

AGENDA ITEM 1(b)

TOWN OF SAN ANSELMO STAFF REPORT January 20, 2004

For the Meeting of January 27, 2004

TO: Town Council

FROM: Janet Pendoley, Finance & Administrative Services Director

SUBJECT: Quarterly Treasurer's Investment Report and Revenue and Expenditure Report, December 2003

RECOMMENDATION

That Council approve the Treasurer's Investment Report for the quarter ending December, 2003 and the Revenue and Expenditure Report for the period ending December 31, 2003.

BACKGROUND

The Treasurer's Investment Report is a quarterly itemization of the market value of Town investments. The Revenue and Expenditure report is a year-to-date summary report of revenues and expenditures that is presented to the Town Council on a monthly basis. The General Fund is included in the monthly report. The purpose of these reports is to present financial information for review and discussion.

ANALYSIS

Treasurer's Investment Portfolio Report

The attached report itemizes the Town's investments and states the market value of each investment as of December, 2003. The Wells Fargo Money Market account is the Town's primary checking account used for the deposit and expenditure of operating funds.

The Town maintains 3 Local Agency Investment Fund accounts (LAIF) for the purpose of maximizing interest income on funds not needed for immediate expenditure. One is for investment of general operating funds; the other two LAIF account are for the series 2000 and series 2003 Measure G bond proceeds, required by law to be maintained in a segregated account. With the expenditure of all 2000 bond proceeds during 2002-03, the third LAIF account was closed in September 2003. The Tax Revenue Anticipation Note (TRAN) is a tax-free bond that is issued on a one-year basis specifically for the purpose

of improving cash flow to public entities heavily reliant on sporadic property tax distributions. Projected annual earnings from the reinvestment of these funds, if not actually needed for cash flow purposes, are currently estimated at \$2,671.

Revenue and Expenditure Report

The revenue and expenditure data as of December 31st reflects financial activity transacted during 50% of the budget year. Revenue received, at 43%, is 3% below the level of revenue for this period last fiscal year. Revenue reflects the normal lag in receipt of periodic payments and includes the following items of note:

- Property tax distributions in December, at 48% of budget, are at the same level as last fiscal year.
- Annual business license fees are collected in large part in the early months of the calendar year and their seasonality also contributes to the lag in revenue collections during this period.
- Sales Tax revenue at 38%, reflects a one month lag and as such is off the budget target (42%) by 4%. The Town's actual sales tax report for 3rd quarter (8/14/03 through 11/14/03) showed this decline. It is hoped that holiday sales during the 4th quarter will have bolstered this source of revenue.
- As noted in previous reports, the impact of the State Budget's "trigger gap" of the Motor Vehicle License Fees, estimated at \$146,540, has been implemented by a reduction in the allocation for the first four months of the fiscal year. In addition, MVLFF fees from October vehicle sales were down approximately 50% of normal, presumably due to a desire by consumers to wait for the new governor's actions. Finally, the governor has acted to backfill his reversal of the "trigger" and an additional \$33,000 was received subsequent to this report period. As a result of these circumstances, revenue from this source continues to trail the budget target by almost \$50,000.
- LAIF interest earnings for the quarter ending September 30th were very disappointing. The quarterly apportionment rate, 1.63%, has continued to decline for the third consecutive year. Interest earnings for the quarter ending December 31st, which are projected at the even lower apportionment rate of 1.57%, have not yet been received.

Expenditures, at 49%, appear to be stable level across major categories presented on page 1 of the report. Expenditures also appear to be at a stable level across departments presented on page 2 of the report with only one exception:

- Legal Services expenditures (at 54%) reflect payment for litigation services incurred during the first 5 months (42%) of the fiscal year only.

BUDGET REVISIONS:

The following budget revisions were made during this report period:

- \$2,281 budget increase in the Capital Projects Fund revenue and expenditure budgets to recognize additional Snack Shack net proceeds from 02-03 activity. This revision has no impact on the Capital Projects Fund reserve.
- \$50 budget increase in the General Fund revenue and expenditure budgets to recognize receipt of a donation designated for the Library department. This revision has no impact on the General Fund reserve.
- \$100 budget increase in the Capital Projects Fund revenue and expenditure budgets to recognize receipt of a donation designated for a plaque in the Elders Garden. This revision has no impact on the Capital Projects Fund reserve.

CONCLUSION

In reviewing the financial data particularly as it compares to the prior year, the Town's revenue collections and spending levels appear to be within normal ranges for this report period.

In comparison to the previous fiscal year, however, total revenue continues to lag behind due primarily to the uncertain Sales Tax collections and the MVLF situation. Expenditures are right on target, but do not offer the opportunity for the level of savings that were achieved during the second half of 02-03 via the freezing of vacancies. These numbers signal that at best the current year budget is very tight and may not result in the excess carryover revenue available in past years for funding capital and equipment items. At worst, loss of the Sales Tax and MVLF revenue may reduce the Town's General Fund ending balance significantly.

Respectfully submitted,

Janet Pendoley
Finance and Administrative Services Director

Attachment #1: Revenue and Expenditure Report, December 2003

Attachment #2: Quarterly Treasurer's Investment Portfolio Report, December 2003

AGENDA ITEM 1(c)

TOWN OF SAN ANSELMO
Staff Report
December 3, 2003

For the meeting of December 9, 2003

TO: Town Council
FROM: Dennis Smith, Interim Recreation Director
SUBJECT: FINANCIAL REPORT ON RECREATION FUND

RECOMMENDATION

That Council approve the Recreation Fund Revenue and Expenditure Report for the period ending November 30, 2003.

BACKGROUND

As stated in the October Financial Report, the Recreation Department offers a wide array of programs throughout the fiscal year. Most of the programs are seasonal in nature and revenue is collected in advance, with expenditures following after a time lag. This is the second monthly financial analysis on the Recreation Fund.

DISCUSSION

As reflected in the attached Revenue and Expenditure Report Summary for the Recreation Fund, both the actual revenues and expenditures through November 30 fall within the same range as the four-month actual figures for the past two fiscal years. This is consistent with last month's report.

In all of our program categories, revenues have exceeded expenditures at this point in the fiscal year. We are continuing to make good progress in capturing our contributions to covering the administrative costs. This month's actual amount is \$30,000 over the October figure. Administrative cost levels still look very good. With about 42% of the Fiscal Year over, the salaries and benefits are consistent.

I will continue to submit a Revenue and Expenditure Report on the Recreation Fund on a monthly basis.

Respectfully submitted,

Dennis Smith
Interim Recreation Director

AGENDA ITEM 1(d)

TOWN OF SAN ANSELMO

STAFF REPORT

For the Meeting of January 27, 2004

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> |
|---|----------------------------------|------------------------|
| Robson-Harrington House Association | Richard Childers Terry Amsler | February, 2004 |
| Measure G | Ron Moore Jim Vallas | February, 2004 |

A status report of current openings is attached.

Respectfully submitted,

Debra Stutsman
Town Administrator

AGENDA ITEM 1(e)

**TOWN OF SAN ANSELMO
STAFF REPORT
January 21, 2004**

For the Meeting of January 27, 2004

TO: Town Council
FROM: Debra Stutsman, Town Administrator
SUBJECT: Midyear Work Plan Report

RECOMMENDATION

That Council acknowledge and file the midyear report on the 2003-04 work plan.

BACKGROUND

As part of the 2003-04 budget, Council adopted a work plan for this fiscal year. Staff reports periodically to the Council on the progress being made on the work plan.

Respectfully submitted,

Debra Stutsman
Town Administrator

| <i>Department</i> | Work Plan Goal | Mid-Year Progress |
|--|--|---|
| <i>Administration and Finance</i> | Implement GASB 34 legislation requiring a revised accounting of fiscal assets. | Sought auditors' advice regarding work plan calendar and activities; reviewed equipment and building information for accuracy and compiled on Excel spreadsheet; obtaining quotes for infrastructure valuation. |
| | Implement a business license administrative fee to cover costs of processing 2,500 business licenses in town. | Researched applicable Government Codes; determined need for ordinance revision to recognize admin fee. |
| | Decentralize the web page process, giving each department the responsibility to improve and update individual pages. | Planning, Police, Recreation, Community Resources and Library are able to update their own pages. |

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| Engineering & Inspection | Continue effort to improve customer service in Public Works/Planning Departments and to streamline the permit process. | Customer service has improved and we strive to keep improving that service. A new building permit form is being considered. |
| | Continue to implement the MarinMap Geographic Information System (GIS) in conjunction with the County efforts in this area. | A fly-over is scheduled for March 2004. Thereafter a more detailed, colored ortho-map with elevations will be produced. |
| | Work to implement a yearly plan to continue the progress made with the Measure G program, committing \$400,000/year to this effort. | Measure G committee meeting is scheduled on 1-22-04 for the 2003/4 program to be recommended to the Town Council |
| | | |
| Isabel Cook Complex | Develop a long-term needs assessment of the facility (continued goal). | Slow progress but our goal is still the same. |
| | | |
| Library | Library staff and the Friends of the Library will sponsor a poetry reading for National Library Week in April 2004. April is also National Poetry Month. The Children's Librarian plans to investigate, promote and implement a program for teens on graphic novels. | The Friends of the Library and the Town Librarian met in January to begin planning the April 22 Poetry Reading Program. The Children's Librarian is researching ideas for the graphic novel program. |
| | The Library staff will be replacing and improving signage throughout the Library to better direct patrons. | Signage has been replaced and improved. |
| | The Town Librarian plans to work more closely with the Historical Commission and the Historical Society and help them in their fundraising efforts. | The Library Board and the Historical Commission planned and presented 2 joint displays on library history for January and February. The Town Librarian is providing information on grant possibilities to the Historical Commission on an on-going basis. |
| | | |
| Parks | Working with Recreation, work with master planning company to develop a Master Plan, identify spending priorities and begin implementing the plan. | Master Plan to be presented to Council in March 2004. |
| | Prioritize and complete deferred maintenance projects. | Parks & Recreation Commission is finalizing the priority list. |
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| <i>Planning</i> | Implement second unit ordinance in accordance with State legislation on second units. | Ordinance implemented. |
| | Work with citizen group to prepare and present to Town Council a revised telecommunications ordinance | Revised ordinance presented to Council on 1/13/04. Under review by subcommittee. |
| | Continue efforts to improve customer service in Public Works/Planning Departments and to streamline the permit process. | Weekly staff meetings are conducted to discuss customer service and potential improvements. |
| | Continue efforts on the Housing Element and General Plan. | Housing Element preliminarily accepted by state on 1/13/04. Proceeding with final environmental processing and hearings scheduled for 3/15/04 and 4/13/04. |
| <i>Police</i> | Facilitate the relocation of the EOC to the Corporation Yard. | Assigned to Commander Kirton and Commander Providenza. Funds secured for generator. Updated plan for EOC in process of being drafted. Site plan under development. Anticipate new EOC ready for use by 1 st quarter FY 2004-2005. |
| | Research and write an ordinance for Council consideration to better regulate businesses involved in illegal activities. | Ordinance drafted by Commander Providenza, reviewed by Town Attorney. Submitted to Town Council subcommittee and Chamber of Commerce for review and consensus. |
| | Work with Sunny Hills staff to develop a standard protocol to address the issue of violence on campus. | Officer Ryan Dunnigan assigned to this community policing project. Initial meetings with Sunnyhills developed a basis for commitment by main stakeholders (Sunnyhills, PD and Juvenile Probation) for staff training and regular client-specific meetings. Officer Dunnigan meets monthly or more often as required with Sunnyhills staff to work out plans for mutual response to specific clients. |
| | Work with neighbors to reduce impact on the neighborhood from the school, including monitoring student parking, providing traffic enforcement and facilitating any | Commander Kirton met with neighbors who have formed their own neighborhood group. We provided the neighborhood group with alternative solutions and are |

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| | communications with the school. | currently awaiting a response from them. Officers continue to monitor morning and afternoon parking and provide traffic enforcement. The high school reopened one parking lot early adding 30 on campus parking spaces. |
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| Recreation | Working with Parks, work with master planning company to develop a Master Plan, identify spending priorities and begin implementing the plan. | The Parks and Recreation Commission is finalizing its recommendations for presentation to the Town Council on March 9. |
| | Continue work with community committee to move forward with plans for a Skate Park. | A letter was sent to community committee members on December 1 updating them on the environmental review process, which is scheduled for completion in early March. |
| | | |
| Street Maintenance | Complete the move into the Corporation Yard, building shelves, organizing materials, etc. | All done and the crew is settled in. Shelves in a secure cubical were erected to store Town files. |
| | Utilize computers in the new Corporation Yard Administration Building to bring the staff into the world of technology. | Slow progress due to excessive work load. Equipment purchase postponed due budget crunch. |
| | | |
| Volunteer & Community Resources | Continue working on the Downtown Revitalization plan, with the focus on completing the Town Hall Plaza. | Deer in place. Investigating cost of New Town sign for front of Town Hall. Also looking at art project. |
| | Develop plan for creating partnerships with local merchants in support of Town Events. | Attended conference, Jan. 14 th , at Sonoma State on this subject...new ideas for this difficult fiscal time. |
| | Work with new assistant in setting priorities for the position. | Assistant is taking over certain aspects of the Comm. Resources office. |

AGENDA ITEM 1(f)

**TOWN OF SAN ANSELMO
STAFF REPORT
January 20, 2004**

For the meeting of January 27, 2004

TO: Town Council

FROM: Debra Stutsman, Town Administrator

SUBJECT: Appointment of Recreation Director and Update to Recreation Director Salary in Management Compensation Resolution #3661

RECOMMENDATION

That Council:

- Approve hiring Ron Little as Recreation Director, at an annual salary of \$85,000, effective February 9, 2004;
- Approve resolution updating Recreation Director salary in Management Compensation Resolution #3661.

BACKGROUND

For the past several months, the Town has been engaged in a rigorous recruitment effort to fill the permanent position of Recreation Director, which has been vacant since the resignation of Jim Wheeler last October. The position has been filled on an hourly interim basis by Dennis Smith, a retired Recreation Director, who has been managing the department as well as assisting in the recruitment process.

DISCUSSION

Mr. Little has a Bachelor's Degree in English Literature from UC Irvine and a Master of Business Administration Degree from the University of San Francisco with a concentration in Finance. He served as Recreation Coordinator for the City of Anaheim, as Community Services Manager for the City of Palo Alto, and most recently, as Senior Recreation Supervisor for the City of Burlingame. He has also worked in not-for-profit organizations as General Manager of the Brea Glenbook Club in Brea, Ca and as Manager for Program & Community Relations of the Community Association for Rehabilitation in Palo Alto.

ANALYSIS

The agreed upon salary for the position is \$85,000 per year. The proposed resolution revises Resolution No. 3661 to update the Recreation Director salary. At the time Resolution 3661 was approved, the Recreation Director salary was not increased. The proposed monthly salary for this position, effective February 1, 2004, results from a countywide equity study of similar positions as well as consideration of the increased cost of living over the past 24 months.

FISCAL IMPACT

The increased 03-04 compensation cost for the Recreation Director, estimated at \$2,179, is offset by the savings realized during the vacancy.

Respectfully submitted,

Debra Stutsman
Town Administrator

Attachment #1: Resolution No. _____, A Resolution Rescinding Resolution #3661 and Establishing Salaries and Benefits for Members of the Management Employee Group for Fiscal Year 2003-04

RESOLUTION NO. _____

A RESOLUTION RESCINDING RESOLUTION #3661 AND ESTABLISHING SALARIES AND BENEFITS FOR MEMBERS OF THE MANAGEMENT EMPLOYEE GROUP FOR FISCAL YEAR 2003-2004

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

| | | |
|--|----------------------------|----|
| Town Administrator | \$9,488 | |
| Police Chief | \$9,056 | |
| Public Works Director | \$8,712 | |
| Planning Director | \$8,458 | |
| 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/Asst to Town Admin | \$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), Planning Director – fifteen (15). When these positions are 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 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:

ATTEST:

Paul Chignell, Mayor

Barbara Chambers, Town Clerk

AGENDA ITEM 1(g) – Continued to February 10, 2004.

AGENDA ITEM 1(h) – Continued to March 9, 2004.

AGENDA ITEM 2

**TOWN OF SAN ANSELMO
STAFF REPORT
January 21, 2004**

For the Meeting of January 27, 2004

TO: Town Council

FROM: Debra Stutsman, Town Administrator

SUBJECT: Appointments to Arts Commission, Board of Review and Open Space Committee

RECOMMENDATION

That Council appoint three members to the Arts Commission, one member to the Board of Review, and three members to the Open Space Committee.

BACKGROUND

The Arts Commission has a membership of nine seats. The Commission presently has three vacancies, to terms expiring in October, 2005 (2) and October, 2006 (1). Council has interviewed three candidates, Amie Clute, Ellen French, and Mike Laska.

The Board of Review has a membership of five seats. The Board presently has two vacancies to terms expiring in December, 2004 and 2009. Council has interviewed one candidate, Dan Goltz.

The Open Space Committee has a membership of eleven seats. The Committee presently has three vacancies, to terms expiring in October, 2006. Council is scheduled to interview the three candidates tonight, Linda Hoch, Leonard Charles, and Barbara Dwyer.

Respectfully submitted,

Debra Stutsman
Town Administrator

Attachment

AGENDA ITEM 3

TOWN OF SAN ANSELMO TOWN COUNCIL STAFF REPORT

January 21, 2004

For the meeting of January 27,

2004

TO: Town Council
FROM: Tom Bell, Planning Director
SUBJECT: Zoning Ordinance Subcommittee

RECOMMENDATION

1. Authorize the creation of a Subcommittee to review various zoning standards, and
 2. Appoint Council member Kroot and one or two Planning Commissioners (to be determined by Planning Commission) to serve on the committee.
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DISCUSSION

At the January 13, 2004 Council meeting, Councilman Kroot requested that a committee composed of Council and Commission members be authorized to review the "Minor Intrusions Into Required Residential Development Standards" Section of the Zoning Ordinance and other related sections in order to update the Town's zoning standards.

It is suggested that one or two Planning Commissioners be determined by the Commission depending upon availability.

Tom Bell
Planning Director

AGENDA ITEM 4

TOWN OF SAN ANSELMO STAFF REPORT

January 20, 2004

For the Meeting of January 27, 2004

TO: Town Council

FROM: Thomas Bell, Planning Director

SUBJECT: Appeal of Planning Commission's, approval of a Use Permit to allow exceptions to the standards for a residential second unit and Variance to establish a residential second unit (conversion of an existing accessory structure) within 4' of the rear property line (Code:20') and 2' of the northerly side yard property line (Code: 8'), located in the R-1 Zoning District. APN 7-172-05

RECOMMENDATION

Uphold the Planning Commission's approval of the Use Permit and Variance requests, thereby establishing a residential 2nd unit and denying the appeal.

APPELLANTS: Edwina and Neal Whitbeck (owner of property at 7 & 9 Myrtle Ln.) by Joseph Giacomini, Attorney.

APPLICANTS: Tom & Kittie Raskowsky, 211 Laurel Ave., APN 7-172-05

BACKGROUND: **December 1, 2003:** Planning Commission approved the Use Permit and Variance for a 2nd residential unit located at 311 Laurel Avenue (3-2).

DISCUSSION OF APPEAL

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

- *“As approved the project will heavily impact the property of the appellants at 7/9 Myrtle Lane. This project is an old barn with a dirt floor and is and has been situated over a culvert, and one corner of the structure is within four feet of the property line between the appellant and the applicant. Setback required by code is 20’. The structure is also two feet from the side yard, setback is 8’. The property line running from Laurel Avenue to where it corners on the Whitbeck/Raskowsky property line is 142’. If the front and back yard setbacks are applied there is still 102’ within which to relocate the structure and not be over the culvert and not encroach into the front and rear yard setbacks. Applicants presented pictures showing that the structure is over the culvert, hired a professional line locater (Line Locaters Inc.) of Petaluma, CA., who states the culvert is a 24” storm pipe, 3 feet under the building. (behind the footing).”*
- The variance procedure (setback request) provides an alternative to the Code requirements. Part of the Planning Commission's reasoning for special circumstance is the fact that the proposed 2nd unit currently exists as an accessory structure and its conversion to a habitable unit would not have a significant impact upon the adjacent structure. Additionally, similar neighborhood conditions exist (the appellant's structure is a 2nd unit located within the required side yard setback).
- The existence of a private drain culvert represents a property encumbrance, which provided the Commission with additional reasoning for support of a variance. The exact location of that culvert relative to the existing accessory building is not confirmed as of the date of this report, however, the original applicant has indicated that he will expose the location of the culvert this week. If a portion of the proposed 2nd unit structure should be located above the culvert, the Public Works Director would require relocation of the pipe as necessary. The original applicant has indicated willingness to relocate the pipe if necessary.

- The original applicant did not propose relocation of the 2nd unit toward the front of the property (the Planning Commission made necessary findings without requiring relocation). Relocation of the “barn” toward the front of the property could affect the required parking depending upon its exact location.

RECOMMENDATION

Uphold the Planning Commission’s approval of the application, thereby affirming findings and approving the 2nd unit.

Attachments: 1. Appeal
2. Planning Commission minutes and staff reports of December 1, November 17, and October 20, 2003.
3. Letters from neighbors
4. Plans and APN map

c: applicants/appellants

AGENDA ITEM 5

TOWN OF SAN ANSELMO STAFF REPORT

January 21, 2004

For the Meeting of January 27, 2004

TO: Town Council

FROM: Lisa Wight, Senior Planner

SUBJECT: Appeal of Planning Commission’s approval of 1) Hillside design review of a 38

square foot main floor addition, a 410 square foot upper floor addition, and a 166 square foot upper ceiling addition (no floor); 2) setback design review for the main floor addition to be constructed within 5’ of the east side property line; and 3) setback variance for the upper floor addition to be within 5.5’ of the west side property line.

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RECOMMENDATION

Uphold the Planning Commission’s approval of the design review and variance requests, thereby denying the appeal.

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APPLICANTS

Thomas Crowell and Patricia Pirrone, 68 Bennit Avenue

APPELLANTS

L. Dean Jones, Jr., 70 and 80 Bennit Avenue, and
J. Eric Harnew, 66 Bennit Avenue

I. **BACKGROUND**

November 16, 2003: Planning Commission approved fence height variance, porch screen height and overhang variances.

October 20, 2003: Planning Commission approved design review and variance. It was noted that 3 additional items would be coming back to the Planning Commission as they were items not previously noticed because they were the result of recent discussions with the neighbors: east side yard fence height variance, west side porch overhang and screen.

II. **DISCUSSION OF APPEAL**

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

Appeal by L. Dean Jones, Jr.: reference made in his appeal that it is based on previously submitted letters, which contained the following: “. . . third story . . . not aesthetically compatible with our neighborhood . . . numerous light, shade, view and privacy issues . . . addition will interfere with our quality of life . . . require severe pruning of a magnificent oak tree in the applicant’s back yard of 68 Bennit . . . reflecting road noise off Camino de Herrera into the homes and yards of 70, 80 Bennit and 48 Camino de Herrera . . . heavy equipment involved in construction would degrade the fragile alleyway and block access . . . Parcel A . . . is an easement, not for public use . . .”

The Planning Commission’s approval was based on the findings in the September 15, 2003 staff report, which were based on the following information:

- The 166 square foot ceiling addition referred to in the appeal is not a “third story” as it does not have a floor – it is an open ceiling over the existing second story dining room.
- Since the writing of those letters attached to the appeal (prior to the first Planning Commission hearing), the project design has changed, including lowering the height of the 166 square foot ceiling addition, additional evergreen screening tree/shrubs would be planted along the west side of the dwelling, additional articulation shown on the west elevation, 6’ high privacy screen above the entry deck floor, and the height of a portion of the existing fence on the east side to be increased.
- All but the following windows on the proposed addition would have a sill height of 6’, thereby precluding views of neighboring properties: The rear facing master bedroom glass door, bathroom window, and an office window. Views from these windows to contiguous No. 66 would be screened by the existing large oak tree and

the proposed fence height extension; views to No. 70/80's garden would be screened by the existing large oak tree and proposed additional evergreen screening trees on the west elevation; and views to No. 48 Camino de Herrera would be screened by the existing large oak tree and the addition would be approximately 50' away from No. 48's yard.

- Due to the location of the addition on the lot, the distance from neighboring homes, and the shading already existing from the large oak tree, there should be no significant impact on light to neighboring properties.
- The Town's Noise Ordinance would regulate short-term construction noise.
- An Arborist's report indicates that some limbs must be removed, but provided recommendations for maintaining the tree's health.

Since the Planning Commission approval of the project, the applicant obtained records from a title company regarding the status of Parcel A. It is a private street "for the benefit of the owners of the rear property which abuts thereon", which would include No. 68, and none of the abutting properties owns or controls it. It "is not intended for public use, it is not a dedicated street, but a private driveway."

Appeal by J. Eric Harnew: ". . . due to past arguments heard and new issues that have come to my attention and I wish to pursue."

The "past arguments" written in his letter to the Town were included as an attachment to Mr. Jones' appeal, which has been addressed above. Regarding "new issues", staff has been unsuccessful in obtaining information regarding any "new issues." The new information may concern the status of Parcel A, which is also addressed above.

III. RECOMMENDATION

Uphold the Planning Commission's approval of the design review and variance requests, thereby denying the appeal.

Conditions of Approval:

1. Approval is based on the plans date stamped received by the Town on September 30, 2003, (Note that the Commission's approval of the height variances for the west side screen and east side fence extension and entry roof overhang setback variance are not part of this appeal and their approval is based on the plans date stamped received by the Town on October 28 2003);
2. Adherence to the Arborist's June 5, 2003 report regarding the heritage oak tree;
3. The new evergreen screening shall not be a solid screen.
4. All conditions of approval shall be printed at the top of Sheet 1 of the Building permit drawings.

5. 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.

Attachments: Appeals and attachments
Response to Appeal by Architect and Applicants
Planning Commission minutes and staff reports of September 15, and October
20,
2003
Arborist's Report
Neighboring letters
APN map
Application and correspondence from architect
Plans

c: Thomas Crowell and Patricia Pirrone, applicants
Fred Divine, architect
J. Eric Harnew, appellant
L. Dean Jones, Jr., appellant

AGENDA ITEM 6a)

TOWN OF SAN ANSELMO STAFF REPORT

January 21, 2004

For the meeting of January 27, 2004

TO: Mayor and Members of the Town Council

FROM: Debra Stutsman, Town Administrator

SUBJECT: 2003-04 Mid-Year Budget Review

RECOMMENDATION

That Council approve the attached resolution amending the 2003-04 Budget.

BACKGROUND

On September 9, 2003 the Town Council approved Resolution No. 3654 adopting the 2003-04 Budget. Staff has reviewed the revenues and expenditures to date, and projected estimates for the fiscal year end. Year-to-date figures indicate that General Fund revenue may fall short of the budgeted amounts by up to \$300,000. Continued tight control on expenditures during the second half of the year may help to offset those losses, at least in part. In addition, the Governor of the State of California continues to propose changes in funding that, if enacted, may also affect Town revenues. However, since the adoption of the budget, program and service needs have emerged which warrant attention in the mid-year budget review. Due to funding uncertainties, the mid-year budget revisions detailed below are limited strictly to revisions that must be completed mid-year.

MID-YEAR BUDGET REVISIONS

The following revisions to the 2003-04 budget are recommended:

GENERAL FUND:

Administration & Finance Department -- Implementation of Governmental Accounting Standards Board (GASB) Statement #34 is required for the 03-04 fiscal year. (Note: this item was budgeted in the past; however, due to a delay in GASB's implementation calendar, the project was not been done.) One area of new reporting is the expansion of fixed assets to include the Town's infrastructure, such as streets, sidewalks, sewers, etc. Valuation of these assets by an outside source is estimated to cost approximately \$10,000. Staff recommends increasing the appropriation to the Administration and Finance department budget by \$10,000, using Contingency as the source of funding.

CAPITAL PROJECTS FUND

Recreation Department -- As a preliminary step in the development of the Skateboard Park, a noise study was conducted by Illingworth & Rodkin Inc at a cost of \$3,300 and a traffic study by Whitlock & Weinberger at a cost of \$3,500. Staff recommends that \$6,800 be appropriated from the General Fund contingency for this purpose.

MEASURE G, SERIES 2003

Non-maintained road projects -- At its meeting held on January 13, 2004, the Town Council approved Town contributions for 50% of the cost for two drainage projects in non-maintained areas: \$15,000 for a drainage study of Nokomis Bridge area; and \$12,573 for a drainage project at the Log Cabin. Staff recommends that funds be appropriated from the Measure G year end reserve for this purpose.

FISCAL IMPACT OF MID-YEAR BUDGET CHANGES

The above recommendations would have the following fiscal impact:

The General Fund contingency balance is currently \$86,712. These recommendations would reduce the Contingency by \$16,800, leaving a balance of \$69,912.

The Measure G, Series 2003 Fund, currently projected to have a year end reserve of \$543,570, would be decreased by \$27,573, leaving a balance of \$515,997.

Respectfully submitted,

Debra Stutsman
Town Administrator

Attachment #1: Resolution # _____, A Resolution of the Town Council of the Town of San Anselmo Amending the 2003-04 Budget

TOWN OF SAN ANSELMO

RESOLUTION NO. _____

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF SAN ANSELMO
AMENDING THE 2003-04 BUDGET

WHEREAS, the Town Council adopted the 2003-04 fiscal year budget by Resolution No. 3654 on September 9, 2003; and

WHEREAS, new information on projected revenues and expenditures has emerged since adoption of the 2003-04 budget,

NOW, THEREFORE, BE IT HEREBY RESOLVED that the 2003-04 budget be amended as follows:

GENERAL FUND:

Department budgets within the General Fund are hereby revised as follows:

Admin and Finance: Increase by \$10,000 for infrastructure valuation for GASB 34 implementation

Increase to Expenditures: \$10,000

The source of funds for the budget increase of \$10,000 is the General Fund Contingency budget.

CAPITAL PROJECTS FUND

The expenditure budget is hereby revised as follows:

Recreation: Increase by \$6,800 for noise and traffic studies for skateboard park development

Increase to Expenditures: \$6,800

The source of funds for the budget increase of \$6,800 is the General Fund Contingency budget.

MEASURE G, SERIES 2003

Expenditure budgets are hereby revised as follows:

Contributions to non-maintained road projects:

| | |
|----------------|---|
| Nokomis Bridge | Increase by \$15,000 for drainage study |
| Log Cabin | Increase by \$12,573 for drainage project |

Increase to Expenditures: \$27,573

The source of the funds for the budget increase of \$27,573 is the Measure G year end reserve.

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 27th day of January, 2004, by the following vote, to wit:

AYES:

NOES:

ABSENT:

ABSTAIN:

Paul Chignell, Mayor

ATTEST:

Barbara Chambers, Town Clerk

Agenda Item 6b)

**TOWN OF SAN ANSELMO
STAFF REPORT
January 20, 2004**

For the Meeting of January 27, 2004

TO: Town Council
FROM: Debra Stutsman, Town Administrator
SUBJECT: Budget Projections

RECOMMENDATION:

That Council direct staff as to next steps in dealing with projected funding shortfalls in the remainder of 2003-04 and in fiscal year 2004-05, including:

- meeting with employee groups to discuss possible expenditure reductions
- designating a Council subcommittee to work closely with staff on budgeting issues.

BACKGROUND

Local governments have been on a fiscal roller coaster controlled by the State for some time. Adding to the funding uncertainties created by the State, revenues continue to lag behind projections due in large part to the downturn in the economy. Even as revenues lag, expenditures continue to rise.

At the present time, the Governor has pledged to continue to backfill the vehicle license fee revenue guaranteed to cities/towns by the State constitution. In nearly the same breath he has proposed taking \$1.3 billion in local property tax revenue from local government and shifting it permanently to education.

The message is clear. The State's fiscal situation is in such dire straits that all government agencies are vulnerable. Our task is to anticipate the effect on the Town of San Anselmo and take steps to ensure fiscal stability while maintaining essential services to the community.

DISCUSSION

Current Budget Year Projections:

In order to balance the 2003-04 budget, a number of cost saving measures were employed. Five positions were frozen, including the Town Clerk, a Maintenance Worker I, two Police Officers and a Dispatcher. In addition, no new capital projects were funded and several were postponed, one-time emergency and equipment reserves were utilized and new revenues from fines and fees were anticipated. In addition, the Recreation Department was asked to fund a portion of the Recreation Director's salary and the Robson after school program was changed to be fee-based.

While departments have done a good job at keeping expenditures at or below budget, our revenues are unfortunately not coming in at the projected rate. As such, it is possible that our revenue at fiscal year end could fall short of projections by as much as \$300,000, due to lower than anticipated sales tax revenue, interest income, fees and property tax revenue. Staff recommends cutting \$150,000 - \$200,000 in expenses in the remainder of 2003-04 to ensure we are not in a deficit position at fiscal year end.

Employee salaries and related expenses make up about 75% of the Town's budget. Regretfully, we have already made most of the non-staffing cuts possible. In order to reduce expenditures between now and June 30, 2004, staff recommends exploring the following immediately with the employee groups:

- Ideas for cost cutting measures.
- Unpaid furloughs for non-safety and management employees - Closing Town services one or two Fridays a month.
- Employee payment of a portion of employee share of pension, currently paid by Town.

The above options would be considered before laying off employees.

A short-term option for 2003-04 savings could include closing the Library for one day per week, which could be done without affecting regular, full-time employees by eliminating temporary part time positions.

2004-05 Budget Projections:

Next fiscal year promises to be another year of uncertain revenues and increasing expenses, particularly in the area of pension and workers' compensation costs. Staff

recommends taking a balanced approach of increasing revenue where possible and reasonable, while continuing to take appropriate cost cutting measures.

Options for increasing revenue that may be considered include raising the Municipal Services Tax, currently set at \$78 per year per living unit, at the November 2004 election. However, no new revenue would be realized until the 2005-06 budget year. A special tax specifically designated for public safety could also be considered at the November 2004 election. We have some time to further explore this avenue and staff could return with a complete staff report on the various options.

CONCLUSION

Cities/Towns are in a difficult and complicated fiscal situation due to a number of factors: the economic downturn, rapidly increasing employee costs, loss of revenue from the State, and decreasing revenues from local sources, such a property tax, sales tax and interest. Council may wish to appoint a subcommittee of two Councilmembers to work closely with staff as we navigate through the next year.

Respectfully submitted,

Debra Stutsman
Town Administrator

Copy: Department Managers