

MINUTES OF REGULAR COUNCIL MEETING JULY 12, 1983

Mayor Wooliever convened the meeting with Councilmembers Toal, Capurro, Buckle and Ollinger present.

2. OPEN TIME FOR PUBLIC DISCUSSION

None

3. APPOINTMENTS

Applications remain open through July 20 for two full terms on Planning Commission.

4. FINAL REVIEW AND ADOPTION OF 83-84 BUDGET

Consideration of budget adoption was continued to follow decisions on Item 5.

5. PUBLIC HEARING - SUPPLEMENTAL LOCAL TAX LEVIES TO SUPPORT 83-84 BUDGET

The Administrator reviewed the various options available and the recommendations of the Finance Committee. Herman Kramer questioned the accuracy of the recitation of Finance Committee recommendations. Tom Verkozen, Chair of the Finance Committee, confirmed the Committee's recommendations, which were to use the pension override to the extent possible and to close the rest of the revenue gap in the tentatively approved budget by levy of a utility user tax.

During public hearing, there was some objection to the Council levying any tax without first securing voter approval, together with majority expression in favor of the Council proceeding.

During Council discussion, Toal suggested that a program be instituted to review position authorization if and when a vacancy occurs.

M/S Toal, Buckle to direct as, if and when a vacancy occurs, it not be filled without Council approval first obtained. Motion passed by unanimous vote.

After consideration of all options, including drastic cuts in the proposed budget and the fact that continued use of the pension override tax is uncertain without penalty in other revenue categories;

M/S Toal, Ollinger to waive reading of an ordinance to add Chapter 5 to Title 8 of the San Anselmo Municipal Code levying a Gas & Electricity Users Tax. Motion passed by unanimous vote.

M/S Toal, Ollinger to adopt Ordinance No. 840 adding Chapter 5 - Gas & Electricity Users Tax, to Title 8 of the San Anselmo Municipal Code, establishing an initial rate of 8.7%. Motion passed on a 3 - 2 vote with Capurro and Buckle voting no on the basis of their objection to levying additional taxes without voter approval.

Buckle suggested that a voluntary tax be levied, opining that the majority of San Anselmans would pay it.

It was noted that the ordinance levying the utility users tax provides for application for rebate on inability to pay to the existing Tax Equity Board and it is desirable to make specific the criteria to be used by the Board.

M/S Ollinger, Toal to adopt Resolution No. 1951 Establishing Procedures and Criteria for Tax Equity Board and correcting Section 8-5.07(b) of Ordinance No. 840 to read: "The Tax Equity Board heretofore established by separate resolution shall receive and act on applications for full or partial rebate from persons claiming inability to pay the tax herein provided." Motion passed with three ayes, Capurro and Buckle abstaining to be consistent with their No vote on adoption of Ordinance No. 840.

Capurro, supported by Toal, suggested a ballot measure at the November, 1983 election seeking voter approval of levying additional taxes. The Town Attorney was directed to report back on this possibility at next meeting.

Council then went to the matter of budget adoption, including consideration of adopting a two-year budget.

A motion was made by Toal, later withdrawn, to adopt budgets for FY 83-84 and 84-85, with the latter held at a 4% increase over the former.

M/S Toal, Ollinger to adopt Resolution No. 1952 adopting the budget for the Town of San Anselmo for the Fiscal Year commencing July 1, 1983. Motion passed with three

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Ayes, Capurro and Buckle voting No.

(At this point, Herman Kramer served Notice of Intention to Circulate Recall Petitions on Councilmembers Toal, Ollinger and Wooliever)

Thereafter, M/S Toal, Wooliever to adopt the proposed 84-85 operating budget to be held at 4.7% increase over 83-84 subject to public hearings and changes.

Since there did not appear to be sufficient public or Council support for the two-year budget adoption proposal, the foregoing motion was withdrawn by the motioner and seconder.

6. APPEAL BY B. M. BEINS FROM PLANNING COMMISSION DENIAL OF LOT SPLIT, 95-99 HILLSIDE AND 428 LAUREL

Continued at request of appellant's counsel to August 9th meeting.

7. ORDINANCE AMENDMENT REZONING 176 TUNSTEAD TO R-3

M/S Capurro, Buckle to adopt Ordinance No. 841 amending Ordinance No. 485 to change the property classification of 176 Tunstead Ave. (A/P 7-213-45) from R-2 to R-3. Motion passed by unanimous vote.

8. ORDINANCE AMENDMENT REZONING A/P's 7-182-09 & 10 OFF REDWOOD RD. TO STRAIGHT R-1

M/S Buckle, Ollinger to adopt Ordinance No. 842 amending Ordinance No. 485 to change the property classification of A/P's 7-182-09 & 10 from PPD R-1 to R-1. Motion passed by unanimous vote.

9. ORDINANCE AMENDMENT REZONING 279 GREENFIELD AVE. TO R-2.

M/S Buckle, Toal to adopt Ordinance No. 843 amending Ordinance No. 485 to change the property classification of 279 Greenfield Ave. (A/P 6-211-02) from R-1 to R-2. Motion passed by unanimous vote.

10. ORAL REPORT BY MAYOR ON SUPERVISOR BROWN'S ROSS VALLEY PLANNING EFFORT

Mayor Wooliever advised Council that at Supervisor Brown's invitation she had met with him and representatives of other Ross Valley communities for the purpose of reviewing concerns on the traffic impact of growth along the Sir Francis Drake corridor. Proposed solutions will be the subject of further meetings.

11. DIRECTOR OF PUBLIC WORKS PROPOSING CLOSING TOWN OFFICES TO THE PUBLIC TWO ADDITIONAL HALF-DAYS PER WEEK.

The Director advised that counter and telephone workload have recently increased to the point of requiring almost constant staff time resulting in inability to keep up with the day-to-day paper work, suggesting that hours open to the public be reduced.

A motion was made by Buckle which died for lack of a second to approve the proposal to close the offices to the public Tuesday and Thursday mornings for a period not to exceed six months.

Wooliever expressed concern at reducing service to the public after the action just taken to levy additional taxes in order to maintain existing services. Toal suggested that the counters be closed to the public, leaving telephone access.

M/S Buckle, Ollinger to continue to July 26th meeting, authorizing closure of counter and telephone public access on Tuesday and Thursday mornings in the meantime, with a report on public acceptance to be made July 26th. Motion passed with three ayes, Capurro voting no and Toal abstaining.

Capurro was not in favor of any additional closure to the public.

12. COUNCIL REQUESTS FOR FUTURE AGENDA ITEMS, COMMENTS AND DIRECTIONS TO STAFF

None

13. CONSENT AGENDA

M/S Buckle, Toal to pass Consent Agenda. Motion passed with unanimous vote with exception of Wooliever abstention on approval of minutes of June 28 meeting.

- a. Approved minutes of meetings of June 23 and June 28, 1983.
- b. Approved warrant Nos. 6740-6831 in the total amount of \$99,985.98 for June 15 - 30, 1983

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- c. Authorized acceptance of Salvation Army offer to grant A/P 7-095-30 located on Allyn Ave. at Floribel to the Town.
- d. Approved and authorized signing agreement for sale of excess right of way and reconstruction of retaining wall 47 Humboldt.
- e. Authorized advertising for bids, 1983 slurry seal program.
- f. Awarded contract for storm drain repairs to W. R. Forde Construction in the amount of their low bid of \$24,677 with \$3,045 to be contributed by the property owner of 138 Floribel Ave.
- g. Continued to July 26th meeting award or rejection of bids for slide repairs Redwood Rd. at Gerlack to receive a report from the Director of Public Works.
- h. Signed letter to Senator Marks thanking him for holding firm on compulsory arbitration.
- i. Adopted resolution supporting McGeorge School of Law legal services program re victims' rights.

ADJOURNED at 11:15 P.M. to regular meeting July 26, 1983.

LIBBY HANSON
Secretary to Council