

AGENDA ITEM 1(b)

**TOWN OF SAN ANSELMO
STAFF REPORT
August 20, 2003**

For the Meeting of August 26, 2003

TO: Town Council
FROM: Janet Pendoley, Finance & Administrative Services Director
SUBJECT: Report of Warrants Issued, July 2003

RECOMMENDATION

That Council acknowledge and file warrant numbers 46148 to 46466 issued during the month of July 2003 in the amount of \$1,077,731.42. The following warrant numbers were voided or cancelled: 42202, 42590 and 46065.

BACKGROUND

This report is an itemization of payments made to vendors during the month just ended. It also includes warrants written to Bank of America for the month's two regular payrolls as well as reimbursements to employees for work-related approved expenditures.

Respectfully submitted,

Janet Pendoley
Finance and Administrative Services Director

Attachment 1 - Warrant Registers, July 2003

AGENDA ITEM 1(c)

**TOWN OF SAN ANSELMO
STAFF REPORT
August 19, 2003**

For the meeting of August 26, 2003

TO: Town Council
FROM: Debra Stutsman, Town Administrator

**SUBJECT: Bay Cities Joint Powers Insurance Authority
Agreement for Advance**

RECOMMENDATION

That Council approve the attached agreement with Bay Cities Joint Powers Insurance Authority regarding advance of \$500,000 for slide repair regarding A/P 005-30-15, known as the Lombard property.

BACKGROUND

On February 28, 1998, a landslide occurred on an undeveloped portion of hillside property below Oak Springs Drive. The Town and a number of uphill landowners were sued by the downhill property owner, Lombard Acceptance Corporation. The Town contended that it neither owned nor controlled the corrugated metal pipe that was a major contributory factor to the slide. The trial court determined that the Town “substantially participated in the planning, approval, construction or operation of the corrugated metal pipe . . . such that it is a public work of improvement.” In short, the court found that the pipe was public property, and the Town’s responsibility to have fixed it.

A settlement was negotiated in which the Town paid \$500,000 into a \$1 million global settlement, and became the owner of the Lombard property, with the responsibility to repair the slide. The Town’s insurance pool, Bay Cities Joint Powers Insurance Authority, provided for the Town’s defense in the lawsuit and has now agreed to advance the Town \$500,000 in order to allow the Town to make the necessary repairs to the hillside. The attached agreement requires that once the Town has completed the repairs, that it will market and attempt to sell the property, and reimburse Bay Cities for its payment toward repair costs.

DISCUSSION

A difference of opinion arose between Bay Cities and the Town as to whether the \$500,000 paid by the Town into the settlement constitutes “damages” and whether the Town has sustained an “ultimate net loss.” The Town contended that its payment in settlement of the lawsuit constituted damages under the applicable Memorandum of Coverage, but Bay Cities disagreed with that contention. This agreement is an attempt to satisfactorily resolve the question.

Respectfully submitted,

Debra Stutsman
Town Administrator

Attachment

AGENDA ITEM 1(d)

**TOWN OF SAN ANSELMO
STAFF REPORT
*August 19, 2003***

For the meeting of August 26, 2003

TO: Town Council
FROM: Debra Stutsman, Town Administrator
SUBJECT: Dates for the Art Festival

RECOMMENDATION

That Council approve the request of the San Anselmo Chamber of Commerce to commit to holding the Art Festival in downtown San Anselmo for the next four years.

BACKGROUND

In order to get a promoter to produce the annual Art Festival, the Chamber needs a commitment from the Town for future Festival dates. The Chamber is requesting that the Town Council approve the fourth weekend of June in 2004, 2005, 2006 and 2007 for the Art Festival. For 2004 the dates will be June 26 and 27. The Chamber will ensure that the Art Festival is not held on Father's Day weekend.

Respectfully submitted,

Debra Stutsman
Town Administrator

AGENDA ITEM 1(e)

**Town of San Anselmo
Staff Report
August 20, 2003**

For the Meeting of August 26, 2003

To: Town Council
From: Kay Coleman, Community Resources Director

Subject: Temporary Closure of Traffic Lane for Special Event

RECOMMENDATION

That Council approve the attached application for the temporary closure of one traffic lane on eastbound Sir Francis Drake Blvd., between Ash Ave. and San Francisco Blvd, to allow for additional parking for the high school's "Back to School Night" on Thursday, September 25th, 2003.

BACKGROUND

Sir Francis Drake Blvd., in the area of Sir Francis Drake High School, does not allow for any parking, as it is now a posted tow-away zone. In previous years, the high school has depended on this portion of roadway for attendees of this event to park their vehicles in order to avoid overly congesting the surrounding neighborhood streets. As parking was recently eliminated even more at the high school, this matter is being presented to Council for approval.

DISCUSSION

Throughout the year the Town permits and/or sponsors events in Town, such as the Art and Wine Festival, Community Fair Day, Antique Fairs as well as local block parties and commercial filming. During each of these events the Town permits the closing of streets or portions of streets and modification of other Town areas such as Town owned parking lots to accommodate these events.

The Police Department and the Department of Public Works intend to work with school officials to insure the lanes are adequately marked and the smooth flow of traffic is maintained.

CONCLUSION

The temporary closure of the right lane of eastbound Sir Francis Drake Blvd. between Ash Ave. and San Francisco Blvd. should have minimal impact on parking in the residential areas surrounding the school.

AGENDA ITEM 1(f)

For the meeting of August 26,
2003

TO: Town Council

FROM: Kay Coleman, Community Resources Director

SUBJECT: The San Anselmo Community Fair and Parade

RECOMMENDATION

That Town Council approves the downtown event application for the *San Anselmo Community Fair & Parade* to be held on October 5, 2003, closing SA Avenue from Tamalpais to Bolinas Avenue from 8am to 6pm.

BACKGROUND

A fall community fair and parade have been held in downtown San Anselmo for many years. It is the hope of the Fair and Parade Committee to continue that tradition.

DISCUSSION

The objective of the Community Resources office, in coordinating the Community Fair and Parade, is to bring residents together downtown for an event that builds community and celebrates family activities. Many local neighborhoods and children's groups will participate in the parade along with the Wells Fargo Wagon, fire trucks, horses, bikes, a Chinese Lion dance, a senior citizens' accordion band and many, many more participants. In addition local artists will show their art in a booth provided at a nominal fee. The food is offered only by local restaurants and non-profit groups, and each Town department is involved in some way in the day's activities. All of these elements make this truly a hometown event.

CONCLUSION

The attached application explains how the event will meet the objectives and standards for downtown events. The event is designed to attract residents – particularly families – to the downtown for a community celebration.

AGENDA ITEM 1(g)

**TOWN OF SAN ANSELMO
STAFF REPORT**

For the Meeting of August 26, 2003

TO: Town Council
FROM: Debra Stutsman, Town Administrator
SUBJECT: Announce Term Expirations:
Boards, Commissions and Committees

RECOMMENDATION

That the impending expiration of terms be announced and publicized, and that applications for appointment be solicited and forwarded to Council.

BACKGROUND

The following terms will expire on the specified dates:

Boards, Commissions & Committees	<u>Members</u>	<u>Expiration date</u>
Arts Commission	Pattie Grey, Rachel Stewart, R. Dean Bunderson	October, 2003
. Open Space Committee	Leonard Charles, Linda Hoch	October, 2003
Board of Review	Dan Goltz	December, 2003

A status report of current openings is attached.

Respectfully submitted,

Debra Stutsman

Town Administrator

AGENDA ITEM 2

**TOWN OF SAN ANSELMO
STAFF REPORT**

August 19, 2003

For the Meeting of August 26, 2003

TO: Town Council

FROM: Lisa Wight, Senior Planner

SUBJECT: Introduce an Ordinance amending the Sign Ordinance in SAMC Section 10-9.303 to reinstate language (inadvertently omitted during the 1999 ordinance revisions) pertaining to regulations for temporary signs related to construction, sale, holiday, political, Christmas tree lots, fairs, carnivals, and other special events.

RECOMMENDATION

That the Town Council introduce an Ordinance amending the Sign Ordinance, and continue its adoption to the September 9, 2003 Town Council meeting.

Background

August 18, 2003: Planning Commission recommend to the Town Council to adopt an Ordinance amending Ordinance No. 1010 of the Municipal Code to add Sections 10-3.903 (c)(d)(e)(f)(g)(h) for the regulation of temporary signs related to construction, sale, holiday, political, Christmas tree lots, fairs, carnivals, and other special events, and noted that the Town Council is scheduled to hold public hearings and introduce this ordinance at their meeting on August 26, 2003, with adoption to take place on September 9, 2003.

Also refer to Planning Commission staff report dated August 18, 2003.

Attachments: Ordinance
Planning Commission staff report and minutes dated August 18, 2003

AGENDA ITEM 3a

**TOWN OF SAN ANSELMO
STAFF REPORT
August 20, 2003**

For the meeting of August 26, 2003

TO: Mayor and Members of the Town Council

FROM: Debra Stutsman, Town Administrator

SUBJECT: 2003-04 Budget and Workplan

RECOMMENDATION

That Council approve the attached resolution adopting the 2003-04 Budget and Workplan.

BACKGROUND

At its meeting of July 22, 2003, Council reviewed and conducted a public hearing on the proposed 2003-04 Budget presented by staff.

ANALYSIS

Staff was directed to make the following addition to the Police Department's 2003-04 Goals and Workplan (page 46):

Community Policing Project/Sir Francis Drake High School neighborhood --
Work with neighbors to reduce impact on the neighborhood from the school, including monitoring student parking, providing traffic enforcement and facilitating any communications with the school.

The Appropriations Limit Worksheet was revised per section (b) of this agenda item.

CONCLUSION

The final budget document will be published with the above-mentioned changes.

Respectfully submitted,

Debra Stutsman
Town Administrator

Attachment #1: Resolution # _____, A Resolution of the San Anselmo Town Council Adopting the 2003-04 Budget and Workplan.

TOWN OF SAN ANSELMO

RESOLUTION NO. _____

A RESOLUTION OF THE SAN ANSELMO TOWN COUNCIL ADOPTING THE 2003-04 BUDGET AND WORKPLAN

WHEREAS, the San Anselmo Town Council held a public hearing on the Proposed 2003-04 Budget and Workplan on July 22, 2003; and

WHEREAS, the Council has determined that the 2003-04 Proposed Budget and Workplan, with the change directed at the meeting of July 22, 2003, will allow for the continuation of municipal services and the construction of capital improvements;

NOW, THEREFORE, BE IT HEREBY RESOLVED that the San Anselmo Town Council adopts the 2003-04 Budget and Workplan as allocated below:

Capital Reconstruction Fund	\$ 138,340
Citizens Option for Public Safety (COPS)	145,641
Downtown Revitalization	19,590
Emergency Projects	100,000
Equipment	347,598
General Fund	11,681,946
Insurance	588,124
Isabel Cook Complex	(34,685)
Measure G Capital Projects	2,160,150
Measure G Debt Service – 1995, 1997, 2000, 2003	1,097,759
Recreation	966,895
Road Maintenance	1,080,844
Special Events	23,601
State Gasoline Tax	241,190
Traffic Congestion Relief	356,455

I hereby certify that the foregoing resolution was passed and adopted by the San Anselmo Town Council at a regular meeting thereof, held on the 26th day of August, by the following vote, to wit:

AYES:

NOES:

ABSENT:

ABSTAIN:

Peter Kilkus, Mayor

ATTEST:

Debra Stutsman, Town Clerk

AGENDA ITEM 3b

**TOWN OF SAN ANSELMO
STAFF REPORT
August 20, 2003**

For the Meeting of August 26, 2003

TO: Town Council

FROM: Janet Pendoley, Finance & Administrative Services Director

SUBJECT: RESOLUTION ESTABLISHING THE 2003 – 04 APPROPRIATIONS
LIMIT AND REVISING THE 2002-03 AND 2001-02 APPROPRIATIONS
LIMITS

RECOMMENDATION

That Council approve the attached resolution establishing the appropriations limit for Fiscal Year 2003-04 and revising the appropriations limits for Fiscal Years 2002-03 and 2001-02.

BACKGROUND

Under Proposition 4 of the State of California, municipalities are limited in the amount of revenue that they may spend each fiscal year. The limit is calculated using a formula that includes change in population and inflation, as defined by the State.

Also known as the Gann Limit, the limit is set each year by resolution of the Town Council. Attached is a worksheet prepared by staff, showing the Gann Limit calculation for fiscal year 2003-04. The calculation shows that the amount of revenue that the Town estimates it will collect is \$87,841 below the limit it is allowed to spend.

DISCUSSION AND ANALYSIS

The Gann Limit worksheet has been revised since the Council's review of the Proposed Budget on July 22, 2003 to include ERAF tax revenue in the section entitled Estimated

Tax Proceeds Subject to the Limit as well as certain allowable exclusions in the section entitled Expenditures Exempt from the Limit. The financial information provided in the Proposed Budget was used for these revisions. Gann Limit worksheets for 2001-02 and 2002-03 have also been revised to include these items. The financial information provided in the Adoption Budget for those fiscal years was used for the revisions.

In addition, the calculations in the section entitled Appropriation Limit for 2003-04 as well as for 2002-03 were revised to take advantage of the option to use the annual change in Non-residential Assessed Valuation rather than the Per Capita Personal Income. In calculating the 2002-03 appropriations limit, selection of this option benefited the Town by increasing the limit a total of \$136,585 from \$5,709,393 to \$5,845,978. This increase has been carried forward and also impacts the 2003-04 calculation.

CONCLUSION

In approving the attached resolution, the Council establishes the Gann Appropriations Limit for 2003-04 with an estimated leeway of \$87,841 and revises the 2002-03 and 2001-02 Limits to more accurately record the leeways of \$230,779 and \$382,064 respectively.

Respectfully submitted,

Janet Pendoley
Finance and Administrative Services Director

Attachment #1: Resolution # _____, A Resolution of the Town Council of the Town of San Anselmo Establishing the Appropriations Limit for Fiscal Year 2003-04 and Revising the Appropriations Limits for Fiscal Years 2002-03 and 2001-02

Exhibit A: Appropriations Limit Data, 2003-04 Summary, *revised 8/14/03*

Exhibit B: Appropriations Limit Data, 2002-03 Summary, *revised 8/14/03*

Exhibit C: Appropriations Limit Data, 2001-02 Summary, *revised 8/14/03*

TOWN OF SAN ANSELMO

RESOLUTION NO. _____

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF SAN ANSELMO
ESTABLISHING THE APPROPRIATIONS LIMIT FOR FISCAL YEAR 2003 – 04
AND REVISING THE APPROPRIATIONS LIMITS FOR FISCAL YEARS 2002-03
AND 2001-02

PURSUANT TO Government code Section 7910, and based on documentation submitted by the Town Administrator, and acknowledging that the documentation has been available to the public for the required period of time;

NOW, THEREFORE, BE IT HEREBY RESOLVED that the Town Council of the Town of San Anselmo establishes the appropriations limit for the Town of San Anselmo for fiscal year 2003-04 under Article XIII-B of the State constitution, as shown on Exhibit “A”, in the amount of \$6,027,074; and

BE IT FURTHER RESOLVED that the Town Council of the Town of San Anselmo revises the appropriations limits for the Town of San Anselmo for fiscal years 2002-03 and 2001-02 under Article XIII-B of the State constitution, as shown on Exhibits “B” and “C”, in the amount of \$5,845,978 and \$5,736,370 respectively.

I hereby certify that the foregoing resolution was duly passed and adopted at a regular meeting of the San Anselmo Town council held on the 26th day of August, 2003, by the following vote:

AYES:

NOES:

ABSENT:

Peter Kilkus, Mayor

Attest:

Debra Stutsman, Town Clerk

AGENDA ITEM 4

**TOWN OF SAN ANSELMO
STAFF REPORT**

August 6, 2003

TO: Town Council

FROM: Dean Nyberg, Parks Director

RE: Neighbor Pesticide Notification Ordinance

For the meeting of August 26, 2003

Recommendation

That Council consider the alternatives regarding the Town's Pest Management Policy.

Background

Staff was directed to present an ordinance that would codify the Town's existing IPM policy and another that would ban pesticide use on Town property and buildings. Four different alternatives are attached for Council's consideration.

Discussion

Alternative No. 1 is an ordinance that codifies the Town's existing IPM policy.

Alternative No. 2 is an ordinance with an expanded and more detailed version of the Town's existing IPM policy.

Alternative No. 3 is an ordinance adopted by the Town of Corte Madera. This ordinance was developed over an eight month period with input from different organizations concerned about pesticide use on public property, including the Pesticide Education Group, Town Staff, and community members. It is being presented as a model IPM program.

Alternative No. 4 is a total ban of all pesticides on Town property and buildings.

Conclusion

Staff recommends Council consider the above alternatives regarding the Town's IPM policy.

Respectfully submitted,

R. Dean Nyberg,

Parks Director

Alternatives 1 and 3 are not on the web page due to technical difficulties.

Alternative 2 - Draft

ORDINANCE NO. _____

AN ORDINANCE OF THE TOWN OF SAN ANSELMO AMENDING TITLE 5 (SANITATION AND PUBLIC HEALTH) OF THE SAN ANSELMO MUNICIPAL CODE BY ADDING CHAPTER 9 (INTEGRATED PEST MANAGEMENT POLICY).

THE TOWN COUNCIL OF THE TOWN OF SAN ANSELMO DOES ORDAIN AS FOLLOWS:

Chapter 9 of Title 5 is hereby added to the San Anselmo Municipal Code to read as follows:

Chapter 9

INTEGRATED PEST MANAGEMENT

Sections:

- 5-9.01 Purpose and Intent**
- 5-9.02 Definitions**
- 5-9.03 Standards**
- 5-9.04 Prohibited locations**

5-9.01 Purpose and Intent

The Town Council of the Town of San Anselmo finds that:

- A. It shall be the policy of the Town of San Anselmo for Town departments and Town contractors who apply pesticides to Town property to eliminate or reduce pesticide applications on Town property to the maximum extent feasible.
- B. The Town, in carrying out its operations, shall assume pesticides are potentially hazardous to human and environmental health. Town departments shall give first priority to available non-pesticide alternatives when considering the use of pesticides on Town property. For all pest problems on Town property, Town departments shall follow the principals of an Integrated Pest Management (IPM) program.
- C. The Town shall develop and implement a public program to inform the public about the dangers of toxic chemicals.

The principles of an Integrated Pest Management program require a careful evaluation of the pest control problem and the selection of the least disruptive control strategy by an analysis of available alternative strategic

control options to the application of pesticides. The application of pesticides will remain an option if alternative control options are not effective.

ALTERNATIVE NO. 2 DRAFT

1. “Integrated Pest Management” and “IPM” mean a decision-making process for managing pests that uses monitoring to determine pest injury levels, and combines biological, cultural, mechanical, physical, and chemical tools and other management practices to control pests in a safe, cost effective, and environmentally sound manner that contributes to the protection of public health. This method uses extensive knowledge about pests, such as infestations, thresholds, life histories, environmental requirements, and natural enemies to complement and facilitate biological and other natural control of pests. The method involves the use of non-chemical pest control methods and the careful use of least-toxic chemical methods when non-chemical methods have been exhausted or are not feasible.
2. “Alternative strategic control” means any control method other than pesticides.
3. “Habitat management” means changing the biological environment.
4. “Maintenance practices” means modifying watering, mulching, waste disposal, etc.
5. “Physical controls” means use of mechanical removal, traps, and barriers.
6. “Biological controls” means use of natural enemies.
7. “Re-design” means modifying landscape design.
8. “Toxicity Category I,II,III,IV product” means any pesticide product meeting the appropriate toxicity categories and bearing on the front label panel the word Danger, Warning, or Caution, as specified in Title 40 of the Code of Federal Regulations.

5-9.03 Standards

No Town Department shall use any Toxicity Category I or Toxicity Category II Pesticide product, any pesticide product containing an ingredient known to the State of California to cause cancer, developmental toxicity, or reproductive toxicity pursuant to the California Safe Drinking Water and Toxic Enforcement Act of 1986; any pesticide product

containing an ingredient classified by the United States Environmental Protection Agency as a known human carcinogen, probable human carcinogen, possible human carcinogen, reproductive toxin, developmental toxin, or disrupter of the endocrine system.

5-9.04 Prohibited Locations

Except in the case of an emergency, no pesticides will be applied in the following parks where small children play:

- A. Millennium Playground at Memorial Park
- B. Lansdale Station Playground
- C. The Elders' Garden

Alternative 4
ORDINANCE NO. _____

AN ORDINANCE OF THE TOWN OF SAN ANSELMO AMENDING TITLE 5 (SANITATION AND PUBLIC HEALTH) OF THE SAN ANSELMO MUNICIPAL CODE BY ADDING CHAPTER 9 (PEST MANAGEMENT POLICY).

THE TOWN COUNCIL OF THE TOWN OF SAN ANSELMO DOES ORDAIN AS FOLLOWS:

Chapter 9 of Title 5 is hereby added to the San Anselmo Municipal Code to read as follows:

Chapter 9

PEST MANAGEMENT

Sections:

- 5-9.01 Purpose and Intent**
- 5-9.02 Definitions**
- 5-9.03 Exceptions**

5-9.01 Purpose and Intent

The Town Council of the Town of San Anselmo finds that:

- D. It shall be the policy of the Town of San Anselmo for Town departments and Town contractors who apply pesticides to Town property to eliminate all use of pesticides on Town property and buildings.
- E. The Town, in carrying out its operations, shall assume pesticides are potentially hazardous to human and environmental health. Town departments shall immediately cease using any and all pesticides on

Town Property, including buildings, parks, open space parcels, and public rights of way including aerial spraying and ground applications.

5-9.02 Definitions

- a. "Pesticide" shall mean any spray adjuvant, substance or mixture of substances, which is intended to be used for defoliating plants, regulating plant growth or for preventing, destroying, repelling, or mitigating any pest which may infest or be detrimental to vegetation, man animals or households, or be present in any agricultural or non-agricultural environment, including fungicides, herbicides, insecticides, nematocides, rodenticides, desiccants, defoliant, and plant growth regulators.



5-9.03 Exceptions

An exception to the non-use of pesticides under section 5-9.01 may be approved by a majority vote of the Town Council with a mandatory finding that the health, safety and welfare of the community is so threatened that an emergency exists, that no reasonable alternative is available and the prohibition of the use of pesticides would create the potential for allowing a significant adverse impact on the Town.

AGENDA ITEM 5

**TOWN OF SAN ANSELMO
STAFF REPORT
*August 19, 2003***

For the meeting of August 26, 2003

TO: Town Council

FROM: Debra Stutsman, Town Administrator

SUBJECT: Settlement Agreement – 125 Redwood Road

RECOMMENDATION

That Council hold a public meeting regarding the proposed settlement agreement regarding use of property located at 125 Redwood Road.

BACKGROUND

Patricia Johnstone owns a single family dwelling at 125 Redwood Road. In 1985, her mother, Rae Johnstone, now deceased, obtained, via a variance, town approval to construct an accessory structure on the property with access at Savannah Avenue. There has been ongoing controversy over the use of this structure by the Johnstone family, culminating in an abatement proceeding that ended with a determination by the Council that the structure constituted a public nuisance because of its use as an alleged residential second unit without the required town permits.

DISCUSSION

In the interest of resolving this matter, the Town Attorney has worked with Ms Johnstone's representative on a proposed settlement agreement. Before committing to the agreement, however, the Town Council directed staff to place the proposed settlement agreement on a regular meeting agenda for public discussion. Advance notice to neighbors residing within 300 feet of 125 Redwood Road was accomplished and copies of the draft proposed agreement have been available at Town Hall.

The proposed settlement agreement is attached.

Respectfully submitted,

Debra Stutsman
Town Administrator

AGENDA ITEM 6

TOWN OF SAN ANSELMO STAFF REPORT *August 19, 2003*

For the meeting of August 26, 2003

TO: Town Council

FROM: Rabi Elias, Public Works Director

SUBJECT: MEASURE G PROJECTS 2003-04

RECOMMENDATION

That Council approve the recommendation of the Measure G Monitoring Committee to complete the following Measure G projects before winter:

- a) Town participation in private drainage project at 11 Idalia Court, Property Owner, Steve Yafa, at 75% of the estimated \$9,300 total cost of the project or the lesser amount as solicited by two other bids.***
- b) Sir Francis Drake Blvd. from Suffield to the Town limit paving - approve the project and award the work to Ghilotti Bros. to be done in conjunction with the scheduled pavement work in Fairfax, in an amount not to exceed \$40,000.***
- c) Sir Francis Drake Blvd. drainage pipe from Cordone Drive to path next to 41 El Cerrito, approve the project with authorization to solicit informal bids, at an estimated cost of \$44,000.***
- d) Los Angeles Blvd. drainage project, placing two new drainage structures at the end opposite the Log Cabin, at an estimated cost of \$11,000.***

BACKGROUND

The Measure G Monitoring Committee met on August 21, 2003 to discuss the proposed projects. The agenda and staff report for that meeting are attached.

DISCUSSION

10 Idalia Court – The property owner applied for and received a 50% contribution for a drainage project in 2000. Unfortunately the work that was done at that time has proven inadequate to carry the necessary volume of water. The property owner, Steve Yafa, says that the Public Works Director at that time directed the type of drainage box to be placed at the head of the new drainage pipe, which has now proven inadequate. The Committee is recommending a larger than normal Town contribution (75%) due to the fact that the original design proved inadequate. Estimated cost of the entire project is \$9,300, with 75% Town contribution at approximately \$7,000.

Sir Francis Drake paving – This area of Drake was not paved in 2001 along with the rest of Drake, due to the Butterfield intersection work. Fairfax is paving Drake this fall and the Town can get this portion done in conjunction with that work. Estimated cost is \$40,000.

Sir Francis Drake drainage – A drainage pipe is needed between Cordone Drive and the footpath at 41 El Cerrito to carry water into the storm drain system and to correct some flooding problems. Estimated cost is \$44,000.

Los Angeles Blvd. drainage – To correct a flooding problem at the Log Cabin, two structures are needed to convey water to the creek. Estimated cost is \$11,000.

FISCAL IMPACT

The total estimated cost of \$95,000 would come from the Measure G 2003-04 budget.

Respectfully submitted,

Rabi Elias
Public Works Director

AGENDA ITEM 7

TOWN OF SAN ANSELMO STAFF REPORT *August 19, 2003*

For the meeting of August 26, 2003

TO: Town Council
FROM: Debra Stutsman, Town Administrator
SUBJECT: Ross Valley Fire Service JPA Agreement

RECOMMENDATION

That Council discuss issues around including the Sleepy Hollow Fire Protection District as a full member of the Ross Valley Fire Service.

BACKGROUND

The Sleepy Hollow Fire Prevention District currently has a contract with the Town of San Anselmo to provide fire protection for the residents of Sleepy Hollow. This 25-year agreement was signed in June of 1980 and will terminate on July 1, 2005. In addition, the Towns of Fairfax and San Anselmo formed a Joint Powers Agreement to create the Ross Valley Fire Service in July of 1982, with the proviso that the agreement between Sleepy Hollow and San Anselmo not be affected by the JPA agreement.

The contract between Sleepy Hollow and San Anselmo calls for Sleepy Hollow to pay the Town 23% of the labor (salary and benefits) costs of their portion of Department. The original JPA called for a cost sharing of San Anselmo of 69.6% and Fairfax of 30.4% based on historical costs pre-merger.

After the annual budget is adopted by the Ross Valley Fire Board, a copy with the percentage breakdown is sent to each Town. This budget document is the basis for the 12 monthly payments from each Town to the Department.

DISCUSSION

The Fire Chief has identified four separate items that could be addressed in the context of an amended JPA. These are listed below followed by discussion of each:

Item 1 – Financial contributions as a result of an amended JPA

Item 2 – Voting Structure

Item 3 – Upgrading the Department via Paramedic/Firefighters

Item 4 – Ownership of the Fire Stations

Item # 1 – Financial ramifications of an amended JPA

Sleepy Hollow indicates that they are prepared to contribute as much as 95% of their annual income to provide for all of the fire-related services now provided to the Towns of Fairfax and San Anselmo. They propose that the remaining 5% of their annual income be utilized by the District for hydrant/water main replacement, directors meetings, insurance, brush clearing, etc. This concept would entail a known stream of income to provide the JPA with sufficient funds to operate an efficient fire protection system for its residents.

Chief Groshong has identified a draft method that could be utilized to rationally divide the funding necessary to operate the Department. This new draft method would look at the budget expenditures in two sections – personnel and non-personnel costs. If the non-personnel costs were split equally between the three entities and then the personnel costs were apportioned by assessed valuation, the end result would be that the contributions from both Towns would decrease slightly and the contribution from Sleepy Hollow would increase.

Item 1a. – Utilization of Additional Revenues from Sleepy Hollow

If additional funds are realized by the Department as a result of Sleepy Hollow's membership, how should these additional funds should be utilized?

The Ross Valley Fire Department is in the process of developing a Strategic Plan. It is anticipated that the plan will be completed sometime this fall and it is also possible that the first draft of the plan may identify areas in the Department that would benefit from additional funding. Perhaps this might be the time to utilize new funding for potential new programs.

Item 1b. – New Contributions from Sleepy Hollow

Staff has identified two areas that should be discussed in conjunction with a funding formula. If Sleepy Hollow joins the JPA and has the advantage of the funds both Towns have invested in apparatus and equipment, it is logical that there be a one-time contribution by Sleepy Hollow to “bring them even” with the contributions of the Towns

It may be reasonable to ask Sleepy Hollow for an amount each year to be put into a designated reserve for capital improvement of the stations, or perhaps just Station 20. The issue of ownership of stations is addressed in item # 4.

Item # 2 – Voting Structure of a revised JPA

A second item to be considered is revision of the current voting structure of two votes for Fairfax and two for San Anselmo. What might the new voting structure look like?

Item # 3 – Upgrading the Department with Additional Firefighter/paramedics

Sleepy Hollow has expressed a desire to staff Station 20 with firefighter/paramedics as soon as possible. They, along with Fairfax, have a history of long response time by paramedics. The new paramedic engine at Station 21 should partially alleviate the situation, but the possibility of long response times remains for Sleepy Hollow when Engine 21 is at an incident. This may be addressed by a Board policy to hire paramedic/firefighters in the future or perhaps by sending additional existing employees (possibly with RVPA assistance) through the San Francisco paramedic program.

Item # 4 – Ownership of Fire Stations

Board member Berto suggested that ownership of the stations be discussed in the context of the JPA revision. If the stations were owned by the JPA, just as fire engines, hose, equipment, etc., would this be of value in insuring the continued upkeep of the stations?

Respectfully submitted,

Debra Stutsman
Town Administrator

Attach: Joint Powers Agreement (1982)
 Amendment to the Joint Powers Agreement (1983)
 Agreement between San Anselmo and the Sleepy Hollow Fire Protection
 District (1980)
 Agreement between San Anselmo and the Sleepy Hollow Fire Protection
 District to acknowledge One-Time Arrangements (1994)