

TOWN OF SAN ANSELMO
Minutes of the Town Council Meeting of May 11, 2004

Present: Kilkus, Thornton, Kroot, Breen, Chignell
Absent: None

8:00 p.m.

- CALL TO ORDER.
- PLEDGE OF ALLEGIANCE
- ANNOUNCE ACTION TAKEN, IF ANY, IN CLOSED SESSION

Mayor Chignell announced that no reportable action was taken in closed session.

- RECOGNIZE KATHLEEN LANPHIER AND OLIVER'S BOOKS FOR SERVICE TO THE COMMUNITY.

This item was postponed until a future meeting, as Kathleen Lanphier was unable to be present.

- OPEN TIME FOR PUBLIC EXPRESSION.

Fredrica Conrad, 170 Hilldale Drive, said that a skateboard ramp was built in the canyon below her neighborhood and the noise amplifies up toward the homes in the area and disturbs the peace. She would like to begin abatement proceedings.

Mark Cunningham spoke on behalf of San Anselmo Town Players. He wanted to inform the Town that a production of *The Secret Garden* is currently playing at the Playhouse and features a multi-generational cast. Tickets are still on sale.

- COUNCIL REQUESTS FOR FUTURE AGENDA ITEMS, QUESTIONS AND COMMENTS TO STAFF; STAFF MISCELLANEOUS ITEMS.

Breen requested to add an item of urgency to the agenda that entails Council appointing a delegate to be present and vote at the League of California Cities Special Meeting on May 13th on a proposal being put forth by the governor for resolving the problem of state take away monies, and to provide direction to that delegate.

M/s, Breen/Thornton to add to the agenda, just before item 2, a discussion of appointment of a delegate to represent the Town and attend the League of California Cities Board of Director's Special Meeting on May 13th, as an urgency item in that the need to take action arose following the posting of the agenda. Ayes: All.

Breen said he has noticed a build up of posters being put up on telephone and sign poles and left there. He encouraged Staff to try to take them down almost as quickly as they go up in order to avoid the buildup.

Kroot requested a special recognition for Planning Commissioner Brian Wittenkeller for

all of his hard work as an excellent Commissioner. Chignell asked the Town Administrator to add it to the agenda at the appropriate time.

Thornton asked the Traffic Safety Committee to review the area on Ross Avenue, near the pre-school, where there is a small indent to accommodate parking that is inadequate and possibly causing a traffic hazard.

Chignell asked the Town Administrator to add the Robson House on June 8th agenda for an update on changes. He also asked for an updated report on what Staff has done to secure the property at 32 Elm.

Chignell and Kroot announced that the contract to provide fire service to Sleepy Hollow will expire next year. Negotiations were underway for an agreement between the Sleepy Hollow Fire Protection District, the Town of Fairfax and the Town of San Anselmo. However, The Town of Fairfax does not want to change the voting structure to allow Sleepy Hollow a voting part, so they do not want to pursue a part in the contract. If the Town of Fairfax changes their political stance within the next year they are welcome to join negotiations, but at this point it seems likely that negotiations will begin between Sleepy Hollow and the Town of San Anselmo. He added that this will likely result in substantially more money for the Town of San Anselmo than was realized from the previous contract.

1. CONSENT AGENDA: ITEMS ON THE CONSENT AGENDA MAY BE REMOVED AND DISCUSSED SEPARATELY. OTHERWISE, ALL THE ITEMS MAY BE APPROVED WITH ONE ACTION.

- (a) Approve minutes: April 27, 2004 Budget Workshop and regular meeting.
- (b) Acknowledge and file warrant numbers 48394 – 48646 issued during the month of April 2004 in the amount of \$851,284.17.
- (c) Approve the Quarterly Treasurer's Investment Report for the period ending March 31, 2003.
- (d) Approve Resolution No. 3687 in support of California's law to reduce global warming pollution.
- (e) Approve pavement repairs on Butterfield Road instead of previously approved slurry seal work.
- (f) Approve waiver of claims and indemnification agreement with Metropolitan Transportation Commission related to Traffic Engineering Technical Assistance Program grant.

Thornton asked to remove items (e) and (f).

M/s, Kroot/Kilkus to approve consent agenda except for items (e) and (f). Ayes: All.

Thornton said that, regarding item (e), she wanted to clarify that the pavement repair costs are actually less than what it would cost for a slurry seal and dig out. Public Works Director, Rabi Elias, confirmed that it is.

Thornton asked, regarding item (f), if the work will include the stoplights prior to the hub

as well. Public Works Director, Rabi Elias said that the work is not based on geography but rather the timing of the lights and the way the streets come in. He said the project is expected to take 6-8 months for completion.

M/s, Breen/Thornton to approve items (e) and (f) on the consent agenda. Ayes: All.

Breen said that the Governor has put forward a proposal that will take monies away from local government for two years but after that there will be a constitutional Amendment on the ballot to guarantee that city and town funds will be protected in the future.

M/s, Breen/Thornton to designate Fire Chief, Michael Groshong as the delegate to represent the Town and vote in support of the Governor's proposal as it relates to local government funding at the May 13th League of California Cities Special Meeting. Ayes: Kilkus, Thornton, Breen, Chignell. Noes: Kroot

2. ENDORSE THE RENOVATION PROJECT AT THE PLAYHOUSE AND CONSIDER REQUEST FOR A CONTRIBUTION TO THE PROJECT.

Debra Stutsman, Town Administrator presented the staff report and said the Playhouse Board is seeking Council endorsement/support for renovation of the Playhouse. They want to use the Town's name in their donor packets and are seeking consideration for any contribution the Town can make to the project. She said the Public Works Director suggested we approve endorsement/support of project but tackle the possibility of fee waivers when in the building permit is issued.

Lisa Wertheim, Co-fundraising Chairperson for the Playhouse said that with the first phase of the project completed, the second phase will cost about \$365,000 covering the exterior renovation, which is sorely needed. She asked for Council endorsement/support of the project and for consideration of fee waivers as a gift-in-kind donation.

All Council members were in support of the project but felt that because of the current budget crisis a fee waiver was not currently possible but a suggestion was made to approve endorsement/support of project and the concept of possible fee waivers depending on the budget situation at the time the waivers are requested.

M/s, Kroot/Thornton, to endorse and strongly support the Playhouse renovation project and consider waiver of fees at the time the application for fee waiver is made. Ayes: All

3. PUBLIC HEARING ON THE NEGATIVE DECLARATION AND PROJECT: DESCRIPTION OF PROJECT – MEMORIAL PARK ENTRY PLAZA AND SKATE PARK, 1000 SIR FRANCIS DRAKE BOULEVARD; ON AND NEAR BASKETBALL COURTS: REMOVE BASKETBALL COURTS AND CONSTRUCT A 7,885 SQUARE FOOT SKATE PARK INCLUDING SKATEBOARD AREA, LANDSCAPING, FENCING, AND VIEWING PLATFORM; AND NEAR BASEBALL FIELD ONE: DESIGN CHANGES TO PARK ENTRANCE, WALKING AND SEATING AREAS, INCLUDING ADA ACCESSIBILITY, RESTROOM, LANDSCAPING, FENCING, BLEACHER PLATFORMS, WALLS, SIGNAGE, SCULPTURE, AND FUTURE CANOPY

OVER BLEACHERS. LOCATION OF PROJECT: 1000 SIR FRANCIS DRAKE
BLVD, APN NOS. 6-032-19 AND 6-032-21.

Planning Director, Tom Bell, presented the staff report and said that the Planning Commission reviewed the design and recommended the approval of the negative declaration and project with the proposed 8 conditions as indicated in the staff report.

Kroot wanted clarification on the noise level of the skateboard activity itself. Planning Director, Tom Bell said that the report stated the noise level would not be significant, and would, in fact, be less noisy than the current noise level coming from the basketball court.

Chignell had a concern about the possible parking and traffic impact for the recreation building. Planning Director, Tom Bell, said that several of recommendations made by the Planning Commission would mitigate that impact making it less than significant.

Chignell asked the Recreation Director, Ron Little, what the total cost of the Skate Park actually is. Recreation Director, Ron Little, said that the current quote for the entire project is \$800,000. The skateboard park section alone is between \$240,000 to \$300,000. All monies for this project would be from fundraising efforts.

Teresa Allen, 14 San Francisco Boulevard, said that she does not like the location of the proposed skate park and said the noise level will be too high. She stated that she wouldn't stay in Town if a skateboard park moved in next to her home and thought it was a terrible idea.

Kathleen Lipinsky, 38 San Francisco Boulevard, said that she has always been a huge supporter of the park but wondered why they want to take out a basketball court that is popular to put in something with a narrower public interest. She is also concerned about the limited parking, lack of supervision and after hours use of the proposed skate park.

Steve Emery, 38 San Francisco Boulevard, said that he felt the noise and parking problems associated with the proposed skate park could potentially decrease his property value. He asked that if Council approves the project that they assign priority to park improvements and ADA requirements first and the construction of the skate park itself last.

John Peterson, 43 Merced Avenue, is a strong supporter of the proposed skate park as he felt many kids, including his own, would greatly benefit from it. He said that if you live near a park noise generated within the park is to be expected.

Valerie Hersey, 121 Brookside Drive, said she was the Chairperson on the Design Committee and stressed that the location of the park allows the kids to walk or ride their bikes to it. They have worked a long time to get this going and she strongly urged the Council to approve it.

Nancy Mackle, 125 Saunders Avenue, said she is in support of the skate park stating that the kids are out there skating now on makeshift, unsafe systems. She said kids in this age group need a safe, clean, drug-free place to spend their time as they outgrow Millennium

Park.

Marlene Maylo, 6 Robo Court, said that she will often walk near there and can hear the noise from the soccer and basketball games but has never heard noise from skateboards. She said that if the skate park is built in this location, with proper materials, perhaps it might take away from other unsafe, noisier locations such as the one in the canyon mentioned earlier.

Howard Danchik, 168 Hilldale Drive, said he lives a few feet from a skateboard ramp and it has caused health problems and people to move out of the neighborhood. He said a skateboard park should be in a location that is not next to homes.

Wade Kaufman-Peterson, 42 Merced Avenue, 12 years old, said his parents have to drive him to the skate parks he goes to now. He would like a place he can go where the ground isn't rough. He also said that the basketballs are louder than skateboards.

Heidi Jaeger, Sir Francis Drake Blvd., said she was concerned about the height and size of the proposed archway signage. She also suggested it be more of a multi-use park, keeping the basketball courts, adding bicycle trick section and a running track and maybe moving the skate area to the upper playground.

Recreation Director, Ron Little, said the archway signage will be 8 feet high and there will not be any lights installed at the skate park. The Parks and Recreation Department will deal with the issues of security and hours of the park down the road. The original fundraising committee still exists.

Kilkus said he is in support of the entire project and said that time and time again all of the objections have been sufficiently met. He said the real issue may be the fundraising. The park may never come to fruition if the funding is not there.

Kroot said that it comes down to the noise issue. He said the reports very clearly state that the noise will not be significant and hold it at just above a conversation level. He said he thinks the sound of children playing and laughing is delightful. He is in support of the project.

Breen said that the remote locations of some of the existing parks in other communities are proving problematic. They are not as easily accessible to children, there is a lack of adult supervision and it takes emergency vehicles longer to respond to those locations if there were an accident. He said he believed the sound will be absorbed by the materials used in construction.

Chignell said he doesn't see the same support from the people in the community he did a few years back so he is concerned that the money cannot be raised. He also said the location is not ideal being next to housing, taking away the basketball courts and squeezing it into the space allotted. However, he said that the reports indicate the noise concerns have been mitigated and the kids are skating there anyway.

M/s, Kilkus/ Thornton to approve the negative declaration and project with conditions as

outlined in the staff report. Mayor Chignell asked for a roll call vote. Ayes: Kroot, Thornton, Kroot, Breen, Chignell. Noes: None.

4. SELECT CONSULTANT AND APPROVE EXPENDITURE UP TO \$21,000 FOR A PUBLIC OPINION POLL FOR THE PURPOSE OF ASSESSING PUBLIC SUPPORT FOR AN INCREASE IN THE MUNICIPAL SERVICES TAX.

Town Administrator, Debra Stutsman, presented the staff report. She said that there are three proposals, ranging between \$18,000 and \$20,000 in cost, based on polling 400 voters with the survey length being about 15 minutes. Two of the firms have done work for the Town before. Evans/McDonough has not but they received excellent references from the cities of Palo Alto and Santa Rosa and the Mill Valley School District. Staff recommends that two Council members be involved in the planning of the poll content.

Kroot asked how long it will take to complete this. Town Administrator said that all of the firms can move within our required time frame. She said the poll itself takes 3 to 4 days, but the compilation of data is what is time consuming.

Ted Freeman, 8 Meadowcroft Drive, urged the Council to support this first step toward getting the measure on the ballot in November.

M/s, Thornton/Kroot to select Evans/McDonough to conduct poll and complete it by July 15th, 2004 and identify two Council members to work with Staff and the consultant on the survey content. Ayes: All.

Breen and Thornton volunteered to work with Staff on the survey content.

5. ADJOURN.

Mayor Chignell announced that the meeting was adjourned in memory of the former Mayor of San Anselmo, Bill Franchini, who passed away last weekend. Services for Mr. Franchini will be held on Saturday, May 15, at 3 p.m. at Chapel of the Hills. He was considered the Father of our Town, an esteemed member of the Historical Commission and a great friend to all of us.

Respectfully submitted,

Denise A. Phillips
Senior Police Administrative Assistant