

**TOWN OF SAN ANSELMO  
SPECIAL MEETING  
TOWN COUNCIL MINUTES OF JUNE 17, 2008**

Present: Freeman, Breen, Greene, House, Thornton  
Absent: none

**CALL TO ORDER**

**1. APPEAL OF PLANNING COMMISSION APPROVAL OF THE NEGATIVE DECLARATION, USE PERMIT AND DESIGN REVIEW FOR THE RED HILL COMMUNITY PARK; REDEVELOPMENT OF APPROXIMATELY 5.7 ACRES OF THE FORMER RED HILL MIDDLE SCHOOL ATHLETIC/RECREATION FIELDS INTO A MULTI-PURPOSE COMMUNITY ATHLETIC SPORTS AND DOG PARK FACILITY AND A SMALL PORTION OF THE SUNNY HILLS PROPERTY FOR PARKING FOR THE PARK AND REPORT ON ADDITIONAL INFORMATION RECEIVED REGARDING FLOOD WATER DETENTION**

Building and Planning Director Lisa Wight presented the staff report giving full background on the project. Wight noted that the adopted ordinance rezoning the property to Specific Planned Development for Red Hill Community Park was still in effect. Wight addressed the issues of proper and timely notification to Town residents, changed traffic patterns, drainage, safety of field turf, habitat, sewage, lights and noise, and historical significance.

Wight stated that the project is expected to have a less than significant impact on the traffic operation per the traffic study previously submitted as no new traffic patterns were created since the studies were prepared.

In regards to drainage Wight reported that per Public Works Director Rabi Elias, the applicant has satisfied the requirement of not affecting the peak and 100 year flow of water.

Town Manager Debra Stutsman reported that the Ross Valley Flood Mitigation League contacted Flood Zone 9 engineer Jack Curley and asked if the use of the Red Hill School Field had been explored as a possible detention basin, and after further exploration noted that it would be prudent and valuable to explore all possibilities for potential flood reduction, given the topography of the site and its location at the outlet of the Red Hill sub-watershed.

Councilmember Breen asked the Council if there would be a conflict of interest with the Town Code and the State architect's approval of projects done by schools without involving the local community in the process. Breen also asked if conditions of approval were added, how long they would have to be enforced.

Town Attorney Epstein stated that there has been no request to be exempted from the review process, and that he would further research the answer to the inquiry.

Councilmember Greene asked if the Town would be in a position, after going through the public decision making process, of having the results of the process eradicated because the district has a means of bypassing the Town's authority, and Epstein stated that he would research the answer.

Greene asked if the two wells located on the field have undergone any testing to determine their viability and Peter Arnold responded no. In response to Greene's inquiry of whether the precise

location of the wells had been identified, Arnold responded that two PVC pipes have been identified.

Greene asked if there was a 36-inch storm drain that serves as the primary drain in the area and Public Works Director Rabi Elias responded yes. Elias further stated that water from the watershed runs through the pipe under the shopping center into the creek.

Greene asked if any studies had been conducted to determine the rate of flow of the water and the ability of the pipe to manage the water flow and Elias responded no.

Town Attorney Epstein stated that California Government Code Section 53094 allows a school district by 2/3 vote to render a city's zoning ordinance for classroom except when the facility is for non classroom facilities.

Greene asked had any study or consideration been given to the relationship between the field in question and Red Hill on one side and the Sorich Park ridge on the other, and the habitat and animals traveling between the two. Wight responded that based on the project plan, it appears that animals can still travel between the two.

Greene asked about fences between four feet and twenty feet that would limit access and Arnold stated that there is currently a six-foot fence, to which Greene responded that the current fence has a permanent ten-foot opening that provides a thruway. Arnold stated that there would still be a thruway between the dog park area and the administration building. Arnold further noted that the fence would only encompass the field and the dog park and would connect into an existing fence, but maintains an opening.

Greene then asked about field turf runoff, and stated that there was nothing in the record that discussed runoff. Greene noted that it seems as if three acres of permeable flat dirt were being replaced with impermeable artificial turf and questioned the way the field turf would work. Greene asked if the field turf would function as a runoff catcher and feed into the storm drain. Elias stated that it was his understanding that the field turf has spores and sand underneath and that a hydrologic engineer has to prove that the project would not change the 100-year flow.

Mayor Freeman asked about parking and noted that only two of the 158 spaces are designated as handicapped parking. Wight responded that there are 84 parking spaces with 2 handicapped, which exceeds the estimated demand of 74 parking spaces. Freeman responded that there are not enough handicapped spaces and considering the populations he would like to see more spaces designated for the handicapped.

Freeman asked if there were state laws that would stop digging if relics were found in the area. Wight answered yes.

Greene stated that he wanted clarification on the process and said that Resolution 01 was missing sheets related to drainage, irrigation and construction and electrical notes. Wight responded that the sheets were part of the package but weren't signed off on and that all had been submitted to the Planning Commission. Wight also stated that as a condition of approval, the plans had to be approved by Building and Planning Director Rabi Elias. Wight further noted that structural and electrical plans were not submitted, as they are not required.

Greene asked about a detention basin for 3600 cubic feet of water, and Engineer Reinhard Ludke stated that the objective and goal when designing the park was providing a drainage system that

would reduce the runoff into the creek with a detention basin. Reinhardt stated that the drainage system has 3600 cubic feet of capacity and has a meter discharge and is engineered with a hydrologic system to reduce the amount of flow from the project into the current system and reduce flood hazard downstream.

Greene asked if the efficacy is contingent upon it not filling up and overflowing and Reinhardt stated no, that the system is an engineered system and that the system is engineered to handle the storm. Reinhardt also stated that a hydrologic analysis of the field was conducted and that the clay on the field is very impermeable. Reinhardt also stated that the new field would have the storm drain system under the sand and under the turf.

Councilmember House asked about debris and fine particles flowing downhill and if they would settle under the turf and Reinhardt stated that the water running off the sides of the hills would run into drains around the hills.

Greene asked if runoff flow calculations had been provided to staff and Reinhardt responded that the calculations were provided to the town engineer and to Rabi Elias.

Nancy Okada for PRIDE (People Responsible in Defending Environments), appellant, addressed the Council stating that there was no information received from the Town regarding the appeal.

Steve Murch, Golf Lane, stated that he feels that the Town Council should have the final vote regarding the important plan that holds a lot of change for the Town. March stated that he feels the magnitude of the decision dictates the need for review. Murch further stated that it is a big park with a lot of purpose and that it is extremely important to deal with the fundamental issues associated with the project. March asked when funding for Phase II would be available and what kind of resource or plan the Town would need at the time. March also asked how items on the Environmental Checklist get classified as "less than significant", and finally asked if the project would be affected by future development in the valley.

Nancy Okada, on behalf of PRIDE asked the Council to rescind the Negative Declaration and send the project back to the Planning Department staff to review the potential impact on the community. Okada stated that the project would create considerably more traffic, drainage issues, and that the field turf is toxic. Okada further stated that some of the chemicals in the turf required Proposition 65 notification. Okada also stated that other communities would use the site, which would cost money in police, road repairs and emergency calls. Okada said that she wants to make certain the Town guarantees the safest environment for its community and that she wants kids to play on natural grass fields instead of synthetic fields. Okada also noted the 2005 flood that took place after the installation of synthetic turf on Drake High School's field that runs off into the creek and stated that the turf is a health hazard that is not needed and that legislation to ban turf fields has made its way through the California legislature. Finally, Okada stated that PRIDE has gathered hundreds of signatures against developing the sports complex in the Red Hill Valley.

Vice Mayor Breen asked Okada how she determined that a Proposition 65 sign needed to be posted, and Okada stated that the EPA states that signs need to be posted. Breen mentioned that signs were not posted at other fields and Okada responded that maybe there needs to be some activism around the issue.

Breen clarified that the mentioned lights are for security purposes only.

Breen also asked Okada how she knew that other communities would use the field and Okada responded that she had spoken with people from other communities.

Breen asked who would handle the scheduling of the field and Okada responded that unless the Town has an agreement with the Tamalpais High School, she would assume that Tamalpais High School would handle the scheduling. Okada stated there is a calendar of events and rental information on the District website.

Breen stated that the Council needs to know what are facts, conjectures and thoughts on the bill currently in the legislature to ban field turf in order to make a valid decision.

Greene stated that A.B. 1277 is sponsored by Maldonado and that when introduced the bill included a moratorium and was amended to require a study. Greene stated that he spoke to Maldonado's aide who informed him that there was no science to back the moratorium.

John Wright, JPA Chairman, member of Mount Tamalpais School Board stated that from the JPA and the Tamalpais School Board perspective, issues have been discussed and all needed approval received. Wright stated that nothing has changed in terms of the project and that the intended use is still the same. Wright further noted that the Tamalpais district has installed field turfs at all schools and have had no issues or problems with the turf. Wright stated that the community wanted a year-round facility and that there is a tremendous demand for community use. Wright also said that the JPA would continue the current agreement that allows the Town of San Anselmo to be responsible for scheduling. Wright further stated that there would continue to be collaboration between the School District and the Town. Wright then introduced JPA member Bob Walter who stated that once approval is given, the field could be complete by November. Wright informed the Council that there would be some additional layers of fundraising for Phase II for landscaping and "park like" things. Wright said that it is very difficult to raise the money and that it has always been understood that if Phase I was complete, folks would see that the project was real and help secure additional funding.

Walter further stated that prior to field turf being explored, the fields had to be approved by everyone who controls the Bay and that independent tests were run to ensure that the turf was bound with non-toxic glue. Walter informed the Council that field turf was chosen because the rubber is cryogenically frozen and that the two major issues of maintenance and replacement were addressed when choosing the turf. Walter stated that there is a legal obligation to maintain the field and that the turf would need patch replacement as necessary and full replacement every 14 years. Walter informed the Council that the Tamalpais School District has a special fund to replace and maintain the turf and that the agreement states that if Ross Valley wants the field back, they can buy it back for \$1, with the Tamalpais School District still maintaining the field. Walter assured the Council that the entire process has been looked at from the perspective of what is good for the commonwealth and what is the greater good for all. Finally, Walter stated that increasing the water capacity was totally a civic act and urged the Council not to derail the project at such a late date.

House asked the applicant if the studies from the flood indicate that the proposed area is a good spot for the retention basin, and Walter responded that the retention system was built into the plan and that the drainage system would be built into the field turf.

In response to Houses' inquiry of whether the county flood staff has asked about making it more of a detention basin, Wright responded that the benefit would be marginal and would significantly

reduce the project. Reinhardt also added that a dam could be put in the space but asked if that would be practical or realistic.

House asked who would make the final decision if it is recommended that an additional detention base be added; Breen responded the Board of Supervisors would make the final decision.

Clarissa Canady, Mill Valley, stated that the Tam Union would be the owner of the site and that Tam Union would need to approve, and the water company would need to condemn the property.

Breen stated that there was a commitment made by the Board of Supervisors that a detention basin would require a willing seller. Breen also stated that the JPA could require that the detention basin could be roofed, so the issue has recently been raised appropriately by the Town Manager.

Breen further stated that the mention of other communities using the field is an unfair tactic that shouldn't be used.

Thornton stated that in regards to the detention basin, an engineering study has been done that looks at the entire watershed and solutions, and as the Town Manager mentioned, might warrant further study.

Greene asked about independent toxicology reports and Walter responded that the reports have been provided and are at the Tamalpais High School office.

Greene also asked about the maintenance of the field turf and the presence of disease in synthetic turf. Walter responded that there is no indication that there is any greater risk of gym infection off of artificial turf.

Greene noted that the State of California did a study on the health effects of recycled tire materials and Walter stated that there are several different infill materials and that the field turf does not use the infill that sticks to children, nor does it use infill with metal particles.

Greene asked if there was a machine to clean the turf and Walter noted that a rake fluffs the turf once per month.

Greene asked what the Tam District would be getting out of the deal, and Walter stated it's more about what the community will get out of the deal. Walter stated that he saw a lot of issues, not just affecting the Drake children, as well as a need and the ability to handle multiple sports practices.

Greene asked Ludke about the estimated flood rate of 5600 cubic feet per second in the watershed in 2005 and 2006, and also asked how fast the 3600 cubic feet would fill up and Reinhardt replied that he could not answer the question, but would like to come back and give the answer.

Mayor Freeman asked for reasons for choosing synthetic turf and Walter replied that the main reasons were health and safety.

Mayor Freeman also asked about renting the field to community groups and Walter replied that priority consideration would be given to organizations in Ross Valley.

Sven Beard, stated that many fertilizers are used with natural gas and when the runoff is into the river environmental disasters are born. Beard stated that there was no run off with turf.

Jesse Stats, plays for Drake High, said that with field turf the season can start early and athletes can also play during the winter. Stats also said that the extra field would help the freshman teams improve and let all teams be their best.

Nick Doman, soccer player, stated that he grew up on White Hill Field which is pretty bad and has gopher holes and that many people have hurt themselves. Doman said he looks forward to going to Drake to play on the turf. Doman also said that rain does cancel many games and that White Hill Field turns into a swamp during the rain.

Patrick Conroy, plays baseball at Drake High School and has played on field turf since the age of ten at Marin Academy. Conroy said that field turf was the best thing ever since kids can play whenever because they don't have to wait for the field to dry.

Tony, plays baseball & soccer for Drake High School, stated that rain affects the field a lot.

Alec White, brother plays baseball. White stated that athletes need more room to play.

Walter Kopp, asked the audience for a show of hands by those who were in support of the project. Kopp asked the Council to respect the process and stated that a lot of in kind donations were given toward the project.

David Hamilton, Sequoia Drive, stated that the sound really affects him and that he appreciates that kids need a place to play. Hamilton stated that noise travels up the hill and asked that consideration given to the type of sports scheduled in the evening.

Tanya Jaspering, stated that the park is in the best interest for the kids and that the park is an extension of the community spirit.

Ken Conroy, Freshman Baseball Coach at Drake, member of SABA stated that the field turf can accommodate more than one sport in an all weather situation.

Don Drake, Principal at Drake High School, stated that the school has over ten teams for youth and there has been no addition of facilities in the past seven years. Drake stated that the community gets to host people from other schools and be proud of the facility and the school spirit, which says much about the community.

Amy Goldberg, toxicologist with Masters Degree from UC Berkeley stated that it is true that there are 49 chemicals in the field turf, but that the concentrations are so low that there are no adverse reactions. Goldberg stated that she is available as a community member to help with further toxicology issues.

Brock Greene, stated that creating a place that will be available to all is important. Greene also said that he has not contributed to fundraising as he does not want to write a check for a park that is not going to be built.

Tom McNerey, Nokomis Avenue resident, stated that he convinced that the issues of flooding have been adequately addressed and that he is fully supportive of the field.

Louise Matthews, Foothill Road, stated that the Planning Commission did not review drainage and electrical plans and did not review the entirety of the project as required by CEQA. Matthews also stated that the surface at Drake is permeable and goes into the creek.

John William Wright, showed picture of Red Hill Field 34 years ago and noted it's about the same now. Wright noted that there are gophers at Red Hill Park.

Max Pierre, student at Tam High stated that he was very opposed to the installation of synthetic fields, as they are very toxic and said that he was concerned about the toxins in our daily lives.

Eric Ingert, soccer coach, stated that there was no alternative to a synthetic field as the gopher holes are extremely hazardous.

Pete Newcomb, stated that he was against the installation of the field turf and that he was concerned about the fundraising for Phase II.

Gene Childs, Recreation and Park Commission, stated that the peal of laughter is an amenity, not a nuisance.

George Gazzoli, encouraged the Council to take staff's recommendations.

Ken Mayer, stated that he was concerned that concerns are more directed towards the Ross Valley School District.

Joe Ryan, plays for SABA, and wants to be able to play year round.

Maryann Spinozzi, Red Hill Shopping Center, stated that she has experienced extra drive through traffic by people needing to get out of the area and they have to make a left hand turn onto San Rafael Avenue. Spinozzi also said that she was concerned about safe exit during events, as there is no traffic signal and asked the Town Council to consider a request for a traffic signal.

Nancy Okada for PRIDE, stated that traffic was a big concern and that kids are unaware of the injuries on turf. Okada stated that emergency vehicles cannot be brought onto turf and that the issue of habitat has not been at all addressed. Okada also asked what would happen when the sewage pipe leaks and finally stated that there are a lot of school kids grade K-8 and it is sad that they are getting rid of the school land.

Applicant responded that with respect to the timing of the action, there is a bid out which needs to be accepted by mid-July and if forced to delay, the project will have to go back out to bid.

House stated that she was in favor of the project and that it would be a great addition to the Town and was a win all around. House stated that she was ready to make a motion to move the staff report.

Breen stated that the issues brought up by appellant such as the traffic report is relevant and was satisfied that the drainage issues had been discussed and that the drainage field would be expanded. Breen further stated that the Town is concerned about the Ross Valley Watershed and will deal with those issues as they occur.

Breen also said that he doesn't think the information on the turf hazards is really in and that the attempts that have been made to mitigate the issues including the number of high school districts, grammar school districts, parks, and the work of the Tamalpais School District is adequate.

Breen continued by stating that the habitat has access to walk around, the Historical Society has been dealt with, and owner of the property will handle sewage. Breen also noted that the security lights have been approved by the JPA and that he is looking towards the building of and the working together of the community.

Breen suggested that the Town Council review the Red Hill Shopping Center again and said that he worked with traffic engineers on the issue.

Finally, Breen said that given the evidence presented by staff, the applicant and appellant, and public testimony, the project should and must go forward.

Thornton stated that Breen and House spoke very well and that she did a lot of research and reading on the health hazards of the turf. Thornton stated that she appreciated the research and testing done as well as the information given by the toxicologist by trade during public comment. Thornton said she feels confident in the turf issue. In regards to the drainage issue, Thornton stated that she has been involved through the JPA and Town Council and has seen the idea change over time and at this point the plan is addressing a lot of concerns. Thornton said she feels the issues have been resolved and improved and is very confident about the community park. Thornton said she appreciates everyone who came down and expressed interest and thought and said that she supported the project.

Greene stated that he dissented from the rest of the Council because of two parcels concerned, listed as Parcel 606133 and a parcel listed as proposed San Anselmo open space.

Greene also stated that there was more animal life in the park than gophers such as deer, rabbits, raccoons, skunks and coyotes. Greene also said that he understands the desire of all in having increased area for sports activities. Greene further stated that there was no consideration given to the toxic leaching of synthetic fields and the preexisting wells and that the wells may be needed in the future. Greene also said that the General Plan has requirements for preservation of open space and open space corridors and noted that the Tamalpais District did conduct a study on the toxicity on field turf and that he read a lot of reports that identify 46 toxic compounds. Greene expressed concern about the leaking of toxic substances into Corte Madera Creek and the impact on the steelhead that live there now. Greene also said that he has a problem with giving the project a pass in terms of the EIR and the EIR process and that in Section 4 of the Negative Declaration there are statements of how the project will help drainage, but that there aren't any plans, nor had plans been submitted to the Planning Commission. Greene stated that there is a lot of use in the dog park.

Mayor Freeman stated that he had a number of questions about the turf, but after reading the materials and hearing the testimony he is satisfied that the best has been done on the field turf issue. Mayor Freeman said that questions had been answered very well and that he would be proud to see the project done.

M/s, House/Thornton, to deny the appeal and to include C2 and C3 of the plan set.

Ayes: Freeman, Breen, House, Thornton Nos: Greene



**2. AUTHORIZE TOWN MANAGER TO SIGN FIFTH AMENDMENT TO THE AGREEMENT FOR THE LEASE AND IMPROVEMENT OF RED HILL FIELD**

Town Manager Debra presented the staff report and noted that the agreement had been amended four different times, primarily due to extend dates.

John Wright stated that the extension was provisional and that he expects to approve the Tamalpais District side in June.

Nancy Okada stated that there is no straight line on man-hours being allocated.

Louise Matthews, Foothill Road said that she would like to have direct language that indicated if there would be any type of subsidiary between the Town and the Tam High School District as owner of the property.

M/s House/Breen, to authorize the Town Manager to sign Fifth Amendment to the Agreement for the Lease and Improvement of Red Hill Field.

Ayes: Freeman, Breen, House, Thornton Nos: Greene

**ADJOURNMENT**

The meeting was adjourned at 10:00 p.m.

Respectfully submitted,

LaShaun Williams