2001-2002 fiscal years, the Town, faced with substantial deferred maintenance needs, set aside \$200,000 to support rebuilding the 100-year old Corporation Yard structure; the Town also incurred unusually heavy legal costs (\$100,000) to settle a land slide problem. Also during this period, the Town completed most of the projects funded by Measure G, the bond measure passed to improve roads, drainage and the library. The anticipated expiration of Measure G triggered a need to increase routine funding for ongoing road maintenance.

Beginning with the 2002-2003 fiscal year, events outside the Town's control created additional financial burdens. The state Public Employees Retirement System (PERS) dramatically increased the pension contributions required of towns and cities, including San Anselmo. Health insurance premiums paid by the Town also increased significantly, just as they have increased in recent years for most businesses and individuals. The ongoing financial problems experienced by the State of California also triggered the partial withdrawal of state motor vehicle license fee payments to the Town, costing the Town about \$235,000 in each of the past two years. In addition, declining economic conditions resulted in lower-than-expected sales tax revenues, and historically low interest rates have reduced traditional interest income receipts. In short, a confluence of factors has resulted in the steady erosion of the Town's fiscal health, a problem which became acute as of the current (2004-2005) fiscal year.

The cumulative impact of the problem has meant, over the past five years, a 36% reduction in fund balance carry-over (budgeted but unspent funds) in the Town's General Fund. The projection, for at least the next two years, is for continued extremely difficult financial conditions.

Town Actions in Response to the Crisis

Over the past several years, Town officials have proactively sought to reduce expenses. In 2002-2003, the Town froze two vacant positions, reduced training costs, delayed capital projects and staff raises, and took other actions to reduce costs. In 2003-2004, the Town froze an additional five vacant positions, raised planning and police service fees, and further delayed capital equipment purchases and repair work. The Town also moved 30% of the Recreation Director's salary into the Recreation Fund that was previously 100% in the General Fund. By 2004-2005, the Town, facing a severe fiscal shortfall, took six additional steps:

1. Shifted an additional 35% of the Recreation Director's salary to the Recreation Fund.

2. Increased planning fees, and implemented a business license administrative fee and garbage impact fees.
3. Reduced various non-personnel expenses.
4. Eliminated the Road Maintenance Fund contribution for the year.
5. Installed parking meters.
6. Made a policy decision to further spend down the fund balance for the Town's General Fund.

Because of aggressive actions taken to reduce costs, the Town has managed to stay within its adopted budget for each of the past four years. Unfortunately, the adopted budget has included overall expenses in excess of overall revenues, and, despite managing to stay within budget each year, the Town has continued to deplete its fund balance. FY 2004-05 is the first year that the Town has budgeted for deficit spending in order to fund general operations.

Ramifications of the Current Fiscal Crisis

The Town is currently operating on a financially unsustainable path. During "normal" times, Town services are provided by a staff of about 63 full-time-equivalent (FTE) professionals. The hiring freeze and seven position vacancies have created about a 12% loss in staff. Remaining staff have not had raises in two years, and are attempting to provide, as best they can, the full complement of services that Town residents have come to expect and value. Consequently, although staff remains resilient in the face of this fiscal problem, the work environment has deteriorated, and common sense dictates that either improvements must occur or the Town will risk the further loss of talented professionals.

In addition to the impact on employee morale and performance, the fiscal crisis if not resolved, will have long-term ramifications for Town residents. Approximately half of the Town budget is devoted to public safety (police and fire). Thus, it is difficult to enact further cost cutting measures without affecting public safety services. In addition, through the implementation of Measure G, the Town has made a substantial investment in its road infrastructure. Due to the fiscal crisis, the Town has had to temporarily suspend General Fund contributions to road maintenance. Delayed road maintenance now will only result in further cost later, as well as a reduced quality of life for Town residents. In addition to public safety and roads, a range of other services are at risk. For example, library hours have already been reduced, Town staff is accessible to the public on a limited schedule, and other services will be curtailed if the crisis continues.

Assessment of the Town's Operations Compared to Other Marin Cities and Towns

FAC committee members sought to answer important questions that they perceived would be asked by Town residents as they became more aware of the fiscal crisis. Briefly, the FAC's research in part produced the following findings:

Q. How does San Anselmo's costs compare to those of other cities and towns in Marin?

- A. San Anselmo's per capita costs of providing general services per resident are below the Marin average; \$596 per person, compared to a county-wide average of \$785 (based on 2002 data, the latest readily available).

Q. How much does San Anselmo pay its professional staff compared to other Marin towns and cities?

- A. A January 2003 compensation survey shows that two years ago virtually all of San Anselmo's senior managers receive below-average compensation when compared to other Marin cities and towns such as Mill Valley, Larkspur, Corte Madera, Sausalito, Tiburon, and Fairfax. San Anselmo's salaries range from 1% over average (one senior position only), to 15% below average (survey data provided to the FAC by Town staff).

Q. How much does San Anselmo pay for police protection compared to other communities?

- A. A comparison across nine Marin county cities and towns shows that police services for fiscal year 2004-2005 cost from \$221 (Novato) to \$426 (Belvedere) per person. San Anselmo's costs are \$248 per person, lower than all cities surveyed except for the Twin Cities (at \$247) and Novato (data provided by San Anselmo police department; similar data obtained by the FAC for the 2001-2002 fiscal year show San Anselmo's costs to be near the bottom in comparison to other cities).

Q. How much does San Anselmo pay for fire protection/emergency medical assistance services compared to other communities?

- A. The 2003-2004 Fire Protection Survey of 11 Marin county cities and towns shows that San Anselmo residents pay the lowest per capita cost for fire protection services of any Marin area surveyed. Costs ranged from \$179 per person (Ross Valley, including San Anselmo and Fairfax) to \$430 per person (Ross). The average was \$274 per person (\$95 per person more than what is paid by San Anselmo residents).

The FAC found San Anselmo's operating costs are at the lower end of the spectrum when compared to our neighbors.

The Size of the Fiscal Shortfall

Overall, the FAC found that to operate a full-service town, one that is fully staffed under a reasonable operational structure, with its library open and fully functional, the Planning and Building Department counters open for service 5 days a week, road maintenance supported on an ongoing basis, parks regularly maintained, and local public safety at current levels, the Town would need to have an additional \$600 thousand in FY 05/06 and \$1.345 million in FY 06/07. Projected costs and revenues suggest that the Town will be short an additional \$1.5 million for each of the fiscal years 2007/2008, 2008/2009 and 2009/2010. This would result in the Town being approximately \$6.5 million cumulatively under-funded by end of FY 2009/2010 if there is no remedy. The General Fund reserve is not able to support this deficit.

This can be more clearly demonstrated on the following chart that outlines a funding scenario for Fiscal years 2004-2010. The FAC reviewed multiple fiscal scenarios and chose one which we believed best represented the values of the town. This is just one model that is being used to demonstrate the magnitude of the Town's finances and a potential remedy. This chart was created as a tool to be used by the Town Council; it has been formatted to dovetail with the published Town budget, a format they are accustomed to when reviewing fiscal information. The data builds on the budget information contained in the 2004/2005 fiscal year budget and the amounts shown for each fiscal year are the marginal increments over the FY 04/05 budget.

TOWN OF SAN ANSELMO - 5 year Forecast					
Marginal Costs to 2004-05 Budget Year					
	05/06	06/07	07/08	08/09	09/10
REVENUE					
1 Property Tax	600,000	1,200,000	1,800,000	2,400,000	3,000,000
Replace Pr Yr 1 Time Rev	-500,000	-500,000	-500,000	-500,000	-500,000
2 MVLFF Repayment		470,000			
MVLFF Regular Pay		235,000	235,000	235,000	235,000
3 Sales Tax Increase		50,000	100,000	100,000	100,000
Total Marginal Revenue:	100,000	1,455,000	1,635,000	2,235,000	2,835,000
EXPENDITURES					
4 Operations	600,000	1,200,000	1,800,000	2,400,000	3,000,000
5 PERS Rate Reduction			-100,000	-200,000	-200,000
6 Employee Vacancies (7)		600,000	600,000	600,000	600,000
7 Salary Adjustments: additional \$ only	70,000	350,000	280,000	210,000	210,000
8 Road Maint Fund Contribution		300,000	300,000	300,000	300,000
9 Fin Hard/Software Purchase & Maint	30,000	50,000	50,000	50,000	50,000
10 Capital Items (70%)		210,000	210,000	210,000	210,000
11 Equipment Items (30%)		90,000	90,000	90,000	90,000
Total Marginal Expenditures:	700,000	2,800,000	3,230,000	3,660,000	4,260,000
Additional Funds Needed:	-600,000	-1,345,000	-1,595,000	-1,425,000	-1,425,000
New Tax Rev		1,664,250	1,664,250	1,664,250	1,664,250
Gen Fund Res (\$1.5M @ EOY 04/05)	900,000	1,219,250	1,288,500	1,527,750	1,767,000
12 Annual Expenditures	11,300,000	13,400,000	13,830,000	14,260,000	14,860,000
Reserve as % of annual expenditures	8.00%	9.10%	9.30%	10.70%	11.90%

Assumptions

- ¹ Property tax revenue will continue to increase at a steady rate of approximately 8 % per year.
- ² MVLFF fee repayment will be forthcoming in 2006-07 from the State of California, and full annual allocation will be restored beginning in 2006-07.
- ³ Sales tax revenue will recover to the stable level realized in pre-slump economy.
- ⁴ Operations increases will fully absorb the increases in property tax revenue and include increased employee costs, contractual obligations, insurance increases, etc. As PERS rate flattens, non-personnel budget cuts will be restored. Prior year salary adjustments are included in this amount.
- ⁵ The PERS rate will flatten in 2006-07 and we will realize a modest savings of \$100,000 in 2007-08 and \$200,000 in 2008-09 and 2009-10. (The town-wide PERS contribution for 2004-05 is estimated at \$1.7 M)
- ⁶ The 7 employee vacancies will be filled in 2006-07.
- ⁷ Salary adjustments includes only the current year's marginal cost. As indicated in #4 above, on-going expense is absorbed in operations budget.
- ⁸ Road Maintenance Fund contributions are re-started, and include a \$100,000 annual replacement of \$ transferred back to Gen Fund in prior years.
- ⁹ Financial hardware and software will be purchased in 2005-06 on a 5 year lease-purchase plan assuming 10% interest. Ongoing annual costs of \$10,000 are included.
- ¹⁰ Capital Reconstruction and Equipment Purchases are allocated in the Council's existing pattern of 70% / 30% split and is increased to \$300,000.
- ¹¹ New Tax Revenue of \$1.66 million by example represents \$350/yr/taxable parcel, where taxable parcels are 4755. Actual tax measure may be based upon this or some other calculations that result in the additional tax revenue needed of \$1.66M per year for FY 2006/07 through 2009/2010.
- ¹² Annual Expenditures for FY 04-05 were approved at \$10,600,000.

This is just one of many possible models, a “most likely” scenario that includes the values that are important to the residents of San Anselmo. With a reserve of \$1.5 million projected for the end of the current fiscal year, FY 04/05, that balance will be reduced to \$900 thousand by the end of the next fiscal year, (05/06). If a new tax is passed, the Town would be able to fund its “full service” budget, and restore some of the Town’s reserve. By the end of FY 09/10, the Town would have provided services to its residents at a level that supports the quality of life we have come to expect, as well as brought the reserve up to 11.9% of the budget. However, if a new tax is not passed, the reserve will be unable to support the fiscal year 06-07, at which point the delivery of services will be reduced, and much different than it is today.

Options Available to Solve the Fiscal Problem

The Town has done a very good job of doing more with less over the last several years. It has made cuts in costs with minimal impact to the citizens of the town. We believe that without a substantial change to the structure of how services are provided, the Town can not sustain this cost cutting strategy. Almost every expense opportunity has been examined both in staff sessions and in public hearings held over the last 15 months. Without additional revenue or drastic changes and/or reductions in the way town services are provided, there is little opportunity to balance the budget, maintain a positive work environment for staff, provide core services, and meet the expectations of residents.

Several findings stand out for future consideration.

Of the opportunities to further reduce **expenses**, none return the necessary revenue.

The FAC identified that in order to reduce expenditures by \$500K per year, the Town would need to take drastic action, such as (1) closing the library, or (2) dramatically and permanently reducing the ongoing repair and maintenance of Town roads, or (3) dramatically and permanently reducing or eliminating the ongoing budget for Town parks. However, curtailing road maintenance and repair, or closing Town parks will actually increase the Town’s liability. The cost of operating the Library is approximately \$525,000 for 6 open days per week. At great loss to the community, the library could close additional days or entirely, however it is unlikely that the entire savings could be realized.

Personnel costs represent 85% of total town expenses. While town staff has not been awarded merit or cost of living increases in the past two years, the cost of providing health and benefit services has risen at extremely high rates. With no guarantee of control on the rates, the Town’s negotiated agreement to make the full contribution of the employee portion of the pension benefits programs is an area where there may be opportunity for expense control. The cost of providing employee pension and health insurance benefits has soared in recent years. San Anselmo’s rising benefit costs are not unique. Surging benefits costs have triggered a statewide political debate. Given the larger political forces at work, it is quite possible that benefits costs will change substantially in the years ahead. However it is impossible to predict the efficacy of the ability of these statewide reform efforts to reduce San Anselmo’s near-term financial pressure. The FAC recognizes that the benefits issue is a difficult one for the Town; Town staff has foregone raises in recent years, and they are compensated at levels

below average compared to that of similar positions elsewhere in Marin. There are also historical and collectively bargained labor negotiations that took place in San Anselmo where staff exchanged potential salary increases for increased benefits. Also, because there are mandatory costs for employers associated with every dollar of salary, giving the dollars as benefits instead of salary is generally a less expensive alternative. And, the employees of the town of San Anselmo still remain at the bottom of the compensation scale relative to their peers. Still, the benefits problem is real, and it contributes substantially to the increased costs that have challenged the Town's fiscal health. In the current fiscal year (2004-2005), the surge in employee benefits costs has added perhaps \$750,000 to \$800,000 in additional expense the Town has had to absorb.

Of the **revenue** generating ideas there is only one that is significant and within the Town's direct control.

The FAC has found that a new assessment is the only means within the Town's direct control to close the gap between the increased costs of running the Town and the revenue needed to support that effort.

The subcommittee of the FAC approached the new assessment with several assumptions. First, we established a model that we could use to develop a revenue number. Second, we built a formula to get to a specific dollar amount per unit. Before a final decision is made about the actual assessment value or strategy for assessment, we believe the Council will look at various assumptions and develop a final formula based on the assumptions they choose.

If the target revenue is \$1.66 million shortfall per year, and taxable parcel is the 'unit' used (there are 4,755 taxable parcels in San Anselmo), a parcel tax of \$350 will return the revenue required over the next 4 years to bring San Anselmo back to providing normal, full service, and avoid running out of funds.

The FAC believes that other revenue raising opportunities may emerge for local communities. One example involves increasing vehicle registration fees to include a surcharge for road maintenance. The FAC anticipates the Town Council will consider these opportunities as they emerge.

Summary Findings

In summary, the FAC found that San Anselmo is in the midst of a severe financial crisis with origins extending back at least five years. In recent years, the crisis has been a function largely of forces outside the Town's direct control. There is nothing to indicate that the Town's financial problem is a result of operating practices that are somehow unique or unusually costly in comparison to our neighboring towns and cities. Assuming Town residents wish to continue to support current services, the most logical solution is to seek a new assessment. The existing municipal services tax of \$78 per living unit is embedded in the current budget and has not changed in over 20 years. Obviously, the cost and funding of providing services has changed quite substantially in the intervening years. The model above, \$350 per taxable parcel, applied to 4,755 taxable parcels, would generate sufficient additional income to fund the shortfall over the next five fiscal years. This is summarized in the previous chart. This new assessment is based entirely

on financial need, and the FAC did not explore whether such a dollar amount would be supported by Town residents. It is left to the Town Council to determine if an assessment measure shall be placed on the ballot.

Time is of the essence. If the Council decides to place a tax assessment on the ballot, we recommended that a citizen's group be immediately formed to develop an aggressive and educational campaign in support of the measure for passage in November, 2005. Passage of such a measure would bring needed revenue to the town beginning in FY 06/07, thus averting a crisis of depleting the reserve, running a deficit budget, and drastically reducing and altering the way services are provided to San Anselmo residents.

If the Town Council decides not to pursue a tax increase of the magnitude identified in this report, then drastic efforts will need to be taken to identify cost savings and service changes. Even if the Town Council pursues a tax increase but the voters reject the increase, further efforts will need to be taken to identify cost savings and dramatic changes in the level and type of services provided. Like the work of the FAC's predecessors, finds that the way in which services are provided to the residents of the town will dramatically and critically change, and will be at a reduced level.

Further Study Recommendations

The FAC had a limited amount of time in which to assess the fiscal problem and identify potential solutions. During our discussions, committee members raised numerous questions and independently looked at issues and strategies which paralleled work already done by the Council and staff over the last 15 months. Some of the questions raised may result in further study over time, especially if the revenue needed to run town operations is not available. Example issues raised, but not addressed by the committee, include evaluating the potential fiscal and service ramifications of (a) consolidating police and further consolidation of fire services with other neighbor communities or the County, (b) contracting for public safety services, (c) changing the Town's staffing structure to consolidate positions, and (d) pursuit of state level sources of income.

Additional areas for further study include:

- research cyclical budgeting, where the Town can save funds in normal years for items that on a cyclical basis require substantial additional expense, such as PERS contributions.
- formalize reserve target levels to re-establish a level of comfort in operating reserves (currently underway by the Town).
- establish a standing Citizens Fiscal Committee educated in public accounting which can assist the town by remaining familiar with the budgeting and fiscal issues of the Town. It could be convened for periodic projects relating to the Town's fiscal needs.

AGENDA ITEM 3

TOWN OF SAN ANSELMO STAFF REPORT

May 4, 2005

For the Meeting of May 10, 2005

TO: Town Council

FROM: Lisa Wight, Planning Director

SUBJECT: Appeal of Planning Commission's conditional approval of the Design Review amendment related to the groundcover for the Red Hill Shopping Center, 800 - 900 Sir Francis Drake Boulevard, APN 6-061-23.

RECOMMENDATION

That the Town Council deny the appeal and uphold the Planning Commission's conditional approval.

APPLICANT/APPELLANT: Marianne Spinozzi for Red Hill Shopping Center

I. BACKGROUND

April 18, 2005: Planning Commission conditionally approved new landscaping along the Sir Francis Drake Boulevard frontage: 1) Shrubs: Escallonia 'Fradesi - Pink Princess; 2) Groundcover: a species that would remain green all year, subject to staff approval, thereby denying the applicant's proposed Lantana montevidensis 'Purple'; and 3) lower growing plants in the planter near the service station exit (for sight distance when exiting), also subject to staff approval. Motion passed unanimously.

II. DISCUSSION OF APPEAL

Appeal points are noted in italics, followed by staff's comments in normal font.

"We have consulted our landscape designer . . . , as well as . . . West End Nursery . . . lantana is best suited for our needs . . . a low growing perennial . . . bears flowers approx. 10 months of the year, and does not look "like a bunch of sticks" if it is properly pruned . . . fast growing, very hardy, drought resistant . . . used extensively for median strips throughout the Town of Corte Madera, and is endorsed by the MMWD."

The Planning Commission felt that Lantana is too bare in winter and favored a species that remains green throughout the year.

III. RECOMMENDATION

Deny the appeal and uphold the Planning Commission determination, making the following findings and conditions for approval:

1. *Is functionally and aesthetically compatible with the existing improvements and the natural elements in the surrounding area;*

The Escallonia would be aesthetically compatible with the existing improvements in the neighborhood. Lantana can get very woody and can spread over the sidewalk unless it is pruned annually. There are other lower maintenance groundcovers available.

2. *Provides for protection against noise, odors, and other factors, which may make the environment less desirable;*

This project would have no impacts on noise or odors.

3. *Will not tend to cause the surrounding area to depreciate materially in appearance or value or otherwise discourage occupancy, investment or orderly development in such area;*

The planter will be an aesthetic improvement once it is planted. See No. 1 above.

4. *Will not create unnecessary traffic hazards due to congestion, distraction of motorists, or other factors and provides for satisfactory access by emergency vehicles and personnel;*

The project would have no impacts on traffic.

5. *Will not adversely affect the health or safety of persons using the improvement or endanger property located in the surrounding area;*

There should be no safety concerns provided the landscaping is maintained and pruned.

Conditions of Approval:

1. Approval is based on the plans date stamped received on March 31, 2005, and marked up as follows: 71: 5-gallon shrubs: Escallonia Exoniensis 'Fradesi-Pink Princess'; 214:1-gallon species of groundcover that is low growing, drought-tolerant, deer-resistant, and stays green throughout the year, subject to staff approval; and low growing plants in the area near the service station exit for sight distance, subject to staff approval.

2. All irrigation shall be in conformance with the Marin Municipal Water District Landscape Ordinance No. 385;

3. Plants shall be indefinitely maintained, with shrub heights to be between 5-6' in height, and necessary pruning so that the plants do not extend over the public sidewalk; and

4. Should the plantings not be completed within one year from the date of this approval, the approval shall be considered null and void. A one-time-only, one-year extension can be requested in writing to the Planning Director prior to the expiration date.

Attachments: Appeal and attachment
Planning Commission minutes and staff report for April 18, 2005
APN Map
Plans

c: Marianne Spinozzi, applicant/appellant

AGENDA ITEM 4

**TOWN OF SAN ANSELMO
STAFF REPORT**

May 4, 2005

For the Meeting of May 10, 2005

TO: Town Council

FROM: Lisa Wight, Interim Planning Director

SUBJECT: Planning Commission recommendation: Approval of a Mitigated Negative Declaration and Introduction of an ordinance rezoning from Specific Planned Development (SPD) for an Automobile Detailing/Repair Operation to Specific Planned Development (SPD) for a Residential Development: 3 Single Family Dwellings, 4 "Workforce" Apartments (low to moderate income), and 4 Townhouses at 1535 Sir Francis Drake Boulevard, APN 005-153-01.

PLANNING COMMISSION RECOMMENDATION

That the Town Council approve the Negative Declaration and introduce an ordinance next in order rezoning the property to SPD for a residential development: 3 single family dwellings, 4 "workforce" apartments (low to moderate income) and 4 townhouses.

APPLICANT Joseph Maguire, 46 Oakland Avenue, San Anselmo, California
94960

BACKGROUND

April 12, 2005: Town Council reviewed the photo montage and continued the hearing for the applicant to consider elimination of the third detached single family dwelling and language for the soil testing.

January 24, 2005: Town Council referred back to the applicant to prepare a photo montage from at least two locations.

December 6, 2004: Planning Commission recommended approval (ayes: 3; noes: 1 (Harris); abstain: 2 (Pipkin, Zwick))

DISCUSSION

New Information received since the April 12th hearing:

The applicant has submitted two alternative plans for consideration. Because it involves overlays, only one set has been submitted (available for review in the Planning Department):

Alternative One:

- Elimination of the third detached single family dwelling
- Reduction of two on-site parking spaces (as the third 2-car garage would be eliminated)
- First story enlargement of each of the two detached single family dwellings to provide a larger family room
- Reduction in the number of workforce apartments and increase in the number of townhouses: from 4 townhouses and 4 workforce apartments to 6 townhouses and 2 workforce apartments.

Alternative Two:

- Reduction in size of all three detached single family dwellings by eliminating fireplaces and stair extensions such that side setbacks are increased;
- Reduction in building height of the three single family dwellings and the attached building by approximately 1.5';
- Reduction in the number of workforce apartments and increase in the number of townhouses: from 4 townhouses and 4 workforce apartments to 6 townhouses and 2 workforce apartments. Under this Alternative 2, the applicant has verbally expressed the desire to provide 4 workforce apartments, rather than 2, but indicated that would be dependent on the ability to begin infrastructure construction by August 15, 2005.

Planning, Building, and Public Works staff believe it would be feasible to meet that August 15th date for the necessary reviews to take place (use permit/design review, demolition permit, improvement plan review, encroachment permits, tentative map review, and building permits), some of which would only necessitate administrative review and others require Planning Commission and some Town Council public hearings). Staff's commitment to process these applications in a timely manner would naturally be dependent on the completeness of the applicant's submittals.

After discussion with the Town Attorney, should the Council approve Alternative Two, the wording on the number of workforce apartments would be an "either/or" description.

RECOMMENDATION

Planning Commission recommendation: that the Town Council approve the Mitigated Negative Declaration and introduce an ordinance next in order rezoning the property to SPD for a residential development of 3 single family dwellings, 4 "workforce"

apartments (low to moderate income) and 4 townhouses, and continue the hearing to May 24, 2005 for adoption of the ordinance.

This motion would need to be amended to "either 4 "workforce" apartments (low to moderate income) and 4 townhouses, or 2 "workforce" apartments (low to moderate income) and 6 townhouses" to reflect the applicant's current proposal.

Attachments: Draft Ordinance
Town Council minutes dated April 12, 2005
Architect's letter dated May 4, 2005

c: Joseph Maguire, applicant
Jim McDonald, architect

TOWN OF SAN ANSELMO
ORDINANCE NO. 0403

AN ORDINANCE OF THE TOWN OF SAN ANSELMO APPROVING A MITIGATED NEGATIVE DECLARATION AND REZONING FROM SPECIFIC PLANNED DEVELOPMENT (SPD) FOR AN AUTOMOBILE DETAILING/REPAIR OPERATION TO SPECIFIC PLANNED DEVELOPMENT (SPD) FOR A RESIDENTIAL DEVELOPMENT: 3 SINGLE FAMILY DETACHED DWELLINGS, AND A BUILDING CONTAINING EITHER 4 TOWNHOUSES AND 4 "WORKFORCE" APARTMENTS (LOW TO MODERATE INCOME), OR 6 TOWNHOUSES AND 2 "WORKFORCE" APARTMENTS ON APN 005-153-01, 1535 SIR FRANCIS DRAKE BOULEVARD.

SECTION I. PLANNING COMMISSION ACTION

WHEREAS, an application was filed with the Town of San Anselmo on June 15, 2004, requesting environmental review and SPD rezoning, and was determined complete on September 12, 2004; and

WHEREAS, the Planning Commission held duly noticed public hearings on October 5, November 15, and December 6, 2004, and considered the negative declaration and Specific Planned Development rezoning. Comments were received from staff and the audience; and

WHEREAS, the Planning Commission approved Resolution No. 0403 with conditions, recommending to the Town Council approval of the negative declaration and SPD rezoning on December 6, 2004, on the grounds that the required findings of approval could be made.

SECTION II. TOWN COUNCIL ACTION

WHEREAS, the Town Council held duly noticed public hearings on January 25, 2005 and April 12, 2005, to introduce an ordinance rezoning the property, at which time they considered the recommendations of the Planning Commission and took comments from staff and the audience, and continued the matter;

WHEREAS, the Town Council held a duly noticed public hearing on May 10, 2005, at which time they introduced an ordinance rezoning the property, after considering recommendations of the Planning Commission and receiving new information from staff and the audience, and continued the matter to May 24, 2005 for adoption of the ordinance.

NOW, THEREFORE, the Town Council of the Town of San Anselmo DOES HEREBY FIND as follows:

SECTION III. ENVIRONMENTAL REVIEW

1. That the above project would have a less than significant impact on the environment.

Due to the scope and design of the project (11 units) and its location (at the corner of Sir Francis Drake Boulevard and Oak Knoll Avenue), the project should have no impacts on land use and planning, geology and soils, hydrology/water quality, mineral resources, and cultural resources, and less than significant impacts on population and housing, air quality, biological resources, noise, public services, aesthetics, and recreational facilities. The project would have a less than significant impact with the mitigation measures (attached to the negative declaration) on transportation/circulation, utilities and service systems, and hazards/hazardous materials.

SECTION IV. REZONING

1. The lot or lots is/are of sufficient size and otherwise suitable for planned development.

The property is of sufficient size and suitable for planned development.

2. The lot or lots can best be developed by a specific integrated plan approved by the Town in advance of development.

Due to the location of the property on Sir Francis Drake Boulevard and surrounding development and local streets, it can best be developed by a specific integrated plan.

3. Planned development of the property would promote the purposes set forth in SAMC Section 10-3.901.

Due to the property's size and aesthetic appeal, it cannot be appropriately developed through adherence to rigid zoning designations and restrictions. The special characteristics of this lot necessitate a flexible approach to its development, which will

provide for logical and orderly development, and at the same time, promote the health, safety, and general welfare of the Town. Planned development contemplates flexibility and variety in the location of buildings and the diversity of lot sizes and building designs. The Planned Development District is intended to accommodate various types of development, including single family residential developments, multiple housing developments, and any combination of uses, which can be made a part of a planned development.

4. *The planned development is consistent with the Town's General Plan, with specific reference to the applicable sections of the General Plan.*

The project would be consistent with the General Plan for the following reasons:

LAND USE ELEMENT:

"Policy 1.2: Future growth will be managed based on the ability to provide needed public services, the constraints associated with development of the site, the costs and revenues associated with new development, and the effects of growth on local traffic conditions."

It has been shown that public services can be provided for this project, the applicant will pay for off-site improvements, and the Traffic Study has determined that the increase in traffic shall not have a significant impact on local traffic conditions.

"Policy 3.2: Single-family residential development is most appropriate within and adjacent to existing single family areas, and in areas easily served with water and sewer lines. Such areas should also serve as transition zones between mixed density and very low density areas."

The three detached single family dwellings are proposed to be located adjacent to detached dwellings on Medway Road, the project can be served by existing water and sewer lines, and the detached dwellings will serve as a transition between the apartments and townhouses on Sir Francis Drake Boulevard and the lower density on Oak Knoll Avenue and Medway Road.

"Policy 3.3: Mixed residential and housing opportunity development is also appropriate along major traffic arterials and adjacent to commercial and office areas."

The townhouses and workforce housing are proposed to be located on Sir Francis Drake Boulevard.

"Policy 3.4: Mixed residential and housing opportunity development is also appropriate along major traffic arterials and adjacent to commercial and office areas."

See 3.3 above.

"Policy 11.1: New development, including rehabilitation and expansion projects, shall be of a scale, intensity, and design that integrates with the existing character of the surrounding neighborhood."

The scale of the townhouses and workforce apartments would be of a scale, intensity and design that integrates with the existing character of the Sir Francis Drake Boulevard neighborhood, and the scale of the detached dwellings would be of a scale, intensity and design that integrates with the existing character of the Oak Knoll Avenue/Medway Road neighborhood.

"Policy 11.2: Medium and large scale development projects in both single family and mixed residential areas shall provide for a variation in building heights and exterior wall and roof articulation to avoid monotonous structures with a large, blank visual bulk and mass."

The structures are designed to have variation in building heights and exterior wall and roof articulation such that the structures are visually interesting to break up any mass.

"Policy 12.1: To work with the special districts that provide water, sewer, and fire protection services in order to maintain and improve upon the present level of service."

The Town has obtained "will serve" letters from Marin Municipal Water District, Ross Valley Sanitary District, and both the Ross Valley Fire and San Anselmo Police Departments have responded with their comments.

"Policy 12.2: To require all new development with the Town to be served by public water and fire protection agencies and, where feasible, the public sewer system."

The project would be served by Marin Municipal Water District, Ross Valley Sanitary District, and both the Ross Valley Fire and San Anselmo Police Departments.

"Policy 16.1: All new developments in the Town should be designed to minimize vegetation removal, soils compaction, and site coverage."

The project would have balanced cut and fill at approximately 200 cubic yards. Vegetation removal would be of a heritage fan palm tree (circumference is 76.32"), which is located in the Town right of way. It was planted by a former tenant of No. 1535 in 1993 without Town approval, is not native to Northern California, and is located in the area where the sidewalk is proposed to be widened to meet ADA regulations.

"Policy 16.4: To repair and improve the Town's storm drainage system to handle existing and projected runoff."

Installation of storm drains on Oak Knoll Avenue and Medway Road would not be the responsibility of this development. The Town Engineer would require, however, that surface drainage be piped to the streets and not over adjacent private property.

CIRCULATION ELEMENT:

"Policy 1.2: To limit the intensity of developments which may have the potential to make a residential street traffic dominated."

The Traffic Study reports that this project will not make the residential streets traffic dominated.

"Policy 1.3: To promote traffic safety by channeling through traffic away from residential streets."

The project includes two egress driveways with right turn only signs, which places the vehicles on Sir Francis Drake Boulevard.

"Policy 3.2: All new major developments or subdivisions will be required to submit information to the Town as to their effect on the level of service at impacted intersections."

A Traffic Study was prepared, which states the project should not have a significant impact.

"Policy 4.1: To direct through traffic away from residential areas of the Town by using such techniques as landscaping and traffic islands . . . one-way traffic controls . . . do not pose a problem to public safety."

See 1.3 above.

"Policy 5.1: To maximize the use of local streets for regional bicycle traffic."

"Policy 6.1: San Anselmo's pedestrian way system is intended to link residential areas with local community destination points (i.e., parks, schools, town hall, commercial areas)."

The Sir Francis Drake Boulevard sidewalk is proposed to be widened to between 10' and 12' and will serve as a multipurpose path for pedestrians and bicyclists.

"Policy 6.2: Sidewalks and walkways will be considered in new residential projects but may not be mandatory."

See 6.1 above.

"Policy 8.1: to improve traffic circulation along Sir Francis Drake Boulevard by authorizing limited improvements such as . . . improvements at existing intersections . . ."

The Oak Knoll Avenue/Sir Francis Drake Boulevard intersection is proposed to be improved with Oak Knoll road and turning radius widening.

HOUSING ELEMENT:

"Policy 1.2: Design that fits into the neighborhood: It is the Town's intent that neighborhood identity and sense of community will be enhanced by designing all new housing to have a sensitive transition of scale and compatibility in form to the surrounding area. New development in existing residential areas shall be of a scale and character complementary to that of the neighborhood in order to protect overbuilding of the property."

This project has a "sensitive transition of scale and compatibility" with the surrounding area. The detached homes are adjacent to the Medway Road detached homes, and the townhouse/workforce apartments are adjacent to multi-residential housing.

"Policy 2.1: Housing for local workers: The Town will strive to provide an adequate supply and variety of housing opportunities to meet the needs of San Anselmo's workforce and their families, striving to match housing types and affordability, with household income."

Four workforce apartments, four townhouses, and 3 detached dwellings are proposed.

"Policy 2.6: Retention and Expansion of Multi Family sites at medium and high density: The Town will protect and strive to expand the supply and availability of multi family infill housing sites for affordable housing, will make the most efficient use of these site sin meeting local housing needs, and will strive to make sites competitive for subsidies. . ."

The supply of multi-family units would increase by four.

"Table 25: Summary of Potential Multi-Family Housing Sites and Opportunities"

The number "15" was assigned to this property based on the location of the project (near public transportation, adjacent to an arterial street, near other multiple family dwellings) and the Land Use Element discussion of Housing Opportunity Areas that would serve as an incentive to provide housing for low and moderate income families and that incentive

would be to allow 28 units per acre if 40% of a project was developed for low or moderate income families.

SECTION V. Conditions of Approval

Plans:

1. Approval is based on the plans date stamped received on November 22, 2004, and the revised site plan and elevations date stamped received on May 4, 2005.
2. Prior to Building permit issuance for construction of the dwelling units and tentative map approval, a professional environmental consultant shall take additional soil and ground water samples in different areas of the site. Should contamination be found, a second mitigated Negative Declaration shall be circulated detailing the clean up operation parameters. Should contamination be found at the site, the applicant must clean it up to the satisfaction of the San Francisco Regional Water Quality Board before the dwelling units are constructed. Should clean up not be possible, this Ordinance shall be repealed and the zoning shall revert to Specific Planned Development (SPD) for an automobile detailing/repair operation.
3. Prior to Building permit issuance for construction of the dwelling units, the tentative parcel map shall be subject to Planning Commission review and approval by the Town Council. This tentative map shall include the specific lot designs.
4. Prior to Building permit issuance for construction of the dwelling units, a use permit application shall be subject to approval by the Planning Commission and their approval obtained, which includes specifics, such as building materials, exterior colors, landscape plan including plant species, sizes, irrigation, and fencing, driveway materials, etc.

Grading and Drainage:

5. Prior to Building permit issuance for construction of the dwelling units, a grading plan and drainage plan shall be subject to approval by the Town Engineer.
6. Roof drainage from Buildings D and E shall be to Sir Francis Drake Boulevard.

Right of Way:

7. Prior to issuance of the Certificate of Occupancy: Off-site improvements to the right of ways on Oak Knoll Avenue (road widening, turning radius, sidewalk, driveway approach) and Sir Francis Drake Boulevard (sidewalk and driveway approach) shall be completed to the satisfaction of the Town Engineer.
8. Prior to building permit issuance, the applicant shall prepare and file with the Public Works Director, a construction management plan, which includes a videotape of

the roadway conditions on Sir Francis Drake Boulevard, Oak Knoll Avenue and Medway Road prior to construction. The applicant shall also post a road improvement bond or provide other assurance to the Town that damage to public streets resulting from construction vehicles will be corrected. The plan should include: 1) on-site storage of equipment and vehicles; 2) all construction equipment shall be adequately muffled and maintained; 3) hours of construction; etc.

9. Prior to issuance of the Certificate of Occupancy, Right Turn Only signs shall be installed by the Town at the applicant's expense near the Oak Knoll Avenue and Sir Francis Drake Boulevard exits. The San Anselmo Police Department shall determine such signs and their locations so that that Department can enforce them.

Landscaping:

10. Prior to issuance of the Certificate of Occupancy, the landscaping shall be planted and automatically irrigated as shown on the landscape plan.

11. Prior to building permit issuance for construction of the dwelling units, those trees along the rear property line, which are to be preserved, shall be protected according to the an Arborist's recommendations in order to minimize damage to these existing trees during construction of the dwelling and infrastructure. This includes protecting trees during installation of the utility lines. All protection shall remain in place until construction is completed.

Lighting:

12. Exterior lighting shall be designed to eliminate off-site spread of light through the use of hooded, low level, low wattage light fixtures, which cast light in a downward direction. Such lighting should be permitted for safety and security purposes only and must be unobtrusive and maintain privacy.

General:

13. Should construction not begin within one year from the date of this approval, the approval shall be considered null and void. A one-time-only, one-year extension can be requested in writing to the Planning Director prior to the expiration date.

14. Units WF 1 and WF 2, which are identified as "workforce housing", shall be rent-restricted for 35 years and available to households of low and moderate-income range of 60 - 80% of the median household income for Marin County. The term, "workforce" generally means that such units would be made affordable to private and public sector workers with incomes at or below that of teachers and public safety workers. Prior to recordation of the final subdivision map, the applicant shall enter into an agreement between the Town and the Housing Authority of the County of Marin, which is authorized by law to participate in programs that provide housing for households of low and moderate income, that the 2 designated "workforce units" would continue to be

available as workforce housing for a period of 35 years. Should it be feasible for the applicant, Units C1 and C2 shall become WF 3 and WF 4 and be subject to the same conditions as described in this paragraph.

Introduced at a regular meeting of the San Anselmo Town Council on the May 10, 2005, and PASSED AND ADOPTED by the San Anselmo Town Council at a regular meeting on the May 24, 2005, by the following vote:

AYES:

NOES:

ABSENT:

Peter Breen, Mayor

ATTEST:

Barbara Chambers, Town Clerk

AGENDA ITEM 5 –CONTINUED TO THE MEETING OF MAY 24, 2005.

AGENDA ITEM 6

**TOWN OF SAN ANSELMO
STAFF REPORT**

May 4, 2005

For the Meeting of May 10, 2005

TO: Town Council
FROM: Lisa Wight, Planning Director
SUBJECT: Planning Commission recommendation: Approval of a Negative Declaration and Zoning Ordinance Amendments

PLANNING COMMISSION RECOMMENDATION

That the Town Council approve the Negative Declaration and Introduce an Ordinance Amending the Zoning Ordinance, specifically; Article 3: Land Use: Table 3A (Land Use Table): Article 4: Development Standards: Table 4A (Development Standards Table), Table 4B (Minor Intrusions into Required Residential Development Standards), Table 4D (Table of R-1 H Hillside Density District Parcels), and Table 4E (Maximum Sizes of Dwellings on Residential Properties Located above 150 Mean Sea Level Elevation); Article 5: Parking; and Article 17: Definitions; and continue the hearing on Article 1: Adoption of Ordinance (New Inclusionary Ordinance (Affordable Housing)).

BACKGROUND

The Town Council appointed a subcommittee to review minor intrusions into required residential development standards. Subcommittee members: Councilmembers Kroot and Thornton and Planning Commissioners Jochum and Zwick. The subcommittee met with staff on several occasions and their recommendations were forwarded to the Planning Commission.

On February 7, 2005, the Planning Commission held a public hearing and recommended approval of the Negative Declaration and the Zoning Ordinance Amendments (ayes: Freeman, House, Sisich, Zwick; absent: Harris). At that meeting, comments were received from the audience, to which the Commissioners asked that staff pass those on (which are contained in the attached February 7 minutes).

Since the February 7th Planning Commission meeting, staff has made additional wording changes for two items, as we felt it would better clarify the intent. Those two items are marked with asterisks in Table 4B and Definitions. Secondly, staff recommends that the proposed Ordinance amendment to Article 1 (New Inclusionary Ordinance) be continued to June 14, 2005 so that staff can do additional research before bringing it forward to the Town Council.

DISCUSSION

Reference Planning Commission staff report dated February 7, 2005 for discussion of the ordinance amendments.

REQUIRED FINDINGS FOR APPROVAL

Listed in attached Ordinance.

RECOMMENDATION

1. That the Town Council approve the Negative Declaration and Introduce an Ordinance amending the Zoning Ordinance, specifically; Article 3: Land Use: Table 3A (Land Use Table): Article 4: Development Standards: Table 4A (Development Standards Table), Table 4B (Minor Intrusions into Required Residential Development Standards), Table 4D (Table of R-1 H Hillside Density District Parcels), and Table 4E (Maximum Sizes of Dwellings on Residential Properties Located above 150 Mean Sea Level Elevation); Article 5: Parking; and Article 17: Definitions.
2. That the Town Council announce that the scheduled hearing for the adoption of the Zoning Ordinance amendments is May 24, 2005.
3. That the Town Council continue the hearing of the Ordinance amendments to Article 1: Adoption of Ordinance (New Inclusionary Ordinance) to the June 14, 2005 meeting.

Attachments: Planning Commission minutes and staff report dated February 7, 2005
Zoning Ordinance draft revisions
Negative Declaration and Environmental Checklist