

- 3651 Setting Miscellaneous Administrative Fees 8/12/03
- 3652 Approving the Ross Valley Paramedic Authority Tax Levy for the 2003-04 fiscal year 8/12/03
- 3653 In support of the creation of the Marin County Tourism Business Improvement District 8/12/03
- 3654 Adopting the 2003-04 Budget and Workplan 9/9/03
- 3655 Establishing the Appropriations limit for Fiscal Year 2003-04 and revising the Appropriations limits for Fiscal Years 2002-03 and 2001-02 9/9/03
- 3656 Establishing the Town's commitment to an IPM (Integrated Pest Management Program) 9/9/03
- 3657 Authorizing the Town Administrator to enter into an agreement with the Tamalpais Union High School District and the Ross Valley School District regarding the Improvement of Red Hill Field 9/9/03
- 3658 Supporting a statewide ballot initiative to require voter approval before State Government may take Local Tax Funds 9/23/03
- 3659 To execute a Quitclaim Deed in favor of Ferie B. and Fern R. Darling 10/14/03
- 3660 Approving the use of funds distributed pursuant to California Government Code Section 30061 ET AL. 10/14/03
- 3661 Establishing salaries and benefits for members of the management employee group for fiscal year 2003-2004 10/28/03
- 3662 Establishing Parks rules and regulations for all Parks, Open Space Parks, and Open Areas 10/28/03
- 3663 Declaring the canvass of returns and results of the Consolidated General District and School Election held on November 4, 2003 11/25/03
- 3664 Approving the application for grant funds for the Youth Soccer and Recreation Development Program under the California Clean Water, Clean Air, Safe Neighborhood Parks, and Coastal Protection Act of 2002 11/25/03
- 3665 Approving the applicant to apply for grant funds for the Per Capita Grant Program under the California Clean Water, Clean Air, Safe Neighborhood Parks, and Coastal Protection Act of 2002 11/25/03
- 3666 Approving the applicant to apply for grant funds for the Roberti-Z'berg-Harris Block Grant Program under the California Clean Water, Clean Air, Safe Neighborhood Parks, and Coastal Protection Act of 2002 11/25/03
- 3667 Endorsing policies to encourage investment in local telecommunications services in California, investment in local communities and increased employment opportunities 11/25/03

- 3668 In the matter of the Marin Joint Services Authority Oversight Committee Report on the General Services Joint Powers Agency and the role of the Joint Services Authority Oversight Committee 11/25/03
- 3669 Reaffirming investment of monies in the Local Agency Investment Fund and Designating Town Officers as authorized signers. 12/9/03
- 3670 Amending fines for certain Municipal Code Parking Violations and adjusting certain Police Services Fees 12/9/03
- 3671 Reaffirming accounts with Bank Of America and Wells Fargo Bank and designating Town Officers as authorized signers 12/9/03
- 3672 Approving the use of funds distributed pursuant to California Government Code Section 30061 ET AL 1/13/04
- 3673 Establishing the Town's commitment to preserving the health, safety, and welfare of the inhabitants of the Town by encouraging the notification of all adjacent neighbors of the outdoor use of pesticides on private property and the establishment of a pesticide sensitive registration program for Town residents 1/13/04
- 3674 Setting and amending Planning Department Fees for all services and entitlements Processed under Title 10 of the San Anselmo Municipal Code 1/13/04
- 3675 Rescinding Resolution #3661 and establishing salaries and benefits for members of the management employee group for fiscal year 2003-2004 1/27/04
- 3676 Amending the 2003-2004 Budget 1/27/04
- 3677 Resolution of Intention to approve an amendment to contract between the Board of Administration California Public Employees' Retirement System and the Town Council of the Town of San Anselmo 2/24/04
- 3678 Upholding a Planning Commission decision by approving a variance to allow a retaining wall in excess of 4' within the front yard setback, and a use permit to allow exceptions to standards for a residential 2nd unit at 100 Forbes Avenue, AP 6-261-06 3/19/04
- 3679 Authorizing the submittal of the Funding Request Form to the Department of Conservation's Division of Recycling 3/24/04
- 3680 Intent to abandon a portion of Scenic Avenue Right-Of-Way 3/24/04
- 3681 Authorizing and approving the borrowing of funds for fiscal year 2004-2005; The issuance and sale of a 2004-2005 Tax and Revenue Anticipation Note Therefore And participation in the California Communities Cash Flow Financing Program 3/24/04

- 3682 Concurring on the membership of the New Marin County Transportation Authority And designating the authority as the Congestion Management Agency for the County of Marin 3/24/04
- 3683 Fixing the Employer's Contribution under the Public Employee's Medical and Hospital Care Act 4/13/04
- 3684 Approving an Amendment to the General Plan to update the Housing Element 4/13/04
- 3685 Approving a Fee Waiver for the processing of an Affordable Housing Project for the Ross Valley Ecumenical Housing Association 4/13/04
- 3686 Ordering the Vacation of a portion of Scenic Avenue Right-of Way 4/13/04
- 3687 Supporting California's Law to reduce Global Warming Pollution 5/11/04
- 3688 Rescinding Resolution No.3455 and approving the standards and criteria for Wireless Communications Facilities (Exhibit A) and application checklist (Exhibit B) as provided in Ordinance NO. 1001 to effectively regulate the location, placement and design of Wireless Telecommunication Antenna Facilities in the Town of San Anselmo. 6/08/04
- 3689 Authorizing Conveyance of vacated portion of Scenic Avenue right-of-way at 515 Scenic Avenue, and authorizing the Mayor to execute a Quitclaim Deed 6/22/04
- 3690 Accepting Easement Grant Deed from J. Michael Whyte and Cheryl L. Whyte For road and utility easement on Canyon Road at Scenic Avenue 6/22/04
- 3691 Approving the Marin County Final Transportation Sales Tax Expenditure Plan 6/22/04
- 3692 Establishing the amount of Municipal Services Tax for the 2004-05 Fiscal Year 7/13/04
- 3693 Setting the Pension Override Tax for the 2004-05 Fiscal Year 7/13/04
- 3694 Setting the 2004-05 Tax Requirement for General Obligation Bonds, Series 1995, Series 1997, Series 2000, and Series 2003 7/13/04
- 3695 Approving the Ross Valley Paramedic Authority Tax Levy for the 2004-05 Fiscal Year 7/13/04
- 3696 Setting Pay Rates for part time employees for Fiscal Year 2004-05 7/13/04
- 3697 Reconfirming a Statement of Investment Policy 7/13/04
- 3698 Authorizing the filing of an application for Federal Surface Transportation Program Funding for Sir Francis Drake Blvd. pavement Refurbishing from Sunnyhills Drive to Bolinas Avenue 7/13/04

- 3699 Amending Planning Department Fees for all services and entitlements processed under Title 10 of the San Anselmo Municipal Code 7/27/04
- 3700 Authorizing the filing of an application for Federal Surface Transportation Program Funding for Sir Francis Drake Blvd. Pavement Refurbishing from Sunnyhills Drive to Bolinas Avenue, and rescinding resolution No. 3698 7/27/04

RESOLUTION NO. 3700

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF SAN ANSELMO AUTHORIZING THE FILING OF AN APPLICATION FOR FEDERAL SURFACE TRANSPORTATION PROGRAM FUNDING FOR SIR FRANCIS DRAKE BLVD. PAVEMENT REFURBISHING FROM SUNNYHILLS DRIVE TO BOLINAS AVENUE, AND RESCINDING RESOLUTION NO. 3698

Whereas, the Transportation Equity Act for the 21st century (TEA 21) (Public Law 105-178, June 9, 1998) and the TEA 21 Restoration Act (Public Law 105-206, July 22, 1998) continue the Surface Transportation Program (23 U.S.C. § 133 and the Congestion Mitigation and Air Quality Improvement Program (CMAQ) (23 U.S.C. § 149); and

Whereas, the TEA-21 legislation will guide STP, CMAQ, and TE programming until a TEA 21 Reauthorization bill is authorized; and

Whereas, pursuant to TEA-21, and the regulations promulgated thereunder, eligible project sponsors wishing to receive Surface Transportation Program or Congestion Mitigation and Air Quality Improvement Program grants for a project shall submit an application first with the appropriate metropolitan transportation planning organization (MPO), for review and inclusion in the MPO's Transportation Improvement Program (TIP); and

Whereas, the metropolitan Transportation Commission is the MPO for the San Francisco Bay region; and

Whereas, the Town of San Anselmo is an eligible project sponsor for Surface Transportation Program or Congestion Mitigation and Air Quality Improvement program funds; and

Whereas, the Town of San Anselmo wishes to submit an application to MTC for funds from the Surface Transportation Program Improvement Program in fiscal year 2005-06 and 2006-07 for the following project:

Sir Francis Drake Blvd. pavement refurbishing from Sunny Hills Drive to Bolinas Avenue; and

Whereas, MTC requires, as part of the application a resolution stating the following:

1. the commitment of necessary local matching funds of at least 11.47%; and
2. that the sponsor understands that the Surface Transportation Program and Congestion Mitigation and Air Quality Improvement Program funding is fixed at the programmed amount, and therefore any cost increase cannot be expected to be funded with Surface Transportation Program or Congestion Mitigation and Air Quality Improvement program funds; and

3. the assurance of the sponsor to complete the project as described in the application, and if approved, as programmed in MTC's TIP; and
4. that the sponsor understands that funds must be obligated by June 30 of the year that the project is programmed for in the TIP, or the project may be removed from the program; and
5. that the sponsor has a certified pavement management system (PMS)

NOW, THEREFORE. BE IT RESOLVED by the Town Council of the Town of San Anselmo that the Town of San Anselmo is authorized to execute and file an application for funding under the Surface Transportation Program of TEA-21 Reauthorization in the amount of \$170,000 for Sir Francis Drake Blvd. pavement refurbishing from Sunny Hills Drive to Bolinas Avenue; and

BE IT FURTHER RESOLVED that the Town Council of the Town of San Anselmo by adopting this resolution does hereby state that:

1. The Town of San Anselmo will provide up to \$22,025 in non-federal matching funds; and
2. The Town of San Anselmo understands that the Surface Transportation Program and Congestion Mitigation and Air Quality Improvement program funding for the project is fixed at \$170,000 and that any cost increases must be funded by the Town of San Anselmo from local matching funds, and the Town of San Anselmo does not expect any cost increases to be funded with Surface Transportation Program or Congestion Mitigation and Air Quality Improvement program funds; and
3. Sir Francis Drake Blvd. pavement refurbishing from Sunny Hills Drive to Bolinas Avenue will be built as described in this resolution and, if approved, for the amount shown in the Metropolitan Transportation Commission (MTC) Transportation Improvement Program (TIP) with obligation occurring within the timeframe established below; and
4. The program funds are expected to be obligated by June 30 of the year the project is programmed for in the TIP.

BE IT FURTHER RESOLVED that the Town of San Anselmo is an eligible sponsor of projects in the Surface Transportation Program; and

BE IT FURTHER RESOLVED that the Town of San Anselmo is authorized to submit an application for Surface Transportation Program funds for Sir Francis Drake Blvd. pavement refurbishing from Sunny Hills Drive to Bolinas Avenue; and

BE IT FURTHER RESOLVED that there is no legal impediment to the Town of San Anselmo making applications for local Streets and Roads Shortfall Program funds; and

BE IT FURTHER RESOLVED that there is no pending or threatened litigation which might in any way adversely affect the proposed project, or the ability of the Town of San Anselmo to deliver such project; and

BE IT FURTHER RESOLVED that a copy of this resolution will be transmitted to the MTC in conjunction with the filing of the application; and

BE IT FURTHER RESOLVED that the MTC is requested to support the application for the project described in the resolution and to program the project, if approved, in MTC's TIP; and

BE IT FURTHER RESOLVED that Resolution No. 3698, adopted by this Council on July 13, 2004 is hereby rescinded.

PASSED AND ADOPTED at a regular meeting of the Town Council of the Town of San Anselmo, State of California held on the 27th day of July, 2004 by the following vote:

AYES: Breen, Chignell, Kilkus, Kroot, Thornton

NOES: (none)

ABSENT: (none)



Paul Chignell, Mayor

ATTEST:



Barbara Chambers, Town Clerk

TOWN OF SAN ANSELMO 3699
TOWN COUNCIL RESOLUTION NO. _____

**A RESOLUTION OF THE SAN ANSELMO TOWN COUNCIL SETTING AND AMENDING
PLANNING DEPARTMENT FEES FOR ALL SERVICES AND ENTITLEMENTS PROCESSED
UNDER TITLE 10 OF THE SAN ANSELMO MUNICIPAL CODE**

WHEREAS, Town Planning services are deemed necessary to assure compliance with mandated Federal, State and Municipal laws; and

WHEREAS, the current Planning Fee Schedule authorized under Resolution No. 3241 does not fully recover the cost of providing related services; and

WHEREAS, the PLANNING FEES-2004-5 document attached hereto as Exhibit "A" has been prepared for the purpose of evaluating costs and time associated with various Planning services; and

WHEREAS, the Housing Element of the General Plan encourages the production of affordable housing and reduced fees may encourage such housing and be considered a public benefit; and

WHEREAS, Planning service fee increases are authorized in accordance with Sections 65104 and 66016 of the California Government Code.

NOW THEREFORE, BE IT RESOLVED that the Town Council of the Town of San Anselmo has determined as follows:

1. The analysis in Exhibit "A" attached hereto represents an accurate assessment of costs and expenditures attributable to the various services provided by the Planning Department; and the recommended fees therein reflect a reasonable estimate of the costs to provide such services.
2. The Planning Fee Schedule attached hereto as Exhibit "B" is hereby adopted and shall become effective sixty (60) days after the adoption of this resolution.

AYES: Kilkus, Thornton, Kroot, Breen, Chignell

Adopted July 27, 2004

NOES: {none}

ABSTAIN: {none}

ABSENT: (none)



Paul Chignell, Mayor

ATTEST:


Barbara Chambers, Town Clerk

Exhibit "A"

PLANNING FEES – 2004-5

OVERVIEW PLANNING DEPARTMENT EXPENDITURES/REVENUES

- FY04-5 Planning Dept Estimated Projected Expenditures ≈ \$396,200
- Estimated Planning Processing Fees(based on current activity & fee schedule) ≈ 96,000
- In addition to Planning Department budgeted expenditures, overhead costs exist as support services to the Planning Function (Admin. & Finance, Legal, and Insurance).

Expenditures

Projected Budget(2004-05)		\$396,200
Overhead @ 6.35%		
Admin/Finance (\$586,000x.0635)	≈\$	37,200
Legal (\$156,700x.0635)	≈	10,000
Insurance (\$609,500x.0635)	≈	38,700
Total Overhead	≈	<u>\$85,900</u>

TOTAL PLANNING DEPARTMENT COST ≈ \$ 482,100

Projected Revenue

As the Council is aware, Planning Fees were recently revised effective March 15, 2004. Since the new fee schedule has been in effect for a limited time, the following estimate is projected as potential annual revenue based upon current planning activities.

From January through June, 2004, Planning Staff processed the following applications:

- 22 Planning Commission items (single applications)Variance, Use Permit, Design Rv.
- 17 Planning Commission items (multiple applications)Variance, Use Permits, Design Rv.
- 2 Environmental Reviews
- 4 Public projects
- 16 Administrative residential reviews
- 2 Certificates of Compliance
- 2 Sign Reviews
- 2 Administrative commercial reviews

Assuming these projects were to be processed under the current fee schedules, the following revenues would have been generated:

22 PC –singles @ \$840	= \$18,480
17 PC –multiple @ \$1260	= 21,420
2 ER @ \$800	= 1,600
4 Public Projects @ 0	= 0
16 residential admin reviews @ \$300	= 4,800
2 Certificates of Compliance @ \$500	= 1,000
2 sign reviews @ \$100	= 200
2 Admin. Commercial reviews@ \$300	= <u>600</u>
 Total 6 mo. revenue estimate(Jan-June)	 = \$48,000

Total annual revenue estimate (6mos x 2) = \$96,000/yr.

In addition to the planning processing fees, residential resale inspection fees are charged to recover **planning and building** costs.

132 resale requests (January-June) @ \$193 = \$ 25, 476
 Total projected resale revenue (25,476x2) = \$ 50,900/yr

Planning Staff Time Allocation

Building Pmt.Plan Check and inspection	15. %
Residential resale applications	1.5%
Advanced Planning	10. %
Current Planning	<u>73.5%</u>
	100 %

Approximately 15% of the planning staff time is allocated toward building permit review and final inspections to assure compliance with zoning requirements.

Approximately 1.5% of staff time is allocated to review of residential resale applications and follow-up compliance enforcement.

The remaining 83.5% of staff time is dedicated to advanced and current planning activities. Advanced planning (10%) represents public projects, General Plan and zoning amendments necessary to comply with law and facilitate current development processes. Current planning activity (73.5%) represents private development project processing. Since advanced planning activities are necessary to facilitate current development, such activity costs are generally considered recoverable through the permitting process.

These time estimates fluctuate substantially due to a variety of economic and social variables.

Estimated annual planning staff hours are 4711 hours due to vacation, holidays, sick leave, administrative leave, and ½ time comp time earned where appropriate (20 PC mtgs. @ ½ x3hr/planner).

Director	1628
Senior Planner	1534
Assistant Planner	<u>1549</u>
	4711 hours

Consequently, the estimated total average cost/hour for Planning Services is approximately **\$102/hr.**
 (\$482,100/4711hr)

Based upon a 83.5% staff allocation to private development, the Town could potentially receive approximately \$401,200 in annual Planning Application fees assuming full cost recovery.
 (83.5% x 4711hr x \$102/hr)

CURRENT FEE STRUCTURE

As demonstrated above, the current fee structure for Planning Applications would generate about \$96,000 annually in planning application fees or approximately **24% of total cost recovery.**

Residential Resale Inspections

In addition to the Planning Processing fees, the Town receives approximately \$50,900 in resale inspection fees which are intended to cover both Planning and Building staff time. Given the 1.5% planning staff time allocated to resale inspections, approximately **\$7,100** (\$102/hr x 70hr) should be allocated to planning cost recovery.

In addition the Building Official/Inspector spends an average of 2 hours per resale application & inspection. At \$88/hr x 2hr x 264 resale applications, **\$46,500** in Building Dept costs should be recovered from these applications.

Total cost recovery would be about **\$53,600, or 5%** higher than current resale fees. Therefore, staff recommends the resale inspection fees at **\$203** rather than our current **\$193** fee.

PROPOSED FEES

Since the vast majority of staff time is devoted to items requiring Planning Commission/Council action, staff would recommend doubling such fees.

However, since the staff level sign reviews and commercial façade reviews are minor in nature and quantity, staff does not recommend changing such fees.

This would generate an additional \$90,000-\$100,000 as directed by the Town Council. The cost recovery would then approach 50%.

Staff also recommends an approximate 5% increase in residential resale inspection applications from \$193 to \$202ea. This would provide full cost recovery.

Exhibit "B"

**SAN ANSELMO PLANNING DEPARTMENT
FEE SCHEDULE**

ITEM	CURRENT FEE	PROPOSED FEE
1. Use Permits		
Design Reviews		
General Plan Amendments		
Zoning Amendments		
Tentative Maps		
Annexations		
Lot Line Adjustment		
Variances	(\$840*)	\$ 1000*
2. Administrative Design Reviews		
Ministerial residential 2 nd unit reviews		
Administrative Variances	(\$300)	\$ 600
Administrative Commercial Design Reviews	(\$300)	\$ 300
3. Administrative Sign Reviews		
Temporary Outdoor Displays	(\$100)	\$ 100
4. Certificates of Compliance	(\$500)	\$ 1000
5. Environmental Reviews**		
Negative Declarations	(\$800***)	\$ 1600***
Environmental Impact Reports		consultant cost plus 20%
6. Peer Reviews		consultant cost plus 20%
6. Appeals	(\$210)	\$ 420
8. Hourly Fee	(\$94/hr)	\$ 102/hr
9. Residential resale inspection reports (as authorized under Sec. 10-5.07SAMC)	(\$193)	\$ 203

* Includes the first 8 hours of direct planner time. Projects exceeding 8 hrs planning time will be required to submit deposits in \$500 increments to cover additional planner time at the current hourly research rate.

** Fees charged by outside agencies for review and processing of environmental documents will be charged to the applicant in addition to the fees herein (County filing fees, State fish & Game review fee, etc.).

*** Includes the first 10 hours of planner time. Projects exceeding 10 hours planning time will be required to submit deposits in \$500 increments to cover additional planner time at the current hourly research rate.

General Conditions:

1. The above fees include Town costs of processing, notice, legal review, and advertising. Projects requiring technical consultant input or legal analyses/opinions shall be charged the actual cost of such services in addition to the above fees. Fee does not include outside service costs such as plan storage costs, County recording fees, etc.
2. When multiple entitlement applications under 1 above are submitted for the same project (e.g., Use Permit and Variance), the application fee shall be 150% of the fee above.

3. Fee reductions/waivers may be requested and considered for the creation of **affordable housing**. Such requests shall be considered by the **Town Council** on a case by case determination of public benefit consistent with needs identified in the Housing Element of the San Anselmo General Plan.

RESOLUTION NO.3698

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF SAN ANSELMO AUTHORIZING THE FILING OF AN APPLICATION FOR FEDERAL SURFACE TRANSPORTATION PROGRAM FUNDING FOR SIR FRANCIS DRAKE BLVD. PAVEMENT REFURBISHING FROM SUNNYHILLS DRIVE TO BOLINAS AVENUE

Whereas, the Transportation Equity Act for the 21st century (TEA 21) (Public Law 105-178, June 9, 1998) and the TEA 21 Restoration Act (Public Law 105-206, July 22, 1998) continue the Surface Transportation Program (23 U.S.C. § 133 and the Congestion Mitigation and Air Quality Improvement Program (CMAQ) (23 U.S.C. § 149); and

Whereas, the TEA-21 legislation will guide STP, CMAQ, and TE programming until a TEA 21 Reauthorization bill is authorized; and

Whereas, pursuant to TEA-21, and the regulations promulgated thereunder, eligible project sponsors wishing to receive Surface Transportation Program or Congestion Mitigation and Air Quality Improvement Program grants for a project shall submit an application first with the appropriate metropolitan transportation planning organization (MPO), for review and inclusion in the MPO's Transportation Improvement Program (TIP); and

Whereas, the metropolitan Transportation Commission is the MPO for the San Francisco Bay region; and

Whereas, the Town of San Anselmo is an eligible project sponsor for Surface Transportation Program or Congestion Mitigation and Air Quality Improvement program funds; and

Whereas, the Town of San Anselmo wishes to submit an application to MTC for funds from the Surface Transportation Program Improvement Program in fiscal year 2005-06 and 2006-07 for the following project:

Sir Francis Drake Blvd. pavement refurbishing from Sunny Hills Drive to Bolinas Avenue

Whereas, MTC requires, as part of the application a resolution stating the following:

1. the commitment of necessary local matching funds of at least 11.47%; and
2. that the sponsor understands that the Surface Transportation Program and Congestion Mitigation and Air Quality Improvement Program funding is fixed at the programmed amount, and therefore any cost increase cannot be expected to be funded with Surface Transportation Program or Congestion Mitigation and Air Quality Improvement program funds; and

3. the assurance of the sponsor to complete the project as described in the application, and if approved, as programmed in MTC's TIP; and
4. that the sponsor understands that funds must be obligated by June 30 of the year that the project is programmed for in the TIP, or the project may be removed from the program; and
5. that the sponsor has a certified pavement management system (PMS)

NOW, THEREFORE. BE IT RESOLVED by the Town Council of the Town of San Anselmo that the Town of San Anselmo is authorized to execute and file an application for funding under the Surface Transportation Program of TEA-21 Reauthorization in the amount of \$168,000 for Sir Francis Drake Blvd. pavement refurbishing from Sunny Hills Drive to Bolinas Avenue; and

BE IT FURTHER RESOLVED that the Town Council of the Town of San Anselmo by adopting this resolution does hereby state that:

1. The Town of San Anselmo will provide up to \$20,000 in non-federal matching funds; and
2. The Town of San Anselmo understands that the Surface Transportation Program and Congestion Mitigation and Air Quality Improvement program funding for the project is fixed at \$168,000 and that any cost increases must be funded by the Town of San Anselmo from local matching funds, and the Town of San Anselmo does not expect any cost increases to be funded with Surface Transportation Program or Congestion Mitigation and Air Quality Improvement program funds; and
3. Sir Francis Drake Blvd. pavement refurbishing from Sunny Hills Drive to Bolinas Avenue will be built as described in this resolution and, if approved, for the amount shown in the Metropolitan Transportation Commission (MTC) Transportation Improvement Program (TIP) with obligation occurring within the timeframe established below; and
4. The program funds are expected to be obligated by June 30 of the year the project is programmed for in the TIP.

BE IT FURTHER RESOLVED that the Town of San Anselmo is an eligible sponsor of projects in the Surface Transportation Program; and

BE IT FURTHER RESOLVED that the Town of San Anselmo is authorized to submit an application for Surface Transportation Program funds for Sir Francis Drake Blvd. pavement refurbishing from Sunny Hills Drive to Bolinas Avenue; and

BE IT FURTHER RESOLVED that there is no legal impediment to the Town of San Anselmo making applications for local Streets and Roads Shortfall Program funds; and

BE IT FURTHER RESOLVED that there is no pending or threatened litigation which might in any way adversely affect the proposed project, or the ability of the Town of San Anselmo to deliver such project; and

BE IT FURTHER RESOLVED that a copy of this resolution will be transmitted to the MTC in conjunction with the filing of the application; and

BE IT FURTHER RESOLVED that the MTC is requested to support the application for the project described in the resolution and to program the project, if approved, in MTC's TIP.

PASSED AND ADOPTED at a regular meeting of the Town Council of the Town of San Anselmo, State of California held on the 13th day of July, 2004 by the following vote:

AYES: Breen, Chignell, Kilkus, Kroot, Thornton

NOES: (None)

ABSENT: (None)



Paul Chignell, Mayor

ATTEST:



Barbara Chambers, Town Clerk

TOWN OF SAN ANSELMO

TOWN COUNCIL RESOLUTION NO. 3697

A RESOLUTION OF THE SAN ANSELMO TOWN COUNCIL
RECONFIRMING A STATEMENT OF INVESTMENT POLICY

BE IT RESOLVED by the Town Council of the Town of San Anselmo as follows:

WHEREAS, the State of California Government Code requires the Town to review and update the Town's Statement of Investment Policy annually;

NOW THEREFORE BE IT RESOLVED, that the San Anselmo Town Council hereby adopts the Statement of Investment Policy attached hereto.

This Resolution shall be effective immediately.

PASSED AND ADOPTED by the San Anselmo Town Council at a regularly scheduled meeting on July 13, 2004 by the following vote:

AYES: Breen, Chignell, Kilkus, Kroot, Thornton

NOES: None

ABSENT: None

ABSTAIN: None



Paul Chignell, Mayor

ATTEST:



Barbara Chambers, Town Clerk

TOWN OF SAN ANSELMO

RESOLUTION NO. 3696

RESOLUTION OF THE SAN ANSELMO TOWN COUNCIL SETTING PAY RATES FOR PART TIME EMPLOYEES FOR FISCAL YEAR 2004-05

WHEREAS, the Town employs individuals in a part time capacity to perform ongoing work functions; and

WHEREAS, the term "part time capacity" identifies individuals who are employed with the Town on an hourly basis for an annual average of less than twenty hours per week; and

WHEREAS, the duties and responsibilities of part time employees are monitored by department managers, and further, that compensation is based on specific hours worked as recorded by employees on semi-monthly timesheets and approved by department managers;

NOW THEREFORE, BE IT HEREBY RESOLVED, that the following hourly pay rates are set as of July 1, 2004:

Assistant to Community Resources Director:	\$17.00 per hour
Library Assistant (on-call):	\$16.46 – 20.01 per hour
Library Pages (high school students):	\$8 -- 9.50 per hour
Librarian (on-call):	\$21.15 – 28.79 per hour
Maintenance Worker:	\$15.60 per hour
Police Reserve Dispatcher/Parking Enforcement:	\$20.20 – 24.57 per hour
Police Reserve Officer:	\$24.67 – 29.99 per hour
Public Works Engineer:	\$34.32 per hour
Recreation Childcare Aide:	\$8.50 – 12.50 per hour
Recreation Childcare Instructor:	\$12.00 – 15.60 per hour
Recreation Summer Leader:	\$9.50 – 14.00 per hour

BE IT FURTHER RESOLVED, that:

- Initial placement on an hourly pay range as well as periodic increases within the range are made at the discretion of the department manager and in consideration of an individual's knowledge and skills, prior work experience and job performance in the current position;
- Pursuant to federal law an employee who works four consecutive hours is entitled to one paid 15 minute break, an employee who works eight consecutive hours is entitled to a second paid 15 minute break, and an employee who works five or more consecutive hours is required to take an unpaid lunch break of at least 30 minutes in length;
- Positions in this classification are not eligible for paid Town holidays;
- Positions in this classification are not eligible for accrual of paid vacation leave, sick leave, or floating holidays;
- Positions identified in this classification are not eligible for Town paid employee health insurance benefits including but not limited to medical, dental, vision, life and long term disability;
- Positions in this classification are eligible for Social Security contributions including FICA and Medicare as required by law but are not eligible for membership in the Public Employees Retirement System (PERS) unless provided for by PERS membership requirements.

I hereby certify that the foregoing resolution was passed and adopted by the San Anselmo Town Council on the 13th day of July, 2004 by the following vote, to wit:

AYES: Breen, Chignell, Kilkus, Kroot, Thornton

NOES: None

ABSENT: None

ABSTAIN: None



Paul Chignell, Mayor

ATTEST:



Barbara Chambers, Town Clerk

TOWN OF SAN ANSELMO

RESOLUTION NO. 3695

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF SAN ANSELMO APPROVING THE ROSS VALLEY PARAMEDIC AUTHORITY TAX LEVY FOR THE 2004-05 FISCAL YEAR

WHEREAS, on November 5, 2002 the electors of the Town of San Anselmo approved a tax measure, thereby establishing the current authority for funding of paramedic services through June 30, 2007; and

WHEREAS, the Board of Directors of the Ross Valley Paramedic Authority has now approved an operating budget for the fiscal year 2004-05; and

WHEREAS, the adopted budget results in a tax of \$30 per taxable unit.

NOW, THEREFORE, BE IT RESOLVED:

The Town of San Anselmo does hereby confirm and levy a tax for paramedic services during the fiscal year 2004-05 at a rate of \$30 per living unit and per 1,500 square feet of structure on each developed parcel in non-residential use, to be collected in addition to fees for transport to the hospital charged to insurance providers, with the applicable appropriations limit increased by the amount of said tax.

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 13th day of July, 2004, by the following vote, to wit:

AYES: Breen, Chignell, Kilkus, Kroot, Thornton

NOES: None

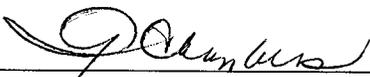
ABSENT: None

ABSTAIN: None

ATTEST:



Paul Chignell, Mayor



Barbara Chambers, Town Clerk

TOWN OF SAN ANSELMO

RESOLUTION NO. 3694

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF SAN ANSELMO SETTING THE 2004-05 TAX REQUIREMENT FOR GENERAL OBLIGATION BONDS, SERIES 1995, SERIES 1997, SERIES 2000, AND SERIES 2003

Whereas, on June 6, 1995, the voters of San Anselmo approved Ordinance No. 964 authorizing the issue of general obligation bonds in the principal amount of \$10.8 million to finance improvements to streets, storm drains, and the library building; and

Whereas, to date the Town of San Anselmo has sold the general obligation bonds in four installments, the Series 1995 Bonds of \$2.125 million, the Series 1997 Bonds of \$3.55 million, the Series 2000 bonds of \$2.56 million, and the Series 2003 bonds of \$2.565 million; and

Whereas, the partial repayment of the Series 1995, the Series 1997, the Series 2000, and the Series 2003 bonds will take place in the 2004-05 fiscal year,

NOW, THEREFORE, BE IT HEREBY RESOLVED that the tax rate for the general obligation bonds Series 1995 shall be .9 cents per \$100.00 of assessed valuation, the tax rate for the general obligation bonds Series 1997 shall be 1.4 cents per \$100.00 of assessed valuation, the tax rate for the general obligation bonds Series 2000 shall be 1.0 cents per \$100.00 of assessed valuation, and the tax rate for the general obligation bonds Series 2003 shall be .8 cents during the 2004-05 fiscal year.

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 13th day of July, 2004, by the following vote, to wit:

AYES: Breen, Chignell, Kilkus, Kroot, Thornton

NOES: None

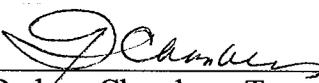
ABSENT: None

ABSTAIN: None



Paul Chignell, Mayor

ATTEST:



Barbara Chambers, Town Clerk

TOWN OF SAN ANSELMO

RESOLUTION NO. 3693

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF SAN ANSELMO SETTING THE PENSION OVERRIDE TAX FOR THE 2004-05 FISCAL YEAR

Be it Hereby Resolved by the Town Council of the Town of San Anselmo that the tax rate for Pension Override on property tax for the fiscal year 2004-05 necessary to meet the Town's obligation to the Public Employees' Retirement System is hereby fixed at 5.9 cents per \$100.00 of assessed valuation.

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 13th day of July, 2004, by the following vote, to wit:

AYES: Breen, Chignell, Kilkus, Kroot, Thornton

NOES: None

ABSENT: None

ABSTAIN: None



Paul Chignell, Mayor

ATTEST:



Barbara Chambers, Town Clerk

TOWN OF SAN ANSELMO

RESOLUTION NO. 3692

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF SAN ANSELMO ESTABLISHING THE AMOUNT OF THE MUNICIPAL SERVICES TAX FOR THE 2004 – 05 FISCAL YEAR

Whereas, Ordinance No. 845 of the Town of San Anselmo authorizes the Council by Resolution to establish the amount of municipal services tax to be imposed and levied during the ensuing fiscal year; and

Whereas, the Town Council has determined that for the fiscal year commencing on July 1, 2004, the cost of maintaining municipal services will exceed the amount of funds and revenues generated from all other sources of income,

NOW, THEREFORE, BE IT HEREBY RESOLVED, ORDERED, AND DECLARED AS FOLLOWS:

A tax is hereby levied on all improved real property at the flat rate of \$78.00 per living unit and per 1,500 square feet of structure of non-residential use, except that the tax derived from a non-residential structure seventy-five (75) percent or more occupied by a single enterprise or institution shall not exceed \$1,000.00.

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 13th day of July, 2004, by the following vote, to wit:

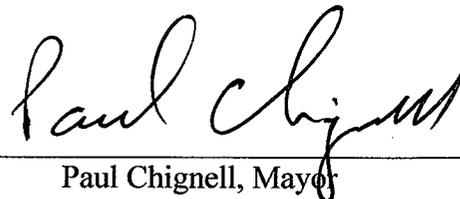
AYES: Breen, Chignell, Kilkus, Kroot, Thornton

NOES: None

ABSENT: None

ABSTAIN: None

ATTEST:



Paul Chignell, Mayor



Barbara Chambers, Town Clerk

RESOLUTION NO. 3691

**A RESOLUTION OF THE TOWN COUNCIL OF THE
TOWN OF SAN ANSELMO APPROVING THE MARIN COUNTY
FINAL TRANSPORTATION SALES TAX EXPENDITURE PLAN**

SECTION 1. FINDINGS

Whereas the Town Council of the Town of San Anselmo does hereby find and declare the following:

- I. Pursuant to California Public Utilities Code Section 180206(a), the Transportation Authority of Marin ("TAM"), comprised of the Marin County Board of Supervisors and one representative from each Marin City and Town Council, approved a Final Transportation Sales Tax Expenditure Plan ("Final Plan") on May 6, 2004 to present to the Board of Supervisors and Marin City and Town Councils for approval.
- II. Pursuant to California Public Utilities Code Section 180206(b), before TAM can adopt the Final Plan and request the Board of Supervisors to place a transportation sales tax measure on a ballot, the Final Plan shall be approved by the Board of Supervisors and a majority of the City and Town Councils representing a majority of the incorporated population of Marin.
- III. If the Final Plan is approved by the Board of Supervisors and the majority of the City and Town Councils representing the majority of the incorporated population within Marin, TAM can then adopt an ordinance that incorporates the Final Transportation Sales Tax Expenditure Plan and request the Board of Supervisors to place a one-half cent transportation sales tax measure on the November 2, 2004 ballot for consideration by the Marin electorate. Being a special tax, the ballot measure would require 2/3-voter approval in order to pass.
- IV. The Final Plan has been shaped by more than four years of planning and outreach, including recent, extensive feedback from all City and Town Councils and many stakeholder groups on the draft plan, and the implementation of transportation programs and projects outlined the Final Plan would benefit the citizens of Marin County.

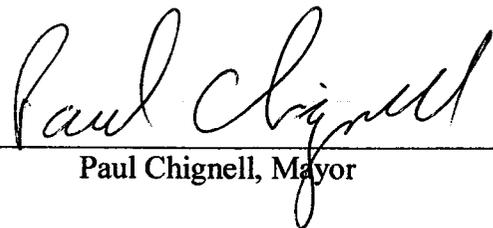
SECTION 2. RESOLUTION

Now, therefore, based on the findings contained in Section 1 above, the Town Council of the Town of San Anselmo does hereby resolve to approve the Marin County Transportation Sales Tax Expenditure Plan, labeled "Approved Final Plan," as approved by the Transportation Authority of Marin on May 6, 2004.

SECTION 3. VOTE

PASSED AND ADOPTED at a regular meeting of the San Anselmo Town Council, State of California, held on the 22nd day of June, 2004 by the following vote to-wit:

AYES: Breen, Kilkus, Kroot, Thornton
NOES: Chignell
ABSENT: (None)
ABSTAIN: (None)



Paul Chignell, Mayor

ATTEST:

Barbara Chambers, Town Clerk

**TOWN OF SAN ANSELMO
RESOLUTION NO. 3690**

**ACCEPTING EASEMENT GRANT DEED FROM J. MICHAEL WHYTE AND
CHERYL L. WHYTE FOR ROAD AND UTILITY EASEMENT ON CANYON
ROAD AT SCENIC AVENUE.**

Whereas, J. Michael Whyte and Cheryl L. Whyte have agreed to convey an easement for road and utility purposes to the Town; and

Whereas, an Easement Grant Deed will be deposited into escrow from said Grantees.

Now Therefore Be It Resolved that the Town Council of the Town of San Anselmo does hereby accept the Easement Grant Deed to be executed by J. Michael Whyte and Cheryl L. Whyte, and authorize it to be recorded at the same time as the Quitclaim Deed from the Town to the Whytes.

I hereby certify that the foregoing Resolution was adopted at a regular meeting of the San Anselmo Town Council held on the 22nd day of June, 2004, by the following vote:

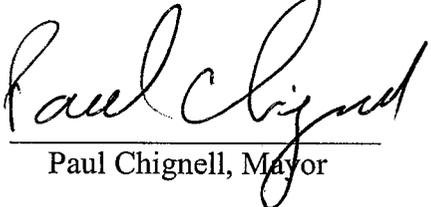
AYES: Breen, Chignell, Kilkus, Thornton

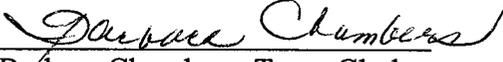
NOES: (none)

ABSTAIN: Kroot

ABSENT: (none)

ATTEST:


Paul Chignell, Mayor


Barbara Chambers, Town Clerk

**TOWN OF SAN ANSELMO
RESOLUTION NO. 3689**

**AUTHORIZING CONVEYANCE OF VACATED PORTION OF SCENIC
AVENUE RIGHT-OF-WAY AT 515 SCENIC AVENUE, AND AUTHORIZING
THE MAYOR TO EXECUTE A QUITCLAIM DEED**

Whereas, on April 13, 2004, the Town Council adopted Resolution No. 3686, ordering the vacation of a portion of Scenic Avenue right-of-way, abutting 515 Scenic Avenue; and

Whereas, said portion of right-of-way is surplus to Town's needs, and the abutting property owners have agreed to purchase all Town's right, title and interest in and to said portion, and to also grant to the Town a road and utilities easement over another portion of their property.

Now, Therefore, Be It Resolved that the Town Council of the Town of San Anselmo does hereby authorize conveyance of the aforementioned parcel by Quitclaim Deed to J. Michael Whyte and Cheryl L. Whyte.

Be It Further Resolved that the Mayor is hereby authorized and directed to execute said Quitclaim Deed.

I hereby certify that the foregoing Resolution was adopted at a regular meeting of the San Anselmo Town Council held on the 22nd day of June, 2004, by the following vote:

AYES: Breen, Chignell, Kilkus, Thornton

NOES: (none)

ABSTAIN: Kroot

ABSENT: (none)



Paul Chignell, Mayor

ATTEST:


Barbara Chambers, Town Clerk

**TOWN OF SAN ANSELMO
TOWN COUNCIL RESOLUTION NO. 3688**

A RESOLUTION OF THE SAN ANSELMO TOWN COUNCIL RESCINDING RESOLUTION NO. 3455 AND APPROVING THE STANDARDS AND CRITERIA FOR WIRELESS COMMUNICATIONS FACILITIES (Exhibit A) AND APPLICATION CHECKLIST (Exhibit B) AS PROVIDED IN ORDINANCE NO. 1001 TO EFFECTIVELY REGULATE THE LOCATION, PLACEMENT AND DESIGN OF WIRELESS TELECOMMUNICATION ANTENNA FACILITIES IN THE TOWN OF SAN ANSELMO.

WHEREAS, the Town recognizes the need to balance the convenience related to telecommunication services with the public interest regarding siting, design and operation of wireless telecommunication facilities; and

WHEREAS, the Town recognizes the public benefits that will accrue from the orderly development of wireless telecommunication facilities allowing open access to a broad range of competitive services for residents, businesses and public agencies; and

WHEREAS, Resolution 3455, adopted by the Town Council on December 22, 1998, set standards and criteria for wireless telecommunication facilities; and

WHEREAS, proposed Standards and Criteria for wireless telecommunication facilities described in Exhibit "A" represent clarifications of existing policy and therefore not considered a project subject to the California Environmental Quality Act (CEQA); and

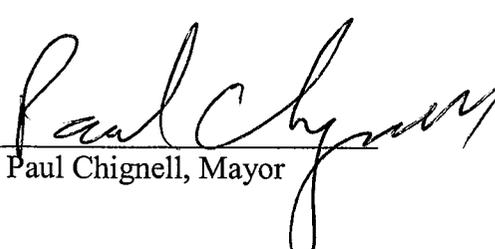
WHEREAS, the Town Council has adopted Ordinance No. 1001 which provides for the Council's approval of the Standards and Criteria for wireless telecommunication facilities.

NOW, THEREFORE BE IT RESOLVED that the San Anselmo Town Council finds and approves the following:

The Standards and Criteria For Wireless Telecommunication Facilities (Exhibit A) and Application Checklist (Exhibit B) are hereby adopted.

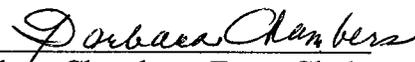
PASSED AND ADOPTED by the San Anselmo Town Council at a regular scheduled meeting on June 8, 2004 by the following vote:

AYES: Chignell, Kilkus, Kroot, Thornton
NOES: (None)
ABSTAIN: (None)
ABSENT: Breen



Paul Chignell, Mayor

ATTEST:



Barbara Chambers, Town Clerk

EXHIBIT "A"

TO RESOLUTION NO. 3688 FOR TELECOMMUNICATIONS FACILITIES TOWN OF SAN ANSELMO STANDARDS AND CRITERIA FOR WIRELESS COMMUNICATIONS FACILITIES

The Town recognizes the public benefits that will accrue from the orderly development of wireless communications facilities which allows open access to a broad range of competitive services for businesses, citizens, and public agencies. The Town further recognizes the need to balance the convenience related to telecommunications services with the public interest regarding the siting, design, and operation of wireless communications facilities.

Therefore, the following Standards and Criteria have been prepared to provide clear guidelines for the efficient and effective processing of permit applications for new or expanded wireless communications facilities. These standards and Criteria are consistent with the intent and application of Ordinance No. 1001, 12/22/98, adopting entitlement procedures for wireless providers. This document also applies to all other antenna applications for wireless communications projects and will be reviewed for conformance with these Standards and Criteria in addition to the other Town land use regulations. A checklist of the items in this document is available to assist the applicant in providing a comprehensive submittal package.

General Application Submittal Requirements

1. Development applications for wireless communications facilities shall be accompanied by the materials listed below in addition to other information specified herein and required for submittal with Use Permit, Variance and Design Review applications. The Planning Director may waive the requirement for submittal of any information described herein when determined that it is inapplicable based on project-specific factors.
 - A. Provide an updated network facilities plan for the entire Town and sphere of influence. Include the information listed below pertaining to the provision of current, contingent and projected service
 1. A written description of the type of technology and type of consumer services the carrier will provide to its customers.
 2. A list enumerating the carrier's facilities sites, including existing sites, approved sites, proposed (applications filed and pending) sites, and planned (applications not yet filed) sites for new, upgraded, and abandoned facilities. This information shall also describe the location, type and

number of antennae and base transceiver stations at each proposed site.

3. A map(s) depicting the geographic location and boundaries of all coverage areas and cell sites (for existing, contingent and foreseeable) planned by the carrier and the location of the carrier's facilities sites within each coverage area (existing, contingent and foreseeable; sites should be identified on the map by numbers corresponding to the list referred to in item 1A(2) above). Carriers are encouraged to consult with the Planning Department prior to submittal of permit applications for guidance regarding an acceptable format for the map information. The network and coverage area maps may be combined into a single map so long as the scale of the map is large enough to provide for site specific analysis within the coverage area boundaries.
- B. If determined appropriate by the Planning Director, peer review may be necessary for technical information submitted by the carrier. All costs associated with peer review shall be borne by the carrier.
- C. Technical information, including but not limited to RFR reports, visual analysis, alternative sites analysis, landscape plans, lighting plans, and architectural and engineering plans shall be prepared by an appropriate qualified professional acceptable to the Planning Director.
- D. A copy of any land use easement or restriction (access, open space, public utility, etc.) which encumbers the proposed facility site.
- E. A copy of the proposed site's title Report.

Standard Agreements

11. Applicants for wireless communications facilities shall be required to enter into a standard Performance Agreement with the Town which includes the following stipulations.
 - A. The carrier (and successor in interest) shall properly maintain and ultimately remove, if required, the approved wireless communications facilities in compliance with the provisions of these Standards and Criteria and any conditions of permit approval. The carrier shall post a financial security, such as a letter of credit, which is acceptable to the Town to ensure that the approved facility is properly maintained and to guarantee that the facility is dismantled and removed from the premises if it has been inoperative or abandoned for a two year period, or upon expiration of the permit applications.

Posting of a financial security may also be required as a condition of approval to pay the cost for preparation of RFR reports evaluating the conformance of approved and operative facilities with applicable health standards adopted by the Federal Communications Commission.

- B. The carrier shall defend, indemnify, and hold harmless the Town and any of its councils, commissions, agents, officers, and employees to attack, set aside, void, or annul the approval of permit applications when such claim or action is brought within the time period provided for applicable State and/or local statutes. The Town shall promptly notify the carrier of any such claim, action or proceeding. The Town shall retain the right to participate in any claim, action, or proceeding if the Town bears its own attorney's fees and costs, and the Town defends the action in good faith.

Permit Duration

- 111. Entitlements for wireless communications facilities shall be valid for a period of one (1) year from the date of final approval and may be renewed for one additional year prior to expiration. Applications for renewal shall be submitted to the Planning Department no later than thirty (30) days prior to expiration of the initial one-year entitlement period. The initial one-year period may be extended by the Town if applications for renewal have been properly filed and are pending. The initial one-year period may also be extended for up to one additional year if the Planning Director determines that the project is in complete compliance with the Town's telecommunications policies and regulations, as amended. This includes, but is not limited to, the final standards and criteria, and other pertinent Town land use regulations. If the project is in compliance, new or modified conditions of permit approval may be required. In addition, a permit application may not be renewed if the facility is not upgraded to minimize its impacts, including land use compatibility, visual resources, public safety or other factors addressed by CEQA, to the greatest extent permitted by technology which exists at the time of renewal and is consistent with the provisions of adequate service at affordable rates.

Location of Wireless Communications Facilities-General Standards

- 1V. All personal wireless facilities shall be sited to avoid or minimize land use conflicts by meeting the following standards.
 - A. Applications for new wireless communications facilities should avoid sites located within or near open space, ridgeline, residential areas, child day care centers and schools.
 - B. Wireless Communications facilities shall be attached or sited adjacent to existing structures unless the carrier demonstrates to the satisfaction of the Town that no other technically feasible site exists or that construction of a

freestanding facility on or at a distant location from an existing structure will minimize adverse effects related to land use compatibility, visual resources, public safety; and other environmental factors addressed by CEQA. Appropriate types of existing structures may include, but not be limited to: buildings, water tanks and some telephone/utility poles

- C. Monopoles for wireless communications facilities are prohibited within Town limits.

Co-location and shared-location of Wireless Communications Facilities

- V. “Co-location” means a telecommunications facility comprised of a single structure used to support multiple antenna operated by different carriers. “Shared-location” means more than one telecommunications facility comprised of multiple structures used to support antenna operated by one or more carriers where such structures are located within proximity to each other.

Co-location and shared-location of wireless communications facilities should be required when it is feasible and minimizes adverse effects related to land use compatibility, visual resources, public safety, and other environmental factors addressed by CEQA. The following standards should be met to ensure the proper implementation of co-location and shared-location siting:

- A. To ensure adequate and complete consideration of co-location and shared-location siting of proposed wireless communications facilities, the carrier may be required to submit to the Town a graphic and written analysis which identifies all technically feasible sites within the coverage area that would accommodate the proposed service. The analysis shall include enough information to provide adequate consideration of technically feasible alternative sites and/or facility designs that would avoid or minimize adverse effects related to land use compatibility, visual resources, public safety, and other environmental factors addressed by CEQA. The analysis shall also include in writing the specific factors for selection of the proposed facility site over alternative sites. Facilities which are not proposed to be sited on a co-location or shared-location site shall provide information substantiating the unfeasibility of such sites. The Town may require independent peer review of the analysis prior to making a decision on the permit applications. The analysis should, to the extent practical, be incorporated with the coverage area map required by Section 1 A 3 above.
- B. The Town should to the extent practicable and legal, discourage leases which convey exclusive (i.e., single user) rights for new wireless communications facilities to the extent that such leases may preclude development of suitable co-location facilities site.

- C. The design of co-location sites should promote shared use among different carriers. To the extent feasible, antenna support and equipment structures should be designed to consolidate future planned facilities to eliminate or minimize the visual clutter resulting from multiple telecommunications structures. Where appropriate, as demonstrated by the carrier and determined by the Town, multiple antenna support structures may be approved (shared location) rather than a single larger/higher structure.
- D. Facilities should make available unutilized space for co-location of other antennas and equipment, including space for competing service carriers.

Radio Frequency Radiation (RFR) Emission Reports

- V1. Wireless communications facilities operating alone and in conjunction with other telecommunications facilities shall not generate electromagnetic frequency radiation in excess of the standards for permissible human exposure to radio frequency radiation (RFR) as adopted by the Federal Communications Commission (FCC).
- V11. Applications for wireless communications facilities shall include an RFR report which measures the predicted and actual (if available) levels of RFR radiation emitted by the proposed facility operating by itself and in combination with other existing or approved facilities which can be measured at the proposed facility site. Measurements for RFR emissions shall be based on all proposed, approved, and existing facilities operating at maximum power densities and frequencies. The Town may require one or more (periodic) post-construction RFR reports as a condition of project approval to verify that actual levels of RFR emitted by the approved facilities, operating alone and in combination with other approved facilities, substantially conform to the pre-approved RFR report and do not exceed current standards for permissible human exposure to RFR as adopted by the FCC.

Lighting

- V111. Wireless communications facilities should be unlit except for the following:
 - A. Manually operated, low wattage, hooded and downward directed exterior lighting shall be permitted for safety purposes only and shall be kept off except when maintenance or safety personnel are present at night.
 - B. Tower lighting required under FAA regulations should, to the greatest extent feasible, be shielded or directed to minimize light and glare impacts on nearby properties and residents. Carrier shall strive to receive a negative declaration from the Federal Aviation Administration regarding lighting of a facility exempting required lighting.

- C. Lighting of warning signs required near publicly accessible facilities must consist of low-wattage fixtures, and must be directed downward and hooded.
- 1X. Applications for wireless communication facilities shall include a detailed lighting plan including the location and type of all exterior lighting fixtures.

Roads and Accessways

- X. Wireless communications facilities shall be served by the minimum roads and parking areas necessary, as follows:
- A. Whenever feasible, existing roads and parking areas should be used to access, build and service new telecommunications facilities.
 - B. New access roads constructed in open space areas shall be prohibited.
 - C. The size of new parking areas shall be limited to the minimum necessary to accommodate vehicles associated with periodic maintenance of the facility.

Vegetation

- X1. Wireless communications facilities shall be installed in a manner that maintains and enhances existing vegetation. Where appropriate, additional landscaping shall be required to provide visual screening of the proposed facility. Vegetation protection and facility screening shall be accomplished through the following measures:
- A. Applications for wireless communications facilities shall be accompanied by a landscape plan that shows existing vegetation, indicates any vegetation proposed for removal or trimming, and identifies proposed plantings by type, size, and location. The emphasis of the landscape plan should be to visually screen the proposed facility and stabilize soils on sloping sites. Introduced vegetation shall be native, drought tolerant species compatible with the predominant natural setting of the project area.
 - B. Existing trees and other screening vegetation in the vicinity of the proposed facility and associate accessways shall be protected from damage both during and after construction. Submission of a Tree Protection Plan may be required to ensure compliance with this requirement.
 - C. All vegetation shall be removed subsequent to project completion shall be replanted with compatible vegetation and soils disturbed by development shall be reseeded to control erosion.

- D. No vegetation shall be removed subsequent to project completion except to comply with local and State fire safety regulations, to prevent the spread of disease as required by the State Food and Agriculture Department, or to prevent safety hazards to people and property.
- E. The carrier shall enter into a landscape performance and maintenance agreement with the Town of San Anselmo to ensure the installation and establishment of required landscaping. This agreement shall be secured by financial securities in an amount equal to 150% of estimates to cover the cost of materials and labor for required improvements. The duration of the landscape maintenance agreement shall be for a minimum period of no less than one year and may be extended for an additional period of up to two additional years upon renewal of the permit applications.

Noise and Traffic

- X11. Wireless communications facilities shall be constructed and operated in such a manner as to minimize noise and traffic impacts on near by residents and public. Noise and traffic reduction shall be accomplished through the following measures:
 - A. Wireless communications facilities shall operate in compliance with the noise exposure standard contained in the San Anselmo Municipal Code. In all areas, a maximum allowable exterior noise level of 45 dB Ldn at the property line and a maximum interior noise level of 45 dB Ldn must not be exceeded.
 - B. Normal testing and maintenance activities shall occur between the hours of 7:00 a.m. and 5:00 p.m., Monday through Saturday excluding emergency repairs. Normal testing and maintenance activities, which do not involve the use or operation of telecommunications and maintenance equipment that is audible from residences and other nearby sensitive receptors, may occur at all other times.
 - C. Backup generators shall comply with the same noise standards referenced above and shall only be operated during power outages, emergency occurrences, or for testing and maintenance in accordance with item X11B above.
 - D. Traffic resulting from operation and maintenance of a wireless communications facility must be kept to a minimum. Conditions of project approval shall specify a maximum number of trips on a case-by-case basis based upon the carrier's maintenance and testing schedule.

Visual Compatibility and Facility Site Design

X111. Wireless communications facility structures and equipment shall be sited, designed, and screened to blend with the surrounding natural or built environment in order to reduce visual impacts to the maximum extent feasible. Visual compatibility shall be accomplished through the following measures:

- A. Applications for wireless communications facilities shall include a visual analysis of the proposed facility, including but not necessarily limited to a photo montage or photo simulation and/or story poles erected at the proposed site or other similar technique. The visual analysis shall address views from public vantage points and private residences if determined appropriate by the Town. The visual analysis shall also depict cumulative conditions by including information pertaining to existing, approved, and proposed telecommunications facilities that will or may eventually be constructed at the site by all carriers based upon permit applications which have been filed with or approved by the Town. The visual analysis may be expanded to include alternative locations within the proposed service area.
- B. To the extent feasible, all building-mounted telecommunications facilities shall be sited and designed to appear as an integral part of the structure or otherwise minimize their appearance.
- C. Wall-mounted antennas shall be integrated architecturally with the style and character of the structure or otherwise made as unobtrusive as possible. If possible, antennas should be located entirely within an existing or newly-created architectural feature so as to be completely screened from view. To the extent feasible, wall-mounted antennas should not be located on the front, or most prominent façade of a structure, and should be located above the pedestrian line-of-sight.
- D. Roof-mounted antennas and associated equipment shall be located as far back from the edge of the roof as possible to minimize visibility from street level locations. Where appropriate, construction of a roof-top parapet wall to hide the facility may be required.
- E. Whenever possible, base stations, equipment cabinets, back-up generators, and other equipment associated with building mounted antennas should be installed within the existing building envelope or underground. If this is not feasible, the equipment shall be painted, screened, fenced, landscaped or otherwise treated architecturally to minimize its appearance from off-site locations and to visually blend with the surrounding natural and built environments. Equipment buildings should be designed in an architectural style and constructed of exterior building materials that are consistent with surrounding development and/or land use setting.

- F. In certain open space or hillside locations that would be generally viewed from a distance, it may be appropriate to design facilities to resemble a natural feature such as a tree or rock outcrop. Other innovative design solutions may be appropriate where the screening potential of a site is low (i.e. disguise facility as a landscape element, public art, etc.)
- G. Facilities should not be located on historically or architecturally significant structures unless visually and architecturally integrated with the structure, and should not interfere with prominent vistas or significant public view corridors.
- H. Facilities should be sited to avoid adverse impacts to existing views from surrounding residences.
- I. No advertising signage or identifying logos shall be displayed on any personal wireless communications facility, except for small identification plates used for emergency notification.
- J. To avoid or minimize the appearance of visual clutter on rooftops, proposed facilities should, to the extent feasible, be located adjacent to existing rooftop antennas or equipment, incorporated into rooftop antenna or equipment enclosures, or other wise screened from view. In addition, existing rooftop antenna and equipment should be consolidated where practical and shall be removed if abandoned.
- K. Carriers must demonstrate that facilities have been designed to attain the minimum height required from a technological standpoint for the proposed site.
- L. Antennas and associated structures and equipment shall be painted to blend with the structures, vegetation, sky, or landscape against which they will be primarily viewed.

EXHIBIT B

**TO RESOLUTION NO. 3688
FOR TELECOMMUNICATIONS FACILITIES
TOWN OF SAN ANSELMO**

**Town of San Anselmo Planning Department
Telecommunications Facilities
Conditional Use Permit
Guide to Issues and Criteria**

Application Checklist

June 2004 Revision

This checklist is provided to wireless telecommunications applicants to help with the application and entitlement process necessary to establish, expand or improve wireless telecommunication antenna facilities within the Town of San Anselmo. It has direct correlation to the Standards and Criteria for Wireless Telecommunication Facilities adopted via Resolution No. 3688 in association with the wireless telecommunications ordinance (Ordinance No. 1001).

The Standards and Criteria establish a balance for the orderly development of wireless communications facilities and the public interest in regulating the siting, design, and operation of such facilities. The basic administrative and land use elements addressed by the Standards and Criteria for Wireless Communications Facilities include:

- Requirements for materials accompanying permit applications
- Standard agreements between Carriers/Applicants and the Town
- Duration of Conditional Use permit applications
- Location of wireless communication facilities
- Co-location and shared-location of wireless communications facilities
- Electromagnetic frequency radiation
- Lighting
- Roads and access ways
- Vegetation
- Noise and traffic
- Visual compatibility and facility site design

San Anselmo Policy of Prudent Avoidance

The Town has experienced growing community awareness about the perceived health effects from human exposure to electromagnetic frequency radiation (EMF) emitted by the operation of wireless communications facilities. Both the 1990 Telecommunications Facilities Policy Plan and Standards and Criteria address the potential health effects from EMF radiation by requiring new or expanded wireless communications facilities to meet standards for permissible exposure to EMF as adopted by the Federal Communications Commission (FCC). These requirements are consistent with the Federal Communications Facilities Act of 1996 which stipulated that permitting agencies cannot deny or require relocation of a proposed wireless communications facility on the basis of perceived health effects if the facility meets EMF exposure standards adopted by the FCC.

Notwithstanding the Town's adoption of standards that regulate exposure to EMF, there is continued concern about health effects among persons who live in proximity to wireless communications facilities. In response to this

concern, the Town regularly advises service providers that it is prudent to locate new wireless communication facilities in areas that will minimize human exposure to EMF. This policy of “prudent avoidance” is intended to facilitate the approval of new wireless communications by eliminating or reducing public controversy arising from the perceived health effects of a proposed wireless communications facility and the potential for a protracted decision-making process that can occur as a result of such controversy. This policy is not intended to regulate the location of new wireless communications facilities or otherwise replace, modify, or supplement the standards for permissible human exposure to EMF as adopted by the FCC and Town.

Application Information

To facilitate application preparation and review, each telecommunications provider shall complete the attached checklists and submit them with their applications. These checklists require applicants to clearly indicate whether they have submitted information that responds to each of the issues described above, and where that information may be found.

**Town of San Anselmo Planning Department
Telecommunications Facilities
Conditional Use Permit
Standards and Criteria - Application Checklist**

Carrier: _____
Applicant: _____
Antenna Site Address: _____
Assessor's Parcel Number: _____

General Standards – Application Submittal Requirements

Development application shall include but may not be limited to:

Document/Page #

- _____ 1. Carrier information including:
 - a. Name;
 - b. Address;
 - c. Contact responsible for the accuracy of this application information;
 - d. Contact phone number and e-mail address.

- _____ 2. Applicant information including:
 - a. Name;
 - b. Address;
 - c. Contact responsible for the accuracy of this application information;
 - d. Contact phone number and e-mail address.

- _____ 3. Property owner information including:
 - a. Name;
 - b. Address;
 - c. Phone number and e-mail address.

- _____ 4. Antenna site property information:
 - a. Address;
 - b. Assessor's parcel number.

- _____ 5. Copy of FCC license.

- _____ 6. A written description of the type of consumer services to be provided.

- _____ 7. A project description of the proposed wireless communication facility including:
 - a. Number and sizes of antennas and approximate orientation;
 - b. Type of base structure (i.e., building, tower, etc) to which antennas will be attached;
 - c. Location of antennas on base structure;
 - d. Elevation at base of structure to which antenna(s) are attached;
 - e. Height above average grade of structure to which antenna(s) are attached;
 - f. Height of antenna(s) above average grade on structure;

- g. Antenna support or mounting structure(s), including dimensions;
- h. Materials and colors of antenna(s) and mounting structure(s);
- i. Equipment enclosure type, size, material and colors;
- j. Description of towers or other structures necessary to support the proposed facilities;
- k. Type, quantity and locations of lighting;
- l. Type, size, quantity and message of signage; and
- m. Description of landscaping.

_____ 8. A Table listing facility sites/addresses, site names/identification, facility types, number of antenna(s), and base transceiver station(s) with precise latitude/longitude coordinates (in NAD 83) in digital degree format throughout the Town's jurisdiction for the Carrier's:

- a. Existing sites;
- b. Approved sites not yet constructed;
- c. Proposed sites (applications filed and pending);
- d. Anticipated planned sites for new, upgraded and abandoned facilities (applications not yet filed).

_____ 9. Description of use for planned facility(s).

10. Map(s) of the (10 copies each):
- a. Geographic location and boundaries of all coverage areas existing and planned by carrier in all of the Town's jurisdictions;
 - b. Location of carrier's facilities sites within each coverage area (map symbols and numbers correspond to Item 8). In coverage areas where specific facility sites have not been determined, search rings should be indicated;
 - c. Individual coverage area of the proposed facility, including all information required by Item 8.

11. Graphic information including the following (10 copies each; prepared by qualified professionals acceptable to the Planning Director):
- a. Vicinity map with parcel lines of the subject parcel;
 - b. Site plan;
 - c. Architectural plan;
 - d. Landscape plan;
 - e. Visual analysis, using photo-simulations based on current photography, of the proposed facility from various locations/angles of view, and including all existing and planned appurtenances;
 - f. Story poles or similar representations of the antenna/structure.
 - g. Structural engineering drawings of the tower/antenna support structure.

_____ 12. Copies of land use easements or restrictions (including open space and scenic) that encumber the proposed facility site.

_____ 13. Location and names of adjacent streets and drives proposed to serve as access to the facility.

-
14. Additional information, which may be required based upon preliminary review of the initial submittal, including but not limited to:
- a. Traffic analysis;
 - b. Noise analysis;
 - c. Biological assessment.
-
15. A written description of the technology proposed, including but not limited to:
- a. Base Station Controller;
 - b. Mobile Telephone Switching Offices;
 - c. Transit Switching Centers;
 - d. Antenna type(s), manufacturer(s), and model number(s);
 - e. Operational multiplexing system (specify channel combiner per antenna as appropriate);
 - f. Amplifying equipment manufacturer(s) and model number(s);
 - g. Physical & electrical tilt of each antenna;
 - h. Operating transmit and receive frequencies of each antenna;
 - i. Minimum and maximum number of operating channels per antenna;
 - j. Maximum power input and output per channel per antenna (and per the aggregate of Carrier's antennas throughout the Town's jurisdiction);
 - k. Db gain per antenna;
 - l. Polarization of each antenna (horizontal, azimuth, or circular);
 - m. ERP and EIRP of the main lobe antenna(s) pattern(s);
 - n. Minimum power level at ground level with minimum channels;
 - o. Maximum power level at ground level with maximum channels.
-
16. RFR report, prepared by a qualified engineer, including:
- a. Predictions for and actual levels of RFR per antenna operating alone and in combination with radiation emitted from other existing or approved facilities that can be detected at the proposed facility site;
 - b. Radiated propagation analysis pattern of each antenna;
 - c. Radiated spreadsheets of power output of each antenna.
-
17. Payment in full, for all costs associated with:
- a. Independent peer review of any technical information submitted by Applicant/Carrier;
 - b. Independent preparation of such information by the Town, or consultants to the Town.
-
18. The Town will require the applicant to enter into a performance agreement(s) as a condition of permit approval for the following:
- a. Removal of the approved facility should it be abandoned;
 - b. Maintenance of any proposed or required landscaping;
 - c. Post-construction monitoring report prepared by a qualified engineer indicating actual RFR levels produced by facility within 60 days of start-up;
 - d. Notification of the Town within 90 days of any change in Carrier ownership, address, contact name and/or phone number;
 - e. Participation by all Carriers/Operators of wireless communication facilities within the Town's jurisdiction in the measurement of RFR at each facility, every two (2)

years, performed by a Town-contracted qualified engineer, with proportionate costs borne by each Carrier.

- _____ 19. Prior to submitting an application for a Conditional Use Permit, the Carrier/Applicant shall conduct a noticed community meeting to provide information about the project proposal and to receive comments early in the process that might result in modifications to the project proposal. Noticing for the community meeting shall include neighborhood parcels within 300 feet of the outer boundary of the subject parcel, and be the responsibility of the Carrier/Applicant.
- _____ 20. The carrier shall also be required to defend, indemnify, and hold harmless the Town from any claims, actions, or proceedings from connection with the project.

Wireless Communication Facilities Checklist

All wireless telecommunications facilities shall satisfy, or answer, the conditions or questions listed below. If answering "Yes", refer to appropriate submittal information (e.g., project plans, technical report, etc.) If answering "No", provide explanation as to why the information is not submitted or relevant. Please note that explanations or comments can be submitted on a separate page or pages.

Location Standards

The Standards and Criteria for Wireless Communication Facilities state that wireless communications facilities should be sited to avoid or minimize land use conflicts. The standards establish a location preference for co-location and shared location sites. The standards state that, to the extent feasible, wireless communications facilities should be attached or sited adjacent to existing structures. Finally, the adopted standards state that wireless communications facilities should be sited to avoid sensitive receptor sites.

Yes/No/Explanation

- _____ 1. Can the proposed facility be located on:
- _____ a. A publicly used structure?
- _____ b. A co-location site?
- _____ c. A shared location?
- _____ d. A commercial site?
- _____ 2. Does the proposed location demonstrate prudent avoidance of residential areas and other sensitive receptor sites such as schools, daycare facilities, open space, ridgelines, etc, and how so?
- _____ 3. Does the application indicate the distance from the proposed facility to the nearest:
- _____ a. Residential area? (Distance _____)
- _____ b. School? (Distance _____)
- _____ c. Daycare facility? (Distance _____)
- _____ 4. Is the proposed facility to be located in:
- _____ a. A residential area?
- _____ b. A commercial area?

- _____ c. Next to public lands?
- _____ 5. Can the proposed facility be attached or sited adjacent to existing structures?
- _____ 6. Is the proposed facility a monopole (or freestanding tower)?

Co-Location and Shared-Location Standards

The Standards and Criteria state that, where feasible, the co-location or shared-location of wireless communications facilities is encouraged to minimize land use, visual, and public safety impacts. However, co-location or shared-location should not be required where it creates or increases such impacts or where it is technically infeasible. In order to assess the feasibility of co-location or shared-location in this coverage area, the application for the proposed wireless communication facility must include or address the following:

- _____ 1. A graphic and written analysis that identifies all technically feasible sites within the coverage area that would accommodate the proposed service. This analysis shall include information regarding technically feasible alternative sites and/or facility designs that would avoid or minimize adverse effects related to:
 - a. Land use compatibility
 - b. Visual resources
 - c. Public safety
 - d. Other factors addressed by CEQA
- _____ 2. A written analysis of the specific factors resulting in selection of the preferred site over the alternatives, including the reasons for not selecting co-location or shared-location sites.
- _____ 3. A description of existing or planned facilities (owned/operated by applicant and other providers/carriers) located in the coverage area of the proposed project.
- _____ 4. Does the Carrier have a non-exclusive lease on the proposed facility site?
- _____ 5. Does the design of the project promote potential shared use by different carriers?
- _____ 6. Does the design of the project allow for the consolidation of future planned facilities?
- _____ 7. Does the application include a request for multiple antenna support structures?

Radio Frequency Radiation Standard

To ensure public safety, the Standards and Criteria state that wireless communications facilities operating alone and in conjunction with other telecommunications facilities shall not generate electromagnetic frequency (EMF) radiation in excess of the standards for permissible human exposure to EMF as adopted by the Federal Communications Commission.

- _____ 1. Does the proposed facility, operating alone or in conjunction with other telecommunication facilities, comply with the standards established by the Federal Communications Commission for permissible human exposure to radio frequency radiation (RFR)?

- _____ 2. Does the proposed facility, in conjunction with other existing facilities in the area, exceed 75% of the FCC standards?
- _____ 3. Does the application RFR report measure the predicted and actual levels of RFR radiation emitted by the proposed facility at maximum output?

Lighting Standard

Lighting guidelines contained in the Standards and Criteria are intended to minimize light and glare impacts on nearby properties and residents.

- _____ 1. Does the application include a detailed lighting plan?
- _____ 2. Is the proposed lighting manually operated, low wattage, hooded and directed downward?
- _____ 3. Is the facility lighting shielded or otherwise directed to minimize light and glare impacts on nearby properties and residents?
- _____ 4. Are warning signs lighted by low-wattage fixtures, directed downward and hooded?

Road and Access-way Standards

The Standards and Criteria state that wireless communication facilities should be served by existing roads and parking areas.

- _____ 1. Are existing roads and parking areas used to access and service the proposed facilities?
- _____ 2. Will any new roads or parking areas be capable of being shared with subsequent telecommunication facilities and/or other permitted uses?
- _____ 3. Are any new access roads to be constructed?
- _____ 4. What is the size of the proposed parking area (square feet and number of parking spaces)?
- _____ 5. Is the size of the parking area limited to minimum necessary to accommodate maintenance vehicles?

Vegetation Standards

Landscaping and vegetation guidelines contained in the Standards and Criteria state that wireless communication facilities should maintain and enhance existing vegetation, and provide additional landscaping to screen the facility, stabilize slopes, and control erosion. The carrier shall be required to enter into a landscape performance and maintenance agreement with the Town to ensure the installation and maintenance of new and existing landscaping.

- _____ 1. Does the application include a landscape plan indicating the following:
 - a. All existing vegetation?

- _____ b. Vegetation to be removed or trimmed?
- _____ c. Proposed plantings by type, size and location?
- _____ 2. Are the proposed landscape materials native, drought tolerant species compatible with the natural setting of the facility site?
- _____ 3. Is there a plan to protect the existing trees and screening vegetation from damage and control erosion during construction?
- _____ 4. Is there a post-construction re-vegetation plan?

Noise and Traffic Standards

The Standards and Criteria state that wireless communication facilities shall operate in compliance with the noise exposure standards contained in the San Anselmo-wide Plan and should not result in traffic impacts on nearby residents or the public.

- _____ 1. Does the application identify the location and typed of noise generating equipment (generators, air conditioning units, etc)?
- _____ 2. Does the application identify the noise levels that would be generated:
 - _____ a. By proposed equipment at the facility itself?
 - _____ b. Within any inhabited or occupied structures on the property?
 - _____ c. At the nearest property line?
- _____ 3. Does the application specify the maximum number of vehicle trips required for maintenance and testing?

Visual Compatibility and Facility Design Standards

Visual compatibility and facility design guidelines contained in the Standards and Criteria state that wireless communications facilities should be sited, designed, and screened to blend with the surrounding natural or build environment to the maximum extent feasible in order to minimize visual impacts.

- _____ 1. Does the application include a visual analysis of the proposed facility at full build-out?
- _____ 2. Can the proposed facilities be sited or designed to appear as an integral part of the support structure?
- _____ 3. If wall-mounted, can the proposed facilities be integrated with the architectural style and character of the supporting structure?
- _____ 4. Can the proposed facilities be completely screened from view?
- _____ 5. Are the proposed facilities to be located away from the most prominent façade of a structure?
- _____ 6. Are the proposed facilities to be located above the pedestrian line of sight?

- _____ 7. If roof mounted, can the proposed facilities be seen from the street?
- _____ 8. If constructed, would a parapet conceal a roof-mounted facility?
- _____ 9. Can support facilities (base stations, equipment cabinets, back-up generators) for building mounted facilities be installed:
a. Within the existing building envelope?
b. Underground?
- _____ 10. Are the proposed support facilities compatible with the architectural style and construction materials of the surrounding development and/or land use setting?
- _____ 11. If necessary, can the proposed support equipment be painted, screened/fenced, landscaped, or otherwise treated to minimize its visual impact?
- _____ 12. If the proposed facility is to be sited in open space or undeveloped hillside areas that are highly visible, can the facility be designed to resemble natural landscape elements such as rock outcroppings or trees?
- _____ 13. Can the proposed facility be designed as a piece of public art?
- _____ 14. Is the proposed facility to be located on, or near, an historic or architecturally significant structure?
- _____ 15. If so, can the proposed facility be visually integrated with the architecture of the existing structure?
- _____ 16. Do the proposed facilities interfere with prominent vistas or significant public view corridors?
- _____ 17. Do the proposed facilities interfere with views from surrounding residences?
- _____ 18. Do the proposed facilities display any advertising signage or identifying logos?
- _____ 19. Are the proposed facilities to be located adjacent to existing rooftop equipment to avoid visual clutter?
- _____ 20. Does the application demonstrate that the proposed facility has been designed to attain the minimum height from a technical point of view?
- _____ 21. Will the proposed facilities be painted to blend with the structures, vegetation, sky, or landscape against which they will be viewed?

**TOWN OF SAN ANSELMO
RESOLUTION NO. 3687**

**A RESOLUTION OF THE SAN ANSELMO TOWN COUNCIL IN SUPPORT OF
CALIFORNIA'S LAW TO REDUCE GLOBAL WARMING POLLUTION**

Whereas, the American Lung Association is celebrating its 100th anniversary this year and has been the leading organization working to prevent lung disease and promote lung health, and is the foremost defender of the Clean Air Act.

Whereas, the month of May is designated as "Clean Air Month" in our nation and many events and activities are scheduled by the American Lung Association to heighten public awareness of clean air concern; and

Whereas, reducing emissions from motor vehicles and fuels is a key clean air strategy in California due to the overwhelming majority of air pollution generated from these sources; and vehicles not only emit ozone precursors, particulates and air toxics, but also emit greenhouse gases such as carbon dioxide, hydrofluorocarbons and methane that are linked to increased warming of the atmosphere; and

Whereas, increased warming of the atmosphere will lead to serious impacts on air quality and public health, water supply, water quality, coastal resources, agriculture, and other environmental impacts; and

Whereas, higher temperatures due to global warming help create conditions that are ideal for ozone formation, and an EPA study on the impacts of increasing temperatures on peak ozone concentrations in Southern California urban areas found up to a 6 ppb ozone increase per each 1°F increase in temperature; and

Whereas, the largest source of global warming pollution in California is passenger cars and light trucks, accounting for approximately 40 percent of the state's emissions; and

Whereas, AB 1493 (Pavley) enacted in 2002 requires the California Air Resources Board to adopt regulations to achieve the maximum feasible and cost-effective reduction in greenhouse gases from passenger vehicles by January, 2005; and

Whereas, the AB 1493 regulations will contribute to both reduced global warming emissions and improved air quality; and an important byproduct of the regulations will likely be reduced pollution emissions from the manufacturing, transportation, delivery and sale of gasoline (called "upstream emissions") due to reduced petroleum use; and

Whereas, the regulations required by AB 1493 will help continue the drive toward advanced technology and alternative fueled vehicles that can achieve extremely low

levels of both traditional air pollutants and greenhouse gases; and would give consumers additional choices of clean vehicles without taking away existing vehicle options; and

Whereas, 95% of Californians already live in areas that exceed federal health-based ozone standards, and increased ozone levels leads to increased asthma attacks and other serious lung health impacts; and

Whereas, global warming will significantly impact California consumers, businesses and the state's economy as a result of increased food, water and energy costs, insurance liabilities, environmental losses and demands upon the public health infrastructure; and

Whereas, addressing the impacts of global warming, whether through mitigation or response to natural disasters will severely tax state and local government agencies; and

Whereas, California has a long history of national leadership on air quality and environmental policy, and California's actions are critical to controlling and reducing global warming pollution nationally; and

Therefore, Be It Resolved that the Town of San Anselmo urges the California Air Resources Board to adopt the strongest possible regulations to reduce greenhouse gases emitted by passenger vehicles pursuant to AB 1493 (Pavley), and recommends that the California Legislature endorse such regulations to protect the health of the state's economy and its people.

The foregoing resolution was passed by the San Anselmo Town Council the 11th day of May, 2004.

AYES: Breen, Chignell, Kilkus, Kroot and Thornton

NOES: (none)

ABSTAIN: (none)

ABSENT: (none)

ATTEST:


Barbara Chambers, Town Clerk



Paul Chignell, Mayor

**TOWN OF SAN ANSELMO
RESOLUTION NO. 3686**

**RESOLUTION ORDERING THE VACATION OF A PORTION OF SCENIC
AVENUE RIGHT-OF-WAY**

Whereas, this Council heretofore adopted Resolution No. 3680 declaring its intention to vacate a portion of Scenic Avenue right-of-way, and

Whereas, Tuesday the 13th day of April, 2004 at 8:00 P.M. in the Council Chambers of the Town Council, Town Hall, San Anselmo, California was fixed as the time and place for hearing, and

Whereas, notice of said hearing was given and in all respects said hearing was conducted in accordance with the law;

Now Therefore Be It Resolved that the Town Council hereby finds and declares that said portion of right-of-way, as described below, is not necessary for present or future street purposes:

A portion of the Scenic Avenue Right-of Way, Town of San Anselmo, California, and more particularly described as follows:

Beginning at the common northerly corner of Lot 156 and Lot 155 of that certain map entitled "Amended Map No. 2 of the Bush Tract, Marin Co., Cal." Filed for record July 13, 1907 in Volume 2 of Maps at Page 91, Marin County Records; thence N 06° 35' 00" W 9.50 feet to the northeasterly corner of a 6' tall wooden fence; thence westerly along the northerly side of said wooden fence and the north side of a concrete slab N77° 31' 00" W 61.19 feet to a point, said point being 2 feet southeasterly of the downhill face of a concrete retaining wall; thence southwesterly parallel to and 2 feet southeasterly of the downhill face of said concrete retaining wall S67° 09' 22" W 17.29 feet to a point on the northerly line of Lot 156; thence easterly on the northerly line of Lot 156 S77° 31' 00" E 65.89 feet to the angle point in the northerly line of Lot 156; thence easterly on the northerly line of Lot 156 S82° 11' 00" E 12.55 feet to the True Point of Beginning.

Containing 690 Square feet more or less.

RESERVING THEREFROM easements for existing utilities satisfactory to the owners thereof.

BE IT FURTHER RESOLVED that said portion of right-of-way be hereby vacated.

BE IT FURTHER RESOLVED that the Town Clerk is hereby directed to cause a certified copy of this order, attested by her under the seal of the Town of San Anselmo, to be recorded in the office of the County Recorder of the County of Marin. I hereby certify that the foregoing resolution was duly passed and adopted by the San Anselmo Town Council at a regular meeting thereof held on the 13th day of April, 2004, by the following vote:

AYES: Breen, Kilkus, Thornton

NOES: (none)

ABSENT: Chignell

ABSTAIN: Kroot

Debra Stutsman
Deputy Town Clerk
Barbara Chambers, Town Clerk


Paul Chignell, Mayor

I certify that this is a true and correct
copy of *Reso. 3686*

Debra Stutsman, Deputy Town Clerk
of the TOWN OF SAN ANSELMO

TOWN OF SAN ANSELMO 3685
TOWN COUNCIL RESOLUTION NO. _____

**A RESOLUTION OF THE SAN ANSELMO TOWN COUNCIL APPROVING
A FEE WAIVER FOR THE PROCESSING OF AN AFFORDABLE HOUSING
PROJECT FOR THE ROSS VALLEY ECUMENICAL HOUSING ASSOCIATION**

WHEREAS, the State of California requires each jurisdiction to prepare, and update from time to time, a local housing element which addresses housing needs of the community; and

WHEREAS, the San Anselmo draft Housing Element provides for incentive programs such as fee reductions and waivers to encourage affordable housing; and

WHEREAS, the Ross Valley Ecumenical Housing Association has applied for various permits for the purpose of constructing affordable senior citizen housing at 61 Woodland Avenue within San Anselmo; and

WHEREAS, the Ross Valley Ecumenical Housing Association has requested fee waivers for required Use, Variance, and Building Permits.

NOW, THEREFORE, BE IT RESOLVED THAT THE SAN ANSELMO TOWN COUNCIL HEREBY:

- a) Determines that an affordable housing project for seniors by the Ross Valley Ecumenical Housing Association represents a public need and benefit to the Town of San Anselmo.
- b) Approves the requested Town planning and building permit processing fee, and street impact fee waivers for an affordable housing project proposed at 61 Woodland Avenue. The fee waiver herein does not include "pass through" fees such as school fees, consultant plan checks, state seismic fees, or taxes.

The foregoing resolution was adopted at a regular meeting of the Town Council of the Town of San Anselmo held on the 13th day of April, 2004, by the following vote:

AYES: Breen, Kilkus, and Thornton

NOES: (none)

ABSTAIN: Kroot

ABSENT: Chignell


Paul Chignell, Mayor

ATTEST:


Barbara Chambers, Town Clerk

TOWN OF SAN ANSELMO 3684
TOWN COUNCIL RESOLUTION NO. _____

**A RESOLUTION OF THE SAN ANSELMO TOWN COUNCIL APPROVING
AN AMENDMENT TO THE GENERAL PLAN TO UPDATE THE HOUSING
ELEMENT**

WHEREAS, the State of California requires each jurisdiction to prepare, and update from time to time, a local housing element which addresses housing needs of the community; and

WHEREAS, the Town Council created a Housing Element Subcommittee on May 28, 2002 for the purpose of developing an update to the Housing Element; and

WHEREAS, on July 2, 2002, the Housing Element Subcommittee conducted a public workshop to gain community participation regarding the Housing Element update; and

WHEREAS, on January 21, 2003, the Town Council and Planning Commission held a joint public hearing to consider the preliminary Housing Element update draft; and

WHEREAS, the preliminary draft Housing Element was forwarded to the California Department of Housing and Community Development (HCD) on February 7, 2003 for its review; and

WHEREAS, comments from HCD were received by the Town on April 11, 2003 and subsequent additional information was provided to HCD; and

WHEREAS, HCD forwarded a letter of January 13, 2004 indicating that the draft Housing Element will comply with Article 10.6 of the California Government Code.

NOW, THEREFORE, BE IT RESOLVED THAT THE SAN ANSELMO TOWN COUNCIL HEREBY:

- a) Determines that the project attached hereto, as Exhibit "A" will not have a significant effect upon the environment and that a Negative Declaration is appropriate.
- b) Approves the Negative Declaration attached hereto as Exhibit "B".
- c) Authorizes and directs that a Notice of Determination regarding the Negative Declaration be prepared and filed in accordance with law.
- d) Approves the project attached hereto as Exhibit "A" as the Housing Element of the San Anselmo General Plan.

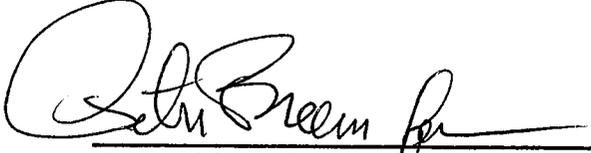
The foregoing resolution was adopted at a regular meeting of the Town Council of the Town of San Anselmo held on the 13th day of April, 2004, by the following vote:

AYES: Breen, Kilkus, Kroot, Thornton

NOES: (none)

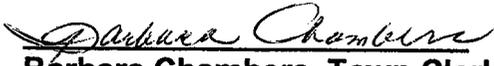
ABSTAIN: (none)

ABSENT: Chignell



Paul Chignell, Mayor

ATTEST:



Barbara Chambers, Town Clerk

TOWN OF SAN ANSELMO

RESOLUTION NO. 3683

A RESOLUTION OF THE TOWN OF SAN ANSELMO FIXING THE EMPLOYER'S CONTRIBUTION UNDER THE PUBLIC EMPLOYEE'S MEDICAL AND HOSPITAL CARE ACT

Whereas, Government Code Section 22825.6 provides that a local agency contracting under the Public Employees' Medical and Hospital Care Act shall fix the amount of the employer's contribution at an amount not less than the amount required under Section 22825 of the Act, and

Whereas, The Town of San Anselmo is a local agency contracting under the Act; now,

Therefore be it Resolved, That, effective July 1, 2004, the employer's contribution for each employee or annuitant shall be the amount necessary to pay the full cost of his/her enrollment, including the enrollment of family members, in a health benefits plan up to a maximum of:

<u>Code</u>	<u>Bargaining Unit</u>	<u>Contribution per Month</u>
01	Unrepresented	\$225.00
02	MAPE/SEIU #949	\$225.00
03	Police Association	\$200.00
04	Police Management	\$200.00

Plus administrative fees and Contingency Fund assessment.

Adopted at a regular meeting of the Town Council of the Town of San Anselmo, at San Anselmo, California, on this 13th day of April, 2004 by the following vote:

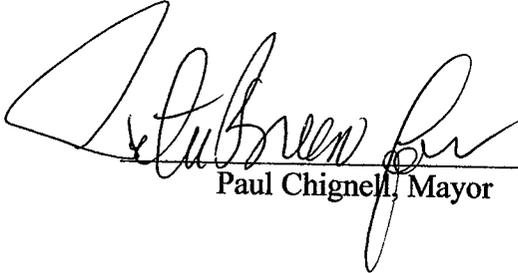
AYES: Breen, Kilkus, Kroot, Thornton

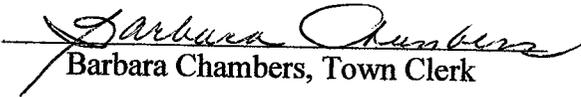
NOES: (None)

ABSENT: Chignell

ABSTAIN: (None)

ATTEST:


Paul Chignell, Mayor


Barbara Chambers, Town Clerk

**A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF SAN ANSELMO
CONCURRING ON THE MEMBERSHIP OF THE NEW
MARIN COUNTY TRANSPORTATION AUTHORITY
AND DESIGNATING THE AUTHORITY AS THE CONGESTION MANAGEMENT AGENCY
FOR THE COUNTY OF MARIN**

SECTION 1. FINDINGS

Whereas the Town Council of the Town of San Anselmo does hereby find and declare the following:

- I. As recommended by the Marin County Congestion Management Agency ("CMA") and pursuant to Section 180050 of the California Public Utilities Code, the Marin County Board of Supervisors ("Board of Supervisors") created the Marin County Transportation Authority ("Authority"), as described below, by Resolution No. 2004-___ adopted on March 2, 2004.
- II. The specific purposes of the Authority are to prepare, adopt, implement, and administer the Congestion Management Program as the designated Congestion Management Agency for the County of Marin.
- III. Pursuant to California Public Utilities Code Section 180051(a) and subject to the final concurrence of a majority of the cities representing a majority of the incorporated population, the Board of Supervisors has determined that the Authority shall be composed of 16 members, which are elected officials of a local government entity within the County of Marin. Such 16 members, as of the creation of the Authority, shall consist of:
 - A. The five member of the Board of Supervisors, and
 - B. One member from each Marin City and Town Council appointed by their respective councils (11 City and Town Council members total).
- IV. Pursuant to California Government Code Section 65089(a) and subject to the final concurrence of a majority of the cities representing a majority of the incorporated population, the Board of Supervisors has determined that the Authority shall be designated as the Congestion Management Agency for the County of Marin.

SECTION 2. RESOLUTION

- I. Now, therefore, based on the findings contained in Section 1 above, the Town Council of the Town of San Anselmo does hereby resolve to concur that the newly created Transportation Authority shall be composed of 16 members, which are elected officials of a local governmental entity within the County of Marin. Such 16 members, as of the creation of the Authority, shall consist of:
 - A. The five members of the Board of Supervisors, and

B. One member from each Marin City and Town Council appointed by their respective councils (11 City and Town Council members total).

II. Further, the Town Council of the Town of San Anselmo does hereby resolve to approve that the newly created Transportation Authority shall be designated as the designated Congestion Management Agency for the County of Marin.

SECTION 3. VOTE

PASSED AND ADOPTED at a regular meeting of the Town Council of the Town of San Anselmo, State of California, held on the 23rd day of March, 2004 by the following vote to-wit:

AYES: Breen, Chignell, Kilkus, Kroot, Thornton
NOES: (None)
ABSENT: (None)



Paul Chignell, Mayor

ATTEST:



Barbara Chambers, Town Clerk

**TOWN OF SAN ANSELMO
LOCAL AGENCY RESOLUTION**

NUMBER 3681

**RESOLUTION AUTHORIZING AND APPROVING THE BORROWING OF
FUNDS FOR FISCAL YEAR 2004-2005; THE ISSUANCE AND SALE OF
A 2004-2005 TAX AND REVENUE ANTICIPATION NOTE
THEREFOR AND PARTICIPATION IN THE CALIFORNIA
COMMUNITIES CASH FLOW FINANCING PROGRAM**

WHEREAS, local agencies are authorized by Section 53850 to 53858, both inclusive, of the Government Code of the State of California (the "Act") (being Article 7.6, Chapter 4, Part 1, Division 2, Title 5 of the Government Code) to borrow money by the issuance of temporary notes;

WHEREAS, the legislative body (the "Legislative Body") of the local agency specified in Section 25 hereof (the "Local Agency") has determined that a sum (the "Principal Amount"), not to exceed the Maximum Amount of Borrowing specified in Section 25 hereof, which Principal Amount is to be confirmed and set in the Pricing Confirmation (as defined in Section 4 hereof), is needed for the requirements of the Local Agency, to satisfy obligations of the Local Agency, and that it is necessary that said Principal Amount be borrowed for such purpose at this time by the issuance of a note therefor in anticipation of the receipt of taxes, income, revenue, cash receipts and other moneys to be received by the Local Agency for the general fund of the Local Agency attributable to its fiscal year ending June 30, 2005 ("Fiscal Year 2004-2005");

WHEREAS, the Local Agency hereby determines to borrow, for the purposes set forth above, the Principal Amount by the issuance of the Note (as hereinafter defined);

WHEREAS, it appears, and this Legislative Body hereby finds and determines, that the Principal Amount, when added to the interest payable thereon, does not exceed eighty-five percent (85%) of the estimated amount of the uncollected taxes, income, revenue (including, but not limited to, revenue from the state and federal governments), cash receipts and other moneys of the Local Agency attributable to Fiscal Year 2004-2005 and available for the payment of the principal of the Note and the interest thereon;

WHEREAS, no money has heretofore been borrowed by or on behalf of the Local Agency through the issuance of tax anticipation notes or temporary notes in anticipation of the receipt of, or payable from or secured by, taxes, income, revenue, cash receipts or other moneys for Fiscal Year 2004-2005;

WHEREAS, pursuant to Section 53856 of the Act, certain moneys which will be received by the Local Agency during and attributable to Fiscal Year 2004-2005 can be pledged for the payment of the principal of the Note and the interest thereon (as hereinafter provided);

WHEREAS, the Local Agency has determined that it is in the best interests of the Local Agency to participate in the California Communities Cash Flow Financing Program (the "Program"), whereby participating local agencies (collectively, the "Issuers") will simultaneously issue tax and revenue anticipation notes;

WHEREAS, it is necessary to engage the services of certain professionals to assist the Local Agency in its participation in the Program;

NOW, THEREFORE, the Legislative Body hereby finds, determines, declares and resolves as follows:

Section 1. Recitals. This Legislative Body hereby finds and determines that all the above recitals are true and correct.

Section 2. Authorization of Issuance. This Legislative Body hereby determines to borrow solely for the purpose of anticipating taxes, income, revenue, cash receipts and other moneys to be received by the Local Agency for the general fund of the Local Agency attributable to Fiscal Year 2004-2005, by the issuance of a note in the Principal Amount under Sections 53850 et seq. of the Act, designated the Local Agency's "2004 Tax and Revenue Anticipation Note" (the "Note"), to be issued in the form of one fully registered note at the Principal Amount thereof, to be dated the date of its delivery to the initial purchaser thereof, to mature (without option of prior redemption) not more than fifteen months thereafter on a date indicated on the face thereof and determined in the Pricing Confirmation (the "Maturity Date"), and to bear interest, payable at maturity (and if the maturity is more than twelve months from the date of issuance, payable on the interim payment date set forth in the Pricing Confirmation) and computed upon the basis of a 360-day year consisting of twelve 30-day months, or a 365 or 366-day year, as the case may be, and actual days elapsed, at a rate not to exceed twelve percent (12%) per annum as determined in the Pricing Confirmation and indicated on the face of the Note (the "Note Rate"). If the Series of Bonds issued in connection with the Note is secured in whole or in part by a Credit Instrument or such Credit Instrument secures the Note in whole or in part and all principal of and interest on the Note is not paid in full at maturity or if payment of principal of and/or interest on the Note is paid (in whole or in part) by a draw under, payment by or claim upon a Credit Instrument which draw, payment or claim is not fully reimbursed on such date, such Note shall become a Defaulted Note (as defined in the Indenture), and the unpaid portion (including the interest component, if applicable) thereof (or the portion (including the interest component, if applicable) thereof with respect to which a Credit Instrument applies for which reimbursement on a draw, payment or claim has not been fully made) shall be deemed outstanding and shall continue to bear interest thereafter until paid at the Default Rate (as defined in the Indenture). If the Note or the Series of Bonds issued in connection with the Note is unsecured in whole or in part and the Note is not fully paid at maturity, the unpaid portion thereof (or the portion thereof to which no Credit Instrument applies which is unpaid) shall be deemed outstanding and shall continue to bear interest thereafter until paid at the Default Rate. In each case, however, the obligation of the Local Agency with respect to such Defaulted Note or unpaid Note shall not be a debt or liability of the Local Agency prohibited by Article XVI, Section 18 of the California Constitution and the Local Agency shall not be liable thereon except to the extent of any available revenues attributable to Fiscal Year 2004-2005, as provided in Section 8 hereof. The percentage of the Note to which a Credit Instrument, if any, applies (the "Secured Percentage") shall be equal to the amount of the Credit Instrument divided by the aggregate amount of unpaid principal of and interest on the unpaid notes (or portions thereof) of all Issuers, expressed as a percentage (but not greater than 100%) as of the maturity date.

Both the principal of and interest on the Note shall be payable in lawful money of the United States of America. The principal of and interest on the Note at maturity shall be paid upon surrender of the Note at the corporate trust office of Wells Fargo Bank, National Association in Los Angeles, California.

the Rule, any event occurs as a result of which the information contained in the Preliminary Official Statement or other offering document relating to the Local Agency might include an untrue statement of a material fact or omit to state any material fact necessary to make the statements therein, in light of the circumstances under which they were made, not misleading, the Local Agency shall promptly notify the Financial Advisor and the underwriter.

Subject to Section 8 hereof, the Local Agency hereby agrees that if the Note shall become a Defaulted Note, the unpaid portion (including the interest component, if applicable) thereof or the portion (including the interest component, if applicable) to which a Credit Instrument applies for which full reimbursement on a draw, payment or claim has not been made by the Maturity Date shall be deemed outstanding and shall not be deemed to be paid until (i) any Credit Provider providing a Credit Instrument with respect to the Note or the Series of Bonds issued in connection with the Note, has been reimbursed for any drawings, payments or claims made under or from the Credit Instrument with respect to the Note, including interest accrued thereon, as provided therein and in the applicable Credit Agreement, and, (ii) the holders of the Note, or Series of the Bonds issued in connection with the Note, are paid the full principal amount represented by the unsecured portion of the Note plus interest accrued thereon (calculated at the Default Rate) to the date of deposit of such aggregate required amount with the Trustee. For purposes of clause (ii) of the preceding sentence, holders of the Series of Bonds will be deemed to have received such principal amount upon deposit of such moneys with the Trustee.

The Local Agency agrees to pay or cause to be paid, in addition to the amounts payable under the Note, any fees or expenses of the Trustee and, to the extent permitted by law, if the Local Agency's Note is secured in whole or in part by a Credit Instrument (by virtue of the fact that the Series of Bonds is secured by a Credit Instrument), any Predefault Obligations and Reimbursement Obligations (to the extent not payable under the Note), (i) arising out of an "Event of Default" hereunder (or pursuant to Section 7 hereof) or (ii) arising out of any other event (other than an event arising solely as a result of or otherwise attributable to a default by any other Issuer). In the case described in (ii) above with respect to Predefault Obligations, the Local Agency shall owe only the percentage of such fees, expenses and Predefault Obligations equal to the ratio of the principal amount of its Note over the aggregate principal amounts of all notes, including the Note, of the Series of which the Note is a part, at the time of original issuance of such Series. Such additional amounts will be paid by the Local Agency within twenty-five (25) days of receipt by the Local Agency of a bill therefor from the Trustee.

Section 6. No Joint Obligation. The Note will be issued in conjunction with a note or notes of one or more other Issuers, assigned to secure a Series of Bonds. In all cases, the obligation of the Local Agency to make payments on or in respect to its Note is a several and not a joint obligation and is strictly limited to the Local Agency's repayment obligation under this Resolution and the Note.

Section 7. Disposition of Proceeds of Note. A portion of the moneys received from the sale of the Note in an amount equal to the Local Agency's share of the costs of issuance (which shall include any fees and expenses in connection with any Credit Instrument applicable to the Note or Series of Bonds) shall be deposited in the Costs of Issuance Fund held and invested by the Trustee under the Indenture and expended as directed by the Authority on costs of issuance as provided in the Indenture. The balance of the moneys received from the sale of the Note to the Authority shall be deposited in the Local Agency's Proceeds Subaccount hereby authorized to be created pursuant to, and held and invested by the Trustee under, the

Months identified in the Pricing Confirmation to the percentage of the principal and interest due on the Note specified in the Pricing Confirmation. In making such transfer and deposit, the Local Agency shall not be required to physically segregate the amounts to be transferred to and deposited in the Payment Account from the Local Agency's other general fund moneys, but, notwithstanding any commingling of funds for investment or other purposes, the amounts required to be transferred to and deposited in the Payment Account shall nevertheless be subject to the lien and charge created herein.

Any one of the Authorized Representatives of the Local Agency is hereby authorized to approve the determination of the Repayment Months and percentages of the principal and interest due on the Note required to be on deposit in the Payment Account and/or the Payment Subaccount in each Repayment Month, all as specified in the Pricing Confirmation, by executing and delivering the Pricing Confirmation, such execution and delivery to be conclusive evidence of approval by this Legislative Body and such Authorized Representative; provided, however, that the maximum number of Repayment Months shall be six and the maximum amount of Pledged Revenues required to be deposited in each Repayment Month shall not exceed fifty percent (50%) of the aggregate principal and interest due on the Note. In the event on the day in each such Repayment Month that a deposit to the Payment Account is required to be made, the Local Agency has not received sufficient unrestricted revenues to permit the deposit into the Payment Account of the full amount of Pledged Revenues to be deposited in the Payment Account from said unrestricted revenues in said month, then the amount of any deficiency shall be satisfied and made up from any other moneys of the Local Agency lawfully available for the payment of the principal of the Note and the interest thereon, as and when such other moneys are received or are otherwise legally available.

(B) Any moneys placed in the Payment Account or the Payment Subaccount shall be for the benefit of (i) the holder of the Note and the holders of Bonds issued in connection with the Notes and (ii) (to the extent provided in the Indenture) the Credit Provider, if any. The moneys in the Payment Account and the Payment Subaccount shall be applied only for the purposes for which such Accounts are created until the principal of the Note and all interest thereon are paid or until provision has been made for the payment of the principal of the Note at maturity with interest to maturity (in accordance with the requirements for defeasance of the Bonds as set forth in the Indenture) and, if applicable, (to the extent provided in the Indenture and, if applicable, the Credit Agreement) the payment of all Predefault Obligations and Reimbursement Obligations owing to the Credit Provider.

(C) The Local Agency hereby directs the Trustee to transfer on the Note Payment Deposit Date (as defined in the Indenture), any moneys in the Payment Subaccount to the Bond Payment Fund (as defined in the Indenture). In addition, on the Note Payment Deposit Date, the moneys in the Payment Account shall be transferred by the Local Agency to the Trustee, to the extent necessary (after crediting any transfer pursuant to the preceding sentence), to pay the principal of and/or interest on the Note, to make payments to a Swap Provider, if any, as defined in the Indenture, pursuant to a Swap Agreement, if any, as defined in the Indenture, or to reimburse the Credit Provider for payments made under or pursuant to the Credit Instrument. In the event that moneys in the Payment Account and/or the Payment Subaccount are insufficient to pay the principal of and interest on the Note in full when due, such moneys shall be applied in the following priority: first to pay interest on the Note; second to pay principal of the Note; third to reimburse the Credit Provider for payment, if any, of interest with respect to the Note; fourth to reimburse the Credit Provider for payment, if any, of principal with respect to the Note; and fifth to pay any Reimbursement Obligations of the Local Agency and any of the Local Agency's

performance of its obligations thereunder, and (ii) the Local Agency has full legal right, power and authority to issue and deliver the Note.

(C) The issuance of the Note, the adoption of the Resolution and the execution and delivery of the Purchase Agreement, and compliance with the provisions hereof and thereof do not conflict with, breach or violate any law, administrative regulation, court decree, resolution, charter, by-laws or other agreement to which the Local Agency is subject or by which it is bound.

(D) Except as may be required under blue sky or other securities laws of any state or Section 3(a)(2) of the Securities Act of 1933, there is no consent, approval, authorization or other order of, or filing with, or certification by, any regulatory authority having jurisdiction over the Local Agency required for the issuance and sale of the Note or the consummation by the Local Agency of the other transactions contemplated by this Resolution, except those the Local Agency shall obtain or perform prior to or upon the issuance of the Note.

(E) The Local Agency has (or will have prior to the issuance of the Note) duly, regularly and properly adopted a preliminary budget for Fiscal Year 2004-2005 setting forth expected revenues and expenditures and has complied with all statutory and regulatory requirements with respect to the adoption of such budget. The Local Agency hereby covenants that it shall (i) duly, regularly and properly prepare and adopt its final budget for Fiscal Year 2004-2005, (ii) provide to the Trustee, the Credit Provider, if any, the Financial Advisor and the underwriter, promptly upon adoption, copies of such final budget and of any subsequent revisions, modifications or amendments thereto and (iii) comply with all applicable laws pertaining to its budget.

(F) The sum of the principal amount of the Local Agency's Note plus the interest payable thereon, on the date of its issuance, shall not exceed fifty percent (50%) of the estimated amounts of the Local Agency's uncollected taxes, income, revenue (including, but not limited to, revenue from the state and federal governments), cash receipts, and other moneys to be received by the Local Agency for the general fund of the Local Agency attributable to Fiscal Year 2004-2005, all of which will be legally available to pay principal of and interest on the Note.

(G) The Local Agency (i) has not defaulted within the past twenty (20) years, and is not currently in default, on any debt obligation and (ii), to the best knowledge of the Local Agency, has never defaulted on any debt obligation.

(H) The Local Agency's most recent audited financial statements present fairly the financial condition of the Local Agency as of the date thereof and the results of operation for the period covered thereby. Except as has been disclosed to the Financial Advisor and the underwriter and the Credit Provider, if any, there has been no change in the financial condition of the Local Agency since the date of such audited financial statements that will in the reasonable opinion of the Local Agency materially impair its ability to perform its obligations under this Resolution and the Note. The Local Agency agrees to furnish to the Authority, the Financial Advisor, the underwriter, the Trustee and the Credit Provider, if any, promptly, from time to time, such information regarding the operations, financial condition and property of the Local Agency as such party may reasonably request.

(I) There is no action, suit, proceeding, inquiry or investigation, at law or in equity, before or by any court, arbitrator, governmental or other board, body or official, pending

taxation because it is "federally guaranteed" as provided in Section 149(b) of the Code. The Local Agency, with respect to the proceeds of the Note, will comply with all requirements of such sections of the Code and all regulations of the United States Department of the Treasury issued or applicable thereunder to the extent that such requirements are, at the time, applicable and in effect.

(B) The Local Agency hereby (i) represents that the aggregate face amount of all tax-exempt obligations (including any tax-exempt leases, but excluding private activity bonds), issued and to be issued by the Local Agency during calendar year 2004, including the Note, is not reasonably expected to exceed \$5,000,000; or, in the alternative, (ii) covenants that the Local Agency will take all legally permissible steps necessary to ensure that all of the gross proceeds of the Note will be expended no later than the day that is six months after the date of issuance of the Note so as to satisfy the requirements of Section 148(f)(4)(B) of the Code.

(C) Notwithstanding any other provision of this Resolution to the contrary, upon the Local Agency's failure to observe, or refusal to comply with, the covenants contained in this Section 12, no one other than the holders or former holders of the Note, the owners of the Bond, the Credit Provider, if any, or the Trustee on their behalf shall be entitled to exercise any right or remedy under this Resolution on the basis of the Local Agency's failure to observe, or refusal to comply with, such covenants.

(D) The covenants contained in this Section 12 shall survive the payment of the Note.

Section 13. Events of Default and Remedies.

If any of the following events occurs, it is hereby defined as and declared to be and to constitute an "Event of Default":

(A) Failure by the Local Agency to make or cause to be made the transfers and deposits to the Payment Account, or any other payment required to be paid hereunder, including payment of principal and interest on the Note, on or before the date on which such transfer, deposit or other payment is due and payable;

(B) Failure by the Local Agency to observe and perform any covenant, condition or agreement on its part to be observed or performed under this Resolution, for a period of fifteen (15) days after written notice, specifying such failure and requesting that it be remedied, is given to the Local Agency by the Trustee or the Credit Provider, if applicable, unless the Trustee and the Credit Provider shall all agree in writing to an extension of such time prior to its expiration;

(C) Any warranty, representation or other statement by or on behalf of the Local Agency contained in this Resolution or the Purchase Agreement (including the Pricing Confirmation) or in any requisition or any financial report delivered by the Local Agency or in any instrument furnished in compliance with or in reference to this Resolution or the Purchase Agreement or in connection with the Note, is false or misleading in any material respect;

(D) A petition is filed against the Local Agency under any bankruptcy, reorganization, arrangement, insolvency, readjustment of debt, dissolution or liquidation law of any jurisdiction, whether now or hereafter in effect and is not dismissed within 30 days after such filing, but the Trustee shall have the right to intervene in the proceedings prior to the

Section 14. Trustee. The Local Agency hereby directs and authorizes the payment by the Trustee of the interest on and principal of the Note when such become due and payable, from amounts received by the Trustee from the Local Agency in the manner set forth herein. The Local Agency hereby covenants to deposit funds in such account or fund, as applicable, at the time and in the amount specified herein to provide sufficient moneys to pay the principal of and interest on the Note on the Note Payment Deposit Date. Payment of the Note shall be in accordance with the terms of the Note and this Resolution.

Section 15. Sale of Note. The Note shall be sold to the Authority, in accordance with the terms of the Purchase Agreement, hereinbefore approved, and issued payable to the Trustee, as assignee of the Authority.

Section 16. Intentionally Left Blank. This section has been included to preserve the sequence of section numbers for cross-referencing purposes.

Section 17. Approval of Actions. The aforementioned Authorized Representatives of the Local Agency are hereby authorized and directed to execute the Note and cause the Trustee to accept delivery of the Note, pursuant to the terms and conditions of the Purchase Agreement and the Indenture. All actions heretofore taken by the officers and agents of the Local Agency or this Legislative Body with respect to the sale and issuance of the Note and participation in the Program are hereby approved, confirmed and ratified and the Authorized Representatives and agents of the Local Agency are hereby authorized and directed, for and in the name and on behalf of the Local Agency, to do any and all things and take any and all actions and execute any and all certificates, agreements and other documents which they, or any of them, may deem necessary or advisable in order to consummate the lawful issuance and delivery of the Note in accordance with, and related transactions contemplated by, this Resolution. The Authorized Representatives of the Local Agency referred to above in Section 4 hereof are hereby designated as "Authorized Local Agency Representatives" under the Indenture.

In the event that the Note or a portion thereof is secured by a Credit Instrument, any one of the Authorized Representatives of the Local Agency is hereby authorized and directed to provide the Credit Provider, with any and all information relating to the Local Agency as such Credit Provider may reasonably request.

Section 18. Proceedings Constitute Contract. The provisions of the Note and of this Resolution shall constitute a contract between the Local Agency and the registered owner of the Note, and such provisions shall be enforceable by mandamus or any other appropriate suit, action or proceeding at law or in equity in any court of competent jurisdiction, and shall be irrevocable. The Credit Provider, if any, is a third party beneficiary of the provisions of this Resolution and the Note.

Section 19. Limited Liability. Notwithstanding anything to the contrary contained herein or in the Note or in any other document mentioned herein or related to the Note or to any Series of Bonds to which the Note may be assigned, the Local Agency shall not have any liability hereunder or by reason hereof or in connection with the transactions contemplated hereby except to the extent payable from moneys available therefor as set forth in Section 8 hereof.

Section 20. Amendments. At any time or from time to time, the Local Agency may adopt one or more Supplemental Resolutions with the written consents of the Authority and the Credit Provider, if any, but without the necessity for consent of the owner of

may be involved with or adverse to Local Agency in this or some other matter. Given the special, limited role of Bond Counsel described above the Local Agency acknowledges that no conflict of interest exists or would exist, waives any conflict of interest that might appear to exist, and consents to any and all such relationships.

Section 23. Appointment of Financial Advisor and Underwriter. RBC Dain Rauscher, Inc., Los Angeles, California is hereby appointed as financial advisor for the Program. Lehman Brothers, Inc., together with such co-underwriters, if any, identified in the Purchase Contract, is hereby appointed as underwriter for the Program.

Section 24. Effective Date. This Resolution shall take effect from and after its date of adoption.

Section 25. Resolution Parameters.

- (A) Name of Local Agency: Town of San Anselmo
- (B) Maximum Amount of Borrowing: \$2,000,000
- (C) Authorized Representatives:

TITLE

- 1. Town Administrator
- 2. Finance & Administrative Services Director
- 3. Town Treasurer

[Attach form of Certification of the Secretary or Clerk, as appropriate, with respect to the Resolution.]

I hereby certify that the foregoing Resolution was duly passed and adopted at a regular meeting of the San Anselmo Town Council on the 23rd day of March, 2004, by the following vote, to wit:

AYES: Breen, Chignell, Kilkus, Kroot, Thornton

NOES: (none)

ABSENT: (none)

ATTEST:


Barbara Chambers, Town Clerk


Paul Chignell, Mayor

all of the provisions and limitations of which the owner of this Note, by acceptance hereof, assents and agrees.

The principal of the Note, together with the interest thereon, shall be payable from taxes, income, revenue, cash receipts and other moneys which are received by the Local Agency for the general fund of the Local Agency and are attributable to Fiscal Year 2004-2005 and which are available for payment thereof. As security for the payment of the principal of and interest on the Note, the Local Agency has pledged the first amounts of unrestricted revenues of the Local Agency received on the last day of the Repayment Months (as defined in the Resolution) identified in the Pricing Confirmation (as defined in the Resolution) (and any amounts received thereafter attributable to Fiscal Year 2004-2005) until the amount on deposit in the Payment Account (as defined in the Resolution) in each such month, is equal to the corresponding percentages of principal of and interest due on the Note as set forth in the Pricing Confirmation (such pledged amounts being hereinafter called the "Pledged Revenues"), and the principal of the Note and the interest thereon shall constitute a first lien and charge thereon and shall be payable from the Pledged Revenues, and to the extent not so paid shall be paid from any other moneys of the Local Agency lawfully available therefor as set forth in the Resolution. The full faith and credit of the Local Agency is not pledged to the payment of the principal of or interest on this Note.

The Local Agency and the Trustee may deem and treat the registered owner hereof as the absolute owner hereof for the purpose of receiving payment of or on account of principal hereof and interest due hereon and for all other purposes, and the Local Agency and the Trustee shall not be affected by any notice to the contrary.

PURCHASE AGREEMENT

THIS PURCHASE AGREEMENT (the "Purchase Agreement"), dated as of the purchase date (the "Purchase Date") specified in Exhibit A attached hereto and made a part hereof, entered into by and between the signatory local agency designated in Exhibit A (the "Local Agency") and the California Statewide Communities Development Authority (the "Authority"), for the sale and delivery of the principal amount specified in Exhibit A of the Local Agency's 2004 Tax and Revenue Anticipation Note (the "Note") to be issued in conjunction with the notes of other Issuers (as hereinafter defined) participating in the Program (as hereinafter defined), as determined in the Pricing Confirmation (as hereinafter defined), pooled with notes of other Issuers and assigned to secure a series (the "Series") of bonds (the "Bonds") designated in Exhibit A;

WITNESSETH:

WHEREAS, local agencies are authorized by Sections 53850 to 53858, both inclusive, of the Government Code of the State of California (the "Act") (being Article 7.6, Chapter 4, Part 1, Division 2, Title 5 of the Government Code) to borrow money by the issuance of temporary notes;

WHEREAS, the legislative body of the Local Agency (the "Legislative Body") has heretofore adopted its resolution finding that the Local Agency needs to borrow funds in its fiscal year ending June 30, 2005 ("Fiscal Year 2004-2005") in the principal amount set forth in Exhibit A and that it is necessary that said sum be borrowed at this time by the issuance of a note therefor in anticipation of the receipt of taxes, income, revenue, cash receipts and other moneys to be received by the Local Agency during or attributable to Fiscal Year 2004-2005;

WHEREAS, the Local Agency has adopted a resolution or resolutions (collectively or singularly, as applicable, the "Resolution") authorizing the issuance and sale of the Note in the name and on behalf of the Local Agency;

WHEREAS, the Local Agency has determined that it is in the best interests of the Local Agency to participate in the California Communities Cash Flow Financing Program (the "Program"), whereby participating local agencies (the "Issuers") will simultaneously issue tax and revenue anticipation promissory notes for purchase by the Authority;

WHEREAS, under the Program, the Authority will form one or more pools of notes (the "Pooled Notes") and assign each note to a particular pool (the "Pool") and sell a Series of Bonds secured by each Pool pursuant to an indenture, dated as of July 1, 2004 (the "Indenture"), by and between the Authority and Wells Fargo Bank, National Association (the "Trustee"), and sell each such Series to Lehman Brothers, Inc., as representative of the underwriters of the Program (collectively, the "Underwriter");

and the Local Agency hereby further agree that the purchase price of the Note shall be reduced as a result of any reduction of the principal amount of the Note required by this section.

Section 4. Delivery of and Payment for the Note. The delivery of the Note (the "Closing") shall take place at 8:00 a.m., California time, on the closing date set forth in the Pricing Confirmation or at such other time or date as may be mutually agreeable to the Local Agency, the Authority and the Underwriter, at the Los Angeles office of Orrick, Herrington & Sutcliffe LLP or such other place as the Local Agency, the Authority and the Underwriter shall mutually agree. At the Closing, the Local Agency shall cause the Note to be delivered to the Authority, duly executed and authenticated, together with the other documents hereinafter mentioned, and the proceeds of the purchase price of the Note set forth in the Pricing Confirmation shall be deposited in an amount indicated in the Pricing Confirmation as the Deposit to Proceeds Fund which shall be held by the Trustee for the Local Agency and the remainder in the Costs of Issuance Fund held thereunder.

If at any time prior to 90 days after the Closing Date, any event occurs as a result of which information relating to the Local Agency included in the official statement of the Authority relating to the Series of Bonds to which the Note is assigned (the "Official Statement") contains an untrue statement of a material fact or omits to state any material fact necessary to make the statements therein in light of the circumstances under which they were made, not misleading, the Local Agency shall promptly notify the Authority and the Underwriter thereof, and if, in the opinion of the Authority or the Underwriter, such event requires the preparation and publication of a supplement or amendment to the Official Statement, the Local Agency shall cooperate with the Authority and the Underwriter in the preparation of an amendment or supplement to the Official Statement in a form and in a manner approved by the Authority and the Underwriter, and all reasonable expenses incurred thereby shall be paid by the Local Agency.

Section 5. The Note. The Note shall be issued in substantially the form set forth in the Resolution, without coupons in the full principal amount set forth in Exhibit A.

Section 6. Representations and Warranties of the Local Agency. The Local Agency represents and warrants to the Authority and the Underwriter that:

- (a) All representations and warranties set forth in the Resolution are true and correct on the date hereof and are made for the benefit of the Authority and the Underwriter as if set forth herein.
- (b) The information relating to the Local Agency included in the Official Statement does not contain any untrue statement of a material fact or omit to state any material fact necessary to make the statements therein in light of the circumstance under which they were made not misleading.
- (c) A copy of the Resolution has been delivered to the Authority and the Underwriter, and the Resolution will not be amended or repealed without the consent of the Authority and the Underwriter, which consent will not be unreasonably withheld.
- (d) The Local Agency acknowledges that the Authority is authorized to execute the Indenture, to assign the Note to the Trustee under the Indenture and to issue the Series of Bonds pursuant to the Indenture.

Securities Act of 1933, as amended, in connection with the public offering thereof, or qualification of the Resolution or the Indenture under the Trust Indenture Act of 1939, as amended;

(c) Any restriction on trading in securities, or any banking moratorium, or the inception or escalation of any war or major military hostilities which, in the judgment of the Authority, substantially impairs the ability of the Underwriter to market the Bonds; or

(d) The Underwriter terminates its obligation to purchase the Series of Bonds to which the Note is assigned pursuant to its agreement with the Authority for the purchase of such Series of Bonds.

Neither the Underwriter nor the Authority shall be responsible for the payment of any fees, costs or expenses of the issuance, offering and sale of the Local Agency's Note except the Underwriter shall be responsible for California Debt and Investment Advisory Commission fees and for its own internal costs. The fees, costs and expenses that are categorized in the "Costs of Issuance" definition in the Indenture shall be paid from the Costs of Issuance Fund. The Local Agency shall pay any additional costs attributable to it as set forth in the Resolution other than the fees, costs and expenses so payable from the applicable Costs of Issuance Fund.

Section 9. Indemnification. To the extent permitted by law, the Local Agency agrees to indemnify and hold harmless the Authority and the Underwriter and each person, if any, who controls (within the meaning of Section 15 of the Securities Act of 1933, as amended, or of Section 20 of the Securities Act of 1934, as amended) the Authority or the Underwriter, and the officers, directors, agents and employees of the Authority and the Underwriter against any and all losses, claims, damages, liabilities and expenses arising out of any statement or information in the Preliminary Official Statement or in the Official Statement (other than statements or information regarding an Issuer other than the Local Agency) that is untrue or incorrect in any material respect or the omission or alleged omission therefrom of any statement or information (other than statements or information regarding an Issuer other than the Local Agency) that should be stated therein or that is necessary to make the statements and information therein not misleading in any material respect.

Section 10. Credit Agreement. The Local Agency shall comply with all lawful and proper requests of the Authority in order to enable the Authority to comply with all of the terms, conditions and covenants binding upon it under the Credit Agreement.

Section 11. Notices. Any notices to be given to the Underwriter under the Purchase Agreement shall be given in writing to Lehman Brothers, Inc., 1100 Glendon Avenue, Suite 1101, Los Angeles, CA 90024, Attention: Mr. Kevin O'Brien. Any notices to be given to the Authority under the Purchase Agreement shall be given in writing to the Authority, 1100 "K" Street, Suite 101, Sacramento, CA 95814, Attention: Secretary.

Section 12. No Assignment. The Purchase Agreement has been made by the Local Agency and the Authority, and no person other than the Local Agency and the Authority or their successors or assigns and the Underwriter shall acquire or have any right under or by virtue of the Purchase Agreement. All of the representations, warranties and agreements contained in the Purchase Agreement shall survive the delivery of and payment by the Authority for the Note and any termination of the Purchase Agreement.

Section 17. Execution in Counterparts. This Purchase Agreement may be executed and entered into in several counterparts, each of which shall be deemed an original, and all of which shall constitute but one and the same instrument.

IN WITNESS WHEREOF, the parties hereto have caused this Purchase Agreement to be executed by their duly authorized representatives as of the Purchase Date set forth in Exhibit A attached hereto and incorporated herein.

CALIFORNIA STATEWIDE COMMUNITIES
DEVELOPMENT AUTHORITY

By: _____
Member of the Commission
of the Authority

* By initialing the box at the end of this paragraph, the undersigned Local Agency certifies that, in connection with the issuance of the Note under the Resolution and after reasonable inquiry, it is the reasonable expectation of the Local Agency that the aggregate amount of all tax-exempt obligations (excluding private activity bonds) issued or to be issued by the Local Agency during the 2004 calendar year, including the Note, all other notes and bonds, and all tax-exempt leases, executed or delivered during the 2004 calendar year will not exceed \$5,000,000 (See Section 3.8 of the Certificate of the Local Agency if the Local Agency is unable to make this certification).

IN WITNESS WHEREOF, the Purchase Agreement, including this Pricing Confirmation, is agreed and accepted to on the Purchase Date set forth above.

COUNTY OF SISKIYOU

By: _____
Authorized Representative

Print Name of Person Signing

* Please initial the box only if applicable to the Local Agency

TOWN OF SAN ANSELMO
TOWN COUNCIL RESOLUTION NO. 3680

**A RESOLUTION OF INTENT TO ABANDON A PORTION OF
SCENIC AVENUE RIGHT-OF-WAY**

WHEREAS, the Town Council of the Town of San Anselmo finds that the hereinafter described portion of public right-of-way is not presently needed for any public use and no public use, therefore, will be required in the future; that said portion of right-of-way is surplus to all present and prospective needs of the public, and such abandonment will not result in closure of any portion of Scenic Avenue now existing.

NOW, THEREFORE, BE IT RESOLVED THAT:

1. Pursuant to the provisions of Section 8300 et seq of the California Streets and Highways Code, the Town Council declares its intention to abandon and vacate the following described portion of Scenic Avenue right of way:

A portion of the Scenic Avenue Right of Way, Town of San Anselmo, California, and more particularly described as follows:

Beginning at the common northerly corner of Lot 156 and Lot 155 of that certain map entitled "Amended Map No. 2 of the Bush Tract, Marin Co., Cal." Filed for record July 13, 1907 in Volume 2 of Maps at Page 91, Marin County Records; thence N 06°35'00"W 9.50 feet to the northeasterly corner of a 6' tall wooden fence; thence westerly along the northerly side of said wooden fence and the north side of a concrete slab N77°31'00"W 61.19 feet to a point, said point being 2 feet southeasterly of the downhill face of a concrete retaining wall; thence southwesterly parallel to and 2 feet southeasterly of the downhill face of said concrete retaining wall S67°09'22"W 17.29 feet to a point on the northerly line of Lot 156; thence easterly on the northerly line of Lot 156 S77°31'00"E 65.89 feet to the angle point in the northerly line of Lot 156; thence easterly on the northerly line of Lot 156 S82°11'00"E" 12.55 feet to the **True Point of Beginning**.

Containing 690 Square feet more or less.

RESERVING THEREFROM easements for existing utilities satisfactory to the owners thereof.

2. Reference is made to the map on file in the office of the Town Engineer, which delineates the area to be vacated.

3. A public hearing on the proposed vacation will be held at 8.00pm on Tuesday, April 13, 2004 in the Council Chamber, Town Hall, 525 San Anselmo Avenue, at which time and place all persons interested for or against said vacation will be heard.

4. This resolution shall be published once in full in the Ross Valley Reporter, a newspaper of general circulation published in the County of Marin, within fifteen days of its passage.

5. Copies of this resolution shall be posted conspicuously along the line of the portions of right of way proposed to be vacated at least ten (10) days before the date set for hearing. Said posting shall be at least three (3) in number and not more than three hundred (300) feet apart.

I hereby certify that Resolution No. 3680 was duly passed and adopted at the regular meeting of the San Anselmo Town Council held on the 23rd Day of March, 2004, by the following vote:

AYES: Breen, Chignell, Kilkus, Kroot, Thornton

NOES: (none)

ABSENT: (none)


TOWN CLERK


Paul Chignell, Mayor

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF SAN ANSELMO AUTHORIZING THE SUBMITTAL OF THE FUNDING REQUEST FORM TO THE DEPARTMENT OF CONSERVATION'S DIVISION OF RECYCLING.

WHEREAS, the people of the State of California have enacted the California Beverage Container Recycling and Litter Reduction Act that provides funds to cities and counties for beverage container recycling and litter cleanup activities; and

WHEREAS, the California Department of Conservation's Division of Recycling has been delegated the responsibility for the administration of the program within the State, setting up necessary procedures for cities and counties or their designees under the program; and

WHEREAS, per Section 14581 (a)(4)(E) of the California Beverage Container Recycling and Litter Reduction Act, the eligible participant must submit the Funding Request Form by the due date and time in order to request funds from the Department of Conservation's Division of Recycling.

NOW, THEREFORE, BE IT RESOLVED that the San Anselmo Town Council authorizes the submittal of the Funding Request Form to the Department of Conservation's Division of Recycling. The Parks Director is hereby authorized and empowered to execute in the name of the Town of San Anselmo all necessary forms hereto for the purposes of securing payments and to implement and carry out the purposes specified in the Section 14581 (a) (4) (A) of the California Beverage Container Recycling and Litter Reduction Act and provide information regarding this program to the Department of Conservation's Division of Recycling upon request.

The foregoing resolution was passed by the San Anselmo Town Council the 23rd day of March, 2004. Effective March 24, 2004.

AYES: Breen, Chignell, Kilkus, Kroot, Thornton

NOES: (none)

ABSENT: (none)

Attest:


Paul Chignell, Mayor


Barbara Chambers, Town Clerk

TOWN OF SAN ANSELMO
TOWN COUNCIL RESOLUTION NO. 3678

A RESOLUTION OF THE SAN ANSELMO TOWN COUNCIL UPHOLDING A PLANNING COMMISSION DECISION BY APPROVING A VARIANCE TO ALLOW A RETAINING WALL IN EXCESS OF 4' WITHIN THE FRONT YARD SETBACK, AND A USE PERMIT TO ALLOW EXCEPTIONS TO STANDARDS FOR A RESIDENTIAL 2ND UNIT AT 100 FORBES AVENUE, AP 6-261-06

WHEREAS, an application was initially filed with the Town of San Anselmo on August 4, 2003, requesting approval for a Variance and Use Permit to construct a residential second unit at 100 Forbes Avenue, and

WHEREAS, on October 20, 2003, the Planning Commission received comments from staff, the applicant, and others, and conditionally approved the Variance and Use Permit based on the plans date stamped received by the Town on September 24, 2003; and

WHEREAS, on October 28, 2003, an appeal of the Planning Commission's approval was received by the Town; and

WHEREAS, on March 9, 2004, the Town Council received comments from staff, the applicant, the appellant, and others.

NOW, THEREFORE, the Town Council of the Town of San Anselmo does hereby resolve as follows:

I. Findings required for the approval of **Variance** pursuant to Section 10-3.1405 of the San Anselmo Municipal Code are as follows:

Required Finding 1. Due to special circumstances applicable to the property, including size, shape, topography, location, or surroundings, the strict application of the controlling zoning ordinance or regulation deprives such property of privileges enjoyed by other property in the vicinity and under an identical zoning classification, and the granting of a variance will not constitute a grant of special privileges inconsistent with the limitations upon other properties in the vicinity and zone in which such property is situated.

Special circumstances exist for the retaining wall variance due to the steep topography, and location of the proposed dwelling in relation to usable parking spaces.

Required Finding 2. The granting of the variance, under the circumstances of the particular case, will not materially affect adversely the health or safety of persons residing or working in the neighborhood of the property or the applicant and will not be materially detrimental to the public welfare or injurious to property or improvements in such neighborhood.

The granting of the retaining wall variance will not materially affect adversely the health or safety of persons in the neighborhood and will not be detrimental to the public welfare or injurious to the property or improvements in the neighborhood because it will be built in accordance with the Town Building and Safety standards and will represent an improvement over existing parking conditions.

- II. Findings required for the approval of **Use Permit** pursuant to Section 10-3.1305 of the San Anselmo Municipal Code are as follows:

Required Finding. The establishment, maintenance, or operation of the use will not, under the circumstances of the particular case, be detrimental to the health, safety, peace, morals, comfort and general welfare of persons residing or working in the neighborhood of the proposed use or be detrimental or injurious to property or improvements in the neighborhood or to the general welfare of the Town.

The proposed use of a residential second unit will not be detrimental to the health, safety, peace morals, comfort and general welfare of persons residing or working in the neighborhood of the proposed use or be detrimental or injurious to property or improvements in the neighborhood or to the general welfare of the Town because the proposed use is a residential dwelling in a single-family neighborhood, the proposed dwelling will integrate into the character of the neighborhood, and the proposed design is consistent with residential design review standards for primary residential dwellings with regard to color, materials, privacy, height, and screening.

- III. The appeal of the Planning Commission's approval of the Use Permit (UP-0332) and Variance (V-0344) to construct a residential second unit and retaining wall located at 100 Forbes Avenue (AP6-261-06) is hereby denied and the subject project approved subject to the following conditions:

1. That the request for a use permit be granted to allow a 744+/- square foot residential 2nd unit in accordance with the plans date stamped September 24, 2003, received by the Town of San Anselmo Planning Department.
2. Applicant shall apply for and pay all appropriate fees for building permits, plan checks and inspections.
3. Additional landscaping consisting of 4 15-gallon coast redwood or equivalent shall be installed along the base of the proposed deck to screen structure from southwest views. Plans shall include automatic irrigation and subject to staff approval prior to the issuance of a building permit. Installation shall be complete prior to any final inspection or occupancy.
4. Prior to the issuance of a building permit, a deed restriction in a form approved by staff shall be provided restricting the colors and materials of the 2nd unit, and assuring compliance with Sections 10-6.209(residence

requirements) and 10-6.401(rent limits) of the San Anselmo Municipal Code regarding 2nd units.

5. If construction is not commenced within one year from the date of final Planning Commission action, the permit becomes null and void. However, this discretionary action may be renewed by the Planning Director for a maximum period of one (1) year provided the applicant places such request in writing to the Planning Director showing good cause prior to the expiration of the discretionary action.
6. A landscape plan shall be submitted to and approved by the Planning Commission prior to the issuance of any building permit.
7. Applicant shall at all times comply with all applicable laws, ordinances, rules and regulations of municipal, state and federal authorities relating to the installation maintenance, height, location, use, and operation of improvements authorized herein, and shall fully defend, hold free and harmless and indemnify the Town of San Anselmo, its Council, commissions, agents, officers, employees, and consultants against any and all claims, costs, expenses, suits, and liabilities of any kind whatsoever, or actions seeking to set aside, declare void or annul the approval(s) of this project, and including without limitation, reasonable attorney' and expert witnesses ' fees and costs, arising out of or in any way related to applicant's installation, or operation of the improvements and equipment authorized by this approval and any claim by any person or entity relating to alleged health or environmental effects of the project. The Town and applicant shall promptly notify each other of any such attack, claim, action, or proceeding. The Town will tender defense to the applicant. The Town may assist in defense; and nothing shall prohibit the Town from participating in the defense in any such attack, claim, action or proceeding so long as the Town agrees to bear its own attorneys fees and costs and participates with applicant in the defense cooperatively.

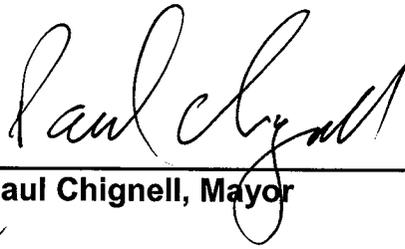
The foregoing resolution was adopted at a regular meeting of the Town Council of the Town of San Anselmo held on the 9th day of March, 2004, by the following vote:

AYES: **Breen, Thornton, Kilkus**

NOES:

ABSTAIN: **Chignell**

ABSENT: **Kroot**



Paul Chignell, Mayor

ATTEST:



Barbara Chambers, Town Clerk

RESOLUTION # 3677

**RESOLUTION OF INTENTION
TO APPROVE AN AMENDMENT TO CONTRACT
BETWEEN THE
BOARD OF ADMINISTRATION
CALIFORNIA PUBLIC EMPLOYEES' RETIREMENT SYSTEM
AND THE
TOWN COUNCIL
TOWN OF SAN ANSELMO**

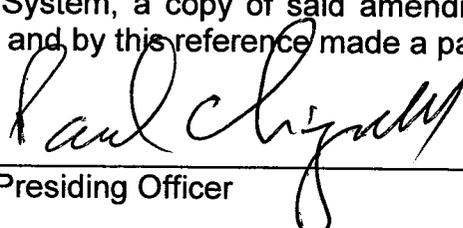
WHEREAS, the Public Employees' Retirement Law permits the participation of public agencies and their employees in the Public Employees' Retirement System by the execution of a contract, and sets forth the procedure by which said public agencies may elect to subject themselves and their employees to amendments to said Law; and

WHEREAS, one of the steps in the procedures to amend this contract is the adoption by the governing body of the public agency of a resolution giving notice of its intention to approve an amendment to said contract, which resolution shall contain a summary of the change proposed in said contract; and

WHEREAS, the following is a statement of the proposed change:

To provide Section 21354.5 (2.7% @ 55 Full and Modified formula) for local miscellaneous members.

NOW, THEREFORE, BE IT RESOLVED that the governing body of the above agency does hereby give notice of intention to approve an amendment to the contract between said public agency and the Board of Administration of the Public Employees' Retirement System, a copy of said amendment being attached hereto, as an "Exhibit" and by this reference made a part hereof.

By: 

Presiding Officer

Title Mayor

February 24, 2004

Date adopted and approved



EXHIBIT

California
Public Employees' Retirement System

AMENDMENT TO CONTRACT

Between the
Board of Administration
California Public Employees' Retirement System
and the
Town Council
Town of San Anselmo

The Board of Administration, California Public Employees' Retirement System, hereinafter referred to as Board, and the governing body of the above public agency, hereinafter referred to as Public Agency, having entered into a contract effective July 1, 1959, and witnessed April 24, 1959, and as amended effective January 1, 1964, November 1, 1966, December 1, 1968, December 1, 1972, July 1, 1973, September 1, 1973, September 28, 1973, June 27, 1974, May 1, 1976, October 1, 1977, November 1, 1982, September 14, 1984, March 1, 1986, January 1, 1988, October 1, 2000, December 1, 2000 and June 1, 2002 which provides for participation of Public Agency in said System, Board and Public Agency hereby agree as follows:

- A. Paragraphs 1 through 13 are hereby stricken from said contract as executed effective June 1, 2002, and hereby replaced by the following paragraphs numbered 1 through 14 inclusive:
1. All words and terms used herein which are defined in the Public Employees' Retirement Law shall have the meaning as defined therein unless otherwise specifically provided. "Normal retirement age" shall mean age 55 for local miscellaneous members and age 50 for local safety members.

PLEASE DO NOT SIGN "EXHIBIT ONLY"

2. Public Agency shall participate in the Public Employees' Retirement System from and after July 1, 1959 making its employees as hereinafter provided, members of said System subject to all provisions of the Public Employees' Retirement Law except such as apply only on election of a contracting agency and are not provided for herein and to all amendments to said Law hereafter enacted except those, which by express provisions thereof, apply only on the election of a contracting agency.
3. Employees of Public Agency in the following classes shall become members of said Retirement System except such in each such class as are excluded by law or this agreement:
 - a. Local Police Officers shall include individuals defined by Section 20425 of the Government Code prior to its amendment at the 1975-76 Regular Legislative Session, effective January 1, 1976, employed by Public Agency prior to such amendment; and
 - b. Employees other than local safety members (herein referred to as local miscellaneous members).
4. In addition to the classes of employees excluded from membership by said Retirement Law, the following classes of employees shall not become members of said Retirement System:
 - a. **SCHOOL CROSSING GUARDS HIRED ON OR AFTER JULY 1, 1974.**
5. Public Agency and the Town of Fairfax have agreed to a merger of the fire functions of their contracts, into the Ross Valley Fire Service, forming a new agency, pursuant to Section 20567.5 of the Government Code. Such merger is effective as of July 1, 1982. This merger transferred all benefits for fire function members employed by the Town of San Anselmo and the Town of Fairfax, retired fire members, their beneficiaries, and inactive fire members into the contract of Ross Valley Fire Service. Assets and liabilities applicable to these members were also transferred to the Ross Valley Fire District.
6. The percentage of final compensation to be provided for each year of credited prior and current service as a local miscellaneous member in employment before and not on or after the effective date of the amendment to contract shall be determined in accordance with Section 21354 of said Retirement Law subject to the reduction provided therein for Federal Social Security (2% at age 55 Modified and Full).

PLEASE DO NOT SIGN "EXHIBIT ONLY"

7. The percentage of final compensation to be provided for each year of credited prior and current service as a local miscellaneous member in employment on or after the effective date of the amendment to contract shall be determined in accordance with Section 21354.5 of said Retirement Law subject to the reduction provided therein for Federal Social Security (2.7% at age 55 Modified and Full).
8. The percentage of final compensation to be provided for each year of credited prior and current service as a local safety member shall be determined in accordance with Section 21362.2 of said Retirement Law subject to the reduction provided therein for Federal Social Security (3% at age 50 Modified).
9. Public Agency elected and elects to be subject to the following optional provisions:
 - a. Section 21222.1 (One-Time 5% Increase - 1970). Legislation repealed said Section effective January 1, 1980.
 - b. Section 20425 ("Local Police Officer" shall include employees of a police department who were employed to perform identification or communication duties on August 4, 1972 and who elected to be local safety members on or before September 28, 1973).
 - c. Section 20042 (One-Year Final Compensation).
 - d. Section 21024 (Military Service Credit as Public Service), Statutes of 1974.
 - e. Section 21024 (Military Service Credit as Public Service), Statutes of 1976.
 - f. Section 20965 (Credit for Unused Sick Leave).
10. Public Agency, in accordance with Government Code Section 20790, ceased to be an "employer" for purposes of Section 20834 effective on May 1, 1976. Accumulated contributions of Public Agency shall be fixed and determined as provided in Government Code Section 20834, and accumulated contributions thereafter shall be held by the Board as provided in Government Code Section 20834.
11. Public Agency shall contribute to said Retirement System the contributions determined by actuarial valuations of prior and future service liability with respect to local miscellaneous members and local safety members of said Retirement System.

12. Public Agency shall also contribute to said Retirement System as follows:
- a. A reasonable amount, as fixed by the Board, payable in one installment within 60 days of date of contract to cover the costs of administering said System as it affects the employees of Public Agency, not including the costs of special valuations or of the periodic investigation and valuations required by law.
 - b. A reasonable amount, as fixed by the Board, payable in one installment as the occasions arise, to cover the costs of special valuations on account of employees of Public Agency, and costs of the periodic investigation and valuations required by law.
13. Contributions required of Public Agency and its employees shall be subject to adjustment by Board on account of amendments to the Public Employees' Retirement Law, and on account of the experience under the Retirement System as determined by the periodic investigation and valuation required by said Retirement Law.
14. Contributions required of Public Agency and its employees shall be paid by Public Agency to the Retirement System within fifteen days after the end of the period to which said contributions refer or as may be prescribed by Board regulation. If more or less than the correct amount of contributions is paid for any period, proper adjustment shall be made in connection with subsequent remittances. Adjustments on account of errors in contributions required of any employee may be made by direct payments between the employee and the Board.

B. This amendment shall be effective on the _____ day of _____, _____.

BOARD OF ADMINISTRATION
PUBLIC EMPLOYEES' RETIREMENT SYSTEM

TOWN COUNCIL
TOWN OF SAN ANSELMO

BY _____
KENNETH W. MARZION, CHIEF
ACTUARIAL & EMPLOYER SERVICES DIVISION
PUBLIC EMPLOYEES' RETIREMENT SYSTEM

BY _____
PRESIDING OFFICER

Witness Date

Attest:

Clerk

PLEASE DO NOT SIGN "EXHIBIT ONLY"

PLEASE DO NOT SIGN "EXHIBIT ONLY"

TOWN OF SAN ANSELMO

RESOLUTION NO. 3676

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:

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
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Increase to Expenditures:	\$6,800
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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: Breen, Chignell, Kilkus, Kroot, Thornton

NOES: None

ABSENT: None

ABSTAIN: None



Paul Chignell, Mayor

ATTEST:



Barbara Chambers, Town Clerk

TOWN OF SAN ANSELMO

RESOLUTION NO. 3675

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: Breen, Chignell, Kilkus, Kroot, Thornton

NOES: None

ABSENT: None

ABSTAIN: None

ATTEST:



Paul Chignell, Mayor



Barbara Chambers, Town Clerk

TOWN OF SAN ANSELMO 3674
TOWN COUNCIL RESOLUTION NO. _____

**A RESOLUTION OF THE SAN ANSELMO TOWN COUNCIL SETTING AND AMENDING
PLANNING DEPARTMENT FEES FOR ALL SERVICES AND ENTITLEMENTS PROCESSED
UNDER TITLE 10 OF THE SAN ANSELMO MUNICIPAL CODE**

WHEREAS, Town Planning services are deemed necessary to assure compliance with mandated Federal, State and Municipal laws; and

WHEREAS, the current Planning Fee Schedule authorized under Resolution No. 3241 does not fully recover the cost of providing related services; and

WHEREAS, the 2003 Planning Fees document attached hereto as Exhibit "A" has been prepared for the purpose of evaluating costs and time associated with various Planning services; and

WHEREAS, the Housing Element of the General Plan encourages the production of affordable housing and reduced fees may encourage such housing and be considered a public benefit; and

WHEREAS, Planning service fee increases are authorized in accordance with Sections 65104 and 66016 of the California Government Code.

NOW THEREFORE, BE IT RESOLVED that the Town Council of the Town of San Anselmo has determined as follows:

1. The analysis in Exhibit "A" attached hereto represents an accurate assessment of costs and expenditures attributable to the various services provided by the Planning Department; and the recommended fees therein reflect a reasonable estimate of the costs to provide such services.
2. The Planning Fee Schedule attached hereto as Exhibit "B" is hereby adopted and shall become effective sixty (60) days after the adoption of this resolution.

AYES: Breen, Chignell, Kilkus, Kroot, Thornton
(none)

NOES:

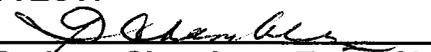
ABSTAIN:(none)

ABSENT: (none)



Paul Chignell, Mayor

ATTEST:



Barbara Chambers, Town Clerk

Exhibit "A"

PLANNING FEES - 2003

OVERVIEW PLANNING DEPARTMENT EXPENDITURES/REVENUES

- FY02-3 Planning Dept Budgeted Costs ≈ \$313,000
- Budgeted Planning Fee Revenue ≈ 59,000 (35,000 estimated)
- In addition to Planning Department budgeted expenditures, other related administrative and overhead costs exist as support services to the Planning Function (dedicated Administrative Assistant support, Admin&Finance, Legal, and Insurance costs)

Expenditures

Revenue

Planning Budget \$313,000

Overhead @ 6.35%

Admin/Finance (\$575,000x.0635) ≈\$ 36,510

Legal (\$150,000x.0635) ≈ 9,525

Insurance (\$390,000x.0635) ≈ 24,765

70,800

Administrative Assistants (½ planning, ½ building/public works)*

* (This administrative staff is budgeted within the Public Works Department Budget)

\$62,099 @ 50%

51,844 @ 50%

57,000

TOTAL PLANNING DEPARTMENT COST ≈ \$ 440,800

Revenue

Budgeted Planning Fees FY02-03

(estimated annual revenue based upon collections to date)

\$ 59,000

(\$35,000)*

*In previous budgets (FY200-01 and prior years), annual Planning Fees were in excess of \$70,000. However such fees were overstated because they failed to consider the effects of **refundable** deposits. Actual FY2001-02 planning fee collection was \$33,095.

PLANNING STAFF TIME ALLOCATION ESTIMATE

This past year, Planning Staff expended approximately 50% of its time reviewing, processing, administering, and assisting citizens in private development activity.

Approximately 15% of staff time was allocated to Building Plan Check and inspection.

The remaining 35% was allocated to general public planning activity such as public projects, code revisions, code enforcement, public assistance, general administration, supervision, & training.

These time estimates fluctuate substantially due to a variety of economic and social variables. Currently, it appears that the private development activity may be declining somewhat with the general planning activity increasing.

Estimated annual planning staff hours are 4704 hours due to vacation, holidays, sick leave and administrative leave.

Director	1628
Senior Planner	1538
Assistant Planner	<u>1538</u>
	4704 hours

Consequently, the estimated total average cost/hour for Planning Services is approximately **\$93.71/hr.**

(\$440,800/4704 hr)

Based upon a 50% staff allocation to private development, the Town could potentially receive approximately \$220,400 in annual Planning Application fees assuming full cost recovery.
(50% x 4704 hr x \$93.71/hr)

CURRENT FEE STRUCTURE

Currently, **hourly rate fees are used for all major entitlement processing.** Hourly fees are charged at a rate based upon budgeted Planning Department Labor Costs with a 15% overhead estimate. These rates are adjusted annually to cover salary/benefit increases. Minor projects such as **administrative approvals** are charged a **fixed fee** and adjusted annually by CPI increases.

The January 2003 hourly fee rate is \$83/hr. This represents a \$20/hr increase over the 2002 rate of \$63/hr. The 2002 rate was discovered to be inadequate because it failed to adjust for revised productive hours worked and did not consider the fact that more private processing time is generally performed by senior planning staff due to the complex issues involved. Therefore, a weighted average hourly cost of planning staff is now in effect.

Only **direct** hourly charges for review and processing time are currently assessed. This time does not account for interdepartmental or interagency consultations, nor does it include neighborhood inquiries regarding a particular project. Unfortunately, even though such time may

be related to a particular application, is not charged to the applicant because of the difficulty in documenting the many contacts and lack of applicant consent/control over unknown costs. It is estimated that staff spends about as much time with interested citizens and agency consultations on projects as it does on direct plan review and processing. Consequently, approximately 50% of staff time expended upon a project is actually billed to a project.

CURRENT FEE STRUCTURE PROBLEMS

As mentioned above, it is almost impossible to document staff time for every citizen/agency contact regarding a particular project. Additionally, applicants may not be aware of the amount of citizen interest and have no control over the time staff expended in such efforts. Consequently, direct review and processing time only is charged.

Another problem with the hourly fee charges is the issue of refunds. Since some projects receive a residual refund from deposits collected, the cost to process refunds often exceeds the refund itself. Although not indicated in the overall planning cost of doing business, individual refund preparations and processing can be a burden on the Administration and Finance functions of the Town.

FEE STRUCTURE COMPARISON

In reviewing other agency methodologies, several are based upon a minimum flat fee for various project types with added hourly charges when a given project exceeds a certain number of review hours. Because agencies have different zoning procedures and levels of review, direct comparative analysis cannot be fully achieved. The following is an example of current fee rates for basic comparative purposes.

CURRENT FEE SCHEDULES – JANUARY, 2003

	San Anselmo	County	Ross	San Rafael	Mill Valley
Use Permit	hourly fee \$560 deposit	\$3,320 \$2,100-2 nd unit \$1,035-minor/acc use	\$1,000	\$1,550 –PC* \$730 – Admin *includes 10 hrs	\$945 includes first 10 hours planner time
Design Review	Hourly fee \$560 deposit –PC \$139 – Admin	\$2,430 single-family \$1,100-\$24,595 –mf & com depending upon valuation \$1,055- minor	\$1,000- 500-999sq ft \$2,000 <2000sq ft \$3,000 <3000sq ft \$4,000 >3000sq ft	\$1,700-PC* \$400- Admin *includes 10 hr planner time	\$575< 50k valuation* \$ 740<100k val* \$1,006<250k val** \$1273<500k val** *inc 5hr planner time **inc 10 hr planner time
Variance	Hourly fee \$560 deposit –PC \$178 – Admin	\$2,520 \$1,260- Admin var.	\$800	\$1,550* \$730 – Admin var. *includes 10 hr planner time	\$945* *includes 10 hrs planner time
Sign Review	\$43 -Admin	\$895 review \$365 zoning permit	\$300	\$80 Admin \$1600PC* includes 10 hrs pln	\$103 –Admin \$575 -PC
Environmental Review	Included in primary project application If EIR, = cost of consultant	\$235-catagorical exemption \$2,290- Initial Study cost & 30%- EIR prep	\$3,500 –initial study cost & 15%- EIR & additional studies	\$2,500 – neg dec cost & 25%-EIR	\$155-catagorical exemption \$513- neg dec \$513&15%/contract cost-EIR
Lot Line Adjustment	\$573	\$635	\$500/parcel	\$930	\$740* *includes 5 hr of planner time

Appeals	\$199	\$675 – Board of Sup	\$250	\$150-PC non-appl. \$200-CC non-appl \$1,600-applicant* *Includes 15hr of time	\$100
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When processing various entitlement combinations such as simultaneous Design Review and Variances for a particular project, San Anselmo considers the application as one item and processes the application with one deposit (\$560) on an hourly basis. The other agencies listed above charge separate fees for each entitlement processed.

With the exception of San Rafael (and San Anselmo), initial deposits are not refundable even if the hours allotted for processing are not fully utilized. Generally, San Anselmo's \$560 deposit has been adequate in the past given the number of direct hours and rates charged. However, with the updated fee schedule such deposits appear to be inadequate.

In reviewing the above fee comparisons, San Anselmo's fees are significantly below other jurisdictions. Further, in discussing fees with other jurisdiction personnel, significant fee increases in some agencies may be contemplated in the near future.

PROPOSED FEES

1) USE PERMITS, DESIGN REVIEW, VARIANCES

In San Anselmo, the majority of time-consuming projects include **Use Permits, Design Review, and Variances**. Typically these applications have a similar process in that the Planning Commission in the context of a public hearing considers such applications. Such applications generally require about 8 hours planning staff time in direct review and processing. As mentioned previously, an additional 8 hours staff time is spent in discussions with interested neighbors and other staff/ reviewing agencies. Consequently, at \$93.71/hr, the cost of processing an average application is approximately \$1500. Therefore, based upon the problems identified with hourly fees, I would recommend the adoption of a fee of **\$1500 as a base fee with an additional per hour charge for projects exceeding 8 hours of direct planner time.**

Since each entitlement mentioned above requires separate findings and considerations, an application involving more than one entitlement consideration would generally require approximately 4 hours of additional staff time. Therefore, combination application fees of the above entitlements are recommended to be 1 ½ times the \$1500 fee or **\$2250 for any combined application with an additional per hour charge exceeding the first 12 hours of direct planner time.**

Although other agencies charge separate fees for each entitlement requested, staff believes that such combination applications result in some economies in processing and therefore should be reflected in the fees.

2) ADMINISTRATIVE DESIGN REVIEW AND VARIANCES

Administrative Design Review and Variances generally require about ½ the time as regular Variances/Design Review applications because they are minor in nature and do not require

Planning Commission processing. Consequently, I would recommend the adoption of a **flat fee of \$750** for these projects (1/2 x \$1500).

The current fee for Administrative Design Review is fixed at \$139. The fee for Administrative Variance is fixed at \$178.

3) ZONE CHANGES/GENERAL PLAN AMENDMENTS/TENTATIVE MAPS/ANNEXATIONS

Although applicant requested General Plan Amendments, Zone Changes, Annexations, and Tentative Maps may require slightly more time to process than Use Permits and Design Review applications, the base fee plus hourly charge proposed (for Use Permits, Variances, & Design Review) would also assure cost recovery. Since San Anselmo is predominantly built out, the frequency of these requests is not significant. Therefore, I would recommend these fees to be the same as the other major entitlements, or a **base fee of \$1500 with an additional per hour charge for projects exceeding 8 hours of direct planner time**. Likewise, combination applications would be charged as indicated above.

4) SIGN REVIEW/TEMPORARY OUTDOOR DISPLAY- ADMINISTRATIVE

A simple sign permit or temporary outdoor display application requires between 1 and 2 hours to review, research, and issue at staff level. Therefore, I would recommend that a **flat fee** be established for 1 ½ hour's time or **\$140** (1.5 x \$93.71). Sign review at Planning Commission level would be included within another application (Design Review or Use Permit).

5) CERTIFICATES OF COMPLIANCE

A Certificate of Compliance is a certification and recognition of a legal lot or parcel consistent with the Subdivision Map Act. Staff review includes research and legal description review to determine if the subject lot was created legally. This requires approximately 5 hours of planner time per application to make the determination. Currently, the charge is an hourly fee of the planner's time but requires a \$500 deposit. Since the average time is 5 hours, I recommend this fee to be a **flat fee of \$468** (5 x \$93.71). This flat fee would save significant time and cost in preparing residual refunds associated with per hour fees.

6) ENVIRONMENTAL REVIEW

To date, environmental review has been charged to the project as a direct staff time. However since it represents a substantial increase in staff effort (as opposed to an exempt project), it should be charged as a separate fee similar to other agencies. In preparing an Initial Study, Negative Declaration and processing, direct staff time is approximately 15 hours. Therefore, I would recommend a **flat fee of \$1405 with an additional hourly rate in excess of 15 hours** for the preparation and processing of a **Negative Declaration**.

If an Environmental Impact Report should be warranted, a consultant would be required to prepare the document. Since staff would be required to review the document, process it, and administer the contract, an overhead charge of approximately 20% would seem appropriate. Therefore **EIRs** should be charged the consultant **cost plus 20% for review and administration.**

Additional fees charged by outside agencies for review and processing of environmental documents (County filing fee, State fish & Game review fee, etc.) would be charged to the applicant as well.

7) REQUIRED PEER REVIEW

The Town currently requires professional peer review of all geotechnical studies and other reports as may be determined by the Planning Commission/Council. Although consultants conduct these reviews, such peer reviews are reviewed, evaluated, and administered by Town staff. Therefore, I would recommend that the fee be the consultant **cost plus 20%** for evaluation and administration purposes.

8) LOT LINE ADJUSTMENT

The current Lot Line Adjustment fee is **fixed at \$573**. Since staff spends about 5-7 hours in reviewing and processing these items, I would not recommend changing this fee.

9) RESEARCH FEE

Currently, research requested by private citizens is charged at an hourly rate of \$83.00/hr. Since the cost of the department is **\$93.71/hr**, all hourly fees should be changed to reflect this cost.

10) APPEALS

Currently all appeals are charged a fixed fee of **\$199**. Although staff time could be extensive and require additional legal consultation, I would not recommend a change because of the nature of this request. If however, full cost recovery is desirable, a fee of \$468 would be appropriate to cover the cost of review, agenda preparation and processing (approximately 5 hours).

Included in the above-recommended fees would be all administrative processing, noticing, and plan storage charges (microfiche).

Exhibit "B"

**SAN ANSELMO PLANNING DEPARTMENT
FEE SCHEDULE**

ITEM	(ESTIMATED FULL COST RECOVERY)	PROPOSED FEE
1. Use Permits		
Design Reviews		
General Plan Amendments		
Zoning Amendments		
Tentative Maps		
Annexations		
Variances	(\$1500*)	\$ 840*
2. Administrative Design Reviews		
Administrative Variances	(\$ 750)	\$ 300
3. Administrative Sign Reviews		
Temporary Outdoor Displays	(\$ 140)	\$ 100
4. Certificates of Compliance	(\$ 468)	\$ 500
5. Environmental Reviews**		
Negative Declarations	(\$1405***)	\$800***
Environmental Impact Reports		consultant cost plus 20%
6. Peer Reviews		consultant cost plus 20%
6. Lot Line Adjustment	(\$ 573)	\$ 600
7. Appeals	(\$ 199)	\$ 210
8. Hourly Fee	(\$ 93.71/hr)	\$ 94/hr

* Includes the first 8 hours of direct planner time. Projects exceeding 8 hrs planning time will be required to submit deposits in \$500 increments to cover additional planner time at the current hourly research rate.

** Fees charged by outside agencies for review and processing of environmental documents will be charged to the applicant in addition to the fees herein (County filing fees, State fish & Game review fee, etc.).

*** Includes the first 10 hours of planner time. Projects exceeding 10 hours planning time will be required to submit deposits in \$500 increments to cover additional planner time at the current hourly research rate.

General Conditions:

1. The above fees include Town costs of processing, notice, legal review, and advertising. Projects requiring technical consultant input or legal analyses/opinions shall be charged the actual cost of such services in addition to the above fees.
2. When multiple applications are submitted for the same project (e.g., Use Permit and Variance), the application fee shall be the sum of the most costly fee plus 50% of each of the other application fees.
3. Fee reductions/waivers may be requested and considered for the creation of **affordable housing**. Such requests shall be considered by the **Town Council** on a case by case determination of public benefit consistent with needs identified in the Housing Element of the San Anselmo General Plan.

TOWN OF SAN ANSELMO
RESOLUTION NO. 3673

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF SAN ANSELMO ESTABLISHING THE TOWN'S COMMITMENT TO PRESERVING THE HEALTH, SAFETY, AND WELFARE OF THE INHABITANTS OF THE TOWN BY ENCOURAGING THE NOTIFICATION OF ALL ADJACENT NEIGHBORS OF THE OUTDOOR USE OF PESTICIDES ON PRIVATE PROPERTY AND THE ESTABLISHMENT OF A PESTICIDE SENSITIVE REGISTRATION PROGRAM FOR TOWN RESIDENTS

WHEREAS, the Town Council has heard testimony from Town Staff, concerned citizens, and pesticide education groups regarding the dangers of pesticides.

WHEREAS, a number of residents and children have a sensitivity to chemicals and pesticides.

NOW, THEREFORE, BE IT RESOLVED that to facilitate and enhance the protection of the public's health, safety, and welfare, the Town shall:

- Encourage residents that prior to airborne applications of any pesticide, private property owners give at least twenty-four hours verbal or written notice to all adjoining neighbors. The most immediate benefit of adjoining property notification is that it provides a warning to afford people the opportunity to take simple precautions to minimize their exposure.
- Conduct a public information campaign using local newspapers, the Town website, Town radio station, and Recreation brochure to encourage the good neighbor policy of informing neighbors before using airborne pesticides.
- Establish a program for the registration of all pesticide sensitive residents for the purpose of informing all commercial applicators of the name, address, and telephone number of these pesticide sensitive residents during the business license application process and to encourage commercial applicators and private property owners to contact the Town for an updated list of registered pesticide sensitive residents before making any application of airborne pesticides within the boundaries of the Town.

- Request all commercial applicators and private property owners to be aware of our registered pesticide sensitive residents and to make every possible effort to notify these residents within a four hour time frame and twenty-four hours in advance, before an application of airborne pesticides is made to an adjoining property owner.

PASSED AND ADOPTED by the San Anselmo Town Council at a regularly scheduled meeting on January 13, 2004 by the following vote.

AYES: Breen, Chignell, Kilkus, Kroot, Thornton

NOES: (none)

ABSTAIN: (none)

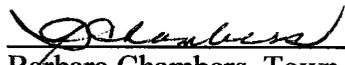
ABSENT: (none)

APPROVED



Paul Chignell, Mayor

ATTEST:



Barbara Chambers, Town Clerk

RESOLUTION NO. _____

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF SAN ANSELMO
APPROVING THE USE OF FUNDS DISTRIBUTED PURSUANT TO CALIFORNIA
GOVERNMENT CODE SECTION 30061 ET AL.

WHEREAS, Assembly Bill 3229 provided for the Citizens Option for Public Safety (COPS) funds to local law enforcement agencies; and

WHEREAS, the Governor signed Senate Bill 736, that extends the COPS program indefinitely and provides local government law enforcement jurisdictions with annual baseline funding in the amount of \$100,000, for frontline law enforcement personnel and other related equipment, and

WHEREAS the Chief of Police has prepared a recommendation on the use of the COPS funds, pursuant to the requirement of AB 3229; and

WHEREAS, the recommendation is that the funds be used to continue to employ a full time Police Traffic Officer, Police Dispatcher, provide partial funding of the Lead Dispatcher position, and to provide support to the department's records management system.

NOW THEREFORE, BE IT HEREBY RESOLVED that the San Anselmo Town Council approves the recommendation of the Police Chief to appropriate the COPS funds as stated above.

I hereby certify that the foregoing resolution was approved by the San Anselmo Town Council on the 13th day of January 2004, by the following vote, to wit:

AYES: Breen, Chignell, Kilkus, Kroot, Thornton

NOES: (none)

ABSENT: (none)



PAUL CHIGNELL
Mayor



BARBARA CHAMBERS
Town Clerk

TOWN OF SAN ANSELMO

TOWN COUNCIL RESOLUTION NO. 3671

RESOLUTION OF THE SAN ANSELMO TOWN COUNCIL REAFFIRMING ACCOUNTS WITH BANK OF AMERICA AND WELLS FARGO BANK AND DESIGNATING TOWN OFFICERS AS AUTHORIZED SIGNERS

WHEREAS, Town Council authorization is required for entry into agreements with financial institutions; and

WHEREAS, the Town of San Anselmo utilizes banking services at Bank of America and Wells Fargo Bank; and

WHEREAS, the Town Officers whose titles are listed below are authorized to establish accounts for the Town and are designated as authorized signers on the accounts:

Town Administrator
Finance & Administrative Services Director
Police Chief
Town Treasurer

NOW THEREFORE BE IT RESOLVED, that the San Anselmo Town Council does hereby authorize the Town Officers listed above to execute banking transactions with Wells Fargo Bank and Bank of America.

PASSED AND ADOPTED by the San Anselmo Town Council at a regularly scheduled meeting on December 9, 2003 by the following vote:

AYES: Breen, Chignell, Kilkus, Kroot, Thornton

NOES: (none)

ABSENT: (none)



Paul Chignell, Mayor

ATTEST:



Barbara Chambers, Town Clerk

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF SAN ANSELMO
AMENDING FINES FOR CERTAIN MUNICIPAL CODE PARKING VIOLATIONS
AND ADJUSTING CERTAIN POLICE SERVICES FEES.

WHEREAS, Resolution 3165 adopted November 1, 1991 was amended to increase parking fines for certain parking violations; and

WHEREAS, the majority of these fines have been in place since that time without further increase, and the fees for certain police services have been in place for a like amount of time, and

WHEREAS, these fines and fees for service are below those fines and fees currently in place in other local communities and are insufficient to cover the costs of providing these services; and

WHEREAS, the Town of San Anselmo, not unlike other municipalities sees the need to adjust these fines and fees to keep pace with the cost of the delivery of essential police services.

NOW THEREFORE, BE IT HEREBY RESOLVED that the San Anselmo Town Council hereby amends the fine and fee schedule as follows to become effective January 1, 2004 and is to be reviewed before the Town Council in January of even numbered years commencing with the year 2006;

Service Provided	Fee for Service - From	Fee for Service - To
Merchant Parking Permits	\$10 Annually	\$25 Annually
Overnight Parking Permits	\$25 Annually	\$50 Annually
Vehicle Impound Release	\$35	\$100
Clearance/Citizen Letter	\$10	\$20

Parking Violation	Fine - From	Fine - To
Overnight Parking	\$8	\$16
Overtime Parking	\$17	\$25
Loading Zone	\$20	\$25
Improperly Parked	\$15	\$20
12-Foot Clearance	\$25	\$50

I hereby certify that the foregoing resolution was duly passed and adopted by the San Anselmo Town Council on the 9th day of December, 2003, by the following vote, to wit:

AYES: Breen, Chignell, Kilkus, Kroot, Thornton

NOES: (none)

ABSENT: (none)



PAUL CHIGNELL
Mayor



BARBARA CHAMBERS
Town Clerk

TOWN OF SAN ANSELMO

TOWN COUNCIL RESOLUTION NO. 3669

A RESOLUTION OF THE SAN ANSELMO TOWN COUNCIL REAFFIRMING INVESTMENT OF MONIES IN THE LOCAL AGENCY INVESTMENT FUND AND DESIGNATING TOWN OFFICERS AS AUTHORIZED SIGNERS

WHEREAS, pursuant to Chapter 730 of the statutes of 1976 Section 16429.1 was added to the California Government Code to create a Local Agency Investment Fund in the State Treasury for the deposit of money of a local agency for purposes of investment by the State Treasurer; and

WHEREAS, the San Anselmo Town Council does hereby find that the deposit and withdrawal of money in the Local Agency Investment Fund in accordance with the provisions of Section 16429.1 of the government for the purpose of investment as stated therein is in the best interests of the Town of San Anselmo;

NOW THEREFORE BE IT RESOLVED, that the San Anselmo Town Council does hereby authorize the deposit and withdrawal of the Town of San Anselmo monies in the Local Agency Investment Fund in the State Treasury in accordance with the provisions of Section 16429.1 of the Government Code for the purpose of investment as stated therein, and verification by the State Treasurer's Office of all banking information provided in that regard.

BE IT FURTHER RESOLVED, that the following Town of San Anselmo officers or their successors in office shall be authorized to order the deposit or withdrawal of monies in the Local Agency Investment Fund:

Debra Stutsman Town Administrator

Debra Stutsman

Janet Pendoley Fin & Admin Services Director

Janet Pendoley

Charles Maynard Police Chief

Charles Maynard

Roberta Robinson Town Treasurer

Roberta Robinson

PASSED AND ADOPTED by the San Anselmo Town Council at a regularly scheduled meeting on December 9, 2003 by the following vote:

AYES: Breen, Chignell, Kilkus, Kroot, Thornton

NOES: (none)

ABSENT: (none)

Paul Chignell
Paul Chignell, Mayor

ATTEST:

Barbara Chambers
Barbara Chambers, Town Clerk

**A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF SAN
ANSELMO IN THE MATTER OF THE MARIN JOINT SERVICES
AUTHORITY OVERSIGHT COMMITTEE REPORT ON THE**

**GENERAL SERVICES JOINT POWERS AGENCY
AND THE
ROLE OF THE JOINT SERVICES AUTHORITY OVERSIGHT COMMITTEE**

WHEREAS, the Town Council has been a participant in the Marin Joint Services Authority Oversight Committee and its efforts to implement the 2000 Final Report of the Joint Services Committee; and

WHEREAS, the Joint Services Authority Oversight Committee has issued its July 2003 "Report on General Services Joint Powers Agency and the role of the Joint Services Authority Oversight Committee; and

WHEREAS, the Town Council has received and considered the Oversight Committee's recommendations;

THEREFORE, be it resolved that the Town Council hereby agrees that:

1. No further efforts shall be made to consolidate current joint powers agencies at this time and with the exception of the Streetlight JPA, existing agencies will remain unchanged.
2. The Board of Directors of the Streetlight Acquisition Joint Powers Authority is hereby requested to restructure itself into a "general services joint powers authority," with its current duties, and the ability to assume new duties should that be mandated and/or is cost justified.
3. The Joint Services authority Oversight Committee continue to meet, as needed, to review the operations of the various JPA's, encourage the establishment of "the standard practices" recommended by the Joint Services Committee, and provide a public forum to discuss policy issues affecting regional programs, and to encourage public understanding and participation in the operation of the various JPA's.

PASSED AND ADOPTED this 25th day of November, 2003 by the following vote:

AYES: Chignell, Kilkus, Kroot and Thornton

NOES: (None)

ABSTAIN: (None)

ABSENT: Breen


Barbara Chambers, Town Clerk


Paul Chignell, Mayor

RESOLUTION NO. 3667

**A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF
SAN ANSELMO ENDORSING POLICIES TO ENCOURAGE INVESTMENT IN
LOCAL TELECOMMUNICATIONS SERVICES IN CALIFORNIA,
INVESTMENT IN LOCAL COMMUNITIES AND INCREASED EMPLOYMENT
OPPORTUNITIES.**

WHEREAS, the Telecommunications Act of 1996 was designed to open all telecommunications markets to increased competition;

WHEREAS, the Federal Communications Commission and the California Public Utilities Commission (CPUC) have successfully opened telecommunications markets and created competition in California;

WHEREAS, multiple telecommunications companies now offer local and long distance service in California;

WHEREAS, the availability of advanced telecommunications services is important to City residents, businesses and communities;

WHEREAS, the availability of telecommunications services is dependent on maintaining the current telecommunications network infrastructure and future investments in network facilities and infrastructure;

WHEREAS, the development of and investment in network infrastructure promotes economic growth and employment opportunities for Town residents;

WHEREAS, telecommunications companies offering service in California have pledged to make investments in infrastructure and local communities;

WHEREAS, the benefits of competition and new investment in telecommunications infrastructure should be extended to all Californians;

NOW, THEREFORE, BE IT RESOLVED by the Council of the Town of San Anselmo as follows:

1. Policymakers should require each telecommunications company offering local service in California to bring the benefits of competition to low-income consumers.
2. Policymakers should require each telecommunications company offering local service in California annually to report to the CPUC each city, municipality, and county

where the company has local service customers and the number of such customers in each locale.

3. Policymakers should require each telecommunications company offering local service in California to certify annually to the CPUC and to each city or municipality where it provides service, (a) its current capital investment in the State and its additional, yearly incremental investment, by city, and (b) the number of its union and non-union employees in the State and in each city or municipality where it provides service.

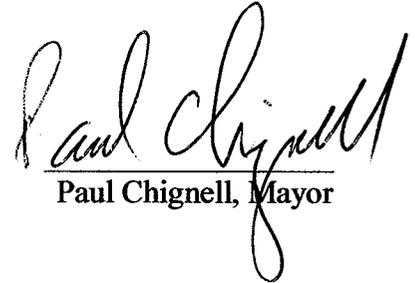
ADOPTED this 25th day of November, 2003, by the following vote:

AYES: Chignell, Kilkus, Kroot, Thornton

NOES: (None)

ABSTAIN: (None)

ABSENT: Breen



Paul Chignell, Mayor



Barbara Chambers, Town Clerk

RESOLUTION

**2002 RESOURCES BOND ACT
ROBERTI-Z'BERG-HARRIS BLOCK GRANT PROGRAM**

Resolution No: 3666

RESOLUTION OF THE
Town Council of the Town of San Anselmo

(Title of Governing Body, City Council, Board of Supervisors)

**APPROVING THE APPLICANT TO APPLY FOR GRANT FUNDS FOR THE
ROBERTI-Z'BERG-HARRIS BLOCK GRANT PROGRAM UNDER THE CALIFORNIA
CLEAN WATER, CLEAN AIR, SAFE NEIGHBORHOOD PARKS, AND COASTAL
PROTECTION ACT OF 2002**

WHEREAS, the people of the State of California have enacted the CALIFORNIA CLEAN WATER, CLEAN AIR, SAFE NEIGHBORHOOD PARKS AND COASTAL PROTECTION ACT OF 2002 which provides funds for the Roberti-Z'Berg-Harris Block Grant Program for grants to eligible Applicants, and

WHEREAS, the California Department of Parks and Recreation has been delegated the responsibility for the administration of the program within the State, setting up necessary procedures, and

WHEREAS, said procedures established by the California Department of Parks and Recreation require the Applicant's Governing Body to certify by resolution the approval of the Applicant to apply for the Roberti-Z'Berg-Harris allocation; and

WHEREAS, the Applicant will enter into a Contract with the State of California for the Project;

NOW, THEREFORE, BE IT RESOLVED that the Town Council hereby:
(Applicant's Governing Body)

1. Approves the filing of an Application for local assistance funds from the Roberti-Z'Berg-Harris Block Grant Program under the California Clean Water, Clean Air, Safe Neighborhood Parks and Coastal Protection Act of 2002; and
2. Certifies that the Applicant has or will have sufficient funds to operate and maintain the Project(s); and
3. Certifies that the Applicant has reviewed, understands, and agrees to the General Provisions contained in the Contract shown in the Procedural Guide; and

4. Certifies that the Project conforms to the recreation element of any applicable city or county general plan; and
5. Appoints the (designated position) Parks Director as agent to conduct all negotiations, execute and submit all documents including, but not limited to, Applications, agreements, payment requests and so on, which may be necessary for the completion of the Project.

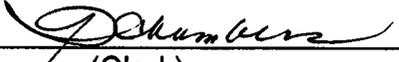
Approved and Adopted on the 25th day of November, 2003

I, the undersigned, hereby certify that the foregoing Resolution Number 3666 was duly adopted by the Town Council following a roll call vote: (Applicant's Governing Body)

Ayes : Chignell, Kilkus, Kroot and Thornton

Noes : (None)

Absent : Breen



(Clerk)
Barbara Chambers

RESOLUTION
2002 Resources Bond Act

PER CAPITA GRANT PROGRAM
Resolution No: 3665

RESOLUTION OF THE Town Council of the Town of San Anselmo
(Title of Governing Body)

**APPROVING THE APPLICANT TO APPLY FOR GRANT FUNDS FOR THE PER
CAPITA GRANT PROGRAM UNDER THE CALIFORNIA CLEAN WATER, CLEAN
AIR, SAFE NEIGHBORHOOD PARKS, AND COASTAL PROTECTION ACT OF 2002**

WHEREAS, the people of the State of California have enacted the Per Capita Grant Program which provides funds for the acquisition and development of neighborhood, community, and regional parks and recreation lands and facilities; and

WHEREAS, the California Department of Parks and Recreation has been delegated the responsibility for the administration of the grant program, setting up necessary procedures; and

WHEREAS, said procedures established by the California Department of Parks and Recreation require the Applicant's Governing Body to certify by resolution the approval of the Applicant to apply for the Per Capita Allocation, and

WHEREAS, the Applicant will enter into a Contract with the State of California;

NOW, THEREFORE, BE IT RESOLVED that the Town Council hereby:
(Applicant's Governing Body)

1. Approves the filing of an Application for local assistance funds from the Per Capita Grant Program under the California Clean Water, Clean Air, Safe Neighborhood Parks, and Coastal Protection Act of 2002; and
2. Certifies that the Applicant has or will have sufficient funds to operate and maintain the Project(s); and
3. Certifies that the Applicant has reviewed, understands and agrees to the General Provisions contained in the Contract shown in the Procedural Guide; and
4. Appoints the (designated position) Parks Director as agent to conduct all negotiations, execute and submit all documents including, but not limited to Applications, agreements, payment requests and so on, which may be necessary for the completion of Project(s).

Approved and Adopted on the 25th day of November, 2003.

I, the undersigned, hereby certify that the foregoing Resolution was duly adopted by
Town Council following a roll call vote:
(Applicant's Governing Body)

Ayes: Chignell, Kilkus, Kroot and Thornton

Noes: (None)

Absent : Breen



(Clerk)
Barbara Chambers

**RESOLUTION
2002 RESOURCES BOND ACT**

YOUTH SOCCER AND RECREATION DEVELOPMENT PROGRAM

Resolution No: 3664

RESOLUTION OF THE

Town Council of the Town of San Anselmo
(Title of Governing Body)

**APPROVING THE APPLICATION FOR GRANT FUNDS FOR THE YOUTH SOCCER
AND RECREATION DEVELOPMENT PROGRAM UNDER THE CALIFORNIA CLEAN
WATER, CLEAN AIR, SAFE NEIGHBORHOOD PARKS, AND COASTAL
PROTECTION ACT OF 2002**

For Red Hill Community Park

(Project)

WHEREAS, the people of the State of California have enacted the CALIFORNIA CLEAN WATER, CLEAN AIR, SAFE NEIGHBORHOOD PARKS, AND COASTAL PROTECTION ACT OF 2002, which provides funds to the State of California for grants to eligible Applicants; and

WHEREAS, the California Department of Parks and Recreation has been delegated the responsibility for the administration of the Youth Soccer and Recreation Development Program and the grant Project shown above within the State, setting up necessary procedures, and

WHEREAS, said procedures established by the California Department of Parks and Recreation require the Applicant's Governing Body to certify by resolution the approval of the Application before submission of said Application to the State, and

WHEREAS, the Applicant will enter into a Contract with the State of California for the Project;

NOW, THEREFORE, BE IT RESOLVED that the Town Council hereby:
(Applicant's Governing Body)

1. Approves the filing of an Application for local assistance funds from the Youth Soccer and Recreation Development Program under the California Clean Water, Clean Air, Safe Neighborhood Parks and Coastal Protection Act of 2002; and
2. Certifies that the Applicant has or will have sufficient funds to operate and maintain the Project; and

3. Certifies that the Applicant has reviewed, understands, and agrees to the General Provisions contained in the Contract shown in the Procedural Guide; and
4. Certifies that the Grantee has or will have available, prior to commencement of any work on the Project, the Match;
5. Certifies that the Project conforms to the recreation element of any applicable city or county general plan; and
6. Appoints the (designated position) Parks Director as agent to conduct all negotiations, execute and submit all documents including, but not limited to, Applications, agreements, payment requests and so on, which may be necessary for the completion of the Project.

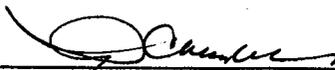
Approved and Adopted on the 25 day of November, 2003

I, the undersigned, hereby certify that the foregoing Resolution Number _____ was duly adopted by Town Council following a roll call vote: _____
(Applicant's Governing Body)

Ayes: Chignell, Kilkus, Kroot, Thornton

Noes: (None)

Absent: Breen



 (Clerk)
 Barbara Chambers

**TOWN OF SAN ANSELMO
RESOLUTION NO. 3663**

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF SAN ANSELMO DECLARING THE CANVASS OF RETURNS AND RESULTS OF THE CONSOLIDATED GENERAL DISTRICT AND SCHOOL ELECTION HELD ON NOVEMBER 4, 2003.

WHEREAS, a Consolidated General District and School Election was held on November 4, 2003; and

WHEREAS, notice of said election was duly and legally given as required by law, and voting precincts properly established; that election officials were duly appointed and served, and election supplies furnished and that in all respects said election was held and conducted and the votes thereat received and canvassed by the Election Code of the State of California governing elections in General Law Cities; and

WHEREAS, the San Anselmo Town Council met on Tuesday, November 25, 2003 to canvass the returns of said election.

NOW, THEREFORE, BE IT HEREBY RESOLVED that the San Anselmo Town Council finds that the number of votes cast and other matters required by law to be as stated in the attached Certificate of Canvass of Vote by Michael J. Smith, County Clerk/Registrar of Voters.

I hereby certify that the foregoing resolution was duly passed and adopted by the Town Council of the Town of San Anselmo at a regular meeting held on the 25th day of November, 2003, by the following vote:

AYES: Chignell, Kilkus, Kroot, Thornton
NOES: (None)
ABSTAIN: (None)
ABSENT: Breen

ATTEST:



Barbara Chambers, Town Clerk

TOWN OF SAN ANSELMO

RESOLUTION NO. 3662

**A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF
SAN ANSELMO ESTABLISHING PARKS RULES AND REGULATIONS FOR
ALL PARKS, OPEN SPACE PARKS, AND OPEN AREAS**

WHEREAS, the Town Council has heard testimony from Town Staff, residents, and other community members regarding the establishment of new Parks Rules and Regulations; and

WHEREAS, the San Anselmo Parks and Recreation Commission and the San Anselmo Open Space Committee have reviewed and approved the new Parks Rules and Regulations; and

WHEREAS, the Town Council is committed to maintaining and fostering Parks that are safe and enjoyable for all users; and

WHEREAS, The Town Council finds that it is in the best interest of the community to adopt the Park Rules and Regulations as stated in attachments A and B.

NOW, THEREFORE, BE IT RESOLVED by the Town Council of the Town of San Anselmo that to facilitate and enhance the protection of the public's health, safety and welfare, the Town shall immediately adopt the Park Rules and Regulations as stated in attachments A and B.

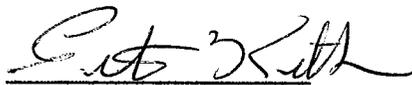
AYES: Breen, Chignell, Kilkus, Kroot and Thornton

NOES: (None)

ABSTAIN: (None)

ABSENT: (None)

APPROVED


Peter Kilkus, Mayor

ATTEST:


Debra Stutsman, Town Clerk

Date: 10/20/03

(Attachment A)

Rules and Regulations for all Parks

- No person may be in the park between ½ hour after sunset and ½ hour before sunrise.
- No commercial use
- No amplified sounds
- No motorized vehicles
- No vandalism
- No riding of horses or other animals in the park.
- No littering or dumping of offsite debris.
- No person may drink beer, wine, or alcoholic beverages or have in their possession any receptacle containing any alcoholic beverage.
- Where permitted, dogs and other domestic animals must be fastened to a chain or leash no more than six feet in length and must be under the direct and immediate control of a responsible person.
- A dog's owner/keeper must clean up their dog's waste.
- Violation is a misdemeanor, SAMC 4-6.06: 11-1.02

Additional rules for Open Space Parks

- Dogs are to be controlled by owners/keepers at all times and are not allowed to enter signed environmentally sensitive or restricted areas or chase other dogs or wildlife.
- Professional dog walkers must obtain a permit from the Recreation Department before using Town Park property. No more than 3 dogs at a time are allowed off leash on Town Park property.
- No smoking of tobacco or other substances is allowed within the boundaries of this park at any time.
- No person shall operate any bicycle or similar vehicle on Town Park property except upon paved roads, fire protection roads, designated bicycle pathways or public roads not signed against such use. Furthermore, no person shall operate or possess any bicycle or similar vehicle elsewhere on Town Park property, including trails, unless signed specifically to permit such operation.

Additional rules for Urban Parks

- No group of twenty five or more persons may use the park without written permission from and payment of fee to the Recreation Department, 1000 Sir Francis Drake Blvd. 258-4640
- No golf or motorized airplanes

Dog use regulations for each separate Park

Memorial Park:

- Dogs must be fastened to and restrained by a chain or leash no more than six feet in length in all areas of the Park between 8:00 a.m. and one hour before sunset. Hours of Park use still apply.
- Dogs may not be on turf areas during organized sports or group activities.
- Dogs are to be controlled by owners/keepers at all times so as to allow the safe use and enjoyment of others in the park.
- Do not tie dogs to fences, trees, or other objects
- Dogs may not enter the fenced children's playground area.
- A dog owner, keeper, or guardian must clean up their dog's waste.

Robson-Harrington Park:

- Dogs must be on leash at all times in the area being used by organized children's programs.
- Dogs are to be controlled by owners/keepers at all times so as to allow the safe use and enjoyment of others in the Park.
- Dogs may not interfere with informal recreation activities.
- A dog's owner/keeper must clean up their dog's waste.

Creek Park:

- Dogs must be leashed at all times.
- A dog's owner/keeper must clean up their dog's waste.

Millennium Playground Rules and Regulations

- For your playground enjoyment please obey the following safety rules, failure to do so may cause injury to your self or to others.
- No person may be in the Park or playground between ½ hour after sunset and ½ hour before sunrise.
- Dogs are not allowed in the fenced playground areas.
- Do not tie dogs to fences, trees, posts or other objects.
- Dogs must be leashed between 8:00 a.m. and one hour before sunset in the park.

- This is a smoke free zone. Smoking or disposal of tobacco products is not allowed in the playground or within 25 feet of the fenced playground area.
- No bicycles, skateboards, rollerblades, or scooters are allowed within the playground or on the walkway.
- All children must be supervised at all times.
- The Tot Lot is intended for children ages 2-5
- The Main Play Area is intended for children ages 6-12

Slides

- Slide feet first only.
- No crawling or walking up the slides.

Swings

- Hold on with both hands.
- Standing on swings may cause injury.
- Stop swinging before you get off.
- Never swing or twist empty seat.
- Stand clear of moving swings to avoid contact and possible injury.

Caution

- The water at the Animal fountain wall is continuously recycled and is not suitable for drinking.
- Bare feet may cause injury
- Throwing sand, gravel, or any other objects within the play area may cause injury.
- Playing on this equipment when wet may cause injury.
- The sun can cause slides and other surfaces to become hot. Test surfaces before allowing children to play on equipment.
- Do not assist children onto equipment they cannot reach on their own.

Courtesy

- No pushing, running, or shoving
- No climbing on benches, fences or over handrails.
- Play safely and be courteous to others.
- Please use the waste and recycling containers provided.

All other Park rules and regulations apply.

Lansdale Station Playground Rules and Regulations

Same as the Millennium Playground.

Elders Garden Area

- No smoking or disposal of tobacco products are allowed within 25 feet of the garden area.
- No climbing is allowed on the water fountain feature and park structures.

Fires

No person shall build, light or maintain a fire of any nature on Town Park property, except in permanent fixed barbecues, camp stoves, or fireplaces established by the Town. The use of portable barbecues and camp stoves is prohibited except in designated areas. Barbecues and stoves shall be operated at all times in a manner which does not endanger facilities. In addition, hot coals must be disposed of in a designated manner.

Fireworks

No person shall possess, bring onto, set off or otherwise cause to explode on Town Park property any firecrackers, skyrockets or other fireworks or explosives, unless authorized by a law enforcement officer.

Smoking

Smoking is permitted in designated areas only.

Firearms, Traps and Other Weapons

No person shall possess, use, carry, discharge, or cause to be discharged any gun, firearm or weapon while on Town Park property, including air or gas weapon, spring gun, spear, bow and arrow, crossbow, sling shot, animal trap, knife with blade over 5 inches long, explosive or any other form of weapon potentially dangerous to wildlife or human safety, unless authorized by law. No person shall discharge or cause to be discharged any firearm or weapon onto or across Town Park property from outside the boundary of such property, unless authorized by law.

New Rules and Regulations for Consideration from
Marin County Parks and Open Space Regulations
(Attachment B)

Parking and vehicle Removal

No person shall park, leave, abandon, possess or otherwise store any vehicle on Town park property, except in locations designated for such use. No person shall park any vehicle on Town Park property during periods when parking areas are closed nor in the following locations:

- a) Within the traveled portion of any road;
- b) On any service road or trail;
- c) In front of any gate;
- d) On any undisturbed or natural hillside;
- e) In areas designated for disabled or handicapped persons without appropriate authorization;
- f) In more than one parking space per vehicle;
- g) Within posted "no parking" areas;
- h) in any manner obstructing the free flow of traffic.

Except in designated overnight parking areas, no person shall park any vehicle for more than 24 consecutive hours. Any enforcement officer mentioned in California Vehicle Code section 22651 is authorized to remove any vehicle parked in violation of this section.

California Vehicle Code. Except as otherwise provided in these regulations, the provisions of the California Vehicle Code shall be applicable to the operation of vehicles on Town Park property.

Dogs and Other Animals. Dogs and other domestic animals are allowed on Town Park property, except in areas designated otherwise. Where permitted, dogs and other domestic animals must be fastened to and restrained by a chain or leash not exceeding six feet in length and must be under the direct and immediate control of a responsible person. Where dogs are allowed off-leash, a dog's owner/keeper must be able to show verbal command by demonstrating a call back upon request by Staff.

No person shall do any of the following on Town Park property:

- a) allow any dog or other domestic animal to enter signed environmentally sensitive or restricted areas;
- b) allow any dog or other domestic animal to interfere with, bother or disturb others using Town Park property;
- c) allow any dog or other domestic animal to hunt, pursue or harass other animals or wildlife;
- d) bring or keep a noisy, vicious or dangerous dog or other animal
- e) tie or hitch any dog or domestic animal to a tree or plant;
- f) bring or keep a dog 4 months of age or more without proof that the dog has a valid rabies inoculation or a valid license;

- g) leave a dog or other animal in an unattended vehicle without adequate ventilation, or in such manner as to subject the animal to extreme temperatures which adversely affect the animals health or welfare;
- h) fail to promptly remove from Town Park property any dog or other domestic animal after being ordered by department personnel to do so.

Dogs and other animals, other than dogs and animals which assist disabled or handicapped persons, are not permitted in Town buildings.

Horses and Saddle Animals. Horses and saddle animals are not permitted on Town Park property, except in areas designated otherwise. When permitted, horses and saddle animals must remain on trails, service roads and other areas not signed against such use. No person shall do any of the following on lands managed by the department:

- a) ride, drive, lead or keep any horse or saddle animal at such speed or in such manner which may endanger the safety of others, other animals or the protection of environmental resources.
- b) Allow any horse or saddle animal to stand unattended or insecurely tied;
- c) Tie or hitch any horse or saddle animal to a tree or plant.

Animals at Large. No person shall do any of the following on Town property:

- a) Permit any cattle, sheep, goat, horse, dog, cat or other animal to graze or run at large;
 - b) Abandon a dog, cat, fish, fowl or other animal on Town property.
- Any domestic animal found at large on Town property may be turned over to the County pound keeper for disposition as outlined in the Marin County Code.

RESOLUTION NO. 3661

**A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF SAN ANSELMO
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	\$6,704 **
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 no 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).

AYES: Breen, Chignell, Kilkus, Kroot and Thornton

NOES: (None)

ABSENT: (None)

ABSTAIN: (None)


Peter Kilkus, Mayor

Date: 10/28/03

ATTEST:


Debra Stutsman, Town Clerk

RESOLUTION NO. 3660

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF SAN ANSELMO
APPROVING THE USE OF FUNDS DISTRIBUTED PURSUANT TO CALIFORNIA
GOVERNMENT CODE SECTION 30061 ET AL.

WHEREAS, Assembly Bill 3229 provided for the Citizens Option for Public Safety (COPS) funds to local law enforcement agencies; and

WHEREAS, the Governor signed Senate Bill 736, that extends the COPS program indefinitely and provides local government law enforcement jurisdictions with annual baseline funding in the amount of \$100,000, for frontline law enforcement personnel and other related equipment, and

WHEREAS the Chief of Police has prepared a recommendation on the use of the COPS funds, pursuant to the requirement of AB 3229; and

WHEREAS, the recommendation is that the funds be used to continue to employ a full time Police Traffic Officer, Police Dispatcher, provide partial funding of the Lead Dispatcher position, and to provide support to the department's records management system.

NOW THEREFORE, BE IT HEREBY RESOLVED that the San Anselmo Town Council approves the recommendation of the Police Chief to appropriate the COPS funds as stated above.

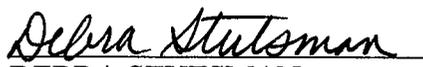
I hereby certify that the foregoing resolution was approved by the San Anselmo Town Council on the 14th day of October 2003, by the following vote, to wit:

AYES: Breen, Chignell, Kroot, Kilkus, Thornton

NOES: (none)

ABSENT: (none)


PETER KILKUS
Mayor


DEBRA STUTSMAN
Town Clerk

**SAN ANSELMO POLICE DEPARTMENT
STAFF REPORT**

For the Meeting of October 14, 2003

To: San Anselmo Town Council

From: Charles L. Maynard, Chief of Police

Subject: Use of COPS Funds

Date: October 1, 2003

RECOMMENDATION

That Council approve the attached resolution authorizing the use of Citizens Option for Public Safety (COPS) funds for maintaining the Police Traffic Officer and Police Dispatcher positions currently funded under the COPS Program. Additionally, the COPS program provides partial funding for the Lead Police Dispatcher position.

BACKGROUND

In May 1998 a request was made to Council to increase the Police Department staff by two (2) sworn positions. Department staff demonstrated the need and justification for these two positions and Council acknowledged that need. At that time Council authorized the addition of one (1) sworn police officer and cited fiscal constraints for the denial of the second position. Since that time the State of California has substantially increased the amount of funding to the COPS program. This increase in funding has since allowed and will continue to allow for the continuation of the enhanced traffic program including the additional Traffic Officer originally hired with COPS funds.

In past years the State of California has provided (COPS) funds to be available to local law enforcement agencies to be used for first line law enforcement. Funds from this program can be used to fund both sworn and non-sworn positions, purchase and maintain equipment and fund technology programs as long as these expenditures can be shown to assist front line law enforcement. The Town of San Anselmo has been the recipient of these funds for the past several years, and will be receiving funds for FY 2003-04 in the amount of \$100,000.

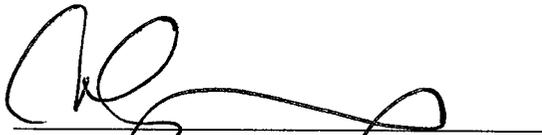
In FY 2001-02 the department received \$100,000 in COPS funding. These funds were earmarked for an additional Police Traffic Officer position. Funds rolling over from the previous year continue to fund a dispatch position as well as partial funding for the Lead Dispatcher position. As explained in a previous staff reports, any funding shortfall in the funding of the Traffic Officer's position will be more than made up through the increase in revenue to the Town generated by this very same position.

**SAN ANSELMO POLICE DEPARTMENT
STAFF REPORT**

Senate Bill 736, authored by Senator Charles Poochigian was signed into law making COPS funding a permanent part of the State budget. The Governor signed this legislation to ensure that additional law enforcement employees hired with COPS funds continue to be employed by local police departments. This legislation lifted the sunset clause on the COPS Program and will ensure funding in future years by making this program a permanent part of the State budget.

CONCLUSION

Continuation of the funding of the Police Traffic Officer, Police Dispatcher and the Lead Dispatcher positions will allow the department to continue its comprehensive traffic safety and enforcement programs and to better serve the residents and visitors of our community. These programs will be funded through a combination of COPS funding and increased traffic fine revenue.



CHARLES L. MAYNARD
Chief of Police

**TOWN OF SAN ANSELMO
STAFF REPORT**

LEGAL REVIEW

Town Council meeting date:	October 7, 2003
Subject of Staff Report:	COPS resolution
Prepared by:	Debra Stutsman
Phone:	258-4652
Fax:	459-2477
Date sent:	10/7/03

Reviewed by Town Attorney: <i>Hadden Roth</i>
Date: <i>10.8.03</i>

**TOWN OF SAN ANSELMO
RESOLUTION NO. 3659**

**AUTHORIZING THE MAYOR TO EXECUTE A QUITCLAIM DEED
IN FAVOR OF FERIE B. AND FERN R. DARLING**

WHEREAS, on July 5, 1957 the Town Tax Collector, Donald T. Wood, executed a deed in favor of "the City of San Anselmo" for delinquent taxes on a parcel of land within the boundaries of San Anselmo; and

WHEREAS, current tax and title records appear to substantiate the fact the delinquent taxes were paid, and that no legal Town interest exists in the subject property; and

WHEREAS, no document has ever been recorded to reverse the deed to the Town in 1957, and such a document has recently be requested by the representatives of the owners and by First American Title Company.

NOW, THEREFORE, BE IT RESOLVED that the Town Council of the Town of San Anselmo does hereby authorize a Quitclaim Deed in favor of the record owners, being the same owners as in 1957, Ferie B. and Fern R. Darling.

BE IT FURTHER RESOLVED that the Mayor is hereby authorized and directed to execute the Quitclaim Deed.

The foregoing resolution was adopted at a regular meeting of the San Anselmo Town Council held on the 14th day of October, 2003, by the following vote:

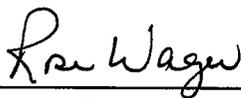
AYES: Breen, Chignell, Kilkus, Kroot, Thornton

NOES: (none)

ABSTAIN: (none)

ABSENT: (none)

ATTEST:



Rose Wager, Deputy Town Clerk

**TOWN OF SAN ANSELMO
RESOLUTION NO. 3658**

**A RESOLUTION SUPPORTING A STATEWIDE BALLOT INITIATIVE TO REQUIRE
VOTER APPROVAL BEFORE STATE GOVERNMENT MAY TAKE LOCAL TAX
FUNDS**

WHEREAS, state government annually seizes over \$800 million in city/town property tax funds (ERAF) statewide, costing cities over \$6.9 billion in lost revenues over the past 12 years and seriously reducing resources available for local public safety and other services; and

WHEREAS, in adopting the state budget this year the Legislature and Governor appropriated local vehicle license fee backfill and redevelopment property tax funds that are needed to finance critical city services such as public safety, parks, street maintenance, housing and economic development; and

WHEREAS, the deficit financing plan in the state budget depends on a local property and sales tax swap that leaves city services vulnerable if the state's economic condition fails to improve; and

WHEREAS, the adopted state budget assumes an ongoing structural budget deficit of at least \$8 billion, putting city resources and services at risk in future years to additional state revenue raids; and

WHEREAS, it is abundantly clear that state leaders will continue to use local tax funds to balance the state budget unless the voters limit the power of the Legislature and Governor to do so; and

WHEREAS, the voters of California are the best judges of whether local tax funds should be diverted, confiscated, shifted or otherwise taken to finance an ever-expanding state government; and

WHEREAS, the General Assembly of Voting Delegates of the League of California Cities at its September 10, 2003 meeting voted to sponsor a statewide ballot initiative to empower the voters to limit the ability of state government to confiscate local tax funds to fund state government; and

WHEREAS, the League has requested that cities offer support for a November 2004 ballot initiative that will allow voters to decide whether state government may appropriate local tax funds to fund state government operations and responsibilities.

NOW, THEREFORE, BE IT RESOLVED by the Town Council of the Town of San Anselmo that the Town hereby expresses its strong support for a statewide ballot initiative to

allow voters to decide whether local tax funds may be taken, confiscated, shifted, diverted or otherwise used to fund state government operations and responsibilities; and

RESOLVED FURTHER, that the Town Council and staff are authorized to provide impartial informational materials on the initiative as may be lawfully provided by the town's representatives. No public funds shall be used to campaign for or against the initiative; and

RESOLVED FURTHER, that the residents of the Town are encouraged to become well informed on the initiative and its possible impacts on the critical local services on which they rely; and

RESOLVED FURTHER, that the Town Administrator is hereby directed to send a copy to the Executive Director of the League of California Cities.

The foregoing Resolution was adopted by the Town Council of the Town of San Anselmo on September 23, 2003 by the following vote:

AYES: Breen, Chignell, Kroot, Thornton

NOES: (None)

ABSENT: Kilkus

ABSTAIN: (None)


Peter Kilkus, Mayor

ATTEST:

Debra Stutsman, Town Clerk

**TOWN OF SAN ANSELMO
RESOLUTION NO. 3657**

**A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF SAN
ANSELMO AUTHORIZING THE TOWN ADMINISTRATOR TO ENTER INTO
AN AGREEMENT WITH THE TAMALPAIS UNION HIGH SCHOOL
DISTRICT AND THE ROSS VALLEY SCHOOL DISTRICT REGARDING THE
IMPROVEMENT OF RED HILL FIELD**

WHEREAS, the Town Council of the Town of San Anselmo has the responsibility and desire to respond to the needs of the community with respect to recreation needs; and

WHEREAS, the Ross Valley School District property known as Red Hill School field is currently unmaintained and in a state of disrepair; and

WHEREAS, the Town of San Anselmo and the Tamalpais Union High School District have agreed to work together, in conjunction with a community fundraising group, to construct a much-needed playing field, dog park area, walking path, parking and restroom facilities on the Red Hill field site.

NOW, THEREFORE, BE IT HEREBY RESOLVED that the San Anselmo Town Council hereby authorizes the Town Administrator to enter into an agreement, in substantially the form presented to the Council at the September 9, 2003 meeting, with the Tamalpais Union High School District and the Ross Valley School District regarding the lease and improvement of Red Hill field. The Town will require that a traffic study of the impact of this project be done first and foremost, approved by the Town and paid for out of the raised funds for the project.

I hereby certify that the foregoing resolution was approved by the San Anselmo Town Council on the 9th day of September, by the following vote, to wit:

AYES: Breen, Chignell, Kilkus, Kroot, Thornton
NOES: (None)
ABSENT: (None)
ABSTAIN: (None)



Peter Kilkus, Mayor

ATTEST:



Town Clerk

TOWN OF SAN ANSELMO

RESOLUTION NO. 3656

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF SAN ANSELMO ESTABLISHING THE TOWN'S COMMITMENT TO AN IPM (INTEGRATED PEST MANAGEMENT) PROGRAM.

WHEREAS, the Town Council has heard testimony from Town Staff, concerned citizens, and pesticide education groups regarding the establishment of an IPM program.

WHEREAS, the Town Council, with the knowledge and understanding that we are all the stewards of this earth, the Town of San Anselmo, the entire Town Staff, and committed community individuals dedicate ourselves to providing an IPM (Integrated Pest Management) approach.

WHEREAS, the Town Council is committed to the Least Toxic IPM Policy.

WHEREAS, the Town brings this policy to the community, with the clear intent of reducing the dependence of chemical products to control pests, utilizing an Integrated Pest Management approach.

NOW, THEREFORE, BE IT RESOLVED by the Town Council of the Town of San Anselmo that to facilitate and enhance the protection of the public's health, safety, and welfare, the Town shall immediately adopt the attached commitment to IPM Program.

AYES: **Breen, Chignell, Kilkus, Kroot, Thornton**

NOES: **(None)**

ABSTAIN: **(None)**

ABSENT: **(None)**

APPROVED


Peter Kilkus, Mayor

ATTEST:


Debra Stutsman, Town Clerk

TOWN OF SAN ANSELMO'S COMMITMENT TO IPM

INTEGRATED PEST MANAGEMENT

With the knowledge and understanding that we are all the stewards of this earth, the Town of San Anselmo, the entire Town staff and committed community individuals dedicate ourselves to providing an IPM (Integrated Pest Management) approach. The Town of San Anselmo has committed to the Least Toxic IPM Policy. The Town brings this policy to the community, with the clear intent of reducing the dependence of chemical products to control pests, utilizing an Integrated Pest Management approach.

It is the policy of the Town of San Anselmo to focus on long-term pest prevention and give non-chemical methods first consideration when selecting treatment strategies. The full range of alternatives, including no action, will be considered first. If chemicals are needed to initially control a pest, first, the least toxic material will be chosen and second, non-pesticide techniques will be established to mitigate the pests, if the pest should re-occur.

COMPONENTS OF AN IPM, LEAST TOXIC PROGRAM:

- Monitoring
- Determining Injury Levels
- Timing
- Spot Treatment
- Selection of Least Disruptive Tactics
- Evaluation
- Education

DESIGNATION OF INTEGRATED PEST MANAGEMENT COORDINATOR:

The Town Council will designate the Parks Director as the Integrated Pest Management Coordinator. The IPM coordinator will be primarily responsible for implementing the IPM policy and coordinating efforts to adopt IPM techniques. The IPM coordinator will communicate goals and guidelines to the Town Council, staff, and personnel. The IPM coordinator will provide staff training, track pesticide use and ensure that related information is available to the public. The IPM coordinator, will, at the discretion of the Town Council, present an annual report to the Town Council evaluating the progress of the IPM program.

EDUCATION AND TRAINING OF IPM COORDINATOR AND PESTICIDE APPLICATORS:

Everyone who works with or is potentially exposed to hazardous materials will receive training in Integrated Pest Management, Hazard Communication Standards and the safe use of those hazardous materials in their workplace by their administrator/supervisor or designee. Whenever a new pesticide is introduced, additional training will be provided, prior to the first initial use. In addition, regular safety meetings will be used to review the information presented in the initial training.

EDUCATION AND TRAINING OF STAFF, ADMINISTRATIVE PERSONNEL:

Education and training of appointed personnel is critical to the success of the IPM program. Staff, custodial staff and pest managers, will be educated in the least toxic, IPM policies and procedures. Understanding of the objectives of the program will be updated periodically and reviewed. Education will include formal classroom training, on-site; and informal meeting for those employees responsible for providing pest control, At least once a year. Training will be verbal and in person. No pesticides may be used at Town sites, except in accordance with the Town's printed IPM policy.

EDUCATION AND TRAINING OF OUTSIDE CONTRACTORS:

Outside contractors hired by the Town of San Anselmo must demonstrate that the business and the business' employees are trained in IPM. Any contractor that does business with the Town must read and review the printed IPM policy of the Town of San Anselmo. The authorized representative of the outside business must sign off that she/he have read the conditions the Town's IPM requires and that she/he agree to follow, to the letter, the written directions and the intent of the IPM policy.

IPM APPLICATIONS / APPLICATIONS AND GUIDELINES:

Only persons specifically authorized by the IPM Coordinator as Pesticide Applicators, will be permitted to bring or use pesticides on Town property. Use of pesticides by pesticide applicators is limited to those products on the Approved Use or Limited Use Product list. Pesticide applicators must follow regulations and label precautions. Applicators will have training in IPM and must comply with the Town's "Components of an IPM, Least Toxic Program".

METHODS AND PRODUCT SELECTION AND PRODUCT USE APPROVAL

It is the policy of the Town to use least-toxic IPM principles to manage pest populations. Except for pesticides granted an emergency exemption, the Town will not use any products on the banned use product list below. If it is determined that an EPA registered pesticide must be used, then the least-hazardous material will be chosen.

Products will be divided into three classifications: Approved Use List, Limited Use List, and Banned use List. If the use of a material not on either the Approved Use List or the Limited Use List is deemed necessary, the IPM Coordinator may apply for an emergency exemption.

Approved Use Products List:

The IPM Coordinator shall maintain a list of all pesticides that have been approved for use by the Town Council, along with any restrictions for such use. This list shall be referred to as the Approved Use Products List.

The Approved List shall include, but not be limited to:

- Insecticides, rodenticide baits and traps;
- Caulking agents and crack sealants;
- Borates, silicates and diatomaceous earth;
- Soap based products;
- Natural products on the FIFRA's 25 (b) list (40 CFR part 152.25 (g) (1));
- Natural products on the California Certified Organic Farmers organic list;
- EPA GRAS-generally recognized as safe products pursuant to federal EPA
- Cryogenics, electronic products, heat and lights;
- Biological controls, such as parasites and predators;
- Microbial pesticides;
- Insect growth regulators;
- Physical barriers

Limited Use Products:

The IPM Coordinator may submit a written recommendation to the Town Council or its designee for approval, that a particular pesticide(s) not on the Approved List be approved for use for a specific and limited purpose. The request must be reviewed by the Town Council or its designee and signed by the IPM Coordinator. The Town Council or its designee may grant a limited use exemption upon a finding that the Town Department or pesticide applicator has:

1. Identified a compelling need to use the pesticide;
2. Made a good-faith effort to find alternatives to the particular pesticide;
3. Demonstrated that effective, economic alternatives to the particular pesticide do not exist for the particular use; and
4. Developed a reasonable plan for investigation alternatives to the banned pesticide during the exemption period.

The limited-use product will be allowed to be used for a short and defined exemption period, not to exceed one year.

Banned Use Products List:

The following high health-risk pest management products are completely banned from use on Town property:

- Pesticides linked to cancer (U.S.E.P.A. Class A, B, and C carcinogens known to the State of California to cause cancer under Proposition 65).
- Pesticides that cause birth defects, reproductive or developmental harm (identified by the U.S.E.P.A. or known to the State of California under Prop. 65 as reproductive or developmental toxins).
- Pesticides classified as Toxicity Category I and Category II by the U.S.E.P.A., Carbamate and organophosphate pesticides.
- Foggers, bombs, fumigants or sprays that contain pesticides identified by the State of California as potentially hazardous to human health (DFR 6198.5).

Banned Use Areas:

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

- Millennium Playground
- Elders Garden
- Lansdale Station Playground

NOTIFICATION OF PESTICIDE APPLICATIONS:

The general public will be notified via posted signs. Signs will be posted at entryways* accessed by people and/or cars at every 100 linear feet. The signs will go up 24 hours prior to the application and will remain posted for no less than 24 hours after the application. Town staff or the pesticide applicator will use their best effort to post signs at all usual public and employee entry points where the pesticide is applied.

Field Postings:

The Town of San Anselmo will assure that signs are posted at treated fields in the following land use areas:

- Parks and large open spaces including pedestrian and bicycle pathways.
- Medians and Street Islands are exempt.

Building Postings:

Town staff or the pesticide applicator will post signs at all usual public and employee entry points where pesticides are applied in enclosed areas.

*driveways and gates

PEST CONTROL AND RECORD KEEPING OF PESTICIDE APPLICATIONS

The Town shall maintain records of all pesticide applications to Town Property at the Parks Department Office for a period of four (4) years, and shall make the information available to the public, upon request.

Each application record shall include the following information:

All the information listed below will be documented on an official Pest Control Recommendation and be supplied by either a PCA or the licensed Qualified Applicator prior to any pest control operation. The form will include:

- Name of the entity responsible.
- Specific site of the application.
- The target pest.
- The date the pesticide was used and re-entry period if applicable.
- Date of expiration of the PCA recommendation.
- Schedule, timing, and conditions.
- The name and active ingredient of the pesticide to be applied and EPA registration number.
- The pesticide signal word.

The IPM Coordinator or Pest Control Applicator will prepare a follow up record to include:

- The effectiveness of the pesticide or management action;
- Prevention and other non-chemical methods of control used;
- If application was undertaken in a pest control emergency, provide explanation of circumstances of the emergency.

EMERGENCY EXEMPTION PROCESS:

The IPM Coordinator will make a recommendation to the Town Council or its designee to allow staff, or an outside landscape contractor to apply a pesticide not on the Approved Use List or Limited Use List based upon a finding that the protection of public health requires the use of that pesticide due to an emergency. The Town Council intends that such exemptions shall be granted on a per-case basis and shall apply to a specific pest problem for a limited time, with selection of pesticides conforming to the spirit and intent of this policy as is deemed practicable. The IPM Coordinator may grant emergency exemptions if action is required before the next meeting of the Town Council or its designee. The IPM Coordinator shall report all such emergency exemptions to the Town Council and its designee for review. To the greatest extent practicable, the notification requirements apply in an emergency situation.

TOWN OF SAN ANSELMO

RESOLUTION NO. 3655

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

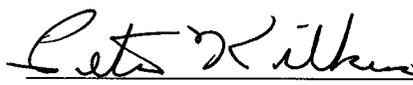
BE IT FURTHER RESOLVED that the Town Council of the Town of San Anselmo revises the appropriations limits for the Town of San Anselmo for fiscal years 2002-03 and 2001-02 under Article XIII-B of the State constitution, as shown on Exhibits "B" and "C", in the amount of \$5,845,978 and \$5,736,370 respectively.

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 9th day of September, 2003, by the following vote:

AYES: Breen, Chignell, Kilkus, Kroot, and Thornton

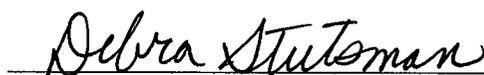
NOES:

ABSENT:



Peter Kilkus, Mayor

Attest:



Debra Stutsman, Town Clerk

**APPROPRIATIONS LIMIT DATA
2003 - 2004 SUMMARY**

Per Budget

2002-03 APPROPRIATIONS LIMIT		5,845,978
CALCULATION OF 2003-04 APPROPRIATIONS LIMIT		
1. Annual Change Factors:		
Per Capita Personal Income <i>or</i>	2.310%	←
Non-residential Assessed Valuation <i>plus</i>	0.187%	
San Anselmo Population <i>or</i>	0.350%	
Marin County Population (<i>whichever is greater</i>)	0.770%	←
2. Calculation: $(1 + (.0231)) \times (1 + .0077) =$		
		1.030978
2003-04 APPROPRIATIONS LIMIT		6,027,074
2003-04 ESTIMATED TAX PROCEEDS SUBJECT TO APPROPRIATIONS LIMIT		
Current Year Property Taxes	3,450,116	
ERAF	398,220	
Supplemental Property Taxes	131,671	
Municipal Services Tax	470,487	
Sales Tax	1,043,601	
Property Transfer Tax	87,479	
Business License Tax	292,500	
Motor Vehicle License Fees	584,093	
Homeowners Exemption	33,488	
TOTAL TAX PROCEEDS SUBJECT TO LIMIT		6,491,655
2003-04 EXPENDITURES EXEMPT FROM LIMIT		
Social Security payments	314,242	
Unemployment Insurance	10,000	
FLSA - Fire	33,756	
Unreimbursed Booking Fees	25,000	
Capital Outlay -- Fire Truck	70,000	
Debt Service -- MERA/LED	99,424	
TOTAL EXPENDITURES EXEMPT FROM LIMIT		552,422
2003-04 APPROPRIATIONS SUBJECT TO LIMIT		5,939,233
2003-04 ESTIMATED LEEWAY		87,841

**APPROPRIATIONS LIMIT DATA
2002 - 2003 SUMMARY**

Per Budget

2001-02 APPROPRIATIONS LIMIT		5,736,370
CALCULATION OF 2002-03 APPROPRIATIONS LIMIT		
1. Annual Change Factors:		
Per Capita Personal Income <i>or</i>	-1.270%	
Non-residential Assessed Valuation <i>plus</i>	1.092%	←
San Anselmo Population <i>or</i>	0.410%	
Marin County Population (<i>whichever is greater</i>)	0.810%	←
2. Calculation: $(1 + (.010919)) \times (1 + (.0081)) =$		
		1.019108
2002-03 APPROPRIATIONS LIMIT		5,845,978
2002-03 ESTIMATED TAX PROCEEDS SUBJECT TO APPROPRIATIONS LIMIT		
Current Year Property Taxes	3,126,194	
ERAF	250,648	
Supplemental Property Taxes	122,124	
Municipal Services Tax	503,390	
Sales Tax	1,038,497	
Property Transfer Tax	59,121	
Business License Tax	243,874	
Motor Vehicle License Fees	743,085	
Homeowners Exemption	35,035	
TOTAL TAX PROCEEDS SUBJECT TO LIMIT		6,121,968
2002-03 EXPENDITURES EXEMPT FROM LIMIT		
Social Security payments	372,420	
Unemployment Insurance	-	
FLSA - Fire	33,468	
Unreimbursed Booking Fees	11,349	
Capital Outlay -- Fire Truck	60,000	
Debt Service -- MERA/LED	29,532	
TOTAL EXPENDITURES EXEMPT FROM LIMIT		506,769
2002-03 APPROPRIATIONS SUBJECT TO LIMIT		5,615,199
2002-03 ESTIMATED LEEWAY		230,779

**APPROPRIATIONS LIMIT DATA
2001 - 2002 SUMMARY**

Per Budget

2000-01 APPROPRIATIONS LIMIT		5,282,288
CALCULATION OF 2001-02 APPROPRIATIONS LIMIT		
1. Annual Change Factors:		
Per Capita Personal Income <i>or</i>	7.820%	←
Non-residential Assessed Valuation <i>plus</i>	2.071%	
San Anselmo Population <i>or</i>	0.070%	
Marin County Population (<i>whichever is greater</i>)	0.720%	←
2. Calculation: $(1 + .0782) \times (1 + .0072) =$		
		1.085963
2001-02 APPROPRIATIONS LIMIT		5,736,370
2001-02 ESTIMATED TAX PROCEEDS SUBJECT TO APPROPRIATIONS LIMIT		
Current Year Property Taxes	2,921,630	
ERAF	154,242	
Supplemental Property Taxes	163,119	
Municipal Services Tax	469,656	
Sales Tax	1,021,065	
Property Transfer Tax	61,833	
Business License Tax	258,455	
Motor Vehicle License Fees	657,969	
Homeowners Exemption	36,191	
TOTAL TAX PROCEEDS SUBJECT TO LIMIT		5,744,160
2001-02 EXPENDITURES EXEMPT FROM LIMIT		
Social Security payments	274,147	
Unemployment Insurance	-	
FLSA - Fire	30,744	
Unreimbursed Booking Fees	1,000	
Capital Outlay -- Fire Truck	60,000	
Debt Service -- MERA	23,963	
TOTAL EXPENDITURES EXEMPT FROM LIMIT		389,854
2001-02 APPROPRIATIONS SUBJECT TO LIMIT		5,354,306
2001-02 ESTIMATED LEEWAY		382,064

TOWN OF SAN ANSELMO

RESOLUTION NO. 3654

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 9th day of September, by the following vote, to wit:

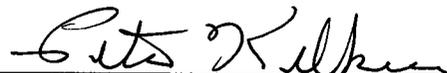
AYES: Breen, Chignell, Kilkus, Kroot, and Thornton

NOES:

ABSENT:

ABSTAIN:

ATTEST:


Peter Kilkus, Mayor


Debra Stutsman, Town Clerk

**TOWN OF SAN ANSELMO
RESOLUTION NO. 3653**

**A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF SAN ANSELMO IN
SUPPORT OF THE CREATION OF THE MARIN COUNTY TOURISM BUSINESS
IMPROVEMENT DISTRICT**

WHEREAS, the Town of San Anselmo has received a request from the Board of Supervisors of the County of Marin to consider supporting the formation of the Marin County Tourism Business Improvement District (MCTBID); and

WHEREAS, the lodging business owner in the Town of San Anselmo is not opposed to the formation of the MCTBID; and

WHEREAS, the Town Council of the Town of San Anselmo recognizes the contribution of the visitor industry to the overall financial health of the community; and

WHEREAS, the purpose of the MCTBID will be to promote off-season and mid-week overnight lodging in Marin County;

NOW, THEREFORE, BE IT HEREBY RESOLVED that the Town Council of the Town of San Anselmo does hereby express its support for the formation of the MCTBID.

PASSED AND ADOPTED THIS 12th day of August, 2003, by the following vote, to wit:

AYES: Chignell, Kilkus, Kroot, Thornton
NOES: (None)
ABSENT: Breen
ABSTAIN: (None)

ATTEST:


Town Clerk

TOWN OF SAN ANSELMO

RESOLUTION NO. 3652

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF SAN ANSELMO APPROVING THE ROSS VALLEY PARAMEDIC AUTHORITY TAX LEVY FOR THE 2003-04 FISCAL YEAR

WHEREAS, on November 5, 2002 the electors of the Town of San Anselmo approved a tax measure, thereby establishing the current authority for funding of paramedic services through June 30, 2006; and

WHEREAS, the Board of Directors of the Ross Valley Paramedic Authority has now approved an operating budget for the fiscal year 2003-04; and

WHEREAS, the adopted budget results in a tax of \$30 per taxable unit.

NOW, THEREFORE, BE IT RESOLVED:

The Town of San Anselmo does hereby confirm and levy a tax for paramedic services during the fiscal year 2003-04 at a rate of \$30 per living unit and per 1,500 square feet of structure on each developed parcel in non-residential use, to be collected in addition to fees for transport to the hospital charged to insurance providers, with the applicable appropriations limit increased by the amount of said tax.

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 12th day of August, 2003, by the following vote, to wit:

AYES: Chignell, Kilkus, Kroot, Thornton

NOES: None

ABSENT: Breen

ATTEST:


Peter Kilkus, Mayor


Town Clerk

TOWN OF SAN ANSELMO

RESOLUTION NO. 3651

RESOLUTION OF THE SAN ANSELMO TOWN COUNCIL SETTING MISCELLANEOUS ADMINISTRATIVE FEES

WHEREAS, the public has the right to obtain specific information from the Town of San Anselmo; and

WHEREAS, the town has the right to charge a fee equal to the direct cost of duplication to any person requesting a copy of a public record;

NOW THEREFORE, BE IT HEREBY RESOLVED, that the Town Council of the Town of San Anselmo does hereby enact the following charges and policies:

1. Photocopies can be made at Town Hall on the coin-operated copy machine for \$.25 per copy. Certain documents that are covered by State requirements will be copied by staff at the state mandated rate.
2. Tape recordings of Town Council and Planning Commission meetings are available at Town Hall during regular office hours for listening on Town-provided equipment.
3. Copies of tape recordings of Town Council and Planning Commission meetings will be made by staff for \$5 per tape, subject to administrative provisions set out by staff.
4. A charge of \$25 per year will be assessed for a mailed subscription for all regular Town Council agendas or Planning Commission agendas.
5. A fee of \$25 will be charged for a check returned from the bank for any reason.
6. Miscellaneous planning documents are available for the following fees:

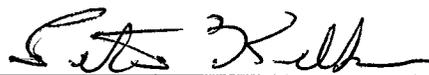
• Land Use Regulations Table	No charge
• Development Standards	No charge
• General Plan	\$25
• Zoning Ordinance	\$25
• General Plan Map	\$5
• Zoning Map	\$8.50
• Other documents	\$.25 per page

I hereby certify that the foregoing resolution was passed and adopted by the San Anselmo Town Council on the 12th day of August, 2003 by the following vote, to wit:

AYES: Chignell, Kilkus, Kroot, Thornton

NOES: None

ABSENT: Breen



Peter Kilkus, Mayor

ATTEST:



Town Clerk