TOWN OF
SAN ANSELMO
EST. 1907

525 San Anselmo Avenue
San Anselmo, CA 94960

Town Council

Agenda

Tuesday, January 25, 2022	**7:00 PM**	**Town Council Chambers (Via Zoom during COVID)**

https://us02web.zoom.us/j/83380328884

Or Telephone: +1 669 900 6833 | Webinar ID: 833 8032 8884

How to Submit Comments Before the Meeting: Members of the public are encouraged to submit email correspondence to towncouncil@townofsananselmo.org before the meeting begins.

How to Participate During the Meeting: Members of the public will have the option to speak during the meeting through the Zoom application by using their phone or an electronic device.

For PC, Mac, or smart phone, Use "Raise hand" function when public comment for an item is requested. It is a button that is located at the top or bottom of your screen, based on your computer

For landline phones, raise hand to be recognized with *9

6:00 PM Closed Session: Conference with Labor Negotiators (§ 54957.6)

Agency designated representatives: Dave Donery, Jeff Zuba and Christopher Boucher : Employee organizations: Service Employees International Union, Local 1021; Management Employees; Confidential Employees

1. 6:40 PM Interview with applicants to the Parks and Recreation Commission

Attachments: Staff Report
Attachment 1 - Board and Commission Status Report
Attachment 2 - Vance Frost
Attachment 3 - Michael Cerio

7:00 PM Call to Order

Open time for public expression.

Council requests for future agenda items.

Consent Agenda:

2. Approve minutes of January 11, 2022

Attachments: Minutes January 11, 2022

3. Appoint three applicants to the Parks and Recreation Commission.

Attachments: Staff Report
Attachment 1 -Board and Commission Status Report
Attachment 2 - Vance Frost
Attachment 3 - Michael Cerio
Attachment 4 - Cat Austin

4. Adoption of Ordinance to Bring Town Solid Waste Regulations into Compliance with Senate Bill 1383

Attachments: Staff Report
Item 4 - Attachment 1 - Ordinance to Comply with SB 1383

5. Revenue and Expenditure Reports, November 2021

Attachments: Staff Report
Budget Comparison Report - San Anselmo, CA_Dept
Budget Comparison Report - San Anselmo, CA_Sub

6. Revenue and Expenditure Reports, December 2021

Attachments: Staff Report
Budget Comparison Report - San Anselmo, CA_Sub
Budget Comparison Report - San Anselmo, CA_Dept

7. Quarterly Treasurer's Investment Report, December 31, 2021

Attachments: Staff Report
Quarterly Treasurer's Investment Report 12.31.2021

8. December 2021 Financial Report on Recreation Fund

Attachments: Staff Report
Dec21-Attachment

9. Review the report from a Marin Municipal Water District representative.

Attachments: Staff Report
Attachment 1 - Marin Water Drought Update for Town of San Anselmo

10. Measure D Renewal Council Ad Hoc Subcommittee Members

Attachments: Staff Report

11. Consultant agreements for Measure D renewal

Attachments: Staff Report
Godbe Research Professional Services Agreement
TBWBH Professional Services Agreement

12. Downtown Hanging Flower Baskets Funding Request for 2022

Attachments: Staff Report

Council Items:

13. Funding Priorities for Measure D Renewal

Attachments: Staff Report

14. 2021-2022 Mid-Year Budget Review

Attachments: Staff Report
Attachment 1 - 2021-2022 mid-year budget resolution
Exhibit 1 - Mid Year amendment 2021-2022
Attachment II - 2021-22 overview of funds

15. Receive report regarding the Library Parcel Tax renewal and provide direction to staff.

Attachments: Staff Report

16. American Rescue Plan Act State & Local Fiscal Relief Funds

Attachments: Staff Report
American rescue plan funds 1.25.22

17. Review the list of Town Council committee assignments and make appointments for 2022.

Attachments: Staff Report
Council Committee Assignments

18. Presentation from County of Marin Staff on Racially Restrictive Covenant Modification Program and AB686 AFFH Housing Element Requirements

Attachments: Staff Report
Attachment 1 AFFH Marin County Contract
Attachment 2 AFFH Outreach

19. Housing Element 2023-2031 Receive presentation on proposed public engagement process and timeline for Housing Element 2023-2031 update and provide direction to staff.

Attachments: Staff Report
Attachment 1 Schedule
Attachment 2 Public Participation Plan

20. Annual report on General Plan. Receive annual report on General Plan, pursuant to Government Code Section 65400, including progress in implementation, and direct staff to submit the report to the State Governor's Office of Planning and Research and State Housing and Community Development Department.

Attachments: Staff Report
Attachment 1 Annual Report for Housing Element
Attachment 2 Annual Report on General Plan
Attachment 3 HCD Annual Report Form

21. Sale of Accessory Dwelling Units. Public hearing to consider recommendation of the Planning Commission and introduce by title only and waive further reading of "An Ordinance of the San Anselmo Town Council Amending Title 10 (Planning and Zoning), Chapter 6 (Accessory Dwelling Units), Adding New Section 10-6.210 for Sale of Accessory Dwelling Units for Low and Moderate Income Housing" to comply with 2021 Assembly Bill 345, which requires the town to allow certain nonprofit corporations to sell an accessory dwelling unit to families of low or moderate income if certain conditions are met.

Attachments: Staff Report
Attachment 1 Draft Ordinance
Attachment 2 AB 345

Adjourn

In compliance with the Americans with Disabilities Act, if you need special assistance to participate

in this meeting, please contact Town Staff at email ckacmar@townofsananselmo.org. Notification at least 48 hours prior to the meeting will enable the Town to make reasonable accommodation to help insure accessibility to this meeting.

Any writings or documents provided to a majority of the Town Council regarding any item on this agenda after the distribution of the original packet will be made available for public inspection at the public counter at Town Hall located at 525 San Anselmo Avenue.

Notice is hereby given that Council may discuss and/or take action on any or all of the items listed on this agenda. If any of these matters above are challenged in court, you may be limited to raising only those issues you or someone else raised at any public hearing described on this agenda, or in written correspondence delivered at, or prior to, this Council meeting. Judicial review of an administrative decision of the Town Council must be filed with the Court not later than the 90th day following the date of the Council's decision (Code of Civil Procedure Section 1094.6) Any item not under discussion before 10:00 p.m. may be continued to the next regular meeting. Next regular meeting is Tuesday, February 8, 2022.

I certify that this agenda was posted on the Public Notice Bulletin Board on or before Friday, January 21, 2022.

_____

Carla Kacmar, Town Clerk

525 San Anselmo Avenue
San Anselmo, CA 94960

TO: Town Council **Meeting of** 1/25/2022

INTERVIEW SCHEDULE

San Anselmo Town Council

Council Chambers via ZOOM

January 25. 2022

6:40 PM	Vance Frost*	Parks and Recreation Commission
6:50 PM	Michael Cerio*	Parks and Recreation Commission

Board, Committee, Commission *(total seats)*	**Seats Expiring/ Vacant**	**Applicants**	**Term (Yrs)[1]**	**Date of Interview**
Arts Commission *7 seats + youth* *Dannielle Mauk*			3	
Bicycle and Pedestrian Committee *7 seats* *Sean Condry*			4	
Board of Review *5 seats* *Jeff Zuba*	2		6	
Capital Programs Monitoring Committee *7 seats* *Sean Condry*	1		4	
Economic Development Committee *7 seats* *Elise Semonian*			3	
Financial Advisory Committee *5 seats* *Jeff Zuba* *(Temporary Expansion to 6 seats)*			3	
Flood Committee *7 seats* *Sean Condry*	2		4	
Historical Commission *11 seats+ youth* *Linda Kenton*	2	Kimberly Norton Carol Acquaviva* Alex Friedman Richard Storms*	4	2/8
Library Advisory Board *7 seats+ youth* *Linda Kenton*			4	
Library Tax Oversight Committee *5 seats* *Linda Kenton*			3	
Marin Commission On Aging *1 seat*	1		3	
Mosquito Abatement District *1 seat*			2-4	
Open Space Committee *11 seats + youth* *Elise Semonian*			4	
Parks & Recreation Commission *7 seats + youth* *Dannielle Mauk*	4	Michael Cerio* Vance Frost* Cat Austin	4	1/25 1/25 1/11
Planning Commission *7 seats* *Elise Semonian*			4	
Racial Equity Ad Hoc Committee	1	Denise Krawitz	1	2/8
Climate Action Commission *7 seats+ youth* *Elise Semonian*			3	
Ross Valley Paramedic Authority *1 seat*			4	
Tax Equity Board *3 seats* *Jeff Zuba*	1		3	

* Incumbent

[1] Per Commission Guidelines, differing term lengths may be allowed to accomplish a staggering of the appointment schedule.

Print

Boards & Committee Applications - Submission #1291

Date Submitted: 9/9/2021

TOWN OF SAN ANSELMO

APPLICATION FOR APPOINTMENT TO A SAN ANSELMO BOARD/COMMISSION/COMMITTEE

To: San Anselmo Town Council

Date*

9/9/2021

I wish to apply for an appointment to a term/balance*

Parks & Recreation Commission

Name*

Vance Frost

Home Address*

58 Oakland Ave. San Anselmo, Ca 94960

Occupation*

Realtor

Employer's Address

1118 Magnolia Ave. Larkspur, CA

Home Phone*

4154595901

Work Phone

(415)459-5900

Cell Phone

415-847-4701

E-Mail*

Vance@LiveInMarin.com

Number of years as resident of San Anselmo*

35

Number of years as a resident in Marin*

40

Education Level Achieved*

College/University Degree (Major)

Name and phone numbers of three San Anselmo residents who can be contacted for referral information about me:

1.) Name*

Wayne Cooper

1.) Phone*

415-482-0595

2.) Name*

Carla Overberger

2.) Phone*

(415) 454-9033

3.) Name*

Brian Crawford

3.) Phone*

415-454-3439

I would be able to regularly attend the meetings of this Board/Commission/Committee.*

- (●) YES
- ( ) NO

I would be available to attend additional meetings when they are necessary.*

- (●) YES
- ( ) NO

I am familiar with the responsibilities and functions of this Board/Commission/Committee.*

- (●) YES
- ( ) NO

I have attended meetings of the Board/Commission/Committee as a member of the public.*

- (●) YES
- ( ) NO

List briefly, previous experience serving the public office, and/or civic commissions,boards, or committees.*

Currently on the SA Chamber Board, SA Park and Rec Board.

Reasons for this appointment.*

Carry on the work of the Commission.

What are your qualifications for this appointment.*

Like to play at the park

Briefly, what do you consider to be the most important, one or two current issues facing this Board/Commission/Committee?*

Managing upkeep and improvements at Memorial Park.
Drought Control.

I understand that I and all other applicants will be personally interviewed by the Town Council as part of the selection process for this appointment. I also understand that my application material will be a public document and available on the Town's website. Sensitive materials that you don't wish to be posted on the website should not be included with the application.*

- (●) YES
- ( ) NO

Other Boards/Commissions/Committees on which you would be interested in serving if not appointed to this seat?*

None

You may attach personal resumes or other information which you believe would be helpful to the Council in its selection process.

Choose File No file chosen

Thank you for your interest in serving the Town of San Anselmo and its citizens. For further information, please contact Carla Kacmar, at ckacmar@townofsananselmo.org or 415-258-4660.

Print

Boards & Committee Applications - Submission #1288

Date Submitted: 9/8/2021

TOWN OF SAN ANSELMO

APPLICATION FOR APPOINTMENT TO A SAN ANSELMO BOARD/COMMISSION/COMMITTEE

To: San Anselmo Town Council

Date*

September 8, 2021

I wish to apply for an appointment to a term/balance*

Parks & Recreation Commission

Name*

Michael Cerio

Home Address*

50 Oakland Ave

Occupation*

VP of Operations

Employer's Address

2812 St Helena Hwy, St Helena CA 94574

Home Phone*

4158284341

Work Phone

Cell Phone

E-Mail*

ceriomj@gmail.com

Number of years as resident of San Anselmo*

13

Number of years as a resident in Marin*

13

Education Level Achieved*

College/University Degree (Major)

Name and phone numbers of three San Anselmo residents who can be contacted for referral information about me:

1.) Name*

Rod Kerr

1.) Phone*

415-300-6700

2.) Name*

David Donery

2.) Phone*

415-272-6276

3.) Name*

Phil Derosiers

3.) Phone*

415-686-2579

I would be able to regularly attend the meetings of this Board/Commission/Committee.*

- (●) YES
- ( ) NO

I would be available to attend additional meetings when they are necessary.*

- (●) YES
- ( ) NO

I am familiar with the responsibilities and functions of this Board/Commission/Committee.*

- (●) YES
- ( ) NO

I have attended meetings of the Board/Commission/Committee as a member of the public.*

- (●) YES
- ( ) NO

List briefly, previous experience serving the public office, and/or civic commissions,boards, or committees.*

I have been a member of the Parks and Recreation Committee since 2017

Reasons for this appointment.*

I care abut our Town, our Parks and the people who use them.

What are your qualifications for this appointment.*

30 years business experience, father of two boys.

Briefly, what do you consider to be the most important, one or two current issues facing this Board/Commission/Committee?*

Memorial Park Restoration, P&R programming for Town residents

I understand that I and all other applicants will be personally interviewed by the Town Council as part of the selection process for this appointment. I also understand that my application material will be a public document and available on the Town's website. Sensitive materials that you don't wish to be posted on the website should not be included with the application.*

- (●) YES
- ( ) NO

Other Boards/Commissions/Committees on which you would be interested in serving if not appointed to this seat?*

Planning Commission

You may attach personal resumes or other information which you believe would be helpful to the Council in its selection process.

Choose File No file chosen

Thank you for your interest in serving the Town of San Anselmo and its citizens. For further information, please contact Carla Kacmar, at ckacmar@townofsananselmo.org or 415-258-4660.

Town of San Anselmo

525 San Anselmo Avenue
San Anselmo, CA 94960

TOWN OF
SAN ANSELMO
EST. 1907

Minutes

Tuesday, January 11, 2022

7:00 PM

Town Council Chambers (Via Zoom During COVID)

Town Council

1. 6:30 PM: Interview applicants for Arts Commission and Parks and Recreation Commission.

Attachments: Staff Report
Board & Commission Status Report
Applications

Call to Order

Council Member Colbert led the pledge of allegiance.

PRESENT: Brian Colbert, Mayor Alexis Fineman, Eileen Burke, and Ford Greene

ABSENT: Vice Mayor Steve Burdo

Open time for public expression.

Jennifer Dardis, citizen, discussed the proposed changes to existing antennas in her neighborhood and hoped that some of the neighborhood wishes would have some bearing on the final design.

Abby, citizen, thanked the Council for passing the leaf blower ordinance. She encouraged more robust enforcement in the first six months.

Council requests for future agenda items.

Council Member Colbert gave kudos to the staff of Marin Transit who was responsive to providing bus service to students in Marin City. Colbert stated the County is looking for chances to buy real property for public transit. The Transportation Authority of Marin will be going out to bid for the Marin Sonoma narrows project which is projected to be completed in 2024. Colbert spoke of congestion management model that TAM is willing to support the Town with during the update to the housing element. Colbert mentioned the Economic Development Committee spoke of vacancies in the downtown businesses and a new business license program.

Council Member Greene stated he did not like the new agenda management system that the Town procured. Council Member Colbert thanked staff for their work on the agenda management system. Greene felt no one was using the parklets on the avenue and the Council should do something about it.

Mayor Fineman stated she heard a lot about leaf blowers and everything has been positive. Fineman stated she wanted to bring forward a discussion to decarbonize the transportation sector. There was Council consensus to bring back a discussion at a future meeting.

Consent Agenda:

2. Approve minutes for the December 14, 2021 Town Council meeting.

Attachments: Staff Report
December 14 2021 Town Council Minutes

3. Report of Warrants Issued, December 2021

Attachments: Staff Report
Attachment 1 - Check Report - December 2021

4. Approve announcing and publicizing impending expiration of terms for Board and Commission seats.

Attachments: Staff Report
2022 Board & Commission Term Expirations

5. Consider Adoption of Resolution to Allow for Virtual Town Council, Board and Commission Meetings in Compliance with AB 361.

Attachments: Staff Report
Resolution

6. Resolution in Support of Bay Adapt: Regional Strategy for a Rising Bay

Attachments: Staff Report
Attachment 1 Bay Adapt Resolution
Attachment 2 Bay Adapt Platform

7. Special Event Application - Teen Library Council's Bake Sale

Attachments: Staff Report
Community Event App 2022 - Teen Library Council

8. San Anselmo Arts Commission's Utility Box Art Project-Phase 3

Attachments: Staff Report
Phase 3 Paint Box Prospectus/Map

M/s, Eileen Burke, Ford Greene, to approve the items in Consent Agenda.

AYE: Colbert, Mayor Fineman, Burke, and Greene

NO: None

ABSENT: Vice Mayor Burdo

Council Items:

9. Appoint two applicants to the Arts Commission.

Attachments: Staff Report
Board & Commission Status Report
Applications

Town Clerk Kacmar presented the staff report.

M/s, Ford Greene, Eileen Burke, to appoint three applicants to the Arts Commission and temporarily expand the commission by one seat.

AYE: Colbert, Mayor Fineman, Burke, and Greene

NO: None

ABSENT: Vice Mayor Burdo

10. Consider Potential Next Steps for Renewal of Measure D Transactions and Use Tax

Attachments: Staff Report
2012-23 Financial Advisory Committee final report - May 2013
Measure D Council Presentation 2022
November 8, 2022 General Election - Important Dates

Town Manager Donery and Ken Nordhoff presented the staff report.

Greene felt the discussion of funding priorities was premature because there was no feedback from the community. He felt the roads were deteriorating and attaining close to third world status. He was in favor of employing a consultant for polling and seeking feedback from the community. Burdo agreed with Greene, with respect to the roads being the main priority. Burdo was interested in ensuring the minimum standard of coverage for the fire station and putting money into the parks. Burdo wanted to move forward with a consultant for community discussions. Burke stated the basics are always infrastructure and thought a poll is the way to figure out how the residents prioritize things. Burke felt it was the Council's job to educate the residents. Burke was interested in going up to the tax cap and wanted to focus on whether there was an appetite from the residents for that. Colbert stated this will need to be a community led initiative with council support. Fineman felt there should be more specificity around some of the items such as affordable housing. Fineman was in support of a consultant for polling the community.

All of the Council volunteered to be on the committee. Greene stated that he and Burdo were coming up for re-election and felt they were the most logical choice. There was Council consensus for Fineman to perform random selection outside of meeting for choosing who would serve on the committee.

PRESENT: Brian Colbert, Mayor Alexis Fineman, Vice Mayor Steve Burdo, Eileen

ABSENT: None

11. Consider introduction of an ordinance amending Chapter 5.03 of the San Anselmo Municipal Code to update the Town’s solid waste regulations in accordance with SB 1383 and consider adopt consider approving the First Amendment to the Amended and Restated Franchise Agreement between the Town of San Anselmo and Marin Sanitary Service

Attachments: Staff Report
Ordinance to Comply with SB 1383
Redline Comparison Solid Waste Ord
Resolution Approving MSS Agreement Amendment

Town Manager Donery and Rose Radford from R3 Consulting presented the staff report.

Patty Garbarino from Marin Sanitary Service gave thanks and offered to help answer questions.

Town Manager Donery read the title of the ordinance after it was introduced.

M/s, Eileen Burke, Ford Greene, to introduce an ordinance amending Chapter 5.03 of the San Anselmo Municipal Code to update the Town's solid waste regulations in accordance with SB 1383 and consider adopt consider approving the First Amendment to the Amended and Restated Franchise Agreement between the Town of San Anselmo and Marin Sanitary Service

AYE: Colbert, Mayor Fineman, Vice Mayor Burdo, Burke, and Greene

NO: None

ABSENT: None

12. Consider approval of proposed maximum rates collected by Marin Sanitary Service for solid waste, recycling and organic waste services.

Attachments: Staff Report
MSS Rates Staff Report from December 14, 2021
Resolution Approving MSS Rates for 2022
2022 MSS Rate Application
2022 MSS Rate Review Report
Memo from R3 providing background and analysis of the MSS PPP forgiveness

Town Manager Donery presented the staff report.

Greene stated he was concerned before by the lack of detail in the report for the loan forgiveness. Greene stated Garth from R3 consulting helped him understand the PPP loan. Burke thanked staff for following up.

M/s, Ford Greene, Steve Burdo, to approve proposed maximum rates collected by Marin Sanitary Service for solid waste, recycling and organic waste services.

AYE: Colbert, Mayor Fineman, Vice Mayor Burdo, Burke, and Greene

NO: None

ABSENT: None

13. 75 Jones Street, APN 007-283-12, Appeal of Planning Commission decision to approve amendment to Specific Planned Development at 75 Jones for conversion of a preschool into single family residence and a second story addition.

Attachments:
Staff Report
Attachment 1 Appeal
Attachment 2 Draft Planning Commission Minutes
Attachment 3 November 15 2020 Staff Report
Attachment 4 February 3 2020 Staff Report
Attachment 5 Correspondence to Council
Attachment 6 Standard Conditions of Approval
Attachment 7 Approved Plans
Attachment 8 Applicant Response to Appeal Letter
Additional Public Comment

Planning Director Semonian presented the staff report.

Elizabeth Brekhus and her clients, the appellants, made comments. The applicants and Luke Clark Tyler (architect) made comments.

Susan Lund, Kurt Hawks, Kris Nelson, Annelise Bauer, Caroline Dowd, Peter GIlbert, Trista Macaulay, and Sirr Less spoke in support of the project

Abby Cunningham and James Irmiger spoke against the project.

Brekhus made a rebuttal for the appellants.

Todd Williams and the applicants made a rebuttal.

Burdo, Colbert and Fineman would vote to deny the appeal.

Greene and Burke would vote to uphold the appeal.

M/s, Brian Colbert, Steve Burdo, to deny appeal of Planning Commission decision to approve amendment to Specific Planned Development at 75 Jones for conversion of a preschool into single family residence and a second story addition.

AYE: Colbert, Mayor Fineman, and Vice Mayor Burdo

NO: Burke, and Greene

ABSENT: None

Adjourn

Town of San Anselmo

525 San Anselmo Avenue
San Anselmo, CA 94960

Staff Report

TO: Town Council **Meeting of** 1/25/2022

FROM:
Carla Kacmar, Town Clerk

SUBJECT:
Appoint three applicants to the Parks and Recreation Commission.

RECOMMENDATION

That Council appoint three applicants to the Parks and Recreation Commission.

DISCUSSION

The Parks and Recreation Commission has a membership of seven seats. There are four seats available and three applicants. Vance Frost and Michael Cerio have reapplied for a seat and Cat Austin has applied for a seat. All applicants have been interviewed.

Their applications are attached.

The status report on current openings on the Town Boards, Commissions, and Committees is also attached.

FISCAL IMPACT

There would be no direct fiscal impact to the Town to approve this item.

CEQA AND CLIMATE ACTION PLAN CONSISTENCY

The proposed action is exempt from the California Environmental Quality Act (CEQA), under the “common sense” exemption, because it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment. (Cal. Code Regs. tit. 14, § 15061).

Board, Committee, Commission *(total seats)*	**Seats Expiring/ Vacant**	**Applicants**	**Term (Yrs)[1]**	**Date of Interview**
Arts Commission *7 seats + youth* *Dannielle Mauk*			3	
Bicycle and Pedestrian Committee *7 seats* *Sean Condry*			4	
Board of Review *5 seats* *Jeff Zuba*	2		6	
Capital Programs Monitoring Committee *7 seats* *Sean Condry*	1		4	
Economic Development Committee *7 seats* *Elise Semonian*			3	
Financial Advisory Committee *5 seats* *Jeff Zuba* *(Temporary Expansion to 6 seats)*			3	
Flood Committee *7 seats* *Sean Condry*	2		4	
Historical Commission *11 seats+ youth* *Linda Kenton*	2	Kimberly Norton Carol Acquaviva* Alex Friedman Richard Storms*	4	2/8
Library Advisory Board *7 seats+ youth* *Linda Kenton*			4	
Library Tax Oversight Committee *5 seats* *Linda Kenton*			3	
Marin Commission On Aging *1 seat*	1		3	
Mosquito Abatement District *1 seat*			2-4	
Open Space Committee *11 seats + youth* *Elise Semonian*			4	
Parks & Recreation Commission *7 seats + youth* *Dannielle Mauk*	4	Michael Cerio* Vance Frost* Cat Austin	4	1/25 1/25 1/11
Planning Commission *7 seats* *Elise Semonian*			4	
Racial Equity Ad Hoc Committee	1	Denise Krawitz	1	2/8
Climate Action Commission *7 seats+ youth* *Elise Semonian*			3	
Ross Valley Paramedic Authority *1 seat*			4	
Tax Equity Board *3 seats* *Jeff Zuba*	1		3	

* Incumbent

[1] Per Commission Guidelines, differing term lengths may be allowed to accomplish a staggering of the appointment schedule.

Print

Boards & Committee Applications - Submission #1291

Date Submitted: 9/9/2021

TOWN OF SAN ANSELMO

APPLICATION FOR APPOINTMENT TO A SAN ANSELMO BOARD/COMMISSION/COMMITTEE

To: San Anselmo Town Council

Date*

9/9/2021

I wish to apply for an appointment to a term/balance*

Parks & Recreation Commission

Name*

Vance Frost

Home Address*

58 Oakland Ave. San Anselmo, Ca 94960

Occupation*

Realtor

Employer's Address

1118 Magnolia Ave. Larkspur, CA

Home Phone*

4154595901

Work Phone

(415)459-5900

Cell Phone

415-847-4701

E-Mail*

Vance@LiveInMarin.com

Number of years as resident of San Anselmo*

35

Number of years as a resident in Marin*

40

Education Level Achieved*

College/University Degree (Major)

Name and phone numbers of three San Anselmo residents who can be contacted for referral information about me:

1.) Name*

Wayne Cooper

1.) Phone*

415-482-0595

2.) Name*

Carla Overberger

2.) Phone*

(415) 454-9033

3.) Name*

Brian Crawford

3.) Phone*

415-454-3439

I would be able to regularly attend the meetings of this Board/Commission/Committee.*

- (●) YES
- ( ) NO

I would be available to attend additional meetings when they are necessary.*

- (●) YES
- ( ) NO

I am familiar with the responsibilities and functions of this Board/Commission/Committee.*

- (●) YES
- ( ) NO

I have attended meetings of the Board/Commission/Committee as a member of the public.*

- (●) YES
- ( ) NO

List briefly, previous experience serving the public office, and/or civic commissions,boards, or committees.*

Currently on the SA Chamber Board, SA Park and Rec Board.

Reasons for this appointment.*

Carry on the work of the Commission.

What are your qualifications for this appointment.*

Like to play at the park

Briefly, what do you consider to be the most important, one or two current issues facing this Board/Commission/Committee?*

Managing upkeep and improvements at Memorial Park.
Drought Control.

I understand that I and all other applicants will be personally interviewed by the Town Council as part of the selection process for this appointment. I also understand that my application material will be a public document and available on the Town's website. Sensitive materials that you don't wish to be posted on the website should not be included with the application.*

- (●) YES
- ( ) NO

Other Boards/Commissions/Committees on which you would be interested in serving if not appointed to this seat?*

None

You may attach personal resumes or other information which you believe would be helpful to the Council in its selection process.

Choose File No file chosen

Thank you for your interest in serving the Town of San Anselmo and its citizens. For further information, please contact Carla Kacmar, at ckacmar@townofsananselmo.org or 415-258-4660.

Print

Boards & Committee Applications - Submission #1288

Date Submitted: 9/8/2021

TOWN OF SAN ANSELMO

APPLICATION FOR APPOINTMENT TO A SAN ANSELMO BOARD/COMMISSION/COMMITTEE

To: San Anselmo Town Council

Date*

September 8, 2021

I wish to apply for an appointment to a term/balance*

Parks & Recreation Commission

Name*

Michael Cerio

Home Address*

50 Oakland Ave

Occupation*

VP of Operations

Employer's Address

2812 St Helena Hwy, St Helena CA 94574

Home Phone*

4158284341

Work Phone

Cell Phone

E-Mail*

ceriomj@gmail.com

Number of years as resident of San Anselmo*

13

Number of years as a resident in Marin*

13

Education Level Achieved*

College/University Degree (Major)

Name and phone numbers of three San Anselmo residents who can be contacted for referral information about me:

1.) Name*

Rod Kerr

1.) Phone*

415-300-6700

2.) Name*

David Donery

2.) Phone*

415-272-6276

3.) Name*

Phil Derosiers

3.) Phone*

415-686-2579

I would be able to regularly attend the meetings of this Board/Commission/Committee.*

- (●) YES
- ( ) NO

I would be available to attend additional meetings when they are necessary.*

- (●) YES
- ( ) NO

I am familiar with the responsibilities and functions of this Board/Commission/Committee.*

- (●) YES
- ( ) NO

I have attended meetings of the Board/Commission/Committee as a member of the public.*

- (●) YES
- ( ) NO

List briefly, previous experience serving the public office, and/or civic commissions,boards, or committees.*

I have been a member of the Parks and Recreation Committee since 2017

Reasons for this appointment.*

I care abut our Town, our Parks and the people who use them.

What are your qualifications for this appointment.*

30 years business experience, father of two boys.

Briefly, what do you consider to be the most important, one or two current issues facing this Board/Commission/Committee?*

Memorial Park Restoration, P&R programming for Town residents

I understand that I and all other applicants will be personally interviewed by the Town Council as part of the selection process for this appointment. I also understand that my application material will be a public document and available on the Town's website. Sensitive materials that you don't wish to be posted on the website should not be included with the application.*

- (●) YES
- ( ) NO

Other Boards/Commissions/Committees on which you would be interested in serving if not appointed to this seat?*

Planning Commission

You may attach personal resumes or other information which you believe would be helpful to the Council in its selection process.

Choose File No file chosen

Thank you for your interest in serving the Town of San Anselmo and its citizens. For further information, please contact Carla Kacmar, at ckacmar@townofsananselmo.org or 415-258-4660.

Print

Boards & Committee Applications - Submission #1345

Date Submitted: 11/10/2021

TOWN OF SAN ANSELMO

APPLICATION FOR APPOINTMENT TO A SAN ANSELMO BOARD/COMMISSION/COMMITTEE

To: San Anselmo Town Council

Date*

11/10/21

I wish to apply for an appointment to a term/balance*

Parks & Recreation Commission

Name*

Cathleen "Cat" Austin

Home Address*

44 Medway Road

Occupation*

Mother (and also Licensed Landscape Architect)

Employer's Address

Home Phone*

4153888077

Work Phone

Cell Phone

415-755-5007

E-Mail*

cataloo@gmail.com

Number of years as resident of San Anselmo*

14

Number of years as a resident in Marin*

16

Education Level Achieved*

Graduate Degree (Major)

Name and phone numbers of three San Anselmo residents who can be contacted for referral information about me:

1.) Name*

Jan Wu

1.) Phone*

773-456-0178

2.) Name*

Eileen Burke

2.) Phone*

415-307-9921

3.) Name*

Julie Wolfert

3.) Phone*

415-308-9631

I would be able to regularly attend the meetings of this Board/Commission/Committee.*

- (●) YES
- ( ) NO

I would be available to attend additional meetings when they are necessary.*

- (●) YES
- ( ) NO

I am familiar with the responsibilities and functions of this Board/Commission/Committee.*

- (●) YES
- ( ) NO

I have attended meetings of the Board/Commission/Committee as a member of the public.*

- (●) YES
- ( ) NO

List briefly, previous experience serving the public office, and/or civic commissions,boards, or committees.*

If appointed, this would be my first time serving on a public or civic commission. However I have served on the Board of Directors for Ross Valley Nursery School as the Facilities Chairperson. I have worked as a Master Gardener in Marin County beginning in 2013 where I've helped create the annual exhibit for the Marin County Fair, and served as the Chair of the Plant Identification Guild. Before going to grad school I worked for many years for a medical publishing company (Mosby-Yearbook). All of these roles have been great ways to work with and/or manage a team, set goals, and figure out ways to achieve those goals.

Reasons for this appointment.*

I see this Commission as a way to give residents a voice at the table. I have lived many years in San Anselmo. but I'm seeking this appointment now because I "caught the bug" volunteering for the Town during the repair and repainting of Millennium Park. There is much more work to do, and I'd like to be a part of helping to make it happen.

What are your qualifications for this appointment.*

Before becoming a mother, I worked for several years for Don Vita at Vita Landscape Planning & Design in San Rafael. I have been a licensed as a Landscape Architect in the State of California since 2013. This gives me some experience understanding how a park can be designed. But I think more important is my love of the outdoors and specifically Marin. I can't think of a better place to live and raise a family than here. If appointed to this Commission I would appreciate the opportunity to be an advocate for Marin, but more specifically, San Anselmo.

Briefly, what do you consider to be the most important, one or two current issues facing this Board/Commission/Committee?*

I believe the continued funding and maintenance of our parks is an important and challenging issue. I also think it's important to continue seeking ways to involve and use volunteers whenever possible. You never know who or what can be inspired to service through volunteering.

I understand that I and all other applicants will be personally interviewed by the Town Council as part of the selection process for this appointment. I also understand that my application material will be a public document and available on the Town's website. Sensitive materials that you don't wish to be posted on the website should not be included with the application.*

- (●) YES
- ( ) NO

Other Boards/Commissions/Committees on which you would be interested in serving if not appointed to this seat?*

Flood Committee

You may attach personal resumes or other information which you believe would be helpful to the Council in its selection process.

Choose File No file chosen

Thank you for your interest in serving the Town of San Anselmo and its citizens. For further information, please contact Carla Kacmar, at ckacmar@townofsananselmo.org or 415-258-4660.

Town of San Anselmo

525 San Anselmo Avenue
San Anselmo, CA 94960

Staff Report

TO: Town Council **Meeting of** 1/25/2022

FROM:
David P. Donery, Town Manager

SUBJECT:
Adoption of Ordinance to Bring Town Solid Waste Regulations into Compliance with Senate Bill 1383

RECOMMENDATION

That the Town Council adopt an ordinance amending Chapter 5.03 of the San Anselmo Municipal Code to update the Town's solid waste regulations in accordance with SB 1383 (Attachment 1).

BACKGROUND

At its meeting of January 11, 2022, the Town Council held a public hearing and introduced by title only and waived further reading of the attached ordinance. The staff report and materials for the January 11 meeting can be accessed on the Town's website at
<https://www.townofsananselmo.org/779/Archived-Town-Council-Meeting-Packets>

DISCUSSION

The attached ordinance establishes enforceable Senate Bill 1383 related requirements for organic waste generators, haulers, and others and contains similar language to other jurisdictions in Marin County. The ordinance also updates the existing Town Code to eliminate provisions that are better suited for the Town's solid waste franchise agreement. Adopting the ordinance will bring the Town into compliance with state law.

CEQA AND CLIMATE ACTION PLAN CONSISTENCY

See Section 1 of proposed ordinance (Attachment 1).

ORDINANCE NO. _____

AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF SAN ANSELMO AMENDING MUNICIPAL CODE TITLE 5, CHAPTER 3 TO UPDATE THE TOWN'S SOLID WASTE REGULATIONS IN ACCORDANCE WITH SB 1383

WHEREAS, Senate Bill 1383 is a statewide effort to reduce emissions of short-lived climate pollutants; and

WHEREAS, the Bill directed California Department of Resources Recycling and Recovery ("CalRecycle") to adopt regulations to reduce disposal of organic waste by 50 percent from its 2014 baseline level by 2020 and 75 percent by 2025; and

WHEREAS, SB 1383 also requires the regulations to recover, for human consumption, at least 20 percent of edible food that is currently thrown away; and

WHEREAS, CalRecycle promulgated regulations as directed in SB 1383 in Chapter 12 (Short-Lived Climate Pollutants) of Division 7 of Title 14 of the California Code of Regulations ("SB 1383 Regulations");

WHEREAS, the SB 1383 Regulations require cities, counties, and special districts providing solid waste collection services to adopt and enforce an ordinance or other enforceable mechanism to implement relevant provisions of the SB 1383 Regulations including regulation of waste haulers and generators of organic waste and edible food, and enforcement mechanisms and penalties for violations; and

WHEREAS, the Town Council desires to amend the San Anselmo Municipal Code to comply with the SB 1383 Regulations.

NOW, THEREFORE, THE TOWN COUNCIL OF THE TOWN OF SAN ANSELMO DOES ORDAIN AS FOLLOWS:

SECTION 1. ENVIRONMENTAL REVIEW.
The Town Council finds that adoption of this ordinance is not a "project" under the California Environmental Quality Act (CEQA), because it does not involve an activity which has the potential to cause a direct or reasonably foreseeable indirect physical change in the environment. (Cal. Pub. Res. Code § 21065). Moreover, the Town Council finds that even if it were considered a project, adoption of the ordinance is exempt from the CEQA under 14 California Code of Regulations section 15061(b)(3), because it can be seen with certainty that there is no possibility that approval of the amended Agreement may have a significant effect on the environment.

SECTION 2. MUNICIPAL CODE AMENDMENT.
San Anselmo Municipal Code Title 5, Chapter 3 (Garbage) is hereby amended in its entirely as set forth in Exhibit A, attached hereto and incorporated herein by reference.

SECTION 3. SEVERABILITY.

The Town Council hereby declares every section, paragraph, sentence, clause and phrase is severable. If any section, paragraph, sentence, clause or phrase of this ordinance is for any reason found to be invalid or unconstitutional, such invalidity, or unconstitutionality shall not affect the validity or constitutionality of the remaining sections, paragraphs, sentences, clauses or phrases.

SECTION 4. INCORPORATION INTO MUNICIPAL CODE.
Inclusion in the San Anselmo Municipal Code. It is the intention of the San Anselmo Town Council that the text in Exhibit A be made a part of the San Anselmo Municipal Code and that the text may be renumbered or relettered and the word "Ordinance" may be changed to "Section", "Chapter", or such other appropriate word or phrase to accomplish this intention.

SECTION 11. EFFECTIVE DATE.
This Ordinance shall go into effect thirty (30) days from its adoption and shall be posted or published as required by State law.

THE FOREGOING ORDINANCE was introduced at a regular meeting of the San Anselmo Town Council on January 11, 2022, and was adopted at a regular meeting of the San Anselmo Town Council on _____, 2022, by the following vote:

AYES:
NOES:
ABSENT:
ABSTAIN:

_____
Alexis Fineman, Mayor

ATTEST:

_____
Carla Kacmar, Town Clerk

EXHIBIT A
Amendment to Title 5, Chapter 3 of the San Anselmo Municipal Code

Chapter 3 - SOLID WASTE
Sections:

5-3.01 Definitions.

For the purposes of this chapter, certain words and phrases used in this chapter are defined as follows:

"Act" means the California Integrated Waste Management Act of 1989 (commencing with Section 40000 of the Public Resources Code), as amended, including but not limited to, the Jobs and Recycling Act of 2011 (AB 341), SB 1016 (Chapter 343, Statutes of 2008 [Wiggins, SB 1016]), the Mandatory Commercial Organics Recycling Act of 2014 (AB 1826), and the Short-Lived Climate Pollutants Bill of 2016 (SB 1383), and as implemented by the regulations of CalRecycle.

"Authorized Collector" means such persons, firms or corporations collecting and delivering for disposal, recycling or processing solid waste (other than solid waste generated by a permitted building project) originating in the Town and doing so under a Franchise Agreement with the Town.

"CCR" means the California Code of Regulations. CCR references in this Chapter are preceded with a number that refers to the relevant Title of the CCR (e.g., "14 CCR" refers to Title 14 of CCR).

"Collection" means to take physical possession of Solid Waste at, and remove from, the place of generation for transport to a solid waste facility or other recovery activity.

"Commercial business" or "Commercial" means a firm, partnership, proprietorship, joint-stock company, corporation, or association, whether for-profit or nonprofit, strip mall, industrial facility, or a multi-family dwelling, or as otherwise defined in 14 CCR Section 18982(a)(6). A multi-family dwelling that consists of fewer than (5) or more dwelling units is not "Commercial", for the purposes of this Chapter.

"Commercial Edible Food Generator" means a tier one or a tier two commercial edible food generator as defined in 14 CCR Section 18982(a)(73) and (a)(74). Food recovery organizations and food recovery services are not commercial edible food generators.

"Commercial generator" means any commercial business, non-residential establishment, large event, large venue, or other entity that is responsible for the initial creation of solid waste and is not a single-family dwelling nor a multi-family dwelling consisting of fewer than five dwelling units. For the purposes of this chapter, a multi-family dwelling that consists of five or more dwelling units is considered a commercial generator.

"Community composting" means any activity that composts green material, agricultural material, food material, and vegetative food material, alone or in combination, and the total amount of feedstock and compost on-site at any one time does not exceed 100 cubic yards and 750 square feet as specified in 14 CCR Section 17855(a)(4); or as otherwise defined by 14 CCR Section 18982(a)(8).

"Composting" means the process of controlled biological decomposition of organic waste.

"Construction and demolition debris" or "C&D" means used or discarded materials resulting from construction, renovation, remodeling, repair, demolition, excavation, or construction clean-up operations on any pavement or structure.

"Container" or "collection container" means, for the purpose of this Chapter, any bin, box, or cart used for the purpose of holding solid waste for collection.

"Debris box" means any ten (10) to forty (40) cubic yard container, or any compactor provided by a solid waste generator, placed in the public right-of-way, on town property, private property, or elsewhere in the service area, which is procured by a solid waste generator for their use in the collection of their solid waste. Debris boxes are serviced by means of lifting the entire container, including all contents, onto a designated collection vehicle.

"Designated collection location" means the place where a collector has contracted with either the local governing body or a private entity to pick up source-separated, recyclable materials. This location will customarily be the curbside of a residential neighborhood or the service alley of a commercial (or multi-family) enterprise.

“Disposal” means the final disposition of Solid Waste at a Solid Waste Facility permitted for disposal.

“Diversion” means activities reducing or eliminating the amount of solid waste from solid waste disposal, and which return these materials to use in the form of raw materials for new, reused, or reconstituted products, which meet the quality standards necessary for commercial use, or for other purposes of reuse.

“Dwelling unit” means one (1) or more rooms with internal access between all rooms, which provide complete independent living facilities for at least one (1) family, including provisions for living, sleeping, eating, cooking, bathing, and sanitary facilities. Cooking facilities for purposes of this chapter shall be defined as any combination of the following: sink, refrigerator, cupboard and/or storage, stove, oven (including microwave and convection).

“Edible food” means food intended for human consumption, or as otherwise defined in 14 CCR Section 18982(a)(18). For the purposes of this ordinance or as otherwise defined in 14 CCR Section 18982(a)(18), “edible food” is not solid waste if it is recovered and not discarded. Nothing in this chapter or in 14 CCR, Division 7, Chapter 12 requires or authorizes the recovery of edible food that does not meet the food safety requirements of the California Retail Food Code.

“Enforcement Agency” means an entity with the authority to enforce part or all of this chapter as specified herein. Employees and agents of an Enforcement Agency may carry out inspections and enforcement activities pursuant to this chapter. Nothing in this chapter authorizing an entity to enforce its terms shall require that entity to undertake such enforcement except as agreed to by that entity and the Town. The Town is an Enforcement Agency for all sections of this chapter. The Town may choose to additionally delegate enforcement responsibility to other public entities, including the Marin Hazardous and Solid Waste Joint Powers Authority (Zero Waste Marin) and the County of Marin.

“Food recovery organization” means an entity that engages in the collection or receipt of edible food from commercial edible food generators and distributes that edible food to the public for food recovery either directly or through other entities or as otherwise defined in 14 CCR Section 18982(a)(25), including, but not limited to:

a) A food bank as defined in Section 113783 of the Health and Safety Code;

b) A nonprofit charitable organization as defined in Section 113841 of the Health and Safety Code; and,

c) A nonprofit charitable temporary food facility as defined in Section 113842 of the Health and Safety Code.

“Food recovery service” means a person or entity that collects and transports edible food from a commercial edible food generator to a food recovery organization or other entities for food recovery, or as otherwise defined in 14 CCR Section 18982(a)(26). A food recovery service is not a commercial edible food generator for the purposes of this chapter and implementation of 14 CCR, Division 7, Chapter 12 pursuant to 14 CCR Section 18982(a)(7).

“Food waste” means food scraps and trimmings and other putrescible waste that result from food production, preparation, cooking, storage, consumption or handling. Food waste includes but is not limited to meat, fish and dairy waste, fruit and vegetable waste and grain waste. Food waste does not include exempt waste.

“Franchise Agreement” means an exclusive agreement between the Authorized Collector and the Town for the collection solid waste on specified terms and conditions and at the rates for such collection fixed and established by the provisions of the Franchise Agreement and this Chapter.

“Garbage” means all non-recyclable packaging and other waste attributed to normal activities of a service unit. Garbage must be generated by and at the service unit wherein the garbage is collected. Garbage does not include recyclable materials, organic materials, debris from construction and demolition, large items, e-waste, universal waste, hazardous waste, household hazardous waste or exempt waste.

“Generators” for the purpose of this Chapter, means a person or entity, including commercial generators and residential generators, that is responsible for the initial creation of organic materials, or as otherwise defined as “organic waste generator” in 14 CCR Section 18982(a)(48).

“Hauler” means a person who collects material from a generator and delivers it to a reporting entity, end user, or a destination outside of the state or as otherwise defined by 14 CCR 18815.2(a)(32). “Hauler” includes public contract haulers, authorized collectors, food waste Self-haulers, and Self-haulers. A person who transports material from reporting entity to another person is a transporter, not a hauler.

“Inspection” means a site visit where a Jurisdiction or its designee or designated entity reviews records, containers, and an entity’s collection, handling, recycling, or disposal of solid waste or edible food handling, to determine if the entity is complying with requirements set forth in this ordinance, or as otherwise defined in 14 CCR Section 18982(a)(35).

“Multi-Family dwelling” or “Multi-family” means of, from, or pertaining to residential premises with five (5) or more dwelling units, for the purposes of this Chapter. Multi-family premises do not include hotels, motels, or other transient occupancy facilities, which are considered commercial businesses.

“Organic material” or "organic waste" means solid wastes containing material originated from living organisms and their metabolic waste products, including but not limited to food waste, green material, landscape and pruning waste, organic textiles and carpets, lumber, wood, paper products, printing and writing paper, manure, biosolids, digestate, and sludges, or as otherwise defined in 14 CCR Section 18982(a)(46).

"Person" means any person or persons, firm, association, corporation, or other entity acting as principal, agent or officer, servant, or employee, for themselves or for any other person, firm, or corporation.

"Premises" includes a tract or parcel of land with or without habitable buildings or appurtenant structures. (14 CCR § 17225.50). For purposes of this chapter the word premises includes residential and commercial uses of the land, whether owned, leased, rented or subrented, including every dwelling house, dwelling unit, apartment house or multiple-dwelling building, trailer or mobile home park, store, restaurant, rooming house, hotel, motel, office building, department store, manufacturing, processing or assembling shop or plant, warehouse and every other place or premises where any person resides, or any business is carried on or conducted within the town.

“Prohibited container contaminants” means (1) discarded materials placed in the designated Recyclables container that are not identified as acceptable source separated recyclables for the town’s designated recyclables collection container; (2) discarded materials placed in the designated organic materials collection container that are not identified as acceptable source separated organic materials for the town’s designated organic materials collection container; and (3) discarded materials placed in the garbage container that are acceptable source separated recyclables and/or source separated organic materials to be placed in town’s designated organic materials collection container and/or designated recyclables collection container and, and (4) excluded waste placed in any container.

"Recyclable (source separated) materials" means any material designated to be separated from the waste stream for purposes of recycling (See, Pub. Res. Code § 41951). This designation shall be made by the Town and the Authorized Collector based on good public practice, ability to receive an acceptable economic return, and feasibility of separating the material from the waste stream at the point of collection. Recyclable materials are currently limited to paper, glass, cardboard, plastics, ferrous metal, and aluminum.

"Recycling" means the process of collecting, sorting, cleansing, treating, and reconstituting materials that would otherwise become garbage and returning them for use or reuse in the form of raw materials for new, used, or reconstituted products which meet the quality standard necessary to be used in the marketplace.

Recycling does not include transformation as defined in Public Resources Code Section 40201. (14 CCR §17225.54).

“Residential” means, for the purposes of this chapter, any premise consisting of between one (1) and four (4) dwelling units, and onsite domestic uses accessory to these dwelling units. A multi-family dwelling that consists of fewer than (5) dwelling units is “Residential”, for the purposes of this Chapter.

“Self-hauler” means a person who hauls solid waste, organic waste or recovered material they have generated to another person. A self-hauler also includes a person who back-hauls waste as defined in 14 CCR section 18982(a)(66). “Back-haul” means generating and transporting organic materials to a destination owned and operated by the generator using the generator’s own employees, vehicles and equipment, or as otherwise defined in 14 CCR Section 18982(a)(66)(A).

"Solid waste" has the same meaning as defined in Public Resources Code Section 40191, which defines solid waste as all putrescible and nonputrescible solid and semisolid wastes, including garbage, recyclable materials, organic materials, demolition and construction wastes, bulky waste, discarded home and industrial appliances, manure, vegetable or animal solid or semisolid wastes, and other discarded solid and semisolid wastes with the exception that Solid Waste does not include any of the following wastes: (1) Hazardous waste, as defined in the Public Resources Code Section 40141, (2) Radioactive waste regulated pursuant to the State Radiation Control Law (Chapter 8 (commencing with Section 114960) of Part 9 of Division 104 of the Health and Safety Code) and (3) Medical waste regulated pursuant to the State Medical Waste Management Act (Part 14 (commencing with Section 117600) of Division 104 of the Health and Safety Code). Untreated medical waste shall not be disposed of in a Solid Waste landfill, as defined in Public Resources Code Section 40195.1. Medical waste that has been treated and deemed to be Solid Waste shall be regulated pursuant to Division 30 of the Public Resources Code. Recyclable materials and organic materials are a part of solid waste.

“Solid waste collection service” means collection of solid waste originating in the Town, by persons, firms or corporations, and doing so under a contract or franchise agreement with the Town.

“Solid waste facility” means a solid waste transfer or processing station including Material Recovery Facilities, a composting facility, a gasification facility, a transformation facility, an Engineered Municipal Solid Waste conversion facility, and a disposal facility. Solid waste facility additionally includes a solid waste operation that may be carried out pursuant to an enforcement agency notification, as provided in regulations adopted by CalRecycle, or otherwise set forth in the Act.

“Source separate” means the process of removing recyclable materials and organic materials from Solid Waste at the place of generation, prior to Collection, and placing such materials into separate containers designated for recyclable materials and organic materials, or as otherwise defined in 14 CCR Section 17402.5(b)(4).

“Tier One commercial edible food generator” means a Commercial Edible Food Generator that is one of the following as defined in 14 CCR Section 18982(a):

(a) Supermarkets with gross annual sales of $2,000,000 or more
(b) Grocery store with a total facility size equal to or greater than 10,000 square feet.
(c) Food service provider, which means an entity primarily engaged in providing food services to institutional, governmental, commercial, or industrial locations of others based on contractual arrangements with these types of organizations.
(d) Wholesale food vendor, which means a business or establishment engaged in the merchant wholesale distribution of food, where food (including fruits and vegetables) is received, shipped, stored, prepared for distribution to a retailer, warehouse, distributor, or other destination.
(e) Food Distributor, which means a company that distributes food to entities including, but not limited to, supermarkets and grocery stores.

“Tier Two commercial edible food generator” means a Commercial Edible Food Generator that is one of the following as defined in 14 CCR Section 18982(a):

(a) Restaurant with 250 or more seats, or a total facility size equal to or greater than 5,000 square feet.

(b) Hotel with an on-site food facility and 200 or more rooms.

(c) Health facility with an on-site food facility and 100 or more beds.

(d) Large Venue, which means a permanent venue facility that annually seats or serves an average of more than 2,000 individuals within the grounds of the facility per day of operation of the venue facility. For purposes of this ordinance and implementation of 14 CCR, Division 7, Chapter 12, a venue facility includes, but is not limited to, a public, nonprofit, or privately owned or operated stadium, amphitheater, arena, hall, amusement park, conference or civic center, zoo, aquarium, airport, racetrack, horse track, performing arts center, fairground, museum, theater, or other public attraction facility. For purposes of this ordinance and implementation of 14 CCR, Division 7, Chapter 12, a site under common ownership or control that includes more than one Large Venue that is contiguous with other Large Venues in the site, is a single Large Venue.

(e) Large Event, which means an event, including, but not limited to, a sporting event or a flea market, that charges an admission price, or is operated by a local agency, and serves an average of more than 2,000 individuals per day of operation of the event, at a location that includes, but is not limited to, a public, nonprofit, or privately owned park, parking lot, golf course, street system, or other open space when being used for an event..

(f) A state agency with a cafeteria with 250 or more seats or total cafeteria facility size equal to or greater than 5,000 square feet.

(g) A local education agency facility with an on-site food facility. “Local Education Agency” means a school district, charter school, or county office of education that is not subject to the control of town, city or county regulations related to Solid Waste, or as otherwise defined in 14 CCR Section 18982(a)(40).

“Town Administrator” means the Town Manager of the Town of San Anselmo, or their designee.

5-3.02 Solid waste disposal regulated.

(a) It shall be unlawful for any person to keep, deposit, bury, or dispose of any solid waste, except as provided in this chapter, in or upon any private property, public street, alley, sidewalk, gutter, park, or other public place whatsoever or to throw the same in the bed or upon the banks of any stream or creek in the Town or in or upon any of the waters thereof. Every person in the Town having the obligation to dispose of solid waste shall dispose of the same only in the manner provided in this Chapter through the Authorized Collector of the Town; provided, that any person may Self-haul solid waste to a solid waste facility in addition to their solid waste collection service in conformance with this Chapter. Every generator shall have solid waste collection service by the Authorized Collector each week, or more often if ordered by the Enforcement Authority and shall pay the Authorized Collector the monthly rates provided for in the Franchise Agreement, unless otherwise specified in this Chapter. Failure of receipt of a bill does not obviate responsibility for payment. In each instance, the property owner shall be primarily responsible for the payment of the charges provided for herein.

(b) For the purposes of this Chapter, any dwelling unit in which there are cooking facilities, and which is occupied more than four (4) days in any one month, shall be considered to generate solid waste and require solid waste collection service. The Authorized Collector shall give written notice to the Town of the address of any occupied premise within the Town which is not subscribing to the solid waste collection service.

(c) The Town may require the Authorized Collector to operate and maintain a recycling program for any and all recyclable materials and organic materials collected within the Town.

(d) A mandatory obligation is imposed on each person occupying any premise to source separate and recycle all recyclable material and organic materials from the garbage generated on the premise as described in Section 5-3.15 and Section 5-3.16.

(e) Generators shall place source separated organic materials, including food waste, in the organic materials collection container; place source separated recyclable materials in the recyclable material collection container; and place garbage in the approved garbage collection container. Generators shall not place prohibited container contaminants into the garbage collection container, organic materials collection container or recyclable material collection container.

(f) If any person should fail to subscribe for the collection and disposal of solid waste or violate any other provision of this Chapter, said violation shall be subject to enforcement actions described in Section 5-3.22.

(g) Generators shall provide or arrange for access during all inspections and investigations (with the exception of a private residential dwelling unit) and cooperate with the Town or Authorized Collector during such inspections and investigations as described in Section 5-3.21.

(h) Nothing in this Chapter shall prohibit generators from regularly disposing of garbage, recyclable material, or organic materials at a solid waste facility, by Self-hauling or through the uncompensated services of another in a manner collector conforming to Section 5-3.18.

(i) Nothing in this section prohibits generators from preventing or reducing waste generation, or otherwise diverting recyclable material and organic material as described in Section 5.3.14.

5-3.03 Collection containers.

(a) Generators shall store solid waste on their property or premises or shall require it to be stored or handled in such manner so as not to promote the propagation, harborage or attraction of vectors or the creation of nuisance (14 CCR § 17312).

(b) It shall be the duty of every property owner, occupant and tenant of any premises within the Town to store all solid waste in collection containers provided by the Authorized Collector. These containers shall be constructed of metal or an approved plastic material which shall be watertight, nonabsorbent, vector resistant, durable, easily cleanable, equipped with handles, and having tight-fitting covers such that said containers hold said solid waste without spillage and leakage, escape of odors or access of flies to the contents thereof and without being filled to within four (4") inches of the top. Each filled container shall not exceed a total of seventy-five (75) pounds in weight, including the weight of the container. It is unlawful to place, or permit to remain, any solid waste subject to decay except in a suitable covered container, as set forth herein. The specific nature of said containers shall be established as from time to time approved by the Town and Authorized Collector.

(c) Each person who has a collection container shall keep the area where the collection container is located in a clean, safe and sanitary condition. Each collection container and its cover shall be kept clean, and the cover shall not be removed except to place solid waste therein or to empty the same. The Authorized Collector will maintain or replace collection containers as needed.

(d) No collection container shall be placed or kept on or in any public street, alley, sidewalk, footpath, or public place whatsoever but shall be maintained on the premises, out of public view, except as may be provided for removing and emptying by the Authorized Collector on the day(s) and in the designated collection location. Collection containers are permitted to be placed in public view and on a public street, sidewalk or footpath only during the forty-eight-hour period commencing at 12:01 a.m. on the day preceding the day of scheduled pick-up and terminating at 12:01 a.m. on the day following such pick-up. For curbside collection service, the designated collection location shall be the street curb line adjacent to such premises and collection containers shall be placed in the location by the occupant of such premises for collection by the Authorized Collector.

5-3.04 - Removal of solid waste.

(a) All solid waste shall be removed by the Authorized Collector from collection containers at least once each week, unless otherwise specified by this chapter, state law, or by the Franchise Agreement. Removal shall occur as

often in each week as may be necessary to fully comply with the provisions of this Chapter and shall be so removed only by the Authorized Collector and upon the terms and conditions specified in this Chapter or shall be otherwise disposed of only as in this Chapter or the Franchise Agreement provide. Generators shall arrange for a size, quantity and collection frequency of collection containers to adequately store all solid waste generated in connection with the premise between the times designated for collection service. The Town shall have the right to review the number and size of such collection containers to evaluate the adequacy of capacity provided for each type of collection service and to review the separation and containment of materials. The Town shall be the exclusive judge of the sufficiency of the collection containers, and of the least number of times each week solid waste shall be removed from any premises, and of the sufficiency of disposition in compliance with this chapter otherwise than by collection by the Authorized Collector. Generators shall adjust service levels for their collection services as requested by the Town in order to meet the standards set forth in this Chapter.

(b) It shall be unlawful for any person to place or cause to be placed in any public receptacle owned by the Town and located upon any public street or public place any solid waste originating within or upon any private property; provided, however, pedestrians or other persons using such street or public place shall be permitted to deposit in such receptacles miscellaneous small articles of solid waste carried by them.

5-3.05 Rates for collection and collection services.

(a) Establishment of Rate Schedule. A comprehensive rate schedule for the collection of solid waste shall be established by the Council from time to time after a public hearing.

(b) Charge for Services. A charge shall be collected by the Authorized Collector not to exceed maximum rates established between the Town and the Authorized Collector, said maximum rates to be subject to change upon approval of an agreement between the Town and said authorized collector. The property owner is responsible for all charges for solid waste removal, including recyclable and organic materials. Said rates shall provide to the Authorized Collector a fair and reasonable compensation and return.

5-3.06 Payment of garbage rates: Delinquencies.

(a) Payment of Rates. It shall be unlawful for any person to refuse to pay the rates fixed for the collection of solid waste. Nonpayment may result in cessation of service, a violation punishable by law. Except as otherwise permitted by this Chapter, it shall be unlawful for any person to dispose of solid waste, from premises owned, occupied, or leased by said person other than by and through the Authorized Collector.

(b) If all payments are not made when due and after reasonable efforts to collect them have failed, the Authorized Collector shall so notify the Town in writing, showing the total delinquency and a list of the efforts made to collect. The Town shall thereupon notify the owner of the property by certified mail with return receipt requested. The notice shall demand that all delinquent payments be paid forthwith.

(c) It shall be the responsibility of the owner of any residential dwelling unit, or commercial property which is rented to provide for solid waste collection service to each family or business entity located on the property. Such owner shall be responsible for the payment of the fees provided for in this Chapter.

(d) It shall be unlawful for any person having the responsibility for solid waste collection service to fail, neglect, or refuse to do so after the Chief of Police or the Town Administrator or their designee notifies such responsible person to remove the solid waste in accordance with the provisions of this Chapter.

(e) It shall be the responsibility of the Authorized Collector to collect all fees provided for in this Chapter and to keep proper books of account and all billings on a timely basis and to account to the Town as often as the Town shall require.

5-3.07 - Conveyance of garbage through streets and alleys.

It shall be unlawful for any person to remove or carry on, along, or through the streets and alleys of the Town any solid waste; provided, however, the provisions of this section shall not apply to any person conveying solid waste collected outside the Town, nor to any person employed by the Town who shall be assigned to the work of solid waste removal while acting within the scope of their employment or to an authorized collector or to any

employee of such authorized collector during such time as such franchise agreement shall be in force. Nor shall this section be deemed to prohibit an individual from exercising their rights as described in sections 5-3.02, 5-3.14, 5-3.18, and which authorizes occasional disposals at authorized disposal sites.

All solid waste removed or carried on, along, or through such streets or alleys shall be removed or carried in watertight cans or in vehicles which do not leak and which have proper covers and are so loaded that none of the solid waste shall fall, drip, or spill to the ground or upon the streets or alleys. All such vehicles shall be kept clean on the outside and be numbered on the outside so that the number can be plainly seen.

5-3.08 - Municipal solid waste.

The Authorized Collector, without any charge whatsoever to the Town, shall pick up and remove all properly contained solid waste from all Town buildings and property on a weekly basis and shall daily empty and remove the contents of all public receptacles and litter cans provided by the Town.

5-3.09 - Contract for removal solid waste authorized.

The Council, after inviting bids therefor and after a duly noticed public hearing, may enter into a Franchise Agreement with any responsible person for the collection, removal, and disposal of solid waste collected and accumulated within the Town, and such contract shall operate for a term not to exceed ten (10) years, unless otherwise provided for in the Franchise Agreement. The responsible party contracting with the Town shall be the Authorized Collector.

(a) Independent Contractor. The Authorized Collector, in accordance with this Chapter, shall be considered as and shall be an independent contractor and shall be responsible to the Town for the result of the work to be done, but shall act under his own directions as to the manner of performing the work.

(b) Liability. The Authorized Collector and the Town shall be exempt from responsibility and liability for tampering or misuse of any items left at curbside for collection and/or recycling should spillage or other mishap occur prior to possession by Authorized Collector. Once the Authorized Collector takes possession of the solid waste, the Authorized Collector then assumes responsibility and liability.

(c) Minimum Provisions. The provisions of this Chapter shall be the minimum requirements for the protection of the public health, safety, convenience and general welfare.

(d) As required by state law, the Town's Authorized Collector providing organic materials collection services to generators within the Town's boundaries must meet the following requirements and standards as a condition of approval of a contract, agreement, or other authorization with the Town to collect organic materials:

(1) Through the Franchise Agreement provides written notice to the Town annually on or before January 1, 2022, to identify the facilities to which they will transport organic materials including facilities for source separated recyclable materials and source separated organic materials.

(2) Transports source separated recyclable materials and source separated organic materials to a facility, operation, activity, or property that recovers organic materials as defined in 14 CCR, Division 7, Chapter 12, Article 2.

(3) Obtain approval from the Town to haul organic materials, unless it is transporting source separated organic materials to a community composting site or lawfully transporting construction and demolition debris in a manner that complies with 14 CCR Section 18989.1.

5-3.10 - Award of franchise agreement for removal of solid waste.

The Town shall advertise for bids for the agreement authorized by Section 5-3.09 of this chapter. Such proposals shall offer to the Town a stated percentage amount based on monthly gross receipts for the exclusive right to collect and dispose of solid waste collected in the Town for the period of the agreement. The Council shall have the power to refuse any and all bids and shall award the agreement to the person in its opinion best qualified and equipped for performing the contemplated agreement. Should the Council determine that such bids are too low or are not fair or just, it may, at its option after rejecting all of them,

proceed without notice or publication to let an agreement to, or enter into an agreement with, such person upon such terms as shall appear to the Council to be for the best interests of the Town. The successful bidder or contractor shall, during the term of the agreement, be known as the "Authorized Collector" and shall collect solid waste on the terms and conditions and at the rates for such collection fixed and established by the provisions of this Chapter and the Franchise Agreement and shall dispose of all solid waste at a solid waste facility or facilities mutually designated by the Town and the Authorized Collector.

5-3.11 - Renewal of agreement.

When a Franchise Agreement has been entered into between the Town and Authorized Collector for the collection, removal and disposal of solid waste and the Authorized Collector shall have satisfactorily performed such contract, the Council, without inviting bids or proposals therefor, and without giving notice of its intention to do so, may, either prior to or after the expiration of such agreement, extend or renew the same for terms not exceeding ten (10) years each upon the same conditions or such other conditions as the Council shall provide, unless otherwise specified in the Franchise Agreement.

5-3.12 - Exporting and importing solid waste prohibited.

The following acts and conduct are hereby declared to be unlawful and a public nuisance:

(a) For any person having solid waste collection service of any type other than provided by the Authorized Collector to remove any solid waste or waste from their premises to the premises of any other person; and

(b) For any person having solid waste collection service of any type to permit or suffer their premises to be used for the deposit of any solid waste or waste from the premises of any other person.

5-3.13 Audit by Authorized Collector.

The Authorized Collector shall annually furnish the Town, at their own expense, an audit of their solid waste collection business and operations, which audit shall include a statement of financial condition and profit and loss statement to be made and prepared by a certified public accountant approved by the Town Manager or his designee.

5-3.14 Right to divert recyclable material and organic materials.

(a) Nothing in this chapter limits the right of any person to donate, sell, or otherwise remove their recyclable materials so long as the removal otherwise complies with this Chapter.

(b) Organic materials may be fed to animals on the premises where such organic materials is produced, provided that the premises are always kept in a sanitary condition to the satisfaction of the Town Administrator; and provided further that the keeping and feeding of such animals shall at all times conform to the applicable regulations of those entities governing the same now in force or which thereafter may be enacted or promulgated.

(c) Organic materials may be used in on-site composting or community composting pursuant to 14 CCR Section 18984.9(c), provided that such operation conforms to the applicable regulations of those entities governing the same now in force or which thereafter may be enacted or promulgated.

5-3.15 - Residential generator requirements.

Each residential generator shall subscribe to a level of solid waste collection service with the Authorized Collector that is sufficient to handle the volume of garbage, recyclable material, and organic materials generated or accumulated on the premises and comply with requirements of those collection services. Multi-family dwellings consisting of five dwelling units or more shall comply with the commercial generator requirements.

5-3.16 Commercial generator requirements.

(a) Commercial generators shall comply with the following requirements.

(1) Each commercial generator, including all multi-family dwellings that consist of five dwelling units or more, large events and large venues shall be responsible for compliance with the requirements of this Section.

(2) Each commercial generator shall subscribe to a level of service with an authorized collector that is sufficient to handle the volume of garbage, recyclable materials and organic materials generated or accumulated on the premises. Additionally, each commercial generator shall ensure the proper separation of solid waste, as established by the authorized collector, by placing each type of material in designated collection containers, and ensure that employees, contractors, volunteers, customers, visitors, and other persons on-site conduct proper source separation of solid waste.

(3) Each commercial generator shall supply and allow access to adequate number, size, and location of collection containers with sufficient labels or colors, conforming with requirements of this section, for employees, contractors, tenants, and customers, consistent with the solid waste collection service.

(4) Each commercial generator shall annually provide information to employees, contractors, tenants, and customers about organic materials recovery requirements and about proper sorting of solid waste.

(5) Each commercial generator shall provide educational information before, or within, fourteen (14) days of occupation of the premises to new tenants that describes requirements to keep source separated organic materials and source separated recyclable materials separate from garbage (when applicable) and the location of collection containers and the rules governing their use at each property.

(6) Each commercial generator shall accommodate and cooperate with the authorized collector's monitoring program for inspection of the contents of containers for prohibited container contaminants, to evaluate generator's compliance.

(7) If a commercial generator Self-hauls, the commercial generator shall meet the Self-haul requirements of this chapter.

(b) Commercial generators, excluding multi-family dwellings consisting of five (5) or more dwelling units, shall comply with the following requirements.

(1) Provide containers for the collection of source separated organic materials and source separated recyclable materials in all indoor and outdoor areas where garbage disposal containers are provided for customers, for materials generated onsite. Such containers do not need to be provided in restrooms. If a commercial generator does not generate any of the materials that would be collected in one type of collection container, then it is not required to provide that type of collection container in all areas where disposal collection containers are provided for customers. Pursuant to 14 CCR Section 18984.9(b), the collection containers shall have either:

i. A body or lid that is gray or black for collection of garbage, blue/tan for collection of recycling, and green for collection of organic materials. A commercial generator is not required to replace functional containers, including containers purchased prior to January 1, 2022, that do not comply with the requirements of the subsection prior to the end of the useful life of those containers, or prior to January 1, 2036, whichever comes first.

ii. Container labels that include language or graphic images, or both, indicating the primary material accepted and the primary materials prohibited in that container, or containers with imprinted text or graphic images that indicate the primary materials accepted and primary materials prohibited in the container. Pursuant 14 CCR Section 18984.8, the container labeling requirements are required on new containers commencing January 1, 2022.

(2) To the extent practical through education, training, inspection, and/or other measures, prohibit employees from placing materials in a container not designated for those materials per the solid waste collection service.

(3) Periodically inspect organic materials, recycling, and garbage containers for contamination and inform employees if containers are contaminated and of the requirements to keep contaminants out of those containers pursuant to 14 CCR Section 18984.9(b)(3).

(4) Commercial generators that are commercial edible food generators, as defined in Section 5-3.01, shall comply with food recovery requirements, pursuant to Section 5-3.21.

5-3.17 Waivers.

(a) Pursuant to 14 CCR Section 18984.11, the Town may grant waivers to commercial businesses based on physical space limitations and/or de minimis volume generated at such commercial businesses. Commercial businesses seeking a waiver shall submit their request in a form specified by the Town Administrator or their designee. After reviewing the waiver request, and after an on-site review, if applicable, the Town Administrator or their designee may either approve or deny the waiver requests in accordance with the following criteria. Anyone granted a waiver shall provide written verification of eligibility for a waiver at least every five years, and shall notify the Town if circumstances change such that they are no longer eligible for such waiver, in which case waiver will be rescinded.

(1) De Minimis Waivers: The Town may waive a commercial business' obligation to comply with some or all the organic waste collection service requirements if the commercial business meets the following requirements:

(i) Submit an application, with any application fee established by resolution of the Town Council, specifying the type of waiver requested and provide documentation as described below.

(ii) Provide documentation that either:

(a) The commercial business receives two or more cubic yards of weekly solid waste collection service (including garbage, recyclable material and organic materials) and organic materials subject to collection comprises less than 20 gallons per week of the business' total weekly solid waste volume; or

(b) The commercial business receives less than two cubic yards of weekly solid waste collection service (including garbage, recyclable material and organic materials) and organic materials subject to collection comprises less than 10 gallons per week of the business' total weekly solid waste volume.

(c) For the purposes of subsections (a) and (b) above, weekly solid waste collection shall be the sum of weekly garbage collection container volume, recyclable material collection container volume and organic materials collection container volume, measured in cubic yards.

(2) Physical Space Waivers: The Town may waive a commercial business' obligations (including multi-family dwellings consisting of five (5) or more dwelling units) to comply with some or all of the recyclable materials and/or organic materials collection service requirements if the Town has evidence from its own staff, a hauler, licensed architect, or licensed engineer demonstrating that the premises lacks adequate space for the collection containers required for compliance with the collection service requirements. A commercial business or property owner may request a physical space waiver through the following process:

(i) Submit an application form specifying the type(s) of collection services for which they are requesting a waiver from mandatory collection service.

(ii) Provide documentation that the premises lacks adequate space for the approved recyclable materials collection containers and approved organic materials collection containers including documentation from its authorized collector, licensed architect, or licensed engineer.

5-3.18 Self-haul requirements.

(a) Self-haulers shall source separate all recyclable materials and organic materials generated on-site from solid waste in a manner consistent with 14 CCR Sections 18984.1 and 18984.2, or shall haul organic materials to a high diversion organic waste processing facility as specified in 14 CCR Section 18984.3.

(b) Self-haulers shall haul their source separated recyclable materials to a facility that recovers those materials; and haul their source separated organic materials to a solid waste facility that processes or recovers source separated organic materials; and haul any other solid waste to an authorized disposal site.

(c) Self-haulers that are commercial businesses shall keep a record of the amount of organic materials delivered to each solid waste facility, operation, activity, or property that processes or recovers organic materials; this record shall be subject to inspection by the Town. The records shall include the following information:

1. Delivery receipts and weight tickets from the entity accepting the waste. If the material is transported to an entity that does not have scales on-site or employs scales incapable of weighing the Self-hauler's vehicle in a manner that allows it to determine the weight of materials received, the Self-hauler shall keep a record of the facilities that received the organic materials.

2. The amount of material in cubic yards or tons transported by the generator to each entity.

5-3.19 Commercial Edible Food Generator requirements.

(a) Tier one commercial edible food generators must comply with the requirements of this section commencing January 1, 2022, and Tier two commercial edible food generators must comply commencing January 1, 2024, pursuant to 14 CCR Section 18991.3.

(b) Operators of a large venue or large event (as defined in 14 CCR 18982(a)(38)) that are not providing food services, but allowing for food to be provided by others, shall require food facilities operating at the large venue or large event to comply with the requirements of this section, commencing January 1, 2024.

(c) Commercial edible food generators shall comply with the following requirements:

(1) Arrange to recover the maximum amount of edible food that would otherwise be disposed.

(2) Contract with or enter into a written agreement with food recovery organizations or food recovery services for: (a) the collection of edible food for food recovery; or (b) acceptance of the edible food that the commercial edible food generator Self-hauls to the food recovery organization for food recovery.

(3) Shall not intentionally spoil edible food that is capable of being recovered by a food recovery organization or a food recovery service.

(4) Allow the Town's designated enforcement entity or designated third party enforcement entity to access the premises and review records pursuant to 14 CCR Section 18991.4.

(5) Keep records that include the following information, or as otherwise specified in 14 CCR Section 18991.4:

(i) A list of each food recovery service or organization that collects or receives its edible food pursuant to a contract or written agreement established under 14 CCR section 18991.3(b).

(ii) A copy of all contracts or written agreements established under 14 CCR section 1891.3(b).

(iii) A record of the following information for each of those food recovery services or food recovery organizations:

(a) The name, address and contact information of the food recovery service or food recovery organization.

(b) The types of food that will be collected by or Self-hauled to the food recovery service or food recovery organization.

(c) The established frequency that food will be collected or Self-hauled.

(d) The quantity of food, measured in pounds recovered per month, collected or Self-hauled to a food recovery service or food recovery organization for food recovery.

(d) Nothing in this Chapter shall be construed to limit or conflict with the protections provided by the California Good Samaritan Food Donation Act of 2017, the Federal Good Samaritan Act, or share table and school food donation guidance pursuant to Senate Bill 557, as amended from time to time.

5-3.20 - Food Recovery Organization and Food Recovery Services requirements.

(a) Food recovery services collecting or receiving edible food directly from commercial edible food generators, via a contract or written agreement established under 14 CCR Section 18991.3(b), shall maintain the following records, or as otherwise specified by 14 CCR Section 18991.5(a)(1):

(1) The name, address, and contact information for each commercial edible food generator from which the service collects edible food.

(2) The quantity in pounds of edible food collected from each commercial edible food generator per month.

(3) The quantity in pounds of edible food transported to each food recovery organization per month.

(4) The name, address, and contact information for each food recovery organization that the food Recovery Service transports edible food to for food recovery.

(b) Food recovery organizations collecting or receiving edible food directly from commercial edible food generators, via a contract or written agreement established under 14 CCR Section 18991.3(b), shall maintain the following records, or as otherwise specified by 14 CCR Section 18991.5(a)(2):

(1) The name, address, and contact information for each commercial edible food generators from which the organization receives edible food.

(2) The quantity in pounds of edible food received from each commercial edible food generator per month.

(3) The name, address, and contact information for each food recovery service that the organization receives edible food from for food recovery.

(c) Food recovery organizations and food recovery services that have their primary address physically located in the Town and contract with or have written agreements with one or more commercial edible food generators pursuant to 14 CCR Section 18991.3(b) shall annually report to the Town it is located in the total pounds of edible food recovered in the previous calendar year from the tier one and tier two commercial edible food generators they have established a contract or written agreement with pursuant to 14 CCR Section 18991.3(b) no later than April 1.

(d) Food recovery services and food recovery organizations shall provide information and consultation to the Town, upon request, regarding existing, or proposed new or expanded, food recovery capacity that could be accessed by the Town its commercial edible food generators. A food recovery service or food recovery

organization contacted by the Town shall respond to such request for information within 60 days unless a shorter timeframe is otherwise specified by the Town.

5-3.21 Inspections and investigations.

The Town Administrator, Authorized Collector, or designee is authorized to conduct any inspections, remote monitoring, or other investigations as reasonably necessary to further the goals of this chapter, subject to applicable laws. This may include inspections and investigations, at random or otherwise, of any collection container, collection vehicle load, or transfer, processing, or disposal facility to confirm compliance with this chapter, subject to applicable laws. This section does not allow entry in a private residential dwelling unit for inspection. For the purposes of inspecting collection containers for compliance, the Town Administrator or Authorized Collector may conduct container inspections for prohibited container contaminants using remote monitoring, and generators shall accommodate and cooperate with the remote monitoring.

5-3.22 Violations and penalties.

A violation of any provision of this chapter shall be subject to any of the enforcement tools available under the law, including those outlined in Title 1, Chapters 2 and 6 of the Municipal Code, except that fines, charges, and/or costs shall not be recoverable by recording a lien or special assessment against a property. Any section of this chapter may be enforced by the Town, or if agreed to, by its designated Enforcement Agency.

525 San Anselmo Avenue
San Anselmo, CA 94960

Town of San Anselmo

Staff Report

TO: Town Council **Meeting of** 1/25/2022

FROM:
Jeff Zuba, Finance & Administrative Services Director

SUBJECT:
Revenue and Expenditure Reports, November 2021

RECOMMENDATION

Approve the monthly year-to-date Revenue and Expenditure Reports and corresponding activity for the period ending through November 30, 2021.

BACKGROUND

Every reporting period end, the Town of San Anselmo presents to the Town Council its operations as shown on the Revenue and Expenditure reports for discussion and approval. The Revenue and Expenditure reports are year-to-date summaries of revenues and expenditures from the Town's financial system ('Tyler Incode') for both the current as well as the prior corresponding fiscal year. These reports include the General Fund's operations given most of the Town-level operational activities are processed through the General Fund either directly or indirectly. This approval is to be obtained once a month within the fiscal year.

ANALYSIS

The revenue and expenditure data through November 30, 2021, is a compilation of all operating activity that is year-to-date for the current and prior fiscal year. These reports are sourced directly from the Town's financial system, of which a corresponding analysis has been performed identifying the key trends the Town Council should take note about.

Revenues

Overall, through the November 2021 reporting period end, the Town's General Fund revenue has expanded its base relative to prior year by $0.224M. This is primarily from the increase in property taxes, sales taxes, business construction permits, and fines offset by transfers in. All other activity is either flat year-over-year or nets correspondingly to an immaterial change-all of which are within management's expectations.

Category	NOV YTD FY21	NOV YTD FY20	$ Change	% Change
Property Tax	165,544.95	6,288.67	159,256.28	2532.43%
Sales Tax	472,681.29	318,172.55	154,508.74	48.56%
Property Transfer Tax	52,084.70	37,212.16	14,872.54	39.97%
Franchise Taxes	208,730.65	199,776.94	8,953.71	4.48%
Licenses & Permits	466,347.83	447,738.50	18,609.33	4.16%
Fines	30,806.85	17,338.73	13,468.12	77.68%
Cash & Investment Interest	3,593.71	4,781.79	(1,188.08)	-24.85%
Intergovernmental	46,419.70	48,872.43	(2,452.73)	-5.02%
Other Fees	112,889.93	120,961.76	(8,071.83)	-6.67%
Transfers In	80,694.00	213,998.92	(133,304.92)	-62.29%
Total	**1,639,793.61**	**1,415,142.45**	**224,651.16**	**15.87%**

As shown above, the Town's revenue base overall increased by $0.224M of which is driven by Property Taxes, Sales Tax, Licenses & Permits, and Fines:

- Property Taxes increased by $0.159M compared to the prior period due to timing of collections from the County.
- Sales Taxes increased by $0.154M compared to the prior period is a result of improving economic conditions from the COVID-19 Pandemic conditions within the Town's boundaries. With greater confidence in security and safety of public health, consumer sentiment is rising giving way to increased sales transactions.
- Construction Business Permits increased by $0.018M following the rising sentiment like Sales Taxes being collected.
- Fines increased by $0.013M mainly due to parking enforcement.

The largest decrease to note ($0.133M) are transfers into the General Fund. Due to the Covid-19 pandemic $0.060M was returned in FY20 to the General Fund from the Robson House Fund as the project for dry rot repair and exterior painting was put on hold. The remaining amount relates to the transfer in from the Gas Tax fund which is still being reviewed and has not been recorded in the general ledger as of November 31. As far as the other revenue streams, these changes either decreased or remained relatively flat year-over-year resulting in an immaterial change.

Expenditures

Overall, through the November 2021 reporting period end, the Town's General Fund expenditures have increased compared to the prior year by $0.439M. This is primarily from increases in compensation, CalPERS retirement payments, Outside Services, and Transfers out. All other activity is either flat year-over-year or nets correspondingly to an immaterial change-all of which are within management's expectations.

Category	NOV YTD FY21	NOV YTD FY20	$ Change	% Change
Compensation	1,329,878.80	1,260,185.59	69,693.21	5.53%
Retirement	753,693.44	661,438.44	92,255.00	13.95%
Training	14,077.05	2,488.00	11,589.05	465.80%
Outside Services	4,616,836.10	4,414,492.60	202,343.50	4.58%
Maintenance	51,054.11	46,737.16	4,316.95	9.24%
Utilities	77,415.25	71,247.89	6,167.36	8.66%
Supplies	42,643.50	61,555.38	(18,911.88)	-30.72%
Debt Service	-	-	-	
Other Expenditure	40,940.68	23,806.91	17,133.77	71.97%
Transfers Out	1,263,517.00	1,208,517.00	55,000.00	4.55%
Total	**8,190,055.93**	**7,750,468.97**	**439,586.96**	**5.67%**

As shown above, the Town's expenditures base overall increased by $0.439M of which is driven by Compensation, CalPERS Retirement payments, Outside Services, and Transfers Out payments:

- Compensation (Salaries & Wages and Benefits) increased by $0.069M compared to the prior fiscal year primarily due to the 5% maximum salary reduction put in place for the previous fiscal year. This salary reduction affected both SEIU and Unrepresented Town employees through the end of the 2021 fiscal year.
- Expenditures relating to CalPERS retirement increased by $0.090M due to the Town's required unfunded pension liability payment. The required retirement payment to CalPERS is a combination of both the contribution for the active and retired employees. This payment increased by $80,985 as compared to the previous fiscal year.
- Outside Services increased by $0.202M compared to the previous fiscal year due to the changes in payments for Public Safety JPA's.
- Transfers to other funds increased by $0.055M due to Town Council recognizing the need to devote resources towards implementing its Climate Action Plan.

As far as the other expenditure streams, these changes either slightly changed or remained flat year-over-year resulting in an immaterial change. The largest increase within this pool of remaining costs is the other expenditure of $0.017M for traffic control materials. All other changes are taken together overall immaterial for further discussion and are expected given the Town's operations.

CONCLUSION

As inspected, the Town's financial position is continuously improving compared to the prior fiscal year given the economic recovery from the COVID-19 Pandemic. In anticipation through the end of the current fiscal year, these trends are expected to continue with increased revenue collection from this positive economic traction.

Town of San Anselmo
2021-2022 Rev & Exp Report
as of 11/30/2021
Fund: 01 - GENERAL FUND

	2020-2021 Revised Budget	2020-2021 Audited Actuals	2020-2021 YTD Actuals	% of Audited Actuals	2021-2022 Adopted Budget	2021-2022 Revised Budget	2021-2022 YTD Actuals	% of Actual / Budget
Expense								
00 - UNDESIGNATED	1,348,517.00	1,348,517.00	1,208,517.00	89.62 %	1,263,517.00	1,263,517.00	1,263,517.00	100.00 %
11 - TOWN COUNCIL	95,323.00	36,904.54	9,772.50	26.48 %	95,323.00	95,323.00	16,018.31	16.80 %
12 - ADMINISTRATION	1,196,257.00	1,082,515.02	442,991.73	40.92 %	1,403,741.50	1,403,741.50	489,257.40	34.85 %
16 - LEGAL SERVICES	205,000.00	315,276.23	85,816.83	27.22 %	300,000.00	300,000.00	100,073.78	33.36 %
18 - PLANNING	407,296.00	356,215.18	151,402.39	42.50 %	638,270.00	638,270.00	122,666.99	19.22 %
21 - NON-DEPARTMENTAL	1,056,651.00	967,944.26	740,678.67	76.52 %	1,159,369.00	1,159,369.00	828,378.80	71.45 %
30 - POLICE	4,540,998.00	4,546,888.17	1,904,782.52	41.89 %	4,685,857.00	4,685,857.00	1,962,725.62	41.89 %
32 - ROSS VALLEY FIRE SERVICE	4,391,395.00	4,382,001.59	1,815,789.60	41.44 %	4,611,448.00	4,611,448.00	1,885,557.90	40.89 %
40 - DEBT SERVICE	226,518.00	226,417.85	1,400.00	0.62 %	234,708.00	234,708.00	1,400.00	0.60 %
41 - ENGINEERING AND INSPECTION	1,167,307.00	1,283,354.81	480,890.33	37.47 %	1,326,648.00	1,326,648.00	595,100.78	44.86 %
42 - STREETS	835,488.00	900,353.28	357,715.81	39.73 %	890,957.50	890,957.50	328,574.28	36.88 %
71 - LIBRARY	613,159.00	561,377.89	282,879.88	50.39 %	729,255.50	729,255.50	285,207.62	39.11 %
81 - PARKS	361,249.00	505,007.96	166,556.65	32.98 %	382,079.50	382,079.50	207,851.29	54.40 %
82 - RECREATION/GENERAL FUND	253,012.00	241,375.82	101,275.06	41.96 %	281,447.50	281,447.50	103,726.16	36.85 %
Total Expense:	**16,698,170.00**	**16,754,149.60**	**7,750,468.97**	**46.26 %**	**18,002,621.50**	**18,002,621.50**	**8,190,055.93**	**45.49 %**
Total Fund: 01 - GENERAL FUND:	**16,698,170.00**	**16,754,149.60**	**7,750,468.97**	**46.26 %**	**18,002,621.50**	**18,002,621.50**	**8,190,055.93**	**45.49 %**
Report Total:	**16,698,170.00**	**16,754,149.60**	**7,750,468.97**	**46.26 %**	**18,002,621.50**	**18,002,621.50**	**8,190,055.93**	**45.49 %**

Town of San Anselmo 2021-2022 Rev & Exp Report as of 11/30/2021	2020-2021 Revised Budget	2020-2021 Audited Actuals	2020-2021 YTD Actuals	% of Audited Actuals	2021-2022 Adopted Budget	2021-2022 Revised Budget	2021-2022 YTD Actuals	% of Actual / Budget
Fund: 01 - GENERAL FUND								
Revenue								
400 - PROPERTY TAX GENERAL	7,953,590.00	8,128,724.86	5,636.81	0.07 %	8,376,892.00	8,376,892.00	150,049.79	1.79 %
401 - PENSION	2,039,162.00	2,490,632.38	651.86	0.03 %	2,291,981.00	2,291,981.00	11,938.37	0.52 %
402 - PROPERTY TAX OTHER	2,717,576.00	3,376,535.46	0.00	0.00 %	3,265,116.00	3,265,116.00	3,556.79	0.11 %
410 - OTHER TAXES	1,218,100.00	1,456,718.47	355,384.71	24.40 %	1,324,486.00	1,324,486.00	524,765.99	39.62 %
411 - FRANCHISE TAXES	745,630.00	807,418.78	199,776.94	24.74 %	750,630.00	750,630.00	208,730.65	27.81 %
420 - BUSINESS LICENSE	180,000.00	292,105.63	40,739.43	13.95 %	240,000.00	240,000.00	30,901.57	12.88 %
421 - PARKING	5,500.00	11,264.58	769.63	6.83 %	24,500.00	24,500.00	1,882.49	7.68 %
422 - CONSTRUCTION	809,000.00	1,006,976.29	406,229.44	40.34 %	900,000.00	900,000.00	433,563.77	48.17 %
430 - VEHICLE CODE	10,000.00	18,042.79	3,908.54	21.66 %	10,000.00	10,000.00	6,941.12	69.41 %
431 - LIBRARY	200.00	1,205.41	129.67	10.76 %	0.00	0.00	196.10	0.00 %
432 - PARKING	27,000.00	42,314.81	13,300.52	31.43 %	50,000.00	50,000.00	23,669.63	47.34 %
440 - USE OF MONEY AND PROPERTY	10,000.00	76,486.94	4,781.79	6.25 %	15,000.00	15,000.00	3,593.71	23.96 %
450 - STATE REVENUE	144,800.00	152,155.19	48,872.43	32.12 %	107,500.00	107,500.00	46,419.70	43.18 %
460 - FEDERAL REVENUE	0.00	0.00	0.00	0.00 %	0.00	0.00	0.00	0.00 %
470 - LOCAL AGENCY REVENUE	0.00	0.00	0.00	0.00 %	0.00	0.00	0.00	0.00 %
480 - FEES FOR SERVICES	172,000.00	221,754.24	113,169.95	51.03 %	171,000.00	171,000.00	82,089.31	48.01 %
490 - MISCELLANEOUS REVENUE	90,900.00	78,215.46	7,791.81	9.96 %	97,500.00	97,500.00	30,800.62	31.59 %
519 - TRANSFERS IN	447,087.00	420,968.92	213,998.92	50.83 %	418,464.00	418,464.00	80,694.00	19.28 %
520 - SOURCE OF PROCEEDS	0.00	0.00	0.00	0.00 %	0.00	0.00	0.00	0.00 %
Total Revenue:	**16,570,545.00**	**18,581,520.21**	**1,415,142.45**	**7.62 %**	**18,043,069.00**	**18,043,069.00**	**1,639,793.61**	**9.09 %**
Expense								
600 - SALARIES AND WAGES	2,471,371.00	2,245,428.15	959,842.47	42.75 %	2,887,665.00	2,887,665.00	1,037,614.81	35.93 %
601 - RETIREMENT	830,820.00	779,893.84	661,438.44	84.81 %	960,932.00	960,932.00	753,693.44	78.43 %
602 - EMPLOYEE BENEFITS	671,150.00	555,400.10	269,743.12	48.57 %	782,423.50	782,423.50	262,563.99	33.56 %
604 - RETIREE BENEFITS	139,622.00	139,622.00	30,600.00	21.92 %	144,322.00	144,322.00	29,700.00	20.58 %
610 - TRAINING	32,200.00	10,659.57	2,488.00	23.34 %	40,200.00	40,200.00	14,077.05	35.02 %
611 - OUTSIDE SERVICES	10,380,759.00	10,826,178.87	4,414,492.60	40.78 %	11,039,241.00	11,039,241.00	4,616,836.10	41.82 %
613 - PUBLICATION / DUES	15,550.00	9,366.97	1,797.75	19.19 %	15,550.00	15,550.00	5,113.18	32.88 %
614 - MAINTENANCE	21,600.00	13,933.03	3,808.20	27.33 %	21,600.00	21,600.00	8,704.41	40.30 %
615 - BUILDING MAINTENANCE	128,950.00	154,733.30	42,928.96	27.74 %	189,950.00	189,950.00	42,207.79	22.22 %
616 - VEHICLE MAINTENANCE	6,500.00	2,425.66	0.00	0.00 %	6,500.00	6,500.00	141.91	2.18 %
617 - UTILITIES	221,740.00	252,211.91	71,247.89	28.25 %	210,740.00	210,740.00	77,415.25	36.73 %
618 - HIRING	0.00	2,357.11	88.95	3.77 %	1,000.00	1,000.00	6,231.04	623.10 %
619 - MISCELLANEOUS	19,000.00	-231.12	0.00	0.00 %	18,500.00	18,500.00	0.00	0.00 %
620 - OFFICE SUPPLIES	34,800.00	20,755.39	6,415.25	30.91 %	36,200.00	36,200.00	9,896.59	27.34 %
622 - DEPARTMENT SUPPLIES	45,200.00	86,129.01	49,857.23	57.89 %	45,700.00	45,700.00	27,579.62	60.35 %
623 - BOOKS / MAGAZINES / VIDEOS	23,373.00	6,848.11	5,282.90	77.14 %	23,373.00	23,373.00	5,167.29	22.11 %
629 - MISCELLANEOUS	77,000.00	72,018.87	21,920.21	30.44 %	76,500.00	76,500.00	29,596.46	38.69 %
630 - EQUIPMENT	0.00	0.00	0.00	0.00 %	500.00	500.00	0.00	0.00 %
631 - CAPITAL OUTLAY - CONSTRUCTION	0.00	0.00	0.00	0.00 %	0.00	0.00	0.00	0.00 %
640 - PRINCIPAL	211,000.00	211,000.00	0.00	0.00 %	227,000.00	227,000.00	0.00	0.00 %
641 - INTEREST	19,018.00	16,901.83	0.00	0.00 %	11,208.00	11,208.00	0.00	0.00 %
670 - TRANSFERS OUT	1,348,517.00	1,348,517.00	1,208,517.00	89.62 %	1,263,517.00	1,263,517.00	1,263,517.00	100.00 %
Total Expense:	**16,698,170.00**	**16,754,149.60**	**7,750,468.97**	**46.26 %**	**18,002,621.50**	**18,002,621.50**	**8,190,055.93**	**45.49 %**
Total Fund: 01 - GENERAL FUND:	**-127,625.00**	**1,827,370.61**	**-6,335,326.52**		**40,447.50**	**40,447.50**	**-6,550,262.32**	
Report Total:	**-127,625.00**	**1,827,370.61**	**-6,335,326.52**		**40,447.50**	**40,447.50**	**-6,550,262.32**	

Town of San Anselmo

525 San Anselmo Avenue
San Anselmo, CA 94960

Staff Report

TO: Town Council **Meeting of** 1/25/2022

FROM:
Jeff Zuba, Finance & Administrative Services Director

SUBJECT:
Revenue and Expenditure Reports, December 2021

RECOMMENDATION

Approve the monthly year-to-date Revenue and Expenditure Reports and corresponding activity for the period ending through December 31, 2021.

BACKGROUND

Every reporting period end, the Town of San Anselmo presents to the Town Council its operations as shown on the Revenue and Expenditure reports for discussion and approval. The Revenue and Expenditure reports are year-to-date summaries of revenues and expenditures from the Town's financial system ('Tyler Incode') for both the current as well as the prior corresponding fiscal year. These reports include the General Fund's operations given most of the Town-level operational activities are processed through the General Fund either directly or indirectly. This approval is to be obtained once a month within the fiscal year.

ANALYSIS

The revenue and expenditure data through December 31, 2021, is a compilation of all operating activity that is year-to-date for the current and prior fiscal year. These reports are sourced directly from the Town's financial system, of which a corresponding analysis has been performed identifying the key trends the Town Council should take note about.

Revenues

Overall, through the December 2021 reporting period end, the Town's General Fund revenue has expanded its base relative to prior year by $0.621M. This is primarily from the increase in property taxes, sales taxes, business construction permits, and fines offset by transfers in. All other activity is either flat year-over-year or nets correspondingly to an immaterial change-all of which are within management's expectations.

Category	DEC YTD FY21	DEC YTD FY20	$ Change	% Change
Property Tax	7,712,227.63	7,361,030.61	351,197.02	4.77%
Sales Tax	584,321.10	431,221.58	153,099.52	35.50%
Property Transfer Tax	52,084.70	37,212.16	14,872.54	39.97%
Franchise Taxes	281,864.30	199,776.94	82,087.36	41.09%
Licenses & Permits	529,648.84	490,408.31	39,240.53	8.00%
Fines	45,606.82	20,025.65	25,581.17	127.74%
Cash & Investment Interest	3,593.71	4,781.79	(1,188.08)	-24.85%
Intergovernmental	59,593.98	65,819.01	(6,225.03)	-9.46%
Other Fees	143,649.14	132,826.39	10,822.75	8.15%
Transfers In	244,072.00	292,990.25	(48,918.25)	-16.70%
Total	**9,656,662.22**	**9,036,092.69**	**620,569.53**	**6.87%**

As shown above, the Town's revenue base overall increased by $0.620M of which is driven by Property Taxes, Sales Tax, Licenses & Permits, and Fines:

- Property Taxes increased by $0.351M compared to the prior period due to timing of collections from the County.
- Sales Taxes increased by $0.154M compared to the prior period is a result of improving economic conditions from the COVID-19 Pandemic conditions within the Town's boundaries. With greater confidence in security and safety of public health, consumer sentiment is rising giving way to increased sales transactions.
- Construction Business Permits increased by $0.039M following the rising sentiment like Sales Taxes being collected.
- Fines increased by $0.025M mainly due to parking enforcement.

The largest decrease to note ($0.048M) are transfers into the General Fund. Due to the Covid-19 pandemic $0.060M was returned in FY20 to the General Fund from the Robson House Fund as the project for dry rot repair and exterior painting was put on hold. As far as the other revenue streams, these changes either decreased or remained relatively flat year-over-year resulting in an immaterial change.

Expenditures

Overall, through the December 2021 reporting period end, the Town's General Fund expenditures have increased compared to the prior year by $0.597M. This is primarily from increases in compensation, CalPERS retirement payments, Outside Services, and Transfers out. All other activity is either flat year-over-year or nets correspondingly to an immaterial change-all of which are within management's expectations.

Category	DEC YTD FY21	DEC YTD FY20	$ Change	% Change
Compensation	1,602,001.77	1,504,400.30	97,601.47	6.49%
Retirement	771,844.84	677,857.33	93,987.51	13.87%
Training	14,077.05	2,488.00	11,589.05	465.80%
Outside Services	5,577,474.49	5,249,284.30	328,190.19	6.25%
Maintenance	60,962.81	56,592.76	4,370.05	7.72%
Utilities	89,857.60	106,255.04	(16,397.44)	-15.43%
Supplies	62,520.89	64,610.66	(2,089.77)	-3.23%
Debt Service	117,132.54	116,857.77	274.77	
Other Expenditure	53,003.45	27,613.59	25,389.86	91.95%
Transfers Out	1,263,517.00	1,208,517.00	55,000.00	4.55%
Total	**9,612,392.44**	**9,014,476.75**	**597,915.69**	**6.63%**

As shown above, the Town's expenditures base overall increased by $0.597M of which is driven by Compensation,

CalPERS Retirement payments, Outside Services, and Transfers Out payments:

- Compensation (Salaries & Wages and Benefits) increased by $0.097M compared to the prior fiscal year primarily due to the 5% maximum salary reduction put in place for the previous fiscal year. This salary reduction affected both SEIU and Unrepresented Town employees through the end of the 2021 fiscal year.
- Expenditures relating to CalPERS retirement increased by $0.093M due to the Town's required unfunded pension liability payment. The required retirement payment to CalPERS is a combination of both the contribution for the active and retired employees. This payment increased by $80,985 as compared to the previous fiscal year.
- Outside Services increased by $0.328M compared to the previous fiscal year due to the changes in payments for Public Safety JPA's and construction project activity.
- Transfers to other funds increased by $0.055M due to Town Council recognizing the need to devote resources towards implementing its Climate Action Plan.

As far as the other expenditure streams, these changes either slightly changed or remained flat year-over-year resulting in an immaterial change. The largest increase within this pool of remaining costs is the other expenditure of $0.017M for traffic control materials. All other changes are taken together overall immaterial for further discussion and are expected given the Town's operations.

CONCLUSION

As inspected, the Town's financial position is continuously improving compared to the prior fiscal year given the economic recovery from the COVID-19 Pandemic. In anticipation through the end of the current fiscal year, these trends are expected to continue with increased revenue collection from this positive economic traction.

Town of San Anselmo
2021-2022 Rev & Exp Report
as of 12/31/2021
Fund: 01 - GENERAL FUND

	2020-2021 Revised Budget	2020-2021 Audited Actuals	2020-2021 YTD Actuals	% of Audited Actuals	2021-2022 Adopted Budget	2021-2022 Revised Budget	2021-2022 YTD Actuals	% of Actual / Budget
Revenue								
400 - PROPERTY TAX GENERAL	7,953,590.00	8,128,724.86	4,442,040.29	54.65 %	8,376,892.00	8,376,892.00	4,669,390.99	55.74 %
401 - PENSION	2,039,162.00	2,490,632.38	1,221,100.88	49.03 %	2,291,981.00	2,291,981.00	1,283,509.88	56.00 %
402 - PROPERTY TAX OTHER	2,717,576.00	3,376,535.46	1,697,889.44	50.28 %	3,265,116.00	3,265,116.00	1,056,721.76	32.36 %
410 - OTHER TAXES	1,218,100.00	1,456,718.47	468,433.74	32.16 %	1,324,486.00	1,324,486.00	636,405.80	48.05 %
411 - FRANCHISE TAXES	745,630.00	807,418.78	199,776.94	24.74 %	750,630.00	750,630.00	281,864.30	37.55 %
420 - BUSINESS LICENSE	180,000.00	292,105.63	43,565.73	14.91 %	240,000.00	240,000.00	40,548.45	16.90 %
421 - PARKING	5,500.00	11,264.58	1,912.77	16.98 %	24,500.00	24,500.00	2,717.74	11.09 %
422 - CONSTRUCTION	809,000.00	1,006,976.29	444,929.81	44.18 %	900,000.00	900,000.00	486,382.65	54.04 %
430 - VEHICLE CODE	10,000.00	18,042.79	4,818.83	26.71 %	10,000.00	10,000.00	712,070.98	7,120.71 %
431 - LIBRARY	200.00	1,205.41	137.17	11.38 %	0.00	0.00	171.10	0.00 %
432 - PARKING	27,000.00	42,314.81	15,069.65	35.61 %	50,000.00	50,000.00	35,969.74	71.94 %
440 - USE OF MONEY AND PROPERTY	10,000.00	76,486.94	4,781.79	6.25 %	15,000.00	15,000.00	3,593.71	23.96 %
450 - STATE REVENUE	144,800.00	152,155.19	65,819.01	43.26 %	107,500.00	107,500.00	59,593.98	55.44 %
460 - FEDERAL REVENUE	0.00	0.00	0.00	0.00 %	0.00	0.00	0.00	0.00 %
470 - LOCAL AGENCY REVENUE	0.00	0.00	0.00	0.00 %	0.00	0.00	0.00	0.00 %
480 - FEES FOR SERVICES	172,000.00	221,754.24	124,683.71	56.23 %	171,000.00	171,000.00	89,719.42	52.47 %
490 - MISCELLANEOUS REVENUE	90,900.00	78,215.46	8,142.68	10.41 %	97,500.00	97,500.00	53,929.72	55.31 %
519 - TRANSFERS IN	447,087.00	420,968.92	292,990.25	69.60 %	418,464.00	418,464.00	244,072.00	58.33 %
520 - SOURCE OF PROCEEDS	0.00	0.00	0.00	0.00 %	0.00	0.00	0.00	0.00 %
Total Revenue:	**16,570,545.00**	**18,581,520.21**	**9,036,092.69**	**48.63 %**	**18,043,069.00**	**18,043,069.00**	**9,656,662.22**	**53.52 %**
Expense								
600 - SALARIES AND WAGES	2,471,371.00	2,245,428.15	1,153,765.53	51.38 %	2,887,665.00	2,887,665.00	1,253,540.36	43.41 %
601 - RETIREMENT	830,820.00	779,893.84	677,857.33	86.92 %	960,932.00	960,932.00	771,844.84	80.32 %
602 - EMPLOYEE BENEFITS	671,150.00	555,400.10	312,384.77	56.24 %	782,423.50	782,423.50	311,189.86	39.77 %
604 - RETIREE BENEFITS	139,622.00	139,622.00	38,250.00	27.40 %	144,322.00	144,322.00	37,271.55	25.83 %
610 - TRAINING	32,200.00	10,659.57	2,488.00	23.34 %	40,200.00	40,200.00	14,077.05	35.02 %
611 - OUTSIDE SERVICES	10,380,759.00	10,826,178.87	5,249,284.30	48.49 %	11,039,241.00	11,039,241.00	5,577,474.49	50.52 %
613 - PUBLICATION / DUES	15,550.00	9,366.97	1,972.75	21.06 %	15,550.00	15,550.00	5,293.18	34.04 %
614 - MAINTENANCE	21,600.00	13,933.03	4,498.78	32.29 %	21,600.00	21,600.00	9,394.98	43.50 %
615 - BUILDING MAINTENANCE	128,950.00	154,733.30	52,093.98	33.67 %	189,950.00	189,950.00	51,425.92	27.07 %
616 - VEHICLE MAINTENANCE	6,500.00	2,425.66	0.00	0.00 %	6,500.00	6,500.00	141.91	2.18 %
617 - UTILITIES	221,740.00	252,211.91	106,255.04	42.13 %	210,740.00	210,740.00	89,857.60	42.64 %
618 - HIRING	0.00	2,357.11	122.11	5.18 %	1,000.00	1,000.00	10,776.04	1,077.60 %
619 - MISCELLANEOUS	19,000.00	-231.12	-500.00	216.34 %	18,500.00	18,500.00	0.00	0.00 %
620 - OFFICE SUPPLIES	34,800.00	20,755.39	7,745.56	37.32 %	36,200.00	36,200.00	10,200.85	28.18 %
622 - DEPARTMENT SUPPLIES	45,200.00	86,129.01	51,383.20	59.66 %	45,700.00	45,700.00	45,951.93	100.55 %
623 - BOOKS / MAGAZINES / VIDEOS	23,373.00	6,848.11	5,481.90	80.05 %	23,373.00	23,373.00	6,368.11	27.25 %
629 - MISCELLANEOUS	77,000.00	72,018.87	26,018.73	36.13 %	76,500.00	76,500.00	36,934.23	48.28 %
630 - EQUIPMENT	0.00	0.00	0.00	0.00 %	500.00	500.00	0.00	0.00 %
631 - CAPITAL OUTLAY - CONSTRUCTION	0.00	0.00	0.00	0.00 %	0.00	0.00	0.00	0.00 %
640 - PRINCIPAL	211,000.00	211,000.00	106,000.00	50.24 %	227,000.00	227,000.00	113,000.00	49.78 %
641 - INTEREST	19,018.00	16,901.83	10,857.77	64.24 %	11,208.00	11,208.00	4,132.54	36.87 %
670 - TRANSFERS OUT	1,348,517.00	1,348,517.00	1,208,517.00	89.62 %	1,263,517.00	1,263,517.00	1,263,517.00	100.00 %
Total Expense:	**16,698,170.00**	**16,754,149.60**	**9,014,476.75**	**53.80 %**	**18,002,621.50**	**18,002,621.50**	**9,612,392.44**	**53.39 %**
Total Fund: 01 - GENERAL FUND:	**-127,625.00**	**1,827,370.61**	**21,615.94**		**40,447.50**	**40,447.50**	**44,269.78**	
Report Total:	**-127,625.00**	**1,827,370.61**	**21,615.94**		**40,447.50**	**40,447.50**	**44,269.78**	

Town of San Anselmo
2021-2022 Rev & Exp Report
as of 12/31/2021
Fund: 01 - GENERAL FUND

	2020-2021 Revised Budget	2020-2021 Audited Actuals	2020-2021 YTD Actuals	% of Audited Actuals	2021-2022 Adopted Budget	2021-2022 Revised Budget	2021-2022 YTD Actuals	% of Actual / Budget
Expense								
00 - UNDESIGNATED	1,348,517.00	1,348,517.00	1,208,517.00	89.62 %	1,263,517.00	1,263,517.00	1,263,517.00	100.00 %
11 - TOWN COUNCIL	95,323.00	36,904.54	12,297.19	33.32 %	95,323.00	95,323.00	18,202.90	19.10 %
12 - ADMINISTRATION	1,196,257.00	1,082,515.02	523,178.76	48.33 %	1,403,741.50	1,403,741.50	578,808.86	41.23 %
16 - LEGAL SERVICES	205,000.00	315,276.23	100,026.83	31.73 %	300,000.00	300,000.00	137,941.07	45.98 %
18 - PLANNING	407,296.00	356,215.18	179,002.70	50.25 %	638,270.00	638,270.00	160,403.72	25.13 %
21 - NON-DEPARTMENTAL	1,056,651.00	967,944.26	755,736.65	78.08 %	1,159,369.00	1,159,369.00	839,691.23	72.43 %
30 - POLICE	4,540,998.00	4,546,888.17	2,286,940.75	50.30 %	4,685,857.00	4,685,857.00	2,356,152.96	50.28 %
32 - ROSS VALLEY FIRE SERVICE	4,391,395.00	4,382,001.59	2,178,947.52	49.72 %	4,611,448.00	4,611,448.00	2,262,669.48	49.07 %
40 - DEBT SERVICE	226,518.00	226,417.85	115,373.79	50.96 %	234,708.00	234,708.00	118,532.54	50.50 %
41 - ENGINEERING AND INSPECTION	1,167,307.00	1,283,354.81	584,623.27	45.55 %	1,326,648.00	1,326,648.00	704,972.03	53.14 %
42 - STREETS	835,488.00	900,353.28	411,560.61	45.71 %	890,957.50	890,957.50	437,596.49	49.12 %
71 - LIBRARY	613,159.00	561,377.89	327,924.93	58.41 %	729,255.50	729,255.50	324,290.19	44.47 %
81 - PARKS	361,249.00	505,007.96	209,408.54	41.47 %	382,079.50	382,079.50	286,024.76	74.86 %
82 - RECREATION/GENERAL FUND	253,012.00	241,375.82	120,938.21	50.10 %	281,447.50	281,447.50	123,589.21	43.91 %
Total Expense:	**16,698,170.00**	**16,754,149.60**	**9,014,476.75**	**53.80 %**	**18,002,621.50**	**18,002,621.50**	**9,612,392.44**	**53.39 %**
Total Fund: 01 - GENERAL FUND:	**16,698,170.00**	**16,754,149.60**	**9,014,476.75**	**53.80 %**	**18,002,621.50**	**18,002,621.50**	**9,612,392.44**	**53.39 %**
Report Total:	**16,698,170.00**	**16,754,149.60**	**9,014,476.75**	**53.80 %**	**18,002,621.50**	**18,002,621.50**	**9,612,392.44**	**53.39 %**

525 San Anselmo Avenue
San Anselmo, CA 94960

Town of San Anselmo

Staff Report

TO: Town Council **Meeting of** 1/25/2022

FROM:
Jeff Zuba, Finance & Administrative Services Director

SUBJECT:
Quarterly Treasurer's Investment Report, December 31, 2021

RECOMMENDATION

That Council approve the Treasurer's Investment Report for the quarter ending December 31, 2021.

BACKGROUND

The Treasurer's Investment Report is a quarterly itemization of the market value of Town investments. The purpose of this report is to present financial information for review and discussion.

ANALYSIS

The attached report itemizes the Town's investments and states the market value of each investment as of December 31, 2021. The Wells Fargo bank account is the Town's primary checking account used for the deposit and expenditure of operating funds. The Bank of America checking account is a controlled account used for payroll processing only.

The Town maintains two Local Agency Investment Fund accounts (LAIF) for the purpose of maximizing interest income on funds not needed for immediate expenditure. One LAIF account is for investment of general operating funds. The other is for the remaining series 2003 Measure G bond proceeds, required by law to be maintained in a segregated account.

CONCLUSION

The Town's cash balances as of December 31, 2021, are $13,581,078 which is $5,207,747 more than the balances at this time last year. This increase is driven by timing of cash flow between money received versus money to be paid out the following period.

TOWN OF SAN ANSELMO

TREASURER'S INVESTMENT REPORT
for the quarter ending December 31, 2021

INSTITUTION	TYPE OF INVESTMENT	MATURITY DATE	EFFECTIVE YIELD	MARKET VALUE OF AMOUNT ON DEPOSIT	NOTES BOOK VALUE	NOTES UNREALIZED GAIN
Wells Fargo Bank	Business Cash Management Acct	None	0.25%	` 8,731,846		
Bank of America	Business Checking Account	None	0.19%	114,231		
LAIF (Local Agency Investment Fund) Operating Account	State Treasurer's Pool	None	0.22%	` 4,671,608		
LAIF (Local Agency Investment Fund) Measure G Proceeds	State Treasurer's Pool	None	0.22%	` 91,487		
Total Investment Portfolio:				13,609,171		

I hereby verify that this report is in conformity with the Town of San Anselmo Investment Policy.

John Mahl, Town Treasurer

Jeff Zuba, Finance & Administrative Services Director

January 6, 2022
Date

525 San Anselmo Avenue
San Anselmo, CA 94960

Town of San Anselmo

Staff Report

TO: Town Council **Meeting of** 1/25/2022

FROM:
Dannielle Mauk, Director of Community Services

SUBJECT:
December 2021 Financial Report on Recreation Fund

RECOMMENDATION

That Council approve the Recreation Fund Revenue and Expenditure Report for the period ending December 31, 2021.

BACKGROUND

The Recreation Department offers a wide variety of fee-based programs throughout the fiscal year including sports programs and leagues, youth and adult classes, childcare and camps. Additional revenue is generated through facility rentals and administrative fees.

DISCUSSION

As of December 31, 2021, 50% of the fiscal year has elapsed and the Recreation Fund is listed at 85% of projected revenues and 55% of projected expenditures.

Enrollment for recreation programs has increased. We had close to full enrollment for our summer and fall sports programs. Families are excited to see our programs returning, and we are continuing to work on rebuilding programs. The increase in program enrollment will be reflected in both the increased revenues and expenditures each month.

The State and County Public Health Orders for COVID-19 are designed to ensure and protect the health of our residents. The orders change the Recreation Department's ability to offer services, programs, and rentals. The Department continues to follow all guidance.

ANALYSIS

For historical comparison purposes, staff has developed the following table:

FY		Revenue				Expenditures				Rev Over/(Under) Exp	
		Budget	Actual	%		Budge	Actual	%		$$	%
2021-22		**1,348,62**	**1,149,57**	**85%**		**1,460,**	**807,68**	**55%**		**341,895**	**25%**
2020-21		1,408,12	453,172	32%		1,550,	598,11	39%		(144,943)	(10%)

2019-20		1,627,26	1,019,12	63%		1,669,	936,73	56%		82,386	5%
2018-19		1,510,60	965,057	64%		1,591,	766,49	48%		198,567	13%
2017-18		1,514,00	865,164	57%		1,644,	724,74	44%		140,418	9.3%
2016-17		1,384,32	807,239	58%		1,500,	724,96	48%		82,273	5.9%
2015-16		1,246,68	748,109	60%		1,356,	774,49	57%		(26,382)	(1.9%)

Town of San Anselmo

Budget Report

Group Summary

For Fiscal: 2021-2022 Period Ending: 12/31/2021

SubCategor...	Original Total Budget	Current Total Budget	Period Activity	Fiscal Activity	Variance Favorable (Unfavorable)	Percent Used
Department: 00 - UNDESIGNATED						
670 - TRANSFERS OUT	80,694.00	80,694.00	0.00	80,694.00	0.00	100.00 %
Department: 00 - UNDESIGNATED Total:	**80,694.00**	**80,694.00**	**0.00**	**80,694.00**	**0.00**	**100.00 %**
Department: 61 - SPORTS						
480 - FEES FOR SERVICES	434,125.00	434,125.00	69,663.50	394,732.93	-39,392.07	90.93 %
600 - SALARIES AND WAGES	36,000.00	36,000.00	13,525.00	29,637.50	6,362.50	82.33 %
602 - EMPLOYEE BENEFITS	2,754.00	2,754.00	1,034.69	2,267.34	486.66	82.33 %
611 - OUTSIDE SERVICES	91,250.00	91,250.00	3,179.51	55,819.99	35,430.01	61.17 %
629 - MISCELLANEOUS	46,500.00	46,500.00	0.00	26,192.05	20,307.95	56.33 %
Department: 61 - SPORTS Surplus (Deficit):	**257,621.00**	**257,621.00**	**51,924.30**	**280,816.05**	**23,195.05**	**109.00 %**
Department: 62 - CULTURE						
480 - FEES FOR SERVICES	93,000.00	93,000.00	28,013.00	114,875.22	21,875.22	123.52 %
611 - OUTSIDE SERVICES	51,190.00	51,190.00	6,476.25	53,667.20	-2,477.20	104.84 %
629 - MISCELLANEOUS	300.00	300.00	0.00	0.00	300.00	0.00 %
Department: 62 - CULTURE Surplus (Deficit):	**41,510.00**	**41,510.00**	**21,536.75**	**61,208.02**	**19,698.02**	**147.45 %**
Department: 63 - CHILD CARE						
480 - FEES FOR SERVICES	787,000.00	787,000.00	127,379.75	627,247.00	-159,753.00	79.70 %
600 - SALARIES AND WAGES	344,174.00	344,174.00	20,433.31	157,093.35	187,080.65	45.64 %
601 - RETIREMENT	27,011.00	27,011.00	1,435.43	9,948.39	17,062.61	36.83 %
602 - EMPLOYEE BENEFITS	88,412.00	88,412.00	4,466.26	38,970.29	49,441.71	44.08 %
611 - OUTSIDE SERVICES	176,683.00	176,683.00	22,848.90	122,783.32	53,899.68	69.49 %
629 - MISCELLANEOUS	14,930.00	14,930.00	1,205.20	5,188.62	9,741.38	34.75 %
Department: 63 - CHILD CARE Surplus (Deficit):	**135,790.00**	**135,790.00**	**76,990.65**	**293,263.03**	**157,473.03**	**215.97 %**
Department: 64 - EVENTS AND OTHER						
480 - FEES FOR SERVICES	11,000.00	11,000.00	625.00	7,965.00	-3,035.00	72.41 %
611 - OUTSIDE SERVICES	2,000.00	2,000.00	0.00	71.18	1,928.82	3.56 %
Department: 64 - EVENTS AND OTHER Surplus (Deficit):	**9,000.00**	**9,000.00**	**625.00**	**7,893.82**	**-1,106.18**	**87.71 %**
Department: 65 - PROGRAM ADMINISTRATION						
480 - FEES FOR SERVICES	23,500.00	23,500.00	330.00	4,755.00	-18,745.00	20.23 %
600 - SALARIES AND WAGES	245,310.00	245,310.00	20,182.06	123,305.03	122,004.97	50.26 %
601 - RETIREMENT	23,390.00	23,390.00	1,863.11	11,182.56	12,207.44	47.81 %
602 - EMPLOYEE BENEFITS	51,655.00	51,655.00	4,271.45	27,298.72	24,356.28	52.85 %
610 - TRAINING	3,000.00	3,000.00	0.00	561.21	2,438.79	18.71 %
611 - OUTSIDE SERVICES	124,500.00	124,500.00	14,172.59	51,361.01	73,138.99	41.25 %
613 - PUBLICATION / DUES	1,000.00	1,000.00	0.00	738.60	261.40	73.86 %
614 - MAINTENANCE	1,500.00	1,500.00	0.00	0.00	1,500.00	0.00 %
615 - BUILDING MAINTENANCE	1,500.00	1,500.00	141.94	200.93	1,299.07	13.40 %
617 - UTILITIES	15,000.00	15,000.00	1,270.86	5,906.97	9,093.03	39.38 %
618 - HIRING	0.00	0.00	0.00	2,150.95	-2,150.95	0.00 %
619 - MISCELLANEOUS	1,500.00	1,500.00	0.00	0.00	1,500.00	0.00 %
620 - OFFICE SUPPLIES	25,000.00	25,000.00	0.00	898.39	24,101.61	3.59 %
622 - DEPARTMENT SUPPLIES	4,250.00	4,250.00	230.20	1,742.15	2,507.85	40.99 %
629 - MISCELLANEOUS	500.00	500.00	0.00	0.00	500.00	0.00 %
Department: 65 - PROGRAM ADMINISTRATION Surplus (Deficit):	**-474,605.00**	**-474,605.00**	**-41,802.21**	**-220,591.52**	**254,013.48**	**46.48 %**
Report Surplus (Deficit):	**-111,378.00**	**-111,378.00**	**109,274.49**	**341,895.40**	**453,273.40**	**-306.97 %**

Town of San Anselmo

Budget Report

Group Summary

For Fiscal: 2021-2022 Period Ending: 12/31/2021

Account Typ...	Original Total Budget	Current Total Budget	Period Activity	Fiscal Activity	Variance Favorable (Unfavorable)	Percent Used
Fund: 21 - RECREATION						
Revenue	1,348,625.00	1,348,625.00	226,011.25	1,149,575.15	-199,049.85	85.24 %
Expense	1,460,003.00	1,460,003.00	116,736.76	807,679.75	652,323.25	55.32 %
Fund: 21 - RECREATION Surplus (Deficit):	**-111,378.00**	**-111,378.00**	**109,274.49**	**341,895.40**	**453,273.40**	**-306.97 %**
Report Surplus (Deficit):	**-111,378.00**	**-111,378.00**	**109,274.49**	**341,895.40**	**453,273.40**	**-306.97 %**

Town of San Anselmo

525 San Anselmo Avenue
San Anselmo, CA 94960

Staff Report

TO: Town Council **Meeting of** 1/25/2022

FROM:
Carla Kacmar, Town Clerk

SUBJECT:
Review the report from a Marin Municipal Water District representative.

RECOMMENDATION

That Council review the report from a Marin Municipal Water District representative.

BACKGROUND

At the August 24, 2021 Town Council meeting, Council requested staff coordinate monthly reporting from Marin Municipal Water District representatives during the drought. A report from the Marin Municipal Water District representative is attached.

FISCAL IMPACT

There would be no direct fiscal impact to the Town to approve this item.

CEQA AND CLIMATE ACTION PLAN CONSISTENCY

The proposed project is exempt from the California Environmental Quality Act (CEQA), under the “common sense” exemption, because it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment. (Cal. Code Regs. tit. 14, § 15061).

Attachment 1

Marin Water Drought Update
January 5, 2022

December rainfall provided an incredible boost to Marin Water's reservoir storage levels.

As of early January, reservoirs are at approximately 93 percent of total storage capacity – well above the average for this time of year.

More data regarding water supply, reservoir levels, and recent rainfall can always be found at marinwater.org/water-watch.

The winter rainfall has been very good news for our water supply needs and have ensured that we will have adequate water supply for at least the next year. However, we are planning for dry months ahead of us and the District is focused on the sustainability of our water system to be prepared for highly variable climate conditions.

Therefore, we encourage our customers to continue to use water wisely and help preserve this precious resource.

Current water-use limits and restrictions do remain in place. Because the imminent water supply threat has been relieved, over the next few weeks the District will be considering potential options for a thoughtful approach to begin to unwind some of the drought restrictions, water use limits and associated penalties currently in place. Any changes will be communicated to customers.

Regardless of any action the District may take in the short-term as a result of the surge in rainfall boosting our water supply, we also remain committed to our ongoing work on various drought resiliency projects. This includes exploring multiple options for augmenting our water supply during times of shortages, offering meaningful community conservation programs, and implementing new recycled water projects.

525 San Anselmo Avenue
San Anselmo, CA 94960

Town of San Anselmo

Staff Report

TO: Town Council **Meeting of** 1/25/2022

FROM:
David P. Donery, Town Manager

SUBJECT:
Measure D Renewal Council Ad Hoc Subcommittee Members

RECOMMENDATION

That the Town Council receive a report regarding the selection of members for the Council's Measure D Renewal Ad Hoc Subcommittee

BACKGROUND

At their meeting on January 11, 2022, the Town Council received a report from staff regarding options for the renewal of Measure D Transaction and Use Tax, which expires in March of 2024.

DISCUSSION

At the January 11th meeting, the Council recommended that the Mayor appoint two Town Council members to an ad hoc subcommittee to work with staff on public opinion polling and the development of options for the Council to consider regarding the renewal.

All five Council members indicated that they would be interested in serving on the ad hoc subcommittee. Using a automated randomizing program, Mayor Fineman and Council member Colbert were selected as the subcommittee members.

Town of San Anselmo

525 San Anselmo Avenue
San Anselmo, CA 94960

Staff Report

TO: Town Council **Meeting of** 1/25/2022

FROM:
Dave Donery, Town Manager & Jeff Zuba, Finance and Administrative Services Director

SUBJECT:
Consultant agreements for Measure D renewal

RECOMMENDATION

That the Council authorize the Town Manager to execute professional services agreements with Godbe Research and TBWBH in substantially the same form as the attached draft agreements, subject to final approval by the Town Attorney.

BACKGROUND

At its meeting of January 11, 2022, Town Council directed staff to enlist consultants to conduct a voter survey and ballot measure electoral feasibility, public outreach and communication consulting to evaluate a potential future revenue measure on the November 2022 ballot.

DISCUSSION

Staff received proposals from multiple organizations. The selected firm's agreements are attached.

FISCAL IMPACT

Based on quotes received from qualified local firms that handle this type of work, staff expects these costs to be up to $70,000. The majority of these costs will be covered by existing departmental savings in the Administration and Finance Department.

CONCLUSION

Attachments:
1. Godbe Research Professional Services Agreement
2. TBWBH Professional Services Agreement

AGREEMENT FOR PROFESSIONAL SERVICES

FOR SALES TAX MEASURE FEASIBILITY STUDY

This Agreement is made and entered into this _____ day of _____, 20___, (the "Effective Date") by and between the TOWN OF SAN ANSELMO (hereinafter "**TOWN**"), and Godbe Research (hereinafter "**CONSULTANT**").

RECITALS

WHEREAS, at its meeting of January 11, 2022, the San Anselmo Town Council directed staff to enlist a consultant to conduct a voter survey to evaluate the feasibility of placing a potential future revenue measure on the November 2022 ballot; and

WHEREAS, CONSULTANT has the specialized skill and ability to conduct a voter survey as requested by the Town Council; and

WHEREAS, TOWN desires to contract with **CONSULTANT** to obtain the services included in **CONSULTANT's** Scope of Work set forth in Exhibit A upon the terms and conditions contained in this Agreement; and

WHEREAS, CONSULTANT desires to contract with **TOWN** to render such services upon the terms and conditions contained in this Agreement.

AGREEMENT

NOW, THEREFORE, the parties hereby agree as follows:

1. PROJECT COORDINATION.

A. **TOWN'S Project Manager.** The Town Manager or his designee is hereby designated the PROJECT MANAGER for the **TOWN** and said PROJECT MANAGER shall supervise all aspects of the progress and execution of this Agreement.

B. **CONSULTANT'S Project Director.** **CONSULTANT** shall assign a single PROJECT DIRECTOR to have overall responsibility for the progress and execution of this Agreement for **CONSULTANT**. _____is hereby designated as the PROJECT DIRECTOR for **CONSULTANT**. Should circumstances or conditions subsequent to the execution of this Agreement require a substitute PROJECT DIRECTOR, for any reason, the **CONSULTANT** shall notify the **TOWN** within ten (10) business days of the substitution.

2. DUTIES OF CONSULTANT.

CONSULTANT shall perform the duties and/or provide services as described in Exhibit A, which hereby incorporated by reference.

3. DUTIES OF TOWN.

TOWN shall pay the compensation as provided in Paragraph 4 and provide information to **CONSULTANT** upon request.

4. COMPENSATION.

For the full performance of the services described herein by **CONSULTANT**, **TOWN** shall pay **CONSULTANT** in accordance with the Project Cost Options included in Exhibit A, which is attached hereto and incorporated herein by reference.

Payment will be made as set forth in Exhibit A based on the Project Cost Option selected by the **TOWN**. Final payment will be paid upon receipt by PROJECT MANAGER of itemized invoices submitted by **CONSULTANT**.

5. TERM OF AGREEMENT.

The term of this Agreement shall run from the Effective Date through completion of all services to be rendered by CONSULTANT as described in Exhibit A.

6. TERMINATION.

A. **Discretionary**. Either party may terminate this Agreement without cause upon thirty (30) days written notice mailed or personally delivered to the other party.

B. **Cause**. Either party may terminate this Agreement for cause upon fifteen (15) days written notice mailed or personally delivered to the other party, and the notified party's failure to cure or correct the cause of the termination, to the reasonable satisfaction of the party giving such notice, within such fifteen (15) day time period.

C. **Effect of Termination**. Upon receipt of notice of termination, neither party shall incur additional obligations under any provision of this Agreement without the prior written consent of the other.

D. **Return of Documents**. Upon termination, any and all **TOWN** documents or materials provided to **CONSULTANT** and any and all of **CONSULTANT's** documents and materials prepared for or relating to the performance of its duties under this Agreement, shall be delivered to **TOWN** as soon as possible, but not later than thirty (30) days after termination.

7. OWNERSHIP OF DOCUMENTS.

The written documents and materials prepared by the **CONSULTANT** in connection with the performance of its duties under this Agreement, shall be the sole property of **TOWN**. **TOWN** may use said property for any purpose, including projects not contemplated by this Agreement.

8. INSPECTION AND AUDIT.

Upon reasonable notice, **CONSULTANT** shall make available to **TOWN**, or its agent, for inspection and audit, all documents and materials maintained by **CONSULTANT** in connection with its performance of its duties under this Agreement. **CONSULTANT** shall fully cooperate with **TOWN** or its agent in any such audit or inspection.

9. ASSIGNABILITY.

The parties agree that they shall not assign or transfer any interest in this Agreement nor the performance of any of their respective obligations hereunder, without the prior written consent of the other party, and any attempt to so assign this Agreement or any rights, duties or obligations arising hereunder shall be void and of no effect.

10. INSURANCE.

A. **Scope of Coverage.** During the term of this Agreement, **CONSULTANT** shall maintain, at no expense to **TOWN**, the following insurance policies:

1. A commercial general liability insurance policy in the minimum amount of one million dollars ($1,000,000) per occurrence/two million dollars ($2,000,000) aggregate, for death, bodily injury, personal injury, or property damage.

2. An automobile liability (owned, non-owned, and hired vehicles) insurance policy in the minimum amount of one million dollars ($1,000,000) dollars per occurrence.

3. If any licensed professional performs any of the services required to be performed under this Agreement, a professional liability insurance policy in the minimum amount of one million dollars ($1,000,000) per occurrence/one million dollars ($1,000,000) aggregate, to cover any claims arising out of the **CONSULTANT's** performance of services under this Agreement. Where **CONSULTANT** is a professional not required to have a professional license, **TOWN** reserves the right to require **CONSULTANT** to provide professional liability insurance pursuant to this section.

4. If it employs any person, **CONSULTANT** shall maintain worker's compensation insurance, as required by the State of California, with statutory limits, and employer's liability insurance with limits of no less than one million dollars ($1,000,000) per accident for bodily injury or disease. **CONSULTANT's** worker's compensation insurance shall be specifically endorsed to waive any right of subrogation against **TOWN**.

B. **Other Insurance Requirements.** The insurance coverage required of the **CONSULTANT** in subparagraph A of this section above shall also meet the following requirements:

1. Except for professional liability insurance or worker's compensation insurance, the insurance policies shall be specifically endorsed to include the **TOWN**, its officers,

agents, employees, and volunteers, as additional insureds (for both ongoing and completed operations) under the policies.

2. The additional insured coverage under **CONSULTANT'S** insurance policies shall be "primary and noncontributory" with respect to any insurance or coverage maintained by **TOWN** and shall not call upon **TOWN's** insurance or self-insurance coverage for any contribution. The "primary and noncontributory" coverage in **CONSULTANT'S** policies shall be at least as broad as ISO form CG20 01 04 13.

3. Except for professional liability insurance or worker's compensation insurance, the insurance policies shall include, in their text or by endorsement, coverage for contractual liability and personal injury.

4. By execution of this Agreement, **CONSULTANT** hereby grants to **TOWN** a waiver of any right to subrogation which any insurer of **CONSULTANT** may acquire against **TOWN** by virtue of the payment of any loss under such insurance. **CONSULTANT** agrees to obtain any endorsement that may be necessary to effect this waiver of subrogation, but this provision applies regardless of whether or not **TOWN** has received a waiver of subrogation endorsement from the insurer.

5. If the insurance is written on a Claims Made Form, then, following termination of this Agreement, said insurance coverage shall survive for a period of not less than five years.

6. The insurance policies shall provide for a retroactive date of placement coinciding with the effective date of this Agreement.

7. The limits of insurance required in this Agreement may be satisfied by a combination of primary and umbrella or excess insurance. Any umbrella or excess insurance shall contain or be endorsed to contain a provision that such coverage shall also apply on a primary and noncontributory basis for the benefit of **TOWN** (if agreed to in a written contract or agreement) before **TOWN'S** own insurance or self-insurance shall be called upon to protect it as a named insured.

8. It shall be a requirement under this Agreement that any available insurance proceeds broader than or in excess of the specified minimum insurance coverage requirements and/or limits shall be available to TOWN or any other additional insured party. Furthermore, the requirements for coverage and limits shall be: (1) the minimum coverage and limits specified in this Agreement; or (2) the broader coverage and maximum limits of coverage of any insurance policy or proceeds available to the named insured; whichever is greater. No representation is made that the minimum Insurance requirements of this agreement are sufficient to cover the obligations of the **CONSULTANT** under this agreement.

C. **Deductibles and SIR's.** Any deductibles or self-insured retentions in **CONSULTANT's** insurance policies must be declared to and approved by the PROJECT MANAGER and TOWN Attorney and shall not reduce the limits of liability. Policies containing any self-insured retention (SIR) provision shall provide or be endorsed to provide that the SIR may be satisfied by either the named insured or **TOWN** or other additional insured party. At **TOWN's**

option, the deductibles or self-insured retentions with respect to **TOWN** shall be reduced or eliminated to **TOWN's** satisfaction, or **CONSULTANT** shall procure a bond guaranteeing payment of losses and related investigations, claims administration, attorney's fees and defense expenses.

D. **Proof of Insurance**. **CONSULTANT** shall provide to the PROJECT MANAGER or **TOWN'S** TOWN Attorney all of the following: (1) Certificates of Insurance evidencing the insurance coverage required in this Agreement; (2) a copy of the policy declaration page and/or endorsement page listing all policy endorsements for the commercial general liability policy, and (3) excerpts of policy language or specific endorsements evidencing the other insurance requirements set forth in this Agreement. **TOWN** reserves the right to obtain a full certified copy of any insurance policy and endorsements from **CONSULTANT**. Failure to exercise this right shall not constitute a waiver of the right to exercise it later. The insurance shall be approved as to form and sufficiency by PROJECT MANAGER and the Town Attorney.

11. INDEMNIFICATION.

A. Except as otherwise provided in Paragraph B., **CONSULTANT** shall, to the fullest extent permitted by law, indemnify, release, defend with counsel approved by **TOWN**, and hold harmless **TOWN**, its officers, agents, employees and volunteers (collectively, the "**TOWN Indemnitees**"), from and against any claim, demand, suit, judgment, loss, liability or expense of any kind, including but not limited to attorney's fees, expert fees and all other costs and fees of litigation, (collectively "CLAIMS"), arising out of **CONSULTANT'S** performance of its obligations or conduct of its operations under this Agreement. The **CONSULTANT**'s obligations apply regardless of whether or not a liability is caused or contributed to by the active or passive negligence of the **TOWN Indemnitees**. However, to the extent that liability is caused by the active negligence or willful misconduct of the **TOWN Indemnitees**, the **CONSULTANT**'s indemnification obligation shall be reduced in proportion to the **TOWN Indemnitees'** share of liability for the active negligence or willful misconduct. In addition, the acceptance or approval of the **CONSULTANT**'s work or work product by the **TOWN** or any of its directors, officers or employees shall not relieve or reduce the **CONSULTANT**'s indemnification obligations. In the event the **TOWN Indemnitees** are made a party to any action, lawsuit, or other adversarial proceeding arising from **CONSULTANT'S** performance of or operations under this Agreement, **CONSULTANT** shall provide a defense to the **TOWN Indemnitees** or at **TOWN'S** option reimburse the **TOWN Indemnitees** their costs of defense, including reasonable attorneys' fees, incurred in defense of such claims.

B. Where the services to be provided by **CONSULTANT** under this Agreement are design professional services to be performed by a design professional as that term is defined under Civil Code Section 2782.8, then, to the extent permitted by law including without limitation, Civil Code sections 2782, 2782.6 and 2782.8, **CONSULTANT** shall indemnify and hold harmless the **TOWN** and its officers, officials, and employees (collectively **TOWN Indemnitees**) from and against damages, liabilities or costs (including incidental damages. Court costs, reasonable attorney's fees as may be determined by the Court, litigation expenses and fees of expert witnesses incurred in connection therewith and costs of investigation) to the extent they are caused by the negligence, recklessness, or willful misconduct of **CONSULTANT**, or any subconsultants, or subcontractor or anyone directly or indirectly employed by them, or anyone for whom they are

legally liable (collectively Liabilities). Such obligation to hold harmless and indemnify any indemnity shall not apply to the extent that such Liabilities are caused in part by the negligence or willful misconduct of such TOWN Indemnitee.

C. The defense and indemnification obligations of this Agreement are undertaken in addition to, and shall not in any way be limited by, the insurance obligations contained in this Agreement, and shall survive the termination or completion of this Agreement for the full period of time allowed by law.

12. NONDISCRIMINATION.

CONSULTANT shall not discriminate, in any way, against any person on the basis of age, sex, race, color, religion, ancestry, national origin or disability in connection with or related to the performance of its duties and obligations under this Agreement.

13. COMPLIANCE WITH ALL LAWS.

CONSULTANT shall observe and comply with all applicable federal, state and local laws, ordinances, codes and regulations, in the performance of its duties and obligations under this Agreement. **CONSULTANT** shall perform all services under this Agreement in accordance with these laws, ordinances, codes and regulations. **CONSULTANT** shall release, defend, indemnify and hold harmless **TOWN**, its officers, agents and employees from any and all damages, liabilities, penalties, fines and all other consequences from any noncompliance or violation of any laws, ordinances, codes or regulations.

14. NO THIRD PARTY BENEFICIARIES.

TOWN and **CONSULTANT** do not intend, by any provision of this Agreement, to create in any third party, any benefit or right owed by one party, under the terms and conditions of this Agreement, to the other party.

15. NOTICES.

All notices and other communications required or permitted to be given under this Agreement, including any notice of change of address, shall be in writing and given by personal delivery, or deposited with the United States Postal Service, postage prepaid, addressed to the parties intended to be notified. Notice shall be deemed given as of the date of personal delivery, or if mailed, upon the date of deposit with the United States Postal Service. Notice shall be given as follows:

TO **TOWN**'s Project Manager:

Dave Donery, Town Manager
Town of San Anselmo
525 San Anselmo Avenue
San Anselmo, CA 94960

TO **CONSULTANT**'s Project Director: _____

_____

16. INDEPENDENT CONTRACTOR.

For the purposes, and for the duration, of this Agreement, **CONSULTANT**, its officers, agents and employees shall act in the capacity of an Independent Contractor, and not as employees of the **TOWN**. **CONSULTANT** and **TOWN** expressly intend and agree that the status of **CONSULTANT**, its officers, agents and employees be that of an Independent Contractor and not that of an employee of **TOWN**.

17. ENTIRE AGREEMENT -- AMENDMENTS.

A. The terms and conditions of this Agreement, all exhibits attached, and all documents expressly incorporated by reference, represent the entire Agreement of the parties with respect to the subject matter of this Agreement.

B. This written Agreement shall supersede any and all prior agreements, oral or written, regarding the subject matter between the **CONSULTANT** and the **TOWN**.

C. No other agreement, promise or statement, written or oral, relating to the subject matter of this Agreement, shall be valid or binding, except by way of a written amendment to this Agreement.

D. The terms and conditions of this Agreement shall not be altered or modified except by a written amendment to this Agreement signed by the **CONSULTANT** and the **TOWN**.

E. If any conflicts arise between the terms and conditions of this Agreement, and the terms and conditions of the attached exhibits or the documents expressly incorporated by reference, the terms and conditions of this Agreement shall control.

18. SET-OFF AGAINST DEBTS.

CONSULTANT agrees that **TOWN** may deduct from any payment due to **CONSULTANT** under this Agreement, any monies which **CONSULTANT** owes **TOWN** under any ordinance, agreement, contract or resolution for any unpaid taxes, fees, licenses, assessments, unpaid checks or other amounts.

19. WAIVERS.

The waiver by either party of any breach or violation of any term, covenant or condition of this Agreement, or of any ordinance, law or regulation, shall not be deemed to be a waiver of any other term, covenant, condition, ordinance, law or regulation, or of any subsequent breach or violation of the same or other term, covenant, condition, ordinance, law or regulation. The subsequent acceptance by either party of any fee, performance, or other consideration which may become due or owing under this Agreement, shall not be deemed to be a waiver of any preceding breach or violation by the other party of any term, condition, covenant of this Agreement or any applicable law, ordinance or regulation.

20. TOWN BUSINESS LICENSE / OTHER TAXES.

CONSULTANT shall obtain and maintain during the duration of this Agreement, a **TOWN** business license as required by the San Anselmo Municipal Code **CONSULTANT** shall pay any and all state and federal taxes and any other applicable taxes. **TOWN** shall not be required to pay for any work performed under this Agreement, until **CONSULTANT** has provided **TOWN** with a completed Internal Revenue Service Form W-9 (Request for Taxpayer Identification Number and Certification).

21. SURVIVAL OF TERMS.

Any terms of this Agreement that by their nature extend beyond the term (or termination) of this Agreement shall remain in effect until fulfilled and shall apply to both Parties' respective successors and assigns.

22. APPLICABLE LAW.

The laws of the State of California shall govern this Agreement.

23. COUNTERPARTS AND ELECTRONIC SIGNATURE.

This Agreement may be executed by electronic signature and in any number of counterparts, each of which shall be deemed an original, but all of which together shall constitute one document. Counterpart signature pages may be delivered by telecopier, email or other means of electronic transmission.

IN WITNESS WHEREOF, the parties have executed this Agreement as of the day, month and year first above written.

TOWN OF SAN ANSELMO

_____
DAVE DONERY, Town Manager

CONSULTANT

By:_____

Name:_____

Title:_____

ATTEST:

_____
CARLA KACMAR, Town Clerk

Revised 1/25/2021

By:_____

Exhibit A
Scope of Services & Project Cost Options

GODBE RESEARCH
Gain Insight

January 17, 2022

Mr. Jeff Zuba
Finance and Administrative Services Director
Town of San Anselmo
525 San Anselmo Avenue
San Anselmo, CA 94960

Mr. Zuba,

Godbe Research is pleased to be working with the Town of San Anselmo (San Anselmo or Town) on a voter survey to evaluate the feasibility of placing a potential future revenue measure on the ballot in the Town in an upcoming election cycle, based on voter support. The survey will be conducted via a hybrid Internet and telephone survey process, and this scope of work letter (pages 1 and 2), the attached standard business terms (page 3), and project cost options (page 4) will serve as the agreement for services outlined in this document for the project, once signed by both the Town and Godbe Research.

1. Conducting a project kick-off meeting and additional conference calls as needed with the Town of San Anselmo and other project consultants as designated by the Town to discuss the research objectives, questionnaire design, and other related topics for this revenue measure feasibility survey.
2. Drafting, refining, and pre-testing a survey instrument of between 18 and 22-minutes in length to accomplish the goals of the revenue measure feasibility survey, including ensuring that the survey is compatible for both Internet and telephone survey formats. Please note that the Town will only be charged the total amount from the options on the last page of this agreement that reflects the final time-tested survey length for this specific revenue measure feasibility survey project.
3. Purchasing a listed voter sample and developing a sampling design of registered voters likely to vote in the election cycles of interest and opportunity to the Town for a potential future revenue measure, which could include November 2022. The sample will be developed to leverage Internet and telephone survey modalities.
4. Conducting an additional match of cell phone and landline numbers and matching any Town provided lists for additional email addresses (if needed).
5. Programming, testing & hosting the Internet version of the survey for voters with known email addresses and cell phones as provided in the State voter file.
6. Computer Aided Telephone Interviewing (CATI) programming the telephone version of the survey instrument for efficient data collection.
7. Recruitment of voters in our sampling design via an email to Internet and text to Internet recruitment process for voters with known email addresses and cell phone numbers in the voter file, respectively.
8. Conducting Internet and telephone interviews with up to 300 (n=300) total Town of San Anselmo voters. Interviews will be between 18 and 22-minutes in length, on average, and the Town will only be charged the total amount from the options on the last page of this agreement that reflects the final time-tested survey length for this specific study.
9. Merging the Internet and phone data files, processing the data collected according to strict quality control standards.

Godbe_____ San Anselmo_____

GODBE RESEARCH
Gain Insight

10. Providing the Town of San Anselmo with a topline report of initial findings for the revenue measure feasibility survey and meeting with the Town to review those findings.
11. Producing a written report of findings for the revenue measure feasibility survey, with complete crosstabulations for the Town of San Anselmo.
12. Developing a presentation of survey findings and presenting the results of the revenue measure survey to Town of San Anselmo staff/administration and the San Anselmo Town Council.
13. On-going post project consulting with Town and any other project consultants and stakeholders regarding results and recommendations from the revenue measure feasibility survey, as needed and directed by the Town.

As with all our voter polling projects, fifty percent (50%) of project fees will be billed upon the project kick-off meeting with that amount due Net 30. The remaining fifty percent (50%) will be billed upon fieldling of the voter survey, with that amount also due Net 30. Given an approximate eight-week timeframe for the revenue measure feasibility survey process start-to-finish, payment of invoices is roughly tied to a final survey questionnaire and delivery of the project report to the Town. Finally, the Town of San Anselmo will only be charged the total amount from the cost options on the last page of this agreement that reflects the final time-tested survey length for this specific study.

Sincerely:

Charles Hester
Vice President
Godbe Research

_____
Date

Agreed and Accepted By:

Mr. Jeff Zuba
Finance and Administrative
Services Director
Town of San Anselmo

_____
Date

GODBE RESEARCH
Gain Insight

PROJECT COST OPTIONS

The following cost options are associated with conducting an 18, 20 or 22-minute hybrid Internet and telephone survey of up to 300 (n=300) total Town of San Anselmo registered voters regarding the feasibility of placing a potential future revenue measure on an upcoming ballot, based on voter support, including November 2022. The costs outlined below will not change provided that the scope of work conforms to this letter of agreement. Should project parameters or Town needs change, we will be happy to provide amended costs prior to proceeding. Finally, the Town of San Anselmo will only be charged the total amount from the cost options below that reflects the final time-tested survey length for this specific study.

Hybrid Internet/Telephone Survey of up to 300 (n=300) Town Voters

Project Task	18-min.	20-min.	22-min.
Listed Voter Telephone Sample	$800.00	$800.00	$800.00
Email Sample Purchase	$600.00	$600.00	$600.00
Additional Cell and Email Matching	$600.00	$600.00	$600.00
Internet Version Programming/Testing	$4,750.00	$5,000.00	$5,250.00
CATI Programming of Telephone Version	$1,350.00	$1,500.00	$1,650.00
Internet Version Recruitment/Hosting	$500.00	$500.00	$500.00
Telephone Interviewing	$5,600.00	$6,800.00	$8,000.00
Data Processing	$800.00	$800.00	$800.00
Research Fee	$7,250.00	$7,250.00	$7,250.00
Project Management	$2,250.00	$2,250.00	$2,250.00
Miscellaneous Expenses	$250.00	$250.00	$250.00
Revenue Measure Feasibility Survey Total	$24,750.00	$26,350.00	$27,950.00

Agreed:

Charles Hester
Vice President
Godbe Research

_____
Date

Agreed and Accepted By:

Mr. Jeff Zuba
Finance and Administrative
Services Director
Town of San Anselmo

_____
Date

AGREEMENT FOR PROFESSIONAL SERVICES

FOR SALES TAX MEASURE PUBLIC OUTREACH AND COMMUNICATIONS PROGRAM

This Agreement is made and entered into this _____ day of _____, 2022, (the "Effective Date") by and between the TOWN OF SAN ANSELMO (hereinafter "**TOWN**"), and TERRIS BARNES WALTERS BOIGON HEATH LESTER, INC., a California Corporation d/b/a TBWBH Props & Measures (hereinafter "**CONSULTANT**").

RECITALS

WHEREAS, at its meeting of January 11, 2022, the San Anselmo Town Council directed staff to enlist a consultant to conduct ballot measure electoral feasibility, public outreach and communication consulting to evaluate placing a potential future revenue measure on the November 2022 ballot; and

WHEREAS, CONSULTANT has the specialized skill and ability to conduct the public outreach and communication consulting requested by the Town Council; and

WHEREAS, TOWN desires to contract with **CONSULTANT** to obtain the services included in **CONSULTANT's** Scope of Work set forth in Exhibit A upon the terms and conditions contained in this Agreement; and

WHEREAS, CONSULTANT desires to contract with **TOWN** to render such services upon the terms and conditions contained in this Agreement.

AGREEMENT

NOW, THEREFORE, the parties hereby agree as follows:

1. PROJECT COORDINATION.

A. **TOWN'S Project Manager.** The Town Manager or his designee is hereby designated the PROJECT MANAGER for the **TOWN** and said PROJECT MANAGER shall supervise all aspects of the progress and execution of this Agreement.

B. **CONSULTANT'S Project Director. CONSULTANT** shall assign a single PROJECT DIRECTOR to have overall responsibility for the progress and execution of this Agreement for **CONSULTANT**. _____is hereby designated as the PROJECT DIRECTOR for **CONSULTANT**. Should circumstances or conditions subsequent to the execution of this Agreement require a substitute PROJECT DIRECTOR, for any reason, the **CONSULTANT** shall notify the **TOWN** within ten (10) business days of the substitution.

2. DUTIES OF CONSULTANT.

CONSULTANT shall perform the duties and/or provide services as described in Exhibit A, which is hereby incorporated by reference.

3. DUTIES OF TOWN.

TOWN shall pay the compensation as provided in Paragraph 4 and provide information to **CONSULTANT** upon request.

4. COMPENSATION.

For the full performance of the services described herein by **CONSULTANT**, **TOWN** shall pay **CONSULTANT** in accordance with the Fees & Costs included in Exhibit A, which is attached hereto and incorporated herein by reference.

Payment will be made monthly upon receipt by PROJECT MANAGER of itemized invoices submitted by **CONSULTANT**.

5. TERM OF AGREEMENT.

The term of this Agreement shall run from the Effective Date through completion of all services to be rendered by CONSULTANT as described in Exhibit A.

6. TERMINATION.

A. **Discretionary**. Either party may terminate this Agreement without cause upon thirty (30) days written notice mailed or personally delivered to the other party.

B. **Cause**. Either party may terminate this Agreement for cause upon fifteen (15) days written notice mailed or personally delivered to the other party, and the notified party's failure to cure or correct the cause of the termination, to the reasonable satisfaction of the party giving such notice, within such fifteen (15) day time period.

C. **Effect of Termination**. Upon receipt of notice of termination, neither party shall incur additional obligations under any provision of this Agreement without the prior written consent of the other.

D. **Return of Documents**. Upon termination, any and all **TOWN** documents or materials provided to **CONSULTANT** and any and all of **CONSULTANT's** documents and materials prepared for or relating to the performance of its duties under this Agreement, shall be delivered to **TOWN** as soon as possible, but not later than thirty (30) days after termination.

7. OWNERSHIP OF DOCUMENTS.

The written documents and materials prepared by the **CONSULTANT** in connection with the performance of its duties under this Agreement, shall be the sole property of **TOWN**. **TOWN** may use said property for any purpose, including projects not contemplated by this Agreement.

8. INSPECTION AND AUDIT.

Upon reasonable notice, **CONSULTANT** shall make available to **TOWN**, or its agent, for inspection and audit, all documents and materials maintained by **CONSULTANT** in connection with its performance of its duties under this Agreement. **CONSULTANT** shall fully cooperate with **TOWN** or its agent in any such audit or inspection.

9. ASSIGNABILITY.

The parties agree that they shall not assign or transfer any interest in this Agreement nor the performance of any of their respective obligations hereunder, without the prior written consent of the other party, and any attempt to so assign this Agreement or any rights, duties or obligations arising hereunder shall be void and of no effect.

10. INSURANCE.

A. **Scope of Coverage.** During the term of this Agreement, **CONSULTANT** shall maintain, at no expense to **TOWN**, the following insurance policies:

1. A commercial general liability insurance policy in the minimum amount of one million dollars ($1,000,000) per occurrence/two million dollars ($2,000,000) aggregate, for death, bodily injury, personal injury, or property damage.

2. An automobile liability (owned, non-owned, and hired vehicles) insurance policy in the minimum amount of one million dollars ($1,000,000) dollars per occurrence.

3. If any licensed professional performs any of the services required to be performed under this Agreement, a professional liability insurance policy in the minimum amount of one million dollars ($1,000,000) per occurrence/two million dollars ($2,000,000) aggregate, to cover any claims arising out of the **CONSULTANT's** performance of services under this Agreement. Where **CONSULTANT** is a professional not required to have a professional license, **TOWN** reserves the right to require **CONSULTANT** to provide professional liability insurance pursuant to this section.

4. If it employs any person, **CONSULTANT** shall maintain worker's compensation insurance, as required by the State of California, with statutory limits, and employer's liability insurance with limits of no less than one million dollars ($1,000,000) per accident for bodily injury or disease. **CONSULTANT's** worker's compensation insurance shall be specifically endorsed to waive any right of subrogation against **TOWN**.

B. **Other Insurance Requirements.** The insurance coverage required of the **CONSULTANT** in subparagraph A of this section above shall also meet the following requirements:

1. Except for professional liability insurance or worker's compensation insurance, the insurance policies shall be specifically endorsed to include the **TOWN**, its officers,

agents, employees, and volunteers, as additional insureds (for both ongoing and completed operations) under the policies.

2. The additional insured coverage under **CONSULTANT'S** insurance policies shall be "primary and noncontributory" with respect to any insurance or coverage maintained by **TOWN** and shall not call upon **TOWN's** insurance or self-insurance coverage for any contribution. The "primary and noncontributory" coverage in **CONSULTANT'S** policies shall be at least as broad as ISO form CG20 01 04 13.

3. Except for professional liability insurance or worker's compensation insurance, the insurance policies shall include, in their text or by endorsement, coverage for contractual liability and personal injury.

4. By execution of this Agreement, **CONSULTANT** hereby grants to **TOWN** a waiver of any right to subrogation which any insurer of **CONSULTANT** may acquire against **TOWN** by virtue of the payment of any loss under such insurance. **CONSULTANT** agrees to obtain any endorsement that may be necessary to effect this waiver of subrogation, but this provision applies regardless of whether or not **TOWN** has received a waiver of subrogation endorsement from the insurer.

5. If the insurance is written on a Claims Made Form, then, following termination of this Agreement, said insurance coverage shall survive for a period of not less than five years.

6. The insurance policies shall provide for a retroactive date of placement coinciding with the effective date of this Agreement.

7. The limits of insurance required in this Agreement may be satisfied by a combination of primary and umbrella or excess insurance. Any umbrella or excess insurance shall contain or be endorsed to contain a provision that such coverage shall also apply on a primary and noncontributory basis for the benefit of **TOWN** (if agreed to in a written contract or agreement) before **TOWN'S** own insurance or self-insurance shall be called upon to protect it as a named insured.

8. It shall be a requirement under this Agreement that any available insurance proceeds broader than or in excess of the specified minimum insurance coverage requirements and/or limits shall be available to TOWN or any other additional insured party. Furthermore, the requirements for coverage and limits shall be: (1) the minimum coverage and limits specified in this Agreement; or (2) the broader coverage and maximum limits of coverage of any insurance policy or proceeds available to the named insured; whichever is greater. No representation is made that the minimum Insurance requirements of this agreement are sufficient to cover the obligations of the **CONSULTANT** under this agreement.

C. **Deductibles and SIR's.** Any deductibles or self-insured retentions in **CONSULTANT's** insurance policies must be declared to and approved by the PROJECT MANAGER and TOWN Attorney and shall not reduce the limits of liability. Policies containing any self-insured retention (SIR) provision shall provide or be endorsed to provide that the SIR may be satisfied by either the named insured or **TOWN** or other additional insured party. At **TOWN's**

option, the deductibles or self-insured retentions with respect to **TOWN** shall be reduced or eliminated to **TOWN's** satisfaction, or **CONSULTANT** shall procure a bond guaranteeing payment of losses and related investigations, claims administration, attorney's fees and defense expenses.

D. **Proof of Insurance**. **CONSULTANT** shall provide to the PROJECT MANAGER or **TOWN'S** TOWN Attorney all of the following: (1) Certificates of Insurance evidencing the insurance coverage required in this Agreement; (2) a copy of the policy declaration page and/or endorsement page listing all policy endorsements for the commercial general liability policy, and (3) excerpts of policy language or specific endorsements evidencing the other insurance requirements set forth in this Agreement. **TOWN** reserves the right to obtain a full certified copy of any insurance policy and endorsements from **CONSULTANT**. Failure to exercise this right shall not constitute a waiver of the right to exercise it later. The insurance shall be approved as to form and sufficiency by PROJECT MANAGER and the Town Attorney.

11. INDEMNIFICATION.

A. Except as otherwise provided in Paragraph B., **CONSULTANT** shall, to the fullest extent permitted by law, indemnify, release, defend with counsel approved by **TOWN**, and hold harmless **TOWN**, its officers, agents, employees and volunteers (collectively, the "**TOWN Indemnitees**"), from and against any claim, demand, suit, judgment, loss, liability or expense of any kind, including but not limited to attorney's fees, expert fees and all other costs and fees of litigation, (collectively "CLAIMS"), arising out of **CONSULTANT'S** performance of its obligations or conduct of its operations under this Agreement. The **CONSULTANT**'s obligations apply regardless of whether or not a liability is caused or contributed to by the active or passive negligence of the **TOWN Indemnitees**. However, to the extent that liability is caused by the active negligence or willful misconduct of the **TOWN Indemnitees**, the **CONSULTANT**'s indemnification obligation shall be reduced in proportion to the **TOWN Indemnitees'** share of liability for the active negligence or willful misconduct. In addition, the acceptance or approval of the **CONSULTANT**'s work or work product by the **TOWN** or any of its directors, officers or employees shall not relieve or reduce the **CONSULTANT**'s indemnification obligations. In the event the **TOWN Indemnitees** are made a party to any action, lawsuit, or other adversarial proceeding arising from **CONSULTANT'S** performance of or operations under this Agreement, **CONSULTANT** shall provide a defense to the **TOWN Indemnitees** or at **TOWN'S** option reimburse the **TOWN Indemnitees** their costs of defense, including reasonable attorneys' fees, incurred in defense of such claims.

B. Where the services to be provided by **CONSULTANT** under this Agreement are design professional services to be performed by a design professional as that term is defined under Civil Code Section 2782.8, then, to the extent permitted by law including without limitation, Civil Code sections 2782, 2782.6 and 2782.8, **CONSULTANT** shall indemnify and hold harmless the **TOWN** and its officers, officials, and employees (collectively **TOWN Indemnitees**) from and against damages, liabilities or costs (including incidental damages. Court costs, reasonable attorney's fees as may be determined by the Court, litigation expenses and fees of expert witnesses incurred in connection therewith and costs of investigation) to the extent they are caused by the negligence, recklessness, or willful misconduct of **CONSULTANT**, or any subconsultants, or subcontractor or anyone directly or indirectly employed by them, or anyone for whom they are

legally liable (collectively Liabilities). Such obligation to hold harmless and indemnify any indemnity shall not apply to the extent that such Liabilities are caused in part by the negligence or willful misconduct of such TOWN Indemnitee.

C. The defense and indemnification obligations of this Agreement are undertaken in addition to, and shall not in any way be limited by, the insurance obligations contained in this Agreement, and shall survive the termination or completion of this Agreement for the full period of time allowed by law.

12. NONDISCRIMINATION.

CONSULTANT shall not discriminate, in any way, against any person on the basis of age, sex, race, color, religion, ancestry, national origin or disability in connection with or related to the performance of its duties and obligations under this Agreement.

13. COMPLIANCE WITH ALL LAWS.

CONSULTANT shall observe and comply with all applicable federal, state and local laws, ordinances, codes and regulations, in the performance of its duties and obligations under this Agreement. **CONSULTANT** shall perform all services under this Agreement in accordance with these laws, ordinances, codes and regulations. **CONSULTANT** shall release, defend, indemnify and hold harmless **TOWN**, its officers, agents and employees from any and all damages, liabilities, penalties, fines and all other consequences from any noncompliance or violation of any laws, ordinances, codes or regulations.

14. NO THIRD PARTY BENEFICIARIES.

TOWN and **CONSULTANT** do not intend, by any provision of this Agreement, to create in any third party, any benefit or right owed by one party, under the terms and conditions of this Agreement, to the other party.

15. NOTICES.

All notices and other communications required or permitted to be given under this Agreement, including any notice of change of address, shall be in writing and given by personal delivery, or deposited with the United States Postal Service, postage prepaid, addressed to the parties intended to be notified. Notice shall be deemed given as of the date of personal delivery, or if mailed, upon the date of deposit with the United States Postal Service. Notice shall be given as follows:

TO **TOWN**'s Project Manager: Dave Donery, Town Manager
Town of San Anselmo
525 San Anselmo Avenue
San Anselmo, CA 94960

TO **CONSULTANT**'s Project Director: _____
_____

16. INDEPENDENT CONTRACTOR.

For the purposes, and for the duration, of this Agreement, **CONSULTANT**, its officers, agents and employees shall act in the capacity of an Independent Contractor, and not as employees of the **TOWN**. **CONSULTANT** and **TOWN** expressly intend and agree that the status of **CONSULTANT**, its officers, agents and employees be that of an Independent Contractor and not that of an employee of **TOWN**.

17. ENTIRE AGREEMENT -- AMENDMENTS.

A. The terms and conditions of this Agreement, all exhibits attached, and all documents expressly incorporated by reference, represent the entire Agreement of the parties with respect to the subject matter of this Agreement.

B. This written Agreement shall supersede any and all prior agreements, oral or written, regarding the subject matter between the **CONSULTANT** and the **TOWN**.

C. No other agreement, promise or statement, written or oral, relating to the subject matter of this Agreement, shall be valid or binding, except by way of a written amendment to this Agreement.

D. The terms and conditions of this Agreement shall not be altered or modified except by a written amendment to this Agreement signed by the **CONSULTANT** and the **TOWN**.

E. If any conflicts arise between the terms and conditions of this Agreement, and the terms and conditions of the attached exhibits or the documents expressly incorporated by reference, the terms and conditions of this Agreement shall control.

18. SET-OFF AGAINST DEBTS.

CONSULTANT agrees that **TOWN** may deduct from any payment due to **CONSULTANT** under this Agreement, any monies which **CONSULTANT** owes **TOWN** under any ordinance, agreement, contract or resolution for any unpaid taxes, fees, licenses, assessments, unpaid checks or other amounts.

19. WAIVERS.

The waiver by either party of any breach or violation of any term, covenant or condition of this Agreement, or of any ordinance, law or regulation, shall not be deemed to be a waiver of any other term, covenant, condition, ordinance, law or regulation, or of any subsequent breach or violation of the same or other term, covenant, condition, ordinance, law or regulation. The subsequent acceptance by either party of any fee, performance, or other consideration which may become due or owing under this Agreement, shall not be deemed to be a waiver of any preceding breach or violation by the other party of any term, condition, covenant of this Agreement or any applicable law, ordinance or regulation.

20. TOWN BUSINESS LICENSE / OTHER TAXES.

CONSULTANT shall obtain and maintain during the duration of this Agreement, a **TOWN** business license as required by the San Anselmo Municipal Code **CONSULTANT** shall pay any and all state and federal taxes and any other applicable taxes. **TOWN** shall not be required to pay for any work performed under this Agreement, until **CONSULTANT** has provided **TOWN** with a completed Internal Revenue Service Form W-9 (Request for Taxpayer Identification Number and Certification).

21. SURVIVAL OF TERMS.

Any terms of this Agreement that by their nature extend beyond the term (or termination) of this Agreement shall remain in effect until fulfilled and shall apply to both Parties' respective successors and assigns.

22. APPLICABLE LAW.

The laws of the State of California shall govern this Agreement.

23. COUNTERPARTS AND ELECTRONIC SIGNATURE.

This Agreement may be executed by electronic signature and in any number of counterparts, each of which shall be deemed an original, but all of which together shall constitute one document. Counterpart signature pages may be delivered by telecopier, email or other means of electronic transmission.

IN WITNESS WHEREOF, the parties have executed this Agreement as of the day, month and year first above written.

TOWN OF SAN ANSELMO	**CONSULTANT**
_____	By:_____
DAVE DONERY, Town Manager	Name:_____
	Title:_____

Revised 1/25/2021

ATTEST:

_____
CARLA KACMAR, Town Clerk

By:_____

Revised 1/25/2021

Exhibit A
Scope of Services and Fees & Costs

Revised 1/25/2021

PROPS & MEASURES
STRATEGY & COMMUNICATIONS

Proposal for Revenue Measure Consulting Services

Prepared for:

Town of San Anselmo

January 7, 2022

Jeff Zuba
Finance & Administrative Services Director
Town of San Anselmo
525 San Anselmo Ave
San Anselmo, CA 94960

Dear Mr. Zuba:

Thank you for the opportunity to present this proposal for revenue measure consulting services, as you consider a potential sales tax measure for the 2022 ballot for the Town of Anselmo. We were proud to work with San Anselmo in 2013 to help develop and pass the Measure D sales tax, and we're eager to work with you once again on a successful effort.

TBWBH Props & Measures is a strategy and communications consulting firm that specializes in helping cities, towns and other public agencies build public consensus for public finance ballot measures. Our work on nearly 500 successful revenue measures in communities throughout California has generated billions in voter-approved funding for public agencies. We are proud to be California's leading revenue measure consulting firm.

We believe that our firm's skills, expertise and experience offer a unique fit to help you navigate the challenges associated with this project:

- **Unmatched Experience on Voter-Approved Revenue Measures for Cities.** TBWBH has unmatched experience guiding city and town tax measures to victory. We've helped prepare and pass 75 different measures for California cities and towns, large and small. In 2020 alone, we helped pass 18 successful revenue measures for California cities, including a successful renewal and increase of the sales tax measure for your neighbors in San Rafael.

- **Unmatched Experience in Marin County.** TBWBH has worked on over 30 successful revenue measures in Marin County, including multiple measures for the County itself, Transportation Authority of Marin, Marin Wildfire Prevention Authority, Marin County Open Space District, College of Marin, and many cities and school districts throughout the county. A full listing of our Marin experience is included in this proposal.

- **Success During the Pandemic**
  The pandemic has altered voter opinions and communication practices, changing attitudes about tax measures and local government. TBWBH has extensive experience blending today's digital tools with grassroots tactics to reach voters during the pandemic. In both the March and November 2020 elections, as well as local special elections in 2021, we gained valuable experience developing measures and messaging that were appropriate for and sensitive to current voter attitudes and opinions.

- **Today's communication tools.** TBWBH takes full advantage of modern communication tactics, including social media and digital advertising. We are also experts in traditional print media, direct mail and earned media, allowing us to help you efficiently leverage a full array of communication channels to engage voters.

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- **Customized Approach.** We don't apply a "cookie-cutter" approach to local tax measures. Our prior clients will tell you that our attention to the unique political challenges of your funding measure and the current political environment set us apart from others in our industry.

- **Capacity and Infrastructure to Serve You.** All qualified political firms are busy during election years. Unlike our competitors, whose firms are comprised of one or two principal consultants, TBWBH has a team of professionals to ensure your project receives the attention and service it deserves. I am one of TBWBH's seven practicing partners and will serve as your day-to-day contact throughout the project. TBWBH's partners are supported by the largest and most experienced staff in our industry. TBWBH is one of the only firms in our industry that maintains an in-house graphic design department, digital media coordinator and production coordination team to ensure your messaging, media and materials are of the highest quality and delivered on time and on budget.

We are confident that you will find our qualifications, experience and attention to client service are unmatched. The remainder of this proposal provides additional detail about our firm and services. If you have any questions, please do not hesitate to reach out.

Sincerely,

Charles Heath
Partner
cheath@propsandmeasures.com
415-810-8053

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About TBWBH Props & Measures

TBWBH Props & Measures is a non-partisan strategy and communications consulting firm specializing in bond, tax and other public finance ballot measures supporting public programs, services and facilities. TBWBH (formerly known as TBWB Strategies) launched in 2005 as an offshoot of Terris Barnes & Walters Political Media, which has been winning campaigns in California since 1988.

Building Public Consensus in Communities Throughout California
Successful revenue measures are built upon a foundation of strong community consensus. We work with our clients to identify shared community priorities and values in order to identify the elements of a successful revenue proposal. We have built community consensus for revenue measures in hundreds of communities throughout our home state of California and many communities across the country. We know how to develop successful revenue proposals and communicate with voters in urban, suburban and rural communities.

Revenue Measure Expertise
The partners and consultants at TBWBH have experience with over 500 successful public finance ballot measures that have raised tens of billions of dollars in voter-approved revenue for public programs, services and facilities. The successful measures include bonds, parcel taxes, sales taxes, transient occupancy taxes, utility users taxes, assessments and fees. We help cities, towns, counties, school districts, community colleges, parks, water and open space districts, fire districts, libraries, healthcare districts, transportation and transit agencies and others.

Commitment to Client Service
We have found that a close partnership with attention to daily details is essential. We know public finance measures, and you know the communities you serve. We also understand that the reputation of your agency is at stake every time you seek funding from your community. It's not enough just to "win," but the measure and the related messaging must help you strengthen your relationship with your community.

Project Leadership
TBWBH has seven experienced partners with the time and capacity to give your effort the devoted senior-level attention it deserves. Your project will not be handed off to inexperienced staff once the contract is signed. You will work directly with Charles Heath, a Partner in our firm who will oversee all quality control aspects of the project. Our direct and personal "in the trenches" experience guiding recent successful tax and bond measures offers a keen understanding of the nuances in messaging and strategy required for success.

Project Support
All qualified political firms will be busy in an election year. With over twenty talented employees, TBWBH maintains the largest and best-trained support team in our industry. Under the close supervision of the Partner leading the project strategy, messaging and direction, one of TBWBH's experienced consultants will focus on managing project logistics to ensure the project is completed on time, on budget and with no deadlines missed. One or more of TBWBH's Associates will be assigned to provide logistical support to the team.

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In-House Graphic Design, Digital Media and Production Coordination
Local residents receive their information in a variety of ways. We offer innovative multimedia communication plans that deliver your message through a combination of direct mail, email, online display advertising, pre-roll video advertising and social media advertising to ensure a thorough reach to voters and maximize visibility. TBWBH has unmatched experience blending traditional and new media strategies to maximize the impact of your message. TBWBH is one of the few firms in our industry that maintains an in-house Art Department and Production Department. This allows us to produce award-winning, creative concepts and attend to all the details required for efficient and timely delivery of digital media and printed materials.

TBWBH Props and Measures Marin County Experience
TBWBH has worked with more than 30 public agencies in Marin County over the last two decades and has helped pass many revenue measures. This understanding and experience has prepared us to effectively work locally to garner input and build consensus, as well as inform voters and opinion leaders.

- San Rafael Elementary School District: 2021 Parcel Tax, 68.37%
- San Rafael High School District: 2021 Parcel Tax, 69.55%
- City of San Rafael: 2020 Sales Tax, 61.66%
- Marin County Wildfire Prevention Agency: 2020 Parcel Tax, 70.80%
- Tamalpais Union High SD: 2020 School Parcel Tax, 73.63%
- Reed Union School District: 2019 School Parcel Tax, 74.83%
- City of San Rafael: 2018 Marijuana Business Tax, 83.42%
- Miller Creek School District: 2018 Parcel Tax, 70.64%
- Kentfield School District: 2018 Parcel Tax, 68.53%
- Tamalpais Union High School District: 2018 Parcel Tax, 73.99%
- Transportation Authority of Marin: 2018 Sales Tax, 76.65%
- College of Marin: 2016 Bond, 62.9%
- Larkspur-Corte Madera School District: 2016 Parcel Tax, 68.1%
- Novato Unified School District: 2016 Bond, 58.0%
- San Rafael Elementary School District (Measure A) : 2015 Bond, 66.3%
- San Rafael High School District (Measure B) : 2015 Bond, 67.1%
- Marin County Library: 2014 Parcel Tax, 79.0%
- Miller Creek School District: 2014 Bond, 75.0%
- Kentfield School District: 2014 Bond, 71.0%
- Larkspur-Corte Madera School District: 2014 Bond, 70.0%
- Novato Unified School District: 2014 Parcel Tax, 80.0%
- Reed Union School District: 2014 Parcel Tax, 78.0%
- City of San Rafael: 2013 Sales Tax, 65.0%
- Town of Corte Madera 2013 Sales Tax, 68.0%
- Town of San Anselmo: 2013 Sales Tax, 70.0%
- San Rafael Elementary School District: 2013 Parcel Tax, 79.0%
- San Rafael High School District: 2013 Parcel Tax, 79.0%
- Marin County: 2012 Sales Tax, 74.0%
- Ross Valley School District: 2012 Parcel Tax, 73.9%
- Miller Creek School District: 2011 Parcel Tax, 80.0%
- Novato Unified School District: 2005 Parcel Tax, 75.0%
- College of Marin: 2004 Bond, 63.0%

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Project Approach and Work Scope

We have a proven general approach to revenue measures that follows five critical steps. Within each step, we customize a set of strategies and tactics to address the specific challenges, circumstances, and nuances for each of our projects.

STEP 1: Feasibility study to determine if and under what conditions your agency can pass a local funding measure.

STEP 2: Build consensus with outreach and awareness-building strategies that position your measure for success.

STEP 3: Build a strong measure by aligning the measure's features with the community's priorities and sensitivities.

STEP 4: Campaign for the win by efficiently getting your message out to persuade voters and mobilize your base of support.

STEP 5: Bridge to the next election by continuing positive and transparent community dialogue about how voter-approved funding is being utilized.

The first three steps in this process are typically led by the public agency pursuing the revenue measure as part of the process to evaluate, plan, and prepare a measure for the ballot. All publicly funded communication during this phase must be informational and not advocacy. The fourth step in the process, once a measure is on the ballot, must be coordinated by an independent campaign committee using private resources. The fifth and final step may be coordinated by the public agency to facilitate ongoing communication and updates for the public.

Step 1: Feasibility Study

TBWBH, in collaboration with your selected public opinion pollster, will help you assess the basic viability of a potential revenue measure and identify the strategic elements needed to maximize the chances for success. During the feasibility study, we'll help you tackle the most basic strategic questions that must be answered in order to identify a path to success.

TBWBH will help you answer:

- What are the highest priorities for public funding in the community?
- Is it reasonable to think that a funding measure can be successful with voters? At what vote threshold? At what tax rate?

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- What services or projects are voters most likely to fund?
- What is the optimal timing for a measure going to the ballot? What level of voter turnout helps maximize support?
- Does sufficient community awareness of your needs already exist, or is proactive outreach required to build awareness? What are the key messages voters need to hear and what are the most effective channels for communication?
- How might specific exemptions or accountability protections be included in a successful measure?
- What controversies or competing issues must be considered before moving forward?

To answer these questions, TBWBH will work closely with your pollster to develop a voter survey to understand current attitudes and opinions. We'll help you analyze the results and turn the data into an actionable plan for moving forward. We'll also help you interpret and present recommendations to your City Council and other key stakeholders to build consensus around a unified strategic approach to addressing your funding needs.

Step 2: Build Consensus
Based on the findings from the survey and feasibility assessment, TBWBH will help develop and implement a public information and outreach program to educate the community about your funding needs and build broad community consensus around a revenue solution.

Specifically, TBWBH will:

- Develop informational messaging and a plan for getting the message out to key audiences.
- Provide talking points, answers to frequently asked questions and a message training to key staff, employee groups, commissioners and elected officials.
- Provide information to be added to your website, distributed through social media and included in newsletters.
- Prepare presentations for community meetings.
- Write, design and produce informational mailings and advertising to educate, inform and engage voters.
- Develop strategies and plans to inform and engage key internal stakeholder groups within your agency.
- Develop strategies for managing coverage of this issue in the local press.
- Develop strategies and plans to inform and engage influential external groups, including elected leaders, business leaders, neighborhood leaders, faith community leaders and taxpayer groups.

TBWBH has expertise in traditional communication strategies like direct mail, print advertising and earned media. We are also experts in utilizing new media strategies, such as social media, online advertising, and video. Our in-house graphic design and production capabilities allow us to deliver the highest level of strategic and creative communication for our clients.

Step 3: Build a Strong Measure
Once we know what a viable, winnable ballot measure looks like, TBWBH will work with you to develop a revenue measure and qualify for the ballot.

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During this phase of work, TBWBH will:

- Work with you and your financial team to finalize amounts, tax rates and the structure of your measure.
- Refine the description of your needs and/or expenditure plan to make sure they are written in clear and understandable language featuring projects and programs that are high priorities for voters.
- Work with you and your legal counsel to define important taxpayer accountability protections, including any potential independent Citizens' Oversight Committee and public reporting process, if needed.
- Work with you and your legal counsel to develop all ordinances/resolutions required for calling the election.
- Develop the critical ballot question that will appear on ballots.
- Develop and refine the full text of the measure and other materials that will appear in the ballot pamphlet mailed to all voters.
- Present recommendations and documents to the City Council for formal approval.

Step 4: Campaign for the Win*

The next step in the process is to mount a strategic advocacy campaign to secure the votes needed to win on Election Day. This is the only step in the process that cannot be funded with public dollars. While agencies can continue to provide information to residents about the measure, only a privately funded campaign committee can advocate for the measure. We will work with your agency to understand if volunteers are available and motivated to step forward to run such an effort. Typically, as consultant to volunteer campaign committees, we build campaign plans with the following elements to ensure the best possible chance of success on Election Day:

- **Effective messaging and materials.** Campaign logos, brochures, websites, social media and other materials must be eye-catching and have a local feel in order to persuade and motivate voters effectively.
- **Avoiding controversy and obstacles.** We can't take anything for granted in today's economic and political environment. To win, it is important to run an organized campaign that avoids controversy and neutralizes opposition to the extent possible.
- **Good teamwork.** We strive to build broad coalitions that include support from business, labor and the full-spectrum of political ideologies.
- **Efficient grassroots organizing.** The time and energy of your volunteers are precious resources. We'll work with you to develop a plan that maximizes the impact of their efforts on the outcome of the election.
- **Strong fundraising.** Fundraising for local ballot measures can be a challenge. It takes resources to get your message out to the voters who will determine the outcome of your election. We can help you create a fundraising plan to help you achieve the resources needed to win.

Note: The information provided in Step 4 is intended as information to convey TBWBH's full range of services available to assist with the tax measure process. The services described here are **not proposed as part of the scope of services for Town of San Anselmo. If a tax measure is placed on the ballot and an independent advocacy committee forms, these services would be offered to that group and privately funded under a separate agreement.*

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Step 5: Bridge to the Next Election

After voters have approved your measure, it is important to continue positive and transparent community dialogue about how you are utilizing voter-approved funding and delivering on your promises. When taxpayers hear nothing, they assume the worst and fall back on unfair stereotypes about how government spends money.

We offer a full range of ongoing communication services to our clients:

- Creation of regular updates to highlight progress related to your measure, including messaging for email blasts, websites, social media and newsletters.
- Assistance with crafting responses to community or media inquiries regarding a local funding measure.
- Assistance with preparing presentations to community groups and oversight bodies
- Regular direct mail updates and advertising to the entire community to ensure broad awareness beyond the most active and engaged citizens.

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Consultant Biography

Charles Heath, Partner - TBWBH Props & Measures

Over more than 20 years as a strategy and communications consultant, Charles has guided more than 100 ballot measures to victory. With a background in various political projects, Charles has spent the better part of the last decade with a strict focus on working with public agencies to design winning revenue measures for the ballot and execute strategic public information efforts to position his clients for success at the ballot box. Once a measure is on the ballot, Charles works with advocacy campaign committees to run efficient and effective campaigns to achieve voter approval for ballot measures.

Charles has led campaigns in all parts of California — from large urban environments like Oakland, San Jose and Los Angeles to suburban environments like Marin, Riverside and Orange County, to rural and agricultural communities like Plumas County, Truckee and Stanislaus County.

Charles has worked with a diverse range of public agencies across the western United States, ranging from school and community college districts to healthcare districts, transportation agencies, cities and counties, park and recreation districts, libraries and fire districts.

Charles became a Partner at Props & Measures in November 2009. Prior to joining TBWBH, Charles worked at another leading consulting firm for ten years, most recently as Vice President and Senior Consultant.

Before his career in public finance campaigns, Charles worked as a policy analyst for a public policy think tank, as an aide in the California Legislature and as a reporter for a local newspaper.

Charles is a graduate of the University of California at Davis with degrees in Political Science and English, and he earned a Master's Degree from the London School of Economics.

Charles grew up in Southern California and now lives in the East Bay with his wife Eva, his son Alexander and his daughter Lillian. You can reach Charles at TBWBH's San Francisco office at (415) 810-8053 or cheath@propsandmeasures.com.

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References

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(415) 485-3070

Tara Taupier, Ed.D.
Superintendent, Tamalpais Union High School District
ttaupier@tamdistrict.org
(415) 945-1020

Jim Hogeboom
Superintendent, San Rafael City Schools
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(415) 492-3200

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Fees & Costs

As is the standard in our industry, TBWBH Props & Measures contracts on a fixed-fee basis. For a town the size of San Anselmo, our standard consulting fee is $6,500 per month. Reimbursable business expenses will be billed separately, along with any other hard costs associated with printing, postage, or advertising for informational materials. Partial months of services would be billed at a prorated amount.

To help you estimate the full cost of the revenue measure planning process, following are estimates of the cost of implementing a public information and outreach program in advance of a revenue measure election. The cost of printing and mailing an 11x17 informational brochure to all voter households in San Anselmo (4,928 households) is approximately $7,000 per mailing. This price is all-inclusive and includes design, photography, pre-press, printing, mailing data, addressing, sorting, post office delivery, sales tax and bulk-rate postage. Once you approve the content and design of each piece, we would handle all details related to production and mailing. We will work with you to develop an appropriate budget for these costs through the development of a public outreach plan. For budget estimating, most cities and towns send two to three informational mailers during the revenue measure planning and outreach process.

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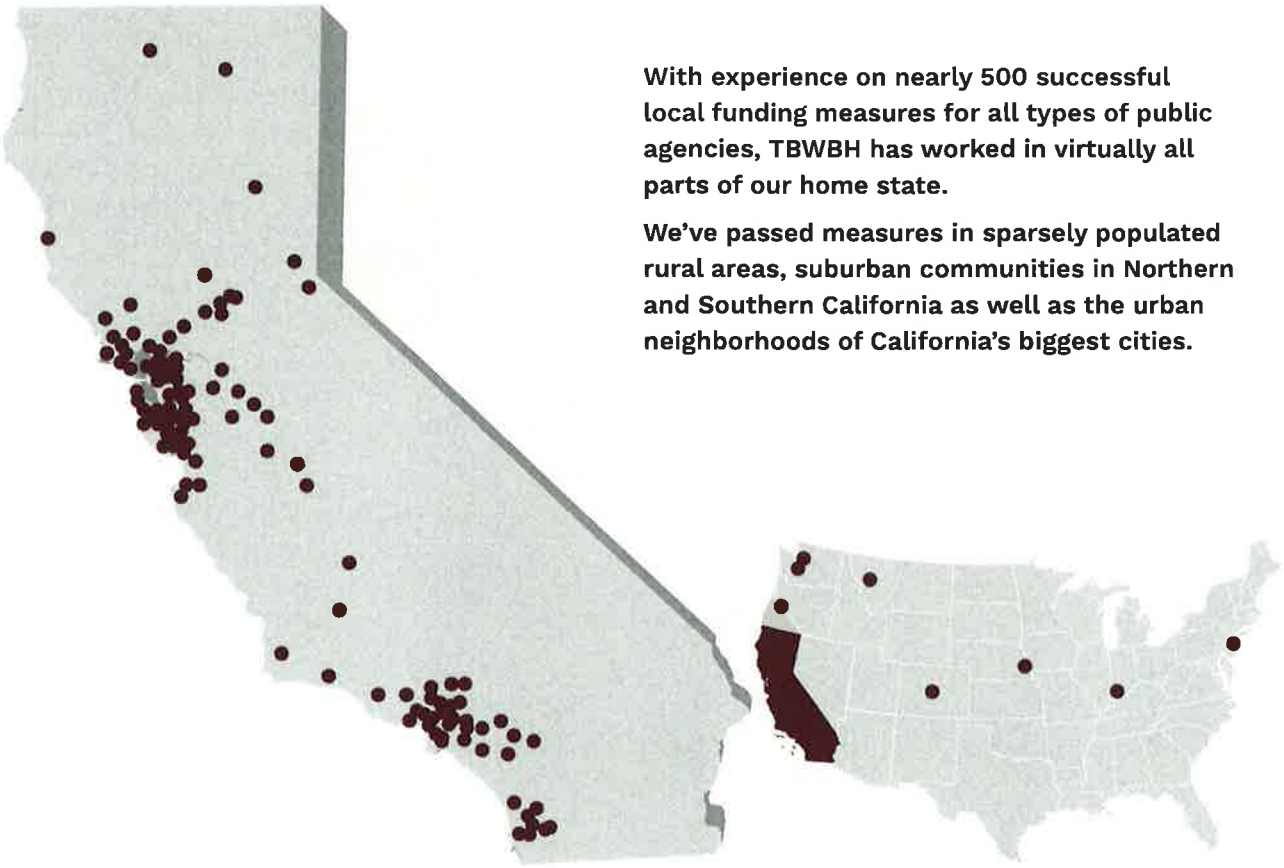
COMBINED EXPERIENCE OF TBWBH'S PARTNERS



With experience on nearly 500 successful local funding measures for all types of public agencies, TBWBH has worked in virtually all parts of our home state.

We've passed measures in sparsely populated rural areas, suburban communities in Northern and Southern California as well as the urban neighborhoods of California's biggest cities.

Community College Districts

Allan Hancock College
Antelope Valley College
Cabrillo College
Chabot-Las Positas CCD
Chaffey College
College of the Canyons
College of Marin
College of the Siskiyous
Contra Costa CCD
Foothill-De Anza CCD
Gavilan College
Glendale College
Hartnell College
Lane Community College (Oregon)
Mendocino College
Merced CCD
MiraCosta College
Monterey Peninsula College
Napa Valley College
Peralta CCD
Mt. San Jacinto CCD
Rancho Santiago CCD
Riverside CCD
San Bernardino CCD
San Joaquin Delta CCD
San Mateo CCD
Santa Barbara City College
Santa Monica College
Santa Rosa Junior College
Yuba College

Statewide Measures

Proposition 1 2018 – Veterans and Affordable Housing Act
Proposition 2 2018 – Homeless Mental Health Housing Act
Proposition 39 2012 – Close the Oil and Gas Loophole
The Millionaires Tax 2012 – Restoring California
Measures 66 & 67 2010 – Oregon

Transportation

BART (Santa Clara County)*
Caltrain*
Contra Costa Transportation Authority*
Fresno County Transportation Authority*
Merced County Association of Governments
Metropolitan Transportation Commission*
Monterey-Salinas Transit
Napa County Transportation Agency
Placer County
Riverside County Transportation Commission
San Mateo County Transit District
Santa Cruz County Regional Transportation Commission
Sonoma County Transportation Authority*
Sonoma-Marin Area Rail Transit
Stanislaus County Transportation*
Transportation Agency of Monterey County*
Transportation Authority of Marin*
Truckee/North Tahoe Transportation Agency

Parks, Open Space and Water Districts

Alameda County Clean Water Program
Camden Water*
City of Fresno Parks*
Greater Vallejo Recreation District
Hayward Area Recreation District
Los Angeles County Flood Control District
Los Angeles County Regional Park and Open Space District
Marin County Parks/MALT*
Missoula Open Space (Montana)
Monterey Peninsula Regional Park District
Napa County Regional Park and Open Space District/Napa Land Trust*
Peninsula Open Space Trust
Santa Clara Valley Open Space Authority
Santa Clara County Parks
Santa Clara Valley Water District
San Francisco Bay Restoration Authority*
Sonoma County Agricultural Preservation and Open Space District
Zone 7 Water Agency (Alameda County)

(Partial list) * TBWBH worked with the private-side campaign and not directly for the district/agency.

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Cities and Counties

Los Angeles County Homeless Initiative
Marin County
Napa County
Placer County
San Mateo County
Santa Clara County
Santa Cruz County
Solano County
Sonoma County
City of Adelanto
City of Alameda
City of Barstow
City of Beverly Hills
City of Burlingame*
City of Campbell
City of Chula Vista
Town of Corte Madera
City of Crescent City
City of Del Mar
City of Diamond Bar
City of Downey
City of Emeryville
City of Fairfield
City of Foster City
City of Fremont
City of Fullerton
City of Glendale
City of Gustine
City of Kerman
City of Lancaster
City of Lafayette
City of Laguna Beach
City of La Verne
City of Lomita
City of Los Altos
City of Madera
City of Manteca
City of Merced
City of Montebello
City of Morgan Hill
City of Murrieta
City of Napa
City of Oceanside
City of Orinda
City of Pacifica
City of Palm Springs
City of Palmdale
City of Palo Alto
City of Paramount
City of Pleasant Hill
City of Pomona
City of Redlands
City of Redwood City
City of Salinas
Town of San Anselmo
City of San Bernardino
City of San Mateo
City of San Jose
City of San Rafael
City of Santa Cruz
City of Santa Fe Springs
City of Santa Monica
City of Santa Rosa
City of South Lake Tahoe
City of South Pasadena*
City of Suisun City
Town of Truckee
City of Union City
City of Vacaville
City of Ventura
City of Watsonville
City of Whittier
Town of Windsor
City of Yuba City

High School Districts

Campbell Union High SD
Chaffey Joint Union High SD
Delano Joint Union High SD
East Side Union High SD
El Dorado Union High SD
Fullerton Joint Union High SD
Galt Joint Union High SD
Grant Joint Union High SD
Jefferson Union High SD
Los Gatos-Saratoga Union High SD
Mountain View-Los Altos High SD
Nevada Joint Union High SD
Oxnard Union High SD
Perris Union High SD
Petaluma Joint Union High SD
Placer Union High SD
Roseville Joint Union High SD
San Benito High SD
San Dieguito Union High SD
San Mateo Union High SD
San Rafael High SD
Santa Cruz City High SD
Santa Rosa High SD
Sequoia Union High SD
Tamalpais Union High SD
William S. Hart Union High SD

Fire Districts

Crescent Fire Protection District
East Contra Costa Fire Protection District
Fresno County Fire Protection District
Los Angeles County Fire
Marin County Fire Department
North Tahoe Fire Protection District
Santa Cruz County Fire District – CSA48
Truckee Fire Protection District

Hospitals and Healthcare

Salinas Valley Memorial Healthcare System
Save Laguna Hospital
Seton Medical Center
Valley Health System*

Libraries

Garfield County Public Libraries (Colorado)
Los Altos Library
Marin County Free Library
Pacifica Library
San Jose Library
Santa Cruz County Library

Elementary School Districts

Alisal Union SD
Alpine Union SD
Alta Loma SD
Alum Rock Union Elementary SD
Anaheim Elementary SD
Auburn Union SD
Beardsley SD
Belmont-Redwood Shores SD
Berryessa Union SD
Bonsall SD
Buena Park SD
Burlingame SD
Cambrian SD
Campbell Union SD
Castaic Union SD
Central SD
Centralia Elementary SD
Cupertino Union SD
Del Mar Union SD
Dixie SD
Fountain Valley SD
Franklin-McKinley SD
Fruitvale SD
Fullerton SD
Hermosa Beach City SD
Huntington Beach City SD
Jefferson Elementary SD
Kentfield SD
La Mesa-Spring Valley Union SD
Lakeside Union SD (San Diego County)
Larkspur-Corte Madera SD
Live Oak SD
Loma Prieta Joint Union SD
Los Altos SD
Los Gatos Union SD
Lowell Joint SD
Menifee Union SD
Millbrae SD
Modesto City Elementary SD
Moraga SD
Moreland SD
Morgan Hill SD
Morongo SD
Mount Pleasant Elementary SD
Mountain View Whisman SD
Norris SD
North Sacramento SD
Oakley Union Elementary SD
Ocean View SD (Orange County)
Orinda Union SD
Pacifica SD
Palmdale SD
Perris Elementary SD
Petaluma City Elementary SD
Portola Valley SD
Ravenswood City SD
Redwood City SD
Reed Union SD
Romoland SD
Rosemead SD
Roseville City SD
Ross Valley SD
San Carlos SD
San Mateo-Foster City SD
San Rafael Elementary SD
Santa Cruz City Elementary SD
Santa Rita Union SD
Santa Rosa Elementary SD
Saratoga Union SD
Saugus Union SD
Savanna SD
Soquel Union Elementary SD
Stanislaus Union SD
Sulphur Springs Union SD
Union SD
Victor Elementary SD
Westminster SD

Unified School Districts

Alameda USD
Albany USD
Amador County USD
Arcadia USD
Azusa USD
Baldwin Park USD
Bassett USD
Beaumont USD
Brea Olinda USD
Cabrillo USD
Capistrano USD
Carlsbad USD
Castro Valley USD
Charter Oak USD
Claremont USD
Conejo Valley USD
Corona-Norco USD
Cotati-Rohnert Park USD
Culver City USD
Davis Joint USD
Downey USD
Dublin USD
El Rancho USD
Evansville-Vanderburgh School Corporation (Indiana)
Fairfield-Suisun USD
Folsom Cordova USD
Fremont USD
Garden Grove USD
Glendale USD
Hayward USD
Irvine USD
Jurupa USD
Kerman USD
La Cañada USD
Lake Elsinore USD
Lammersville USD
Las Virgenes USD
Lompoc USD
Los Alamitos USD
Los Angeles USD
Madera USD
Manhattan Beach USD
Manteca Unified SD
Martinez USD
Milpitas USD
Monterey Peninsula USD
Moorpark USD
Moreno Valley USD
Morgan Hill USD
Mount Diablo USD
Mountain Empire USD
Napa Valley USD
New Albany Floyd County Consolidated School Corporation (Indiana)
Newark USD
New Haven USD
Novato USD
Oak Park USD
Orange USD
Pajaro Valley USD
Palo Alto USD
Palos Verdes Peninsula USD
Paradise USD
Patterson Joint USD
Pleasanton USD
Poway USD
Riverside USD
Sacramento City USD
Saddleback Valley USD
San Jose USD
San Lorenzo Valley USD
San Marcos USD
San Marino USD
San Ramon Valley USD
Santa Ana USD
Santa Monica-Malibu USD
Scotts Valley USD
Simi Valley USD
Snowline Joint USD
Sonoma Valley USD
South Pasadena USD
South San Francisco USD
St. Helena USD
Tahoe Truckee USD
Tustin USD
Ukiah USD
Val Verde USD
Vallejo City USD
Vista USD
Walnut Valley USD
Washington USD
West Contra Costa USD
Westside SD 66 (Nebraska)
Woodland Joint USD
Yucaipa-Calimesa Joint USD

(Partial list) * TBWBH worked with the private-side campaign and not directly for the district/agency.

TBWBH
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525 San Anselmo Avenue
San Anselmo, CA 94960

Town of San Anselmo

Staff Report

TO: Town Council **Meeting of** 1/25/2022

FROM:
David P. Donery, Town Manager

SUBJECT:
Downtown Hanging Flower Baskets Funding Request for 2022

RECOMMENDATION

That Council consider approval of a donation of $2,500 to the San Anselmo Beautification Committee for use in the 2022 hanging flower basket program.

BACKGROUND

In 2018, a group of merchants got together and held a fundraiser to start a hanging flower basket program in the downtown area. This group raised over $3,000 which paid for pole brackets, a portable watering system and twelve hanging flower baskets. The baskets were watered by a team of volunteers.

DISCUSSION

In 2019, a group of residents, led by Nancy Altman and Jeanne Imai, started the San Anselmo Beautification Committee and are raised funds to not only continue the hanging basket program, but to expand it from 12 to 24 baskets. The increased cost for the program was due to the increased number of baskets along with the cost of hiring an individual to manage the watering of the baskets.

FUNDING REQUEST

Staff is recommending a contribution of $2,500 towards the program in 2022, which is the same amount that the Town donated in 2021. The Beautification Committee relies on business and individual donations to keep this valuable program funded. Staff encourages the San Anselmo Beautification Committee to continue to work with interested individuals, the business community, the Chamber of Commerce and the Town to develop a sustainable funding model to fund and manage the hanging flower baskets program.

FISCAL IMPACT

If approved, this donation will be paid from the Town's Downtown Beautification Fund.

525 San Anselmo Avenue
San Anselmo, CA 94960

Town of San Anselmo

Staff Report

TO: Town Council **Meeting of** 1/25/2022

FROM:
David P. Donery, Town Manager, Jeff Zuba, Finance and Administrative Services Director, Sean Condry, Public Works Director

SUBJECT:
Funding Priorities for Measure D Renewal

RECOMMENDATION

Staff recommends that the Council consider funding priorities to be used in public opinion polling regarding the renewal of the Measure D Transaction and Use Tax and provide direction to staff.

BACKGROUND

At its meeting on January 11, 2022, the Town Council received a report regarding options for the renewal of the Measure D Transaction and Use Tax. The Council authorized the Town Manager to enlist the services of public opinion research and tax measure consultants. The professional services agreements for those consultants are on tonight's consent calendar for approval. The Council also directed staff to return to the next Town Council meeting to finalize the list of potential funding priorities to be used in polling of the community.

DISCUSSION

Staff has identified specific funding needs should the Town Council decide to explore expanding the tax rate by an additional 0.5%. Below are options that staff recommends be included in the forthcoming public opinion poll:

- **Roads, Drainage and Infrastructure** - additional funds for road improvements
- **Fire Protection** - increasing incident response capacity
- **Town Facility Improvements** - funding for needed repairs at Town Hall, Robson Harrington House and the Isabel Cook Community Center
- **Park Repair and Improvements** - funding for repairs and improvements to Town parks
- **Climate Action Projects** - funding for installation of solar on Town buildings and water resiliency projects
- **Affordable Housing Funding** - establishing and funding an Affordable Housing Fund to help the Town meet the need of increased housing units
- **Town Beautification** - funding for streetscape improvements including medians

Staff is asking that Council review these options, discuss any potential edits, and finalize the list. The final list

will be used in the public opinion research to be conducted this spring. Staff will work with the consultants using the finalized list and will return to the Council with a draft poll for approval.

CEQA AND CLIMATE ACTION PLAN CONSISTENCY

Discussing the funding priorities for a potential tax measure is not considered a “project” under the California Environmental Quality Act (CEQA), because it does not involve an activity which has the potential to cause a direct or reasonably foreseeable indirect physical change in the environment. (Cal. Pub. Res. Code § 21065).

525 San Anselmo Avenue
San Anselmo, CA 94960

Town of San Anselmo

Staff Report

TO: Town Council **Meeting of** 1/25/2022

FROM:
Dave Donery, Town Manager & Jeff Zuba, Finance & Administrative Services Director

SUBJECT:
2021-2022 Mid-Year Budget Review

RECOMMENDATION

That Council approve the attached resolution amending the 2021-2022 Budget.

BACKGROUND

On June 22, 2021, the Town Council approved Resolution No. 4395 adopting the 2021-2022 Budget. (June 22 video and materials available here <https://sananselmo-ca.granicus.com/MediaPlayer.php?view_id=1&clip_id=590>). The approved budget is the annual plan and resource allocation that guides Town spending and ensures implementation of Town Council policies and priorities. The Budget approved in June was based on the best revenue and expenditure information available several months prior to the actual adoption of budget appropriations. As a result, budget adjustments are periodically necessary for changes that arise requiring additional budget appropriations or re-appropriations between budget line items.

DISCUSSION

MID-YEAR BUDGET REQUESTS FROM DEPARTMENTS:

Town staff evaluated and identified a few revenue and expenditure items to bring to the Town Council's attention.

GENERAL FUND:

Description	Adopted Budget	Year-to-Date Actual	Proposed Changes	Revised Budget
Sales Tax	$1,284,486	$528,236	$115,514	$1,400,000
Construction Permits	900,000	486,383	80,000	980,000
Vehicle Code	10,000	9,466	7,500	17,500
Parking - Data Tickets	50,000	35,970	15,000	65,000
Total Revenues	**$2,244,486**	**$1,060,055**	**$218,014**	**$2,437,500**
Admin - Outside Services	$255,690	$64,825	$20,000	$275,690
Plan Checking - Outside Services	100,000	80,526	80,000	180,000
Street - Outside Services - Trees	20,000	30,550	30,000	50,000

Parks - Outside Services - Trees	8,000	-0-	100,000	108,000
Total Expenditures/Transfers-out	**$383,690**	**$175,901**	**$230,000**	**$613,690**

The Town received proposals to hire a tax measure consultant and to conduct public opinion polling. Based on the quotes received from qualified local firms that handle this type of work staff requests that Council authorizes up to $20,000 from the General Fund reserve balance. Most of the costs will be covered by existing departmental savings in the Administration and Finance Department.

The adopted budget included $28,000 for Outside Services - Trees. As of December 31, 2021, $30,550 has been expended for work related to trees with invoices still outstanding from vendors. This work was required due to unsafe conditions and emergencies.

Most of the adjustments for the other fund categories are due to an increase in revenue resources for specified purposes, such as grant fund, taxes, or donations.

OTHER FUNDS:

Description	**Revenue/Transfers-In**			**Expenditures/Transfers-Out**		
	Adopted Budget	Proposed Changes	Revised Budget	Adopted Budget	Proposed Changes	Revised Budget
Road Maintenance	$1,086,666	$50,000	$1,136,666	$1,024,200	$200,000	$1,224,200
Measure D Sales Tax	1,111,900	88,100	1,200,000	1,340,370	190,000	1,530,730
Recreation	1,348,625	-0-	1,348,625	1,460,003	47,633	1,507,636
Emergency Reserve	-0-	1,492,000	1,492,000	100,000	55,299	155,299
Total	**$2,198,566**	**$1,630,100**	**$3,828,666**	**$2,464,570**	**$445,299**	**$2,910,229**

Additional funding is needed in Unprogrammed Paving from Measure D and Road Maintenance reserves for a variety of street projects including slurry seals, concrete curb, and gutter on various streets for multiple projects related to street improvement throughout Town which will provide Asset Protection and an increased Pavement Condition Index (PCI). In addition, funding is still needed for the remainder of the year for unanticipated projects and joint jurisdictional opportunities that may present themselves which the Town can capitalize on funding from many sources to improve road conditions at a reduced cost to the Town and its residents.

Recreation department is requesting $47,633 from its fund balance reserve for a down payment on a new management software. The software is going to be more user friendly for internal and external customers.

The Emergency Reserve fund revenue increase is recognizing receipt of the 1st half of the American Rescue Plan funds. The expenditure increase of $55,299 is the payment Town Council approved at the July 27, 2021 meeting to the County of Marin to provide funding for Housing First Case Management.

The following table summarizes the approved and proposed changes, the impact on the General Fund and Other Funds' budgets for fiscal year 2021-2022, the impact on Net Operating Results and fund balances:

Table -1

	FY2021-22 Adopted Budget	Approved Changes	Current Budget	Proposed changes	Revised Budget
GENERAL FUND					
Revenues	**17,624,604**	**-**	**17,624,604**	**218,014**	**17,842,618**
Transfers-In	418,464	-	418,464	-	418,464
Total Resources	**18,043,068**	**-**	**18,043,068**	**218,014**	**18,261,082**
Expenditures	**16,749,106**	**-**	**16,749,106**	**230,000**	**16,979,106**
Operating Transfers-Out	450,000	-	450,000	-	450,000
Capital Transfers-Out	813,517	-	813,517	-	813,517
Total Transfers-Out	**1,263,517**	**-**	**1,263,517**	**-**	**1,263,517**
Total Appropriation	**18,012,623**	**-**	**18,012,623**	**230,000**	**18,242,623**
Net Result	**30,445**	**-**	**30,445**	**(11,986)**	**18,459**
Beginning fund balance	4,538,467		4,437,465		4,437,465
Ending fund balance	4,568,912		4,467,910		4,455,924
Committed fund balance	886,964	-	(657,126)	-	(669,112)
Unassigned fund balance	**3,681,948**		**5,125,036**		**5,125,036**
Percentage of Reserve	20.44%		28.45%		28.09%

Table -2

	FY2021-22 Adopted Budget	Approved Changes	Current Budget	Proposed changes	Revised Budget
OTHER FUNDS					
Revenues	**11,549,122**	**-**	**11,549,122**	**1,630,100**	**13,179,222**
Operating Transfers-In	450,000	-	450,000	-	450,000
Capital Transfers -In	1,200,683	-	1,200,683	-	1,200,683
Total Transfers-In	**1,650,683**	**-**	**1,650,683**	**-**	**1,650,683**
Total Resources	**13,199,805**	**-**	**13,199,805**	**1,630,100**	**14,829,905**
Expenditures	**14,312,498**		**14,312,498**	**492,932**	**14,805,430**
Operating Transfers-Out	80,694	-	80,694	-	80,694
Capital Transfers-Out	724,936	-	724,936	-	724,936
Total Transfers-Out	**805,630**	**-**	**805,630**	**-**	**805,630**
Total Appropriation	**15,118,128**	**-**	**15,118,128**	**492,932**	**15,611,060**
Net Result	**(1,918,323)**	**-**	**(1,918,323)**	**1,137,168**	**(781,155)**
Beginning fund balance	4,489,665		4,136,613		4,136,613
Ending fund balance	**2,571,342**		**2,218,290**		**3,355,458**

The proposed changes to General Fund and Other Funds' Sources and Appropriations are included in the Attachment II of this staff report**.**

FISCAL IMPACT

GENERAL FUND

The General Fund's ending fund balance as of June 30, 2021, was $6,264,830, which was an increase of $2,754,913 over the previous fiscal year. In addition, $28,399, $627,936, $1,803,518 ($1,669,817 is emergency reserve commitment), and $349,748 of the ending fund balance were categorized as nonspendable, restricted, committed, or assigned for the Town's prepayment, pension trust account, parking, and general plan activities, respectively. After taking into consideration the nonspendable, restricted, committed, and assigned funds and the approval of the amended budget, the estimated ending fund balance available for new appropriations is $5,125,036 as of June 30, 2021. This is a reserve of 28.45% of expenditures and transfers out to other funds, which meets the Town's reserve goal.

CONCLUSION

Staff respectfully requests that the Town Council amend the budget for fiscal year 2021-2022 by approving the attached resolution.

RESOLUTION NO. _____

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF SAN ANSELMO AMENDING THE 2021-2022 BUDGET

WHEREAS, the Town Council adopted the 2021-2022 fiscal year budget by Resolution No. 4395 on June 22, 2021; and

WHEREAS, new information on projected revenues and expenditures has emerged since adoption of the 2021-2022 budget; and

WHEREAS, at its meeting of January 25, 2022, the Town Council reviewed the new information as part of its Mid-Year Budget Review; and

WHEREAS, the Town Council finds it necessary and in the public interest to amend the budget adopted by Resolution 4395;

NOW, THEREFORE, BE IT HEREBY RESOLVED as follows:

The 2021-2022 budget is amended as provided in Exhibit I, which is incorporated herein by reference.

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 25th day of January 2022, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

_____
Alexis Fineman, Mayor

ATTEST:

_____
Carla Kacmar, Town Clerk

Town of San Anselmo
Budget Amendments for FY2021-2022

Fund	Status	Revenue	Transfers In	Expenditure	Transfers Out	Description
General Fund	New	115,514	-	-	-	Increase Sales Tax revenue based on prior year actual revenue and current year trends
General Fund	New	80,000	-	-	-	Increase revenue for Construction Permits collection
General Fund	New	7,500	-	-	-	Increase budget for Vehicle code violation fine
General Fund	New	15,000	-	-	-	Increase revenue from parking tickets collection
General Fund	New	-	-	20,000	-	Measure D renewal consultants - Revenue Measure and Research Polling
General Fund	New	-	-	80,000	-	Increase plan checking outside services budget
General Fund	New	-	-	100,000	-	Increase for trees (Department 81)
General Fund				30,000		Increase for trees (Department 42)
Sub-total		**218,014**	**-**	**230,000**	**-**	
Capital Construction Fund	New	-	-	-	-	Budget transfers-in from General Fund and increase expenditure budget for incidental repairs
Measure D	New	**88,100**		**190,000**		Increased revenue based on current year trends. Unprogrammed paving (SFD) and unprogrammed drainage (CMP replacement)
Road Maintenance	New	**50,000**		**200,000**	-	Adjust Road Impact Fees based on current year activity Unprogrammed paving (SFD) and unprogrammed drainage (CMP replacement)
Recreation		-		**47,366**		Adjust budget for transition to a new Recreation Management software
Emergency Reserve Fund	New	**1,492,000**		**55,299**	-	Adjust budget for Emergency Reserve fund based on the receipt of ARPA funds
Grand total		**1,760,014**	**-**	**485,299**	**-**	

OVERVIEW OF FUNDS
CHANGES IN FUND BALANCE
2021-2022 - Revised

DESCRIPTION	Actual Fund Balance June 30, 2021	Revenue	Transfers In	Total Resources Available	Expenditures	Transfers Out	Estimated Fund Bal & Res June 30, 2022
General Fund							
General Fund	6,264,830	17,812,619	418,464	24,495,913	16,979,106	1,263,715	6,253,092
Special Revenue Fund							
Measure D Sales Tax Fund	812,102	1,200,000	-	2,012,102	1,530,370		481,732
Grants Fund	106,404	6,444,369	-	6,550,773	6,444,369	-	106,404
Recreation Fund	343,672	1,348,625	-	1,692,297	1,426,942	80,694	184,661
Road Maintenance Fund	253,972	484,500	652,166	1,390,638	1,224,200	-	166,438
Community Services Master Pl	4,851	-	-	4,851	4,000	-	851
Downtown Revitalization Fund	10,947	-	-	10,947	3,678	-	7,269
Emergency Reserve Fund	335,875	1,492,000	-	1,827,875	155,299		1,672,576
State Gasoline Tax	-	589,936	-	589,936	-	589,936	-
Library Tax Fund	96,141	288,565	-	384,706	322,373	-	62,333
Isabel Cook Center	8,495	107,688	-	116,183	117,550	-	(1,367)
Robson House	27,212	35,400	-	62,612	63,660		(1,048)
Special Events	10,923	24,400	-	35,323	24,255	-	11,068
Measure A Parks Tax Fund	572,678	233,933	-	806,611	640,767	-	165,844
Creekside Commons	211,433	-	-	211,433	201,500		9,933
Measure C Wildfire Tax Fund	280,282	362,848	-	643,130	362,648		280,482
Snack Shack	1,191	-	-	1,191	144	-	1,047
Capital Project Funds							
Capital Reconstruction	67,074			67,074	50,000	-	17,074
Equipment Replacement	298,944	-	-	298,944	195,000	-	103,944
Debt Service Fund							
Measure G Debt Service	813,317	567,158	-	1,380,475	673,356	-	707,119
Municipal Lease Fund	-	-	158,517	158,517	158,517	-	-
Internal Service Fund				-			-
Insurance Fund	73,848	-	450,000	523,848	693,946	-	(170,098)
TOTAL	10,594,191	30,992,041	1,679,147	43,265,379	31,271,680	1,934,345	10,059,354

ATTACHMENT II

525 San Anselmo Avenue
San Anselmo, CA 94960

Town of San Anselmo

Staff Report

TO: Town Council **Meeting of** 1/25/2022

FROM:
Linda M. Kenton, Assistant Town Manager/Town Librarian

SUBJECT:
Receive report regarding the Library Parcel Tax renewal and provide direction to staff.

RECOMMENDATION

That the Town Council receive a report on the Library Parcel Tax renewal and provide direction to staff. Click or tap here to enter text.

BACKGROUND

On June 8, 2010, the voters of San Anselmo passed Measure B. <https://www.marincounty.org/-/media/files/departments/rv/elections/past/2010/june/ballot-measures/measureb.pdf> with 75.8% majority of the vote, establishing a $49.00 Library Parcel Tax. The ballot initiative, prepared by Library supporters, called for the Town to increase San Anselmo Library open hours, improve children's services at the library including hiring a special Children's Librarian, and enhance general Library services. The tax was slated to last five years, expiring in June 2015. Three Marin library jurisdictions sought support from their respective voters in June 2010. The San Anselmo Public Library joined the Marin County Free Library and the San Rafael Public Library by each asking for a $49.00 parcel tax. San Anselmo and the County asked for a five-year tax while San Rafael asked for seven years. All measures passed with San Anselmo by 75.8%, Marin County Free Library by 74.8% and San Rafael Public Library by 70.2%.
The Town Council established the Library Parcel Tax Oversight Committee in November 2010 to ensure accountability and transparency for these funds. The committee has reported to the Town Council each year that the tax funds are being spent according to the ballot language and the will of the people.
In anticipation of the June 2015 expiration and in consultation with Marin County Free Library it was recommended to pursue a ballot measure in June 2014 due to the expected heft of the November 2014 ballot and the presumed expectation that it could negatively impact a library tax renewal.
Council approved placing the Library Parcel Tax renewal on the June 2014 ballot. <https://www.marincounty.org/-/media/files/departments/rv/elections/past/2014/june-2014/ballot-measures/measuree.pdf> . Measure E increased the tax to $54.00, with a 3% cost of living increase each year. The tax passed with 72.73% of the vote.
The expected revenues were as follows:

$54.00, 9-Year Parcel tax with 3.00% Cost of Livin (COLA) annual percentage increase

			TAX		REVENU
Year 1	**2015-16**		$54.00		$254,82
Year 2	**2016-17**		$55.62		$262,47
Year 3	**2017-18**		$57.29		$270,34
Year 4	**2018-19**		$59.01		$278,45
Year 5	**2019-20**		$60.78		$286,80
Year 6	**2020-21**		$62.60		$295,41
Year 7	**2021-22**		$64.48		$304,27
Year 8	**2022-23**		$66.41		$313,38
Year 9	**2023-24**		$68.40		$322,77

DISCUSSION

The funds generated by the Library Parcel Tax are a critical component of the Library's operation. It pays for the Children's Librarian, funds additional hours of operation and augments general library services.

Over the life of the parcel tax enhancements have included:

Youth Services

1. Fully developed Youth Services Program including multiple weekly storytimes
2. Summer Reading Programs
3. Additional shelving for more materials
4. Special events like Gingerbread House making, Things that Go festival, Storytelling festival
5. Grab and Go crafts
6. A literacy computer for children
7. Book groups for various ages
8. Poetry writing workshops
9. Read to a Dog
10. French and Spanish language collections started
11. Expanded easy chapter book collection
12. Created "Young Teen" collection

General

1. Library open hours increased from 36 to 51 hours per week pre-pandemic
2. High speed Wi-Fi through CENIC
3. An increasingly important and growing eBook/eAudio/digital magazines collection
4. Link+ a statewide materials sharing service (historically called interlibrary loan)
5. Take & Make collection
6. Book Bundles for all ages
7. Self-checkout stations
8. the Eureka! bestseller collection
9. Drive-by book drop on Library Place
10. Improved computer access
11. Discover & Go museum pass program
12. the Hoot eNewsletter
13. Additional shelving for more materials

Adult

1. Art Talks
2. Master Gardener presentations
3. Alzheimer's memory kits
4. Travelogues
5. Alzheimer's Outreach programs
6. Tunstead Live after-hours Friday night adult programming
7. Saturday afternoon lecture series
8. Wired Wednesdays technology help

Some program expenses are shared with the Friends of the San Anselmo Public Library.

ANALYSIS

Renewal in November of 2022

Staff is recommending that the Town Council consider placing a renewal of the Library Parcel Tax on the November 2022 General Election ballot. A renewal of the Library Parcel Tax would maintain the gains made by the 2010 and 2014 Library Parcel Taxes. The Children's Librarian and resulting Youth Services programs, the additional open hours, and enhanced services have become essential elements the library provides for the community which is directly due to the parcel tax.

A citizen group has not yet officially convened to prepare and execute a campaign but is in the process of forming.

It is expected that the Library Parcel Tax renewal will share the November 2022 ballot with the Town's Measure D renewal. The former requires two-thirds voter approval while the latter needs 50% plus one. It is recommended that the two measures have staggered expirations so as not to compete on future ballots. It is not yet clear what other tax measures may appear on said ballot.

Marin County Free Library (MCFL) will also renew their library parcel tax in November. San Anselmo Public Library and MCFL have approached voters jointly for both the original parcel tax measure (2010) and for the renewal in 2014. We believe this creates good synergy around libraries in our communities with positive outcomes for voter approval of the tax measures.

FISCAL IMPACT

Today there are 4,793 parcels in San Anselmo. The current Library Parcel Tax amounts to less than projected due to exemptions. This revenue is budgeted and spent to fulfill the intent of the ballot measure.

The special Library Parcel Tax requires that the tax funding augment, not displace, funding provided by the Town. To that end, the ordinance requires that the tax continues to be levied only if the Town funding of the Library remains above 90% of the amount budgeted.

The Library has strong purchasing power as part of the MARINet Consortium. We have been able to acquire eBooks, eMagazines, join Link+ and other important sources of information, but these are ongoing costs. In addition, we continue to consider new products/services and purchase those that are best and fit with our community.

Two regular (the Children's Librarian and Library Assistant I) and a number of extra-hire employees were hired because of the parcel tax and are paid from the Library tax fund. These employees support the extra open hours and the expanded children's program enacted after the passage of the tax as well as enhanced services for adults.

CEQA AND CLIMATE ACTION PLAN CONSISTENCY

The Council's discussion of this item is not a "project" under the California Environmental Quality Act, because it does not involve an activity which has the potential to cause a direct or reasonably foreseeable indirect

physical change in the environment. (Cal. Pub. Res. Code § 21065).

CONCLUSION

The need to renew the Library Parcel Tax is clear. The improved services and programs available at the Library meet and exceed the expectations and intent of San Anselmo residents. The parcel tax enables the robust Library programs and services not only to continue but to grow.

525 San Anselmo Avenue
San Anselmo, CA 94960

Town of San Anselmo

Staff Report

TO: Town Council **Meeting of** 1/25/2022

FROM:
Dave Donery, Town Manager & Jeff Zuba, Finance & Administrative Services Director

SUBJECT:
American Rescue Plan Act State & Local Fiscal Relief Funds

RECOMMENDATION

Receive presentation and staff recommends returning to a future Council meeting on development of priority projects for the American Rescue Plan Funds.

BACKGROUND

The American Rescue Plant Act (ARPA) established the Coronavirus State and Local Fiscal Recovery Fund (SLFRF), which provides significant resources to state and local governments to respond to impacts from the COVID-19 pandemic.

In addition to significant funds provided to the State of California, Marin County and other local municipalities, the U.S. Treasury has allocated $2.984 million to the Town of San Anselmo. The Town received approximately half of these funds in July 2021 and anticipates receiving the remaining balance in July 2022. All funds must be obligated by the end of December 2024 and spent by December 2026.

DISCUSSION

Current regulations allow local governments to utilize funds in the following ways:

• Support public health expenditures, by funding COVID-19 mitigation efforts, medical expenses, behavioral healthcare, and certain public health and safety staff;
• Address negative economic impacts caused by the public health emergency, including economic harms to workers, households, small businesses, impacted industries, and the public sector;
• Replace lost public sector revenue, using this funding to provide government services to the extent of the reduction in revenue experienced due to the pandemic;
• Provide premium pay for essential workers, offering additional support to those who have borne and will bear the greatest health risks because of their service in critical infrastructure sectors; and,
• Invest in water, sewer, and broadband infrastructure, making necessary investments to improve access to clean drinking water, support vital wastewater and stormwater infrastructure, and to expand access to broadband internet.

Ineligible uses include deposits into pension funds, debt service, legal settlement or judgments, and deposits to rainy day funds or financial reserves.

ANALYSIS

Based on allowable uses, public input, and Town Council direction, staff can develop and propose options for Council consideration in February 2022 for how to allocate San Anselmo's portion of ARPA funding for FY 2021 -22 and future years. This will provide Town staff with an opportunity to evaluate and align Treasury's regulations with public and Council input and Council direction.

In the meantime, Council may consider the following before making final decisions. The Government Finance Officers Association offers the following outline of Guiding Principles <https://www.gfoa.org/american-rescue-plan-spendingguiding-principles> for the use of ARPA funds:
• ARPA funds are non-recurring so their use should be applied primarily to non-recurring expenditures (i.e., infrastructure)
• Care should be taken to avoid creating new programs or add-ons to existing programs that require an ongoing financial commitment.
• Replenishing reserves used to offset revenue declines during the pandemic should be given high priority to rebuild financial flexibility/stability and restore fiscal resiliency.
• Use of ARPA funds to cover operating deficits caused by COVID-19 should be considered temporary and additional budget restraint may be necessary to achieve/maintain structural balance in future budgets.
• Consider regional initiatives, including partnering with other ARPA recipients.
• Use other dedicated grants and programs first whenever possible and save ARPA funds for priorities not eligible for other federal and state assistance programs.

On July 27, 2021, the Town Council approve a partnership with Marin County for Homeless Housing Program, "Housing Fire for High Service Utilizers". The Town's share of the program was $55,299 eligible under category 1 of the APRA spending guidelines.

In addition, the Town has spent considerable resources, approximately $43,000, on technology infrastructure to adapt government operations to the pandemic. The guidance considered these expenditures allowable and eligible for reimbursement. Staff is currently reviewing other expenses to determine whether they are reimbursable to with ARPA funds.

With the remaining funds, staff has identified areas of needs. These options are listed below:

Funding Priorities

- Town Hall Roof and HVAC system
- Fire Station 20
- Robson House
- Memorial Park parking lot
- Rainwater harvesting
- Solar
- Economic Development

    - Emergency rental assistance
    - Downtown façade improvement grant program
- Racial Equity
    - Racial Equity Audit
- Tennis Court resurfacing

FISCAL IMPACT

There is no fiscal impact in connection with receipt of this presentation. Town Council's ultimate decision regarding the use of the ARPA funds will positively impact the Town of San Anselmo and the community.

CEQA AND CLIMATE ACTION PLAN CONSISTENCY

Discussing the American Rescue Plan Funds is not a "project" under the California Environmental Quality Act, because it does not involve an activity which has the potential to cause a direct or reasonably foreseeable indirect physical change in the environment. (Cal. Pub. Res. Code § 21065).

TOWN OF
SAN ANSELMO
EST. 1907

TOWN COUNCIL MEETING

January 25, 2022

AMERICAN RESCUE PLAN FUNDS

AGENDA

- What is the American Rescue Plan?
- Timing and deadlines
- Eligible uses
- Ineligible uses
- Reporting requirements
- Process and guidelines
- Public involvement

WHAT IS THE AMERICAN RESCUE PLAN BILL?

- The American Rescue Plan delivers $350 billion to eligible state, local, territorial, and tribal governments to respond to the Covid-19 pandemic.
    - $195 billion for states
    - $130 billion for local governments
    - $20 billion for tribal governments
    - $4.5 billion for territories
- President Biden signed the $1.9 trillion American Rescue Plan bill on March 11, 2021.
- The Department of Treasury published Interim Final Rule in May 2021 that described eligible and ineligible uses.
- The Department of Treasury published the Final Rule on January 6, 2022, with an effective date of April 1, 2022.

TIMING OF DISBURSEMENTS

- Treasury will distribute the funds in two payments, May 2021 and May 2022, to each eligible state, territory, metropolitan city (>50,000 population) country, or tribal government.

- Smaller local governments (<50,000 population) are classified as non-entitlement units and will receive their funds through the state government.

ALLOCATION AND SPENDING DEADLINES

- The distribution of funds to non-entitlement cities was based on 2019 census population.
- Latest estimate from the California League of Cities is the Town of San Anselmo would receive $2,984,524.
- The estimate is subject to change if other local governments don't request the funds or return them to the state, which could result in another smaller distribution.
- Funds must be obligated by December 31, 2024 and expended by December 31, 2026.

U.S. TREASURY FINAL RULE

FOUR PRIMARY CATEGORIES OF ELIGIBLE USES

1. Respond to pandemic's public health and economic impact
2. Premium Pay for eligible workers performing essential work
3. Replacement lost revenue and restore government service levels
4. Necessary Water, Sewer, & Broadband Infrastructure

RESPOND TO PANDEMIC'S PUBLIC HEALTH AND ECONOMIC IMPACT

- Public Health Impacts: Eligible Uses
  - Covid-19 mitigation and prevention
  - Behavioral health care, mental health, substance misuse, domestic violence services
  - Broader latitude to address disparities in public health outcomes caused by or exacerbated by the pandemic.

RESPOND TO PANDEMIC'S PUBLIC HEALTH AND ECONOMIC IMPACT

- Economic Impacts: Eligible Uses
  - Address economic harm and disparities caused by or exacerbated by the pandemic.
  - Assistance to households, workers, businesses, non-profits, and impacted industries
  - Expanded uses for hardest hit communities: housing, community development, homelessness, childcare, and education

PREMIUM PAY FOR ESSENTIAL WORKERS

- Eligible workers performing essential work during the Covid-19 public health emergency.
  - Workers needed to maintain continuity of operations of essential critical infrastructure sectors.
  - Critical to protect health and well-being of residents
- Eligible worker examples:
  - Staff at nursing homes, hospitals, and home-care settings
  - Workers at farms, food production facilities, grocery stores
  - Public health and safety staff
  - Truck Drivers
  - Childcare workers, educators, and school staff
  - Social service and human services staff

REPLACE PUBLIC SECTOR REVENUE LOSS

- Revenue Replacement
  - Recipients may determine their revenue loss by choosing between two options:
    - A standard allowance of up to $10 million in aggregate, not to exceed their award amount, during the program.
    - Calculating their jurisdiction's specific revenue loss each year using Treasury's formula, which compares actual revenue to a counterfactual trend.
      - Calculation projects forward at either (a) the recipient's average annual revenue growth over the three full fiscal years prior to the public health emergency or (b) 4.1% the nation state and local revenue growth rate from 2015-2018.

REPLACE PUBLIC SECTOR REVENUE LOSS

- League of California Cities created a template for Cities/Town to input revenue figures from FY16-FY21 and determine the amount of loss revenue based on the guidance provided by Treasury.
- Town's calculation of loss revenue is approximately $2.4 million but now we can use the entire allocation under this classification.
- Eligible:
  - Government Services

GOVERNMENT SERVICES

- Road building and maintenance and other infrastructure
- General government administration, staff, and administrative facilities
- Environmental remediation
- Provision of police, fire, and other public safety services (including purchase of fire trucks and police vehicles)

WATER, SEWER & BROADBAND INFRASTRUCTURE

- To make necessary investments in water, sewer, or broadband infrastructure.
- Improve access to clean drinking water, support vital wastewater and stormwater infrastructure including projects that address the impacts of climate change.
- The Department of Treasury Interim Final Rule aligns types of eligible projects with the wide range of projects that can be supported by the Environmental Protection Agency's Clean Water State Revolving Fund and Drinking Water State Revolving Fund.

FINAL RULE: INELIGIBLE USES

- Federal Matching
- Premium Pay for Telework
- Pensions
- Contributions to reserve funds
- Debt payments
- Directly or Indirectly offset a reduction in tax revenue

REPORTING REQUIREMENTS

- The Town will report expenditures directly to the Department of Treasury.
- Town's first report due date was extended to April 30, 2022. The reporting period will be award date to March 30, 2022.
- Each report will due each April 30th thereafter until funds are exhausted.

DISBURSEMENTS

- County of Marin - $55,229 (under the category 1)
- Technology to adapt government operations to the pandemic– $42,740 (under category 3)

PROCESS

- Establish Guiding Principles
- Coordinate with other municipalities
- Provide public input opportunities
- Determine priority uses
- Initiate regular community reporting

GUIDELINES TO CONSIDER

- Leverage outside funding and avoid duplication with other programs
- Restore financial stability to support future governmental operations
- Retain flexibility to address evolving community needs
- Seek opportunities to make lasting change in physical and social infrastructure
- Ensure funding decisions to help mitigate racial inequalities
- Pursue actions that contribute toward the Town's climate action goals
- Limit operational investments without identified sustainable funding sources
- Demonstrate compliance and transparency through regular public reporting

ELIGIBLE OPTIONS

- Critical Infrastructure
  - Town Hall Roof and HVAC
  - Fire Station 20
- Community Development
  - Emergency rental assistance
  - Contribution to homeless shelter and veteran housing projects
- Climate Change/Green Infrastructure
  - EV Charging Stations
  - Solar panels above parking lots or on Town Buildings

ELIGIBLE OPTIONS

- Economic Development
  - Downtown Façade Improvement Program
  - Grants for parklets
  - Consultant for Housing Element
- Recreation/Parks
  - Expanded outdoor recreational opportunities (tennis courts)
  - Fund public art
  - Park & greenspace expansion and added amenities

SAN ANSELMO RESIDENTS

- Fiscal Transparency
- Public Input and Participation
- Online Platform
  - Town of San Anselmo APRA Simulation

QUESTIONS?

Town of San Anselmo

525 San Anselmo Avenue
San Anselmo, CA 94960

Staff Report

TO: Town Council **Meeting of** 1/25/2022

FROM:
Carla Kacmar, Town Clerk

SUBJECT:
Review the list of Town Council committee assignments and make appointments for 2022.

RECOMMENDATION

That Council review the list of Town Council committee assignments and make appointments for 2022.

BACKGROUND

Town Councilmembers serve on a variety of committees, some of which are internal to the Town and some of which are regional. It has been the Council's practice to review the list of appointments each year and make new appointments as desired **or needed.**

DISCUSSION

The following is a list of the current assignments:

• **Association of Bay Area Governments (ABAG) General Assembly** - The ABAG General Assembly meets twice a year in Oakland. (Burdo; alternate Greene)

• **Capital Program Monitoring Committee** -Two seats. This committee meets a minimum of twice year in the evening to review the Public Works Director's recommendations for capital improvement projects, including paving and drainage, in the upcoming year and makes a recommendation to the full Council. This Committee is also charged with Measure D Sales Tax Oversight. There are seven citizen members appointed. (Burdo/Burke)

• **CDBG Upper Ross Valley** - One seat. This group is made up of representatives of the upper Ross Valley and they decide Community Development Block Grant funding for local projects. The group meets 1 or 2 times a year in the evening. (Fineman)

• **Central Marin Police Authority Council** -Two seats. The CMPA Council is responsible for the administration and oversight of the Central Marin Police Authority and it meets quarterly in the evening. (Greene/Colbert, alternate Fineman)

• **Chamber of Commerce liaison** - One seat. This person is the Town Council liaison to the Chamber and

attends their monthly meetings (usually on the third Tuesday morning), and keeps the manager and other Councilmembers informed of what's happening with the Chamber. (Colbert)

• **Creek Park Advisory Committee** - Two seats. Meets as needed. The Committee was formed to oversee the public engagement and fundraising for the redesign of Creek Park (Colbert, Fineman alternate: Burdo)

• **Economic Development Committee** - Two seats. These persons work with the Economic Development Committee, 7 members of the public, to encourage the economic development of San Anselmo. Meets monthly on the second Tuesday at 8:45 a.m. (Colbert and **Vacant**)

• **Financial Advisory Committee** - Two seats. These persons work with the Financial Advisory Committee, 5 members of the public, to encourage the financial sustainability of San Anselmo. Will meet quarterly, more often if needed. (Fineman and Colbert)

• **Flood Committee** - Two seats. This committee consists of two Councilmembers and seven members of the public with engineering or technical expertise. They work with the Ross Valley Watershed group and its technical committee to ensure that flooding issues in San Anselmo are addressed. Meets quarterly, more often if needed (evening meeting). (Greene and Burdo)

• **Flood Control District Zone 9 Advisory Board** - One seat. The Flood Control District's governing body is the County Board of Supervisors. This group is an advisory body representing Larkspur, Ross, Fairfax, San Anselmo, the County and several members at large. Meets in the evening approximately 4 times per year. (Greene)

• **Homeless Policy Steering Committee** - One seat. Represents San Anselmo in the County group dedicated to reducing issues around homelessness. (Fineman)

• **League of California Cities, North Bay-** One seat. This person serves as the Town's representative to the North Bay Division of the League of California Cities. They meet quarterly around the North Bay for dinner meetings to share information. (Fineman, alternate Colbert)

• **Memorial Park Advisory Committee** - Two seats. Meets as needed. The Committee was formed to oversee volunteers for special projects to update Memorial Park. (Burdo, Burke)

• **MCCMC Economic Recovery Committee** - One seat. Committee formed to address needs for economic recovery as a result of the Covid 19 pandemic. (Colbert)

• **MCCMC Disaster Preparedness Committee** - One seat. The MCCMC Disaster Preparedness Committee was formed to assess disaster preparedness activities and programs and coordinate best practices between jurisdictions. (Greene, alternate Fineman)

• **MCCMC Legislative Committee** - One seat. This group meets monthly to discuss pending federal and state legislation affecting cities and to make recommendation to MCCMC members on action to be taken. Meets on the fourth Monday of each month at 8 a.m. in San Rafael City Hall. (Burdo, alternate Greene)

• **MCCMC Climate Action Committee-** One seat. This committee is the policy body to guide the work

being done county-wide around climate change. (Fineman)

• **MCCMC Water Policy Committee-** Two seats. This committee is the policy body to guide the work being done county-wide around water as a result of the drought and climate change. (Burke, Fineman)

• **Marin Emergency Radio Authority (MERA)** - One seat. This group is responsible for oversight of the operation of the MERA radio system. (Burdo, 1st alternate: Condry, 2nd alternate: Donery)

• **Marin Energy Authority-** One seat: This JPA works to purchase green energy for Marin member cities, and meets once a month on the first Thursday, 7 p.m. (Greene, alternate Fineman)

• **Marin Wildfire Prevention Agency** - The Marin Wildfire Prevention Board meets the third Thursday at 3 PM. (Burdo, Alternate Greene)

• **Racial Equity Subcommittee** - Two seats. (Fineman, Burdo alternate: Colbert)

• **Refuse & Recycling Subcommittee** - Two seats. This subcommittee worked to negotiate a new refuse contract with Marin Sanitary Service in 2010. The subcommittee continues to work on refuse/recycling issues as they arise. It meets in the evening. (Greene, Burdo)

• **Ross Valley Fire Board** - Two seats. The Fire Board meets once a month on the second Wednesday at 6:30 p.m., at the downtown SA fire station. Fairfax, Ross and Sleepy Hollow also have two seats. (Greene/Burdo; alternate Fineman)

• **Ross Valley School District** - One seat. Serves as the liaison between the school district and Town. (Colbert)

• **Ross Valley Yellow Bus JEPA** - One seat. Serves as a liaison to provide enhanced public oversight and transparency regarding school-related traffic relief throughout the Ross Valley by providing policy guidance and advice to Marin Transit as a manager of yellow bus services. Fairfax, County of Marin and the Ross Valley School District also have seats. (Colbert, alternate Burdo; staff Donery)

• **Safe Routes to School** - One seat. Serves as the Town representative to Safe Routes. (Colbert, alternate Greene)

• **Transportation Authority of Marin (TAM) -** One seat. TAM was established between the County and cities of Marin to address Marin's transportation needs, funded by a sales tax measure. The Board meets the fourth Thursday of each month at 7:00 p.m. (Colbert, alternate Burke)

Attached is the current listing, without descriptions, showing representatives, alternates and vacancies. The first list is alphabetical and the second is divided by regional, Ross Valley and local significance.

FISCAL IMPACT

There would be no direct fiscal impact to the Town to approve this item.

CEQA AND CLIMATE ACTION PLAN CONSISTENCY

The proposed project is exempt from the California Environmental Quality Act (CEQA), under the "common sense" exemption, because it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment. (Cal. Code Regs. tit. 14, § 15061).

Town of San Anselmo
Representation on Various Committees

ABAG General Assembly	Burdo Alt: Greene
Capital Programs Monitoring Committee	Burdo, Burke
CDBG Upper Ross Valley	Fineman
Central Marin Police Authority	Greene, Colbert Alt: Fineman
Chamber of Commerce liaison	Colbert
Economic Development Committee	Colbert, Vacant
Financial Advisory Committee	Fineman, Colbert
Flood Committee	Burdo, Greene
Flood Control District Zone 9	Greene
MCCMC Homeless Committee	Fineman
League of California Cities, North Bay	Fineman, Alt: Colbert
MCCMC Economic Recovery Committee	Colbert
MCCMC Disaster Preparedness Committee	Greene, Alt: Fineman
MCCMC Legislative Committee	Burdo, Alt: Greene
MCCMC Climate Action Committee	Fineman
MCCMC Water Policy Ad Hoc Committee	Fineman, Burke
Marin Emergency Radio Authority (MERA)	Burdo, 1st Alt: Condry, 2nd Alt: Donery
Marin Energy Authority	Greene, Alt: Fineman
Marin Wildfire Prevention Agency	Burdo, Alt: Greene
Refuse and Recycling Subcommittee	Greene, Burdo
Ross Valley Fire Board	Greene, Burdo, Alt: Fineman
Ross Valley School District	Colbert
Ross Valley Yellow Bus JEPA	Colbert, Alt: Burdo Staff: Donery
Safe Routes to School	Colbert, Alt: Greene
Transportation Authority of Marin (TAM)	Colbert, Alt: Burke
Racial Equity Sub Committee	Fineman, Burdo Alt: Colbert
Creek Park Advisory Committee	Colbert, Fineman Alt: Burdo
Memorial Park Advisory Committee	Burdo, Burke

Town of San Anselmo

Staff Report

TO: Town Council **Meeting of** 1/25/2022

FROM:
Elise Semonian, Planning Director

SUBJECT:
Presentation from County of Marin Staff on Racially Restrictive Covenant Modification Program and AB686 AFFH Housing Element Requirements

RECOMMENDATION

Receive report and provide any direction to staff.

BACKGROUND

This report provides an overview about the work that will be undertaken over the next year to fulfill the Town of San Anselmo's duty to affirmatively further fair housing as part of the Housing Element update, as mandated by Assembly Bill 686 (2018). This is an informational item and no action is needed.

This staff report, based on a model prepared by the Associatin of Bay Area Governments, summarizes the 90-page Housing and Community Development Department (HCD) AFFH guidance <https://www.hcd.ca.gov/community-development/affh/docs/affh_document_final_4-27-2021.pdf> memo.
Assembly Bill 686 (AB 686), passed in 2018, created new requirements for jurisdictions to affirmatively further fair housing. According to AB 686, affirmatively furthering fair housing means to take "meaningful actions, in addition to combating discrimination, that overcome patterns of segregation and foster inclusive communities free from barriers that restrict access to opportunity based on protected characteristics" and is Federally mandated by the 1968 Fair Housing Act.
The four main goals <https://leginfo.legislature.ca.gov/faces/billTextClient.xhtml?bill_id=201720180AB686>are to:

1. Address significant disparities in housing needs and in access to opportunity.
2. Replace segregated living patterns with truly integrated and balanced living patterns.
3. Transform racially and ethnically concentrated areas of poverty into areas of opportunity, and
4. Foster and maintain compliance with civil rights and fair housing laws.

AB 686 sets forth the duty to affirmatively further fair housing (AFFH) in two broad categories:

1. Public Agencies- All public agencies, departments and programs are required to administer programs and activities relating to housing and community development in a manner to AFFH and take no action that is materially inconsistent with this obligation.

2. Housing Elements- New requirements for Housing Elements due on or after January 1, 2021 direct the Town Council to incorporate fair housing into the Housing Element, create land-use and funding opportunities to increase affordable housing in high resource neighborhoods, and bring additional resources to traditionally under-resourced

neighborhoods.

This memo focuses on the incorporation of fair housing in the Housing Element update only. However, as noted above, all Town departments are required to Affirmatively Further Fair Housing. For example, it was recently brought to the Town's attention that the newly adopted leaf blower ordinance allows noise as early as 7:00 a.m. at multifamily residential sites but limits noise to 9:00 a.m. for single family residential sites. Since the majority of the Town's BIPOC population are renters, this policy decision could exacerbate social inequities by subjecting certain racial and ethnic groups to more noise (and associated stress and anxiety) than others and could be viewed as an unfair housing practice and should be corrected.

I. Fair Housing and the Duty to Affirmatively Further Fair Housing

Fair housing laws aim to ensure that people have access to housing and the resources attached to place of residence regardless of their race, national origin, family status, religion, sex or disability, often referred to as protected classes. The 1968 Fair Housing Act attempted to remedy and prevent policies and practices that are discriminatory as well as those that promote or maintain racially segregated communities. Yet, over 50 years later, the Department of Housing and Community Development (HCD) acknowledges that "historic patterns of segregation persist in California despite the long-standing federal mandate." Assembly Bill 686 <https://leginfo.legislature.ca.gov/faces/billTextClient.xhtml?bill_id=201720180AB686> (AB 686), passed in 2018 requires jurisdictions to "explicitly address, combat, and relieve disparities resulting from past and current patterns of segregation to foster more inclusive communities."

San Anselmo is part of one of the most prosperous regions in the world. The Bay Area is also the second most diverse of the 150 largest metro regions in the country, but the prosperity is not evenly shared among this diverse population. In 2019, White workers in the Bay Area at the middle of the income range earned over double the income of Latinx workers and 70% more than Black workers. Some of these disparities are related to the segregated and unequal neighborhood environments and housing system. In 2019, over three quarters of White and Asian Bay Area residents lived in moderate and high resourced neighborhoods as classified by the State, in contrast less than half of Latinx and Black residents.

The racial inequities seen today developed through historical policies and practices enacted at federal, state, regional and local levels and across the public and private sectors. Though many of the explicit forms of discrimination have been outlawed, the results of these systems have left a lasting imprint on both the region and San Anselmo. Racially explicit practices (e.g., racial covenants) have been replaced with race-neutral land use policies that continue to exclude people of color from predominantly white neighborhoods. Furthermore, increasing housing costs have deepened racial and economic segregation, displacing many low income and people of color to the peripheries of the region or out of the Bay Area all together.

The effects of segregation affect all Bay Area residents. As noted in *Momentum for Lasting Solutions <https://mtc.ca.gov/sites/default/files/Launching%20BAHFA-Regional%20Housing%20Portfolio_2-24-21.pdf>:* "the Bay Area's inability to adequately house all its residents, especially close to job centers, has led to a host of other challenges such as crippling traffic, attendant greenhouse gas emissions, and labor shortages." Today, there is an opportunity to address segregation and racial inequities in California's communities and the Bay Area region. To meet this moment, the State is requiring that jurisdictions address the persistent housing inequities by affirmatively furthering fair housing.

II. Snapshot of Segregation and Fair Housing in San Anselmo

Segregation can exist at various scales. It is possible to be segregated within the jurisdiction (different neighborhoods with different compositions) or within a regional context (the jurisdiction looks different than the Bay Area as a whole). According to the Othering and Belonging Institute <https://belonging.berkeley.edu/most-segregated-and-integrated-cities-sf-bay-area> at UC Berkeley San Anselmo has a high level of racial/ethnic segregation when compared to the rest

of the region.

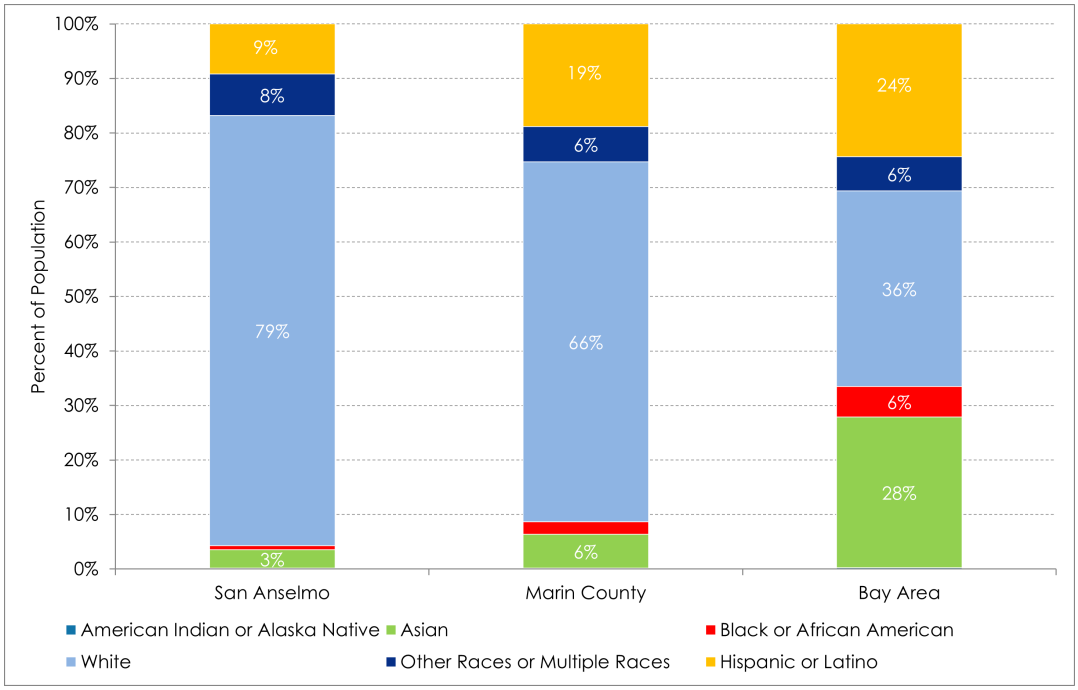


Figure 1 Racial/Ethnic Composition of San Anselmo, Marin and Bay Area 2020 Census

	San Anselmo		**Marin County**		**Bay Area**	
	2010	2020	2010	2020	2010	2020
White	86.4%	78.9%	72.8%	66.0%	42.4%	35.8%
Hispanic or Latino	5.8%	9.2%	15.5%	18.8%	23.5%	24.4%
Asian alone	3.5%	3.4%	5.4%	6.2%	23.0%	27.7%
Black or African American	0.8%	0.8%	2.6%	2.3%	6.4%	5.6%
American Indian and Alaska Native	0.2%	0.2%	0.2%	0.2%	0.3%	0.2%
Two or more races	2.7%	6.7%	2.9%	5.5%	3.5%	5.1%
Native Hawaiian and Other Pacific Islander	0.2%	0.1%	0.2%	0.2%	0.6%	0.6%
Some Other Race alone	0.3%	0.8%	0.4%	0.8%	0.3%	0.6%

Figure 2 Racial/Ethnic Composition of San Anselmo, Marin and Bay Area, 2010 and 2020, US Census

ABAG has developed a Racial Dot Map <https://mtc.maps.arcgis.com/apps/instant/media/index.html?appid=4a0188324a144172ab1c9fa6189163a5> that illustrates areas of racial clustering in the Bay Area. This selection shows pockets of racial clustering near the University of the Redlands campus where they have South Korean students and shows how San Anselmo is primary low density and white while the Canal area of San Rafael has a dense Latinx population.

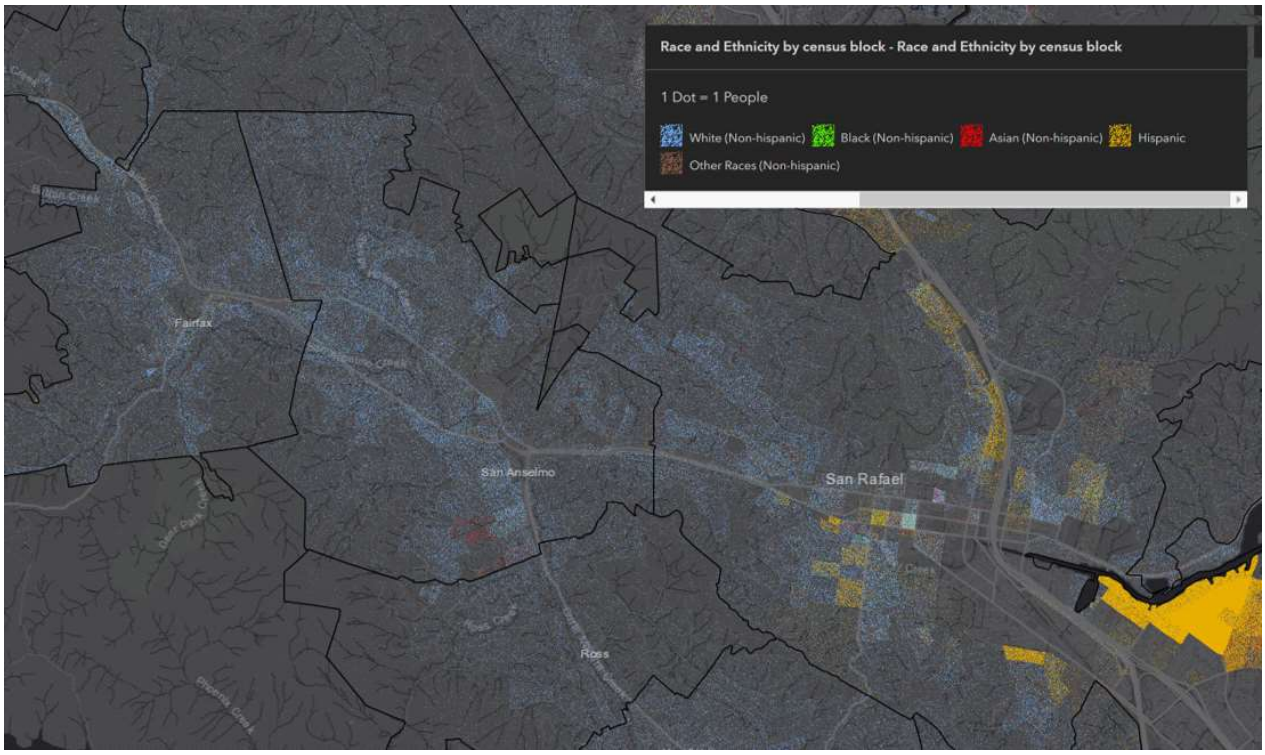


Figure 3 ABAG Racial Dot Map of Bay Area, San Anselmo

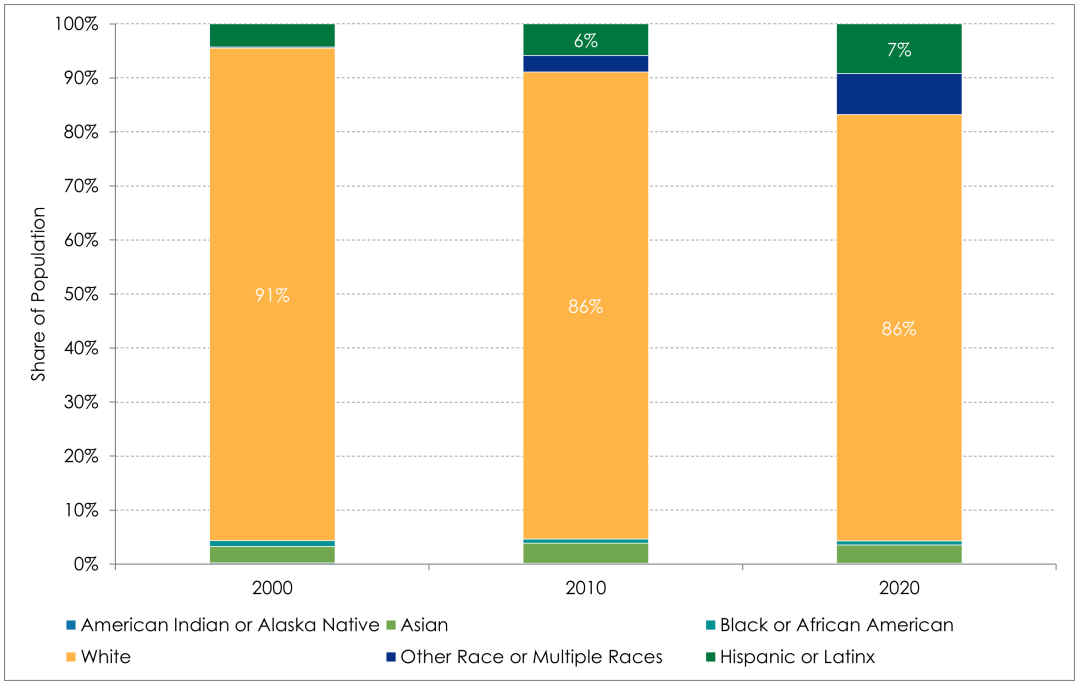


Figure 4 Racial/Ethnic Composition of San Anselmo 2010-2020

According to decennial 2020 Census data, the most racially diverse places in Marin continue to be Marin City, San Rafael

and Novato.

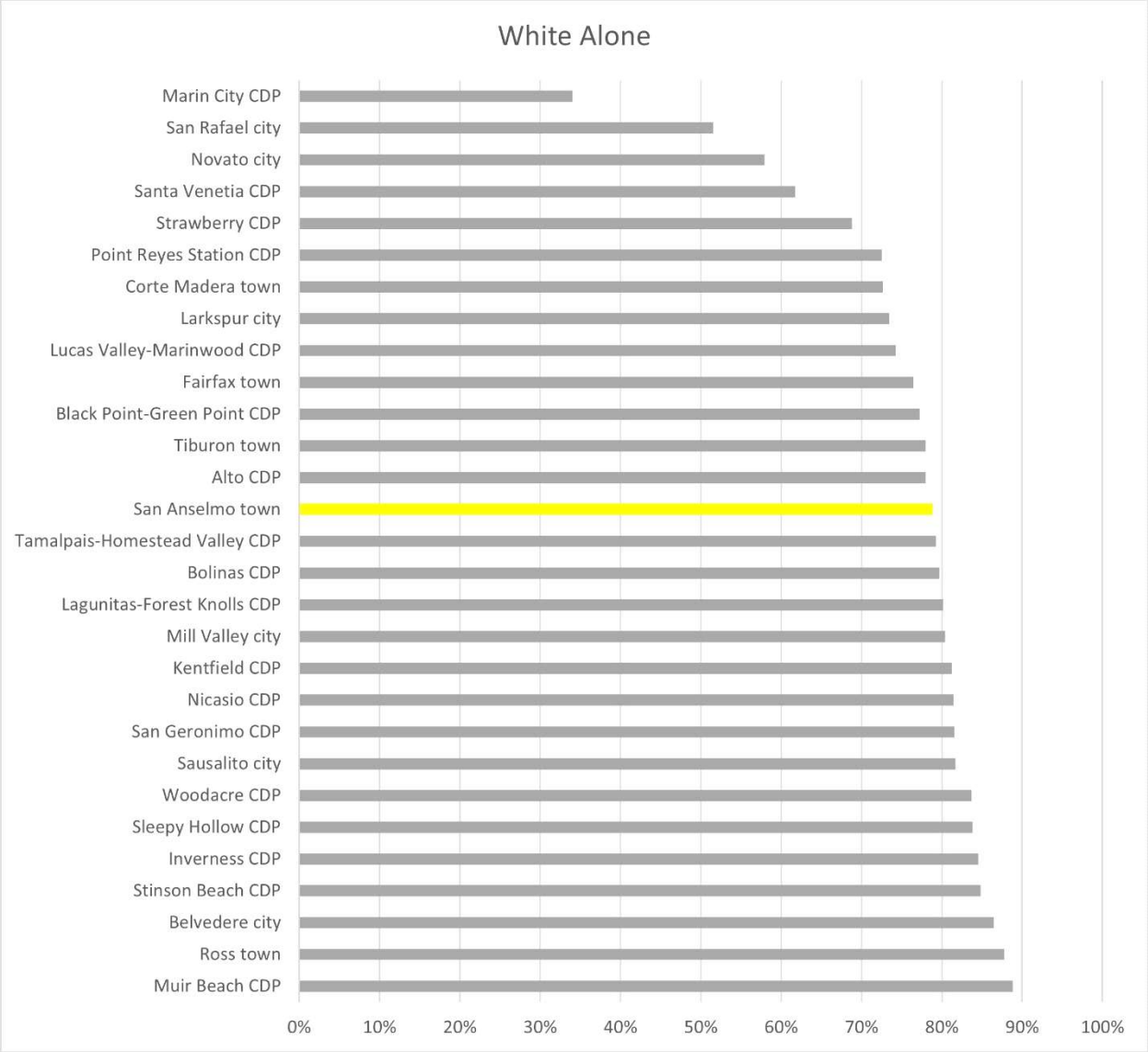


Figure 5 2020 US Census P2 Data

III. What are the AFFH requirements for Housing Element Updates?

The five main elements that all jurisdictions will need to incorporate AFFH into Housing Element updates are: (1) Targeted Community Outreach, (2) Assessment of Fair Housing, (3) Site Inventory, (4) Identification and Prioritization of Contributing Factors, and (5) Goals Policies and Actions.

1. Targeted Community Outreach

In addition to the traditional housing element outreach, AB 686 requires “meaningful, frequent, and ongoing community participation, consultation and coordination” to ensure that input has been received from groups most impacted by fair housing issues and that local knowledge is incorporated. To meet these requirements, it is recommended that:

- Outreach be made accessible via language translation
- Engagement is conducted in various locations and venues and during non-working hours
- A wide set of stakeholders that serve and represent protected classes are engaged
- Assess outreach effectiveness by monitoring and comparing demographics of who participates for representativeness.

National best practices recommend creating equity advisory committees to provide input and oversight, as well as offering mini-grants to community-based organizations and other stakeholders to assist with engagement of low-income households and protected classes.

HCD will be reviewing a summary of the fair housing outreach to ensure compliance.

Staff has proposed an outreach plan as Attachment 2.

2. *Assessment of Fair Housing*

The Assessment of Fair Housing describes the jurisdiction's unique fair housing circumstances and must include a summary and analysis of:

1) Fair housing outreach capacity and enforcement,
2) Segregation and integration patterns,
3) Racially and/or ethnically concentrated areas of poverty (RE/CAPs) and Racially Concentrated Areas of Affluence (RCAAs),
4) Disparities in access to opportunity (e.g., education, transportation, economic and environmental), and
5) Disproportionate housing needs (e.g., overpayment, overcrowding, and displacement risk) for low-income households and protected classes.

Jurisdictions must include input and stories from community outreach efforts in the assessment, as well as the existence or lack of local policies and programs such as local rental assistance programs, code enforcement activities, homeless services, foreclosure prevention, planned affordable housing development, etc. and how these may address or exacerbate the situation.

Planning Department staff has started a map of subdivisions that had racially restrictive covenants that may be viewed at the Town website <https://www.townofsananselmo.org/1480/Racial-Covenant-Modification>. Staff has been reviewing the San Anselmo Herald and minutes for any evidence of racially explicit zoning practices but thus far has only found one example related to building code requirements to exclude Chinese laundries. Daily Independent Journal (San Rafael) newspaper articles describe housing discrimination in Marin.

Journal photo)

3 Marin City Negro Couples Tell Futile Try To Buy Homes

Three Negro couples from Marin City told the Marin County Committee on Racial Discrimination by letter last night that they had tried to buy homes or lots in Marin County and got nothing but rebuffs.

One couple bought a house in San Francisco. Another moved to Richmond. The third couple still lives in Marin City.

Fourteen Marin real estate brokers, who had been reported to the committee as discriminating against members of minority races, had been sent letters requesting them to tell their side of the story. None appeared at last night's meeting in the court house or sent a letter of reply.

The committee has no power of subpena and must depend on volunteered information in its efforts to determine whether racial discrimination prevents Negroes and Orientals from purchasing homes in Marin County.

The committee received a letter from Mrs. Clemmie S. Barry, Mill Valley real estate saleswoman, who told how she lost her job after she and her husband sold a lot on Montford avenue in Homestead Valley to two Negro brothers. Mr. and Mrs. Barry now live in Westwood, Lassen County.

Edwin D. King of 590 Sunset parkway, Novato, told the committee he had heard of a real estate agent being fired because he sold a house in a neighboring Novato subdivision to an Oriental. King told the committee he would check out what he had heard and report back.

The committee agreed to send letters to all real estate brokers and subdividers in Marin County asking whether they would sell to anyone, regardless of race.

A list of those who are willing to sell to Negroes or Orientals would be submitted to the

See BIAS, page 2

Figure 6 Daily Independent Journal January 20, 1959

12 Independent-Journal, Tues., Feb. 8, 1966

NEGRO DISCOVERS DOORS ARE CLOSED

New Yorker Finds It's Hard To Rent In Marin, Realtor Lends Helping Hand

By ROBERT STREBEIGH

A young Negro seeking a place to live yesterday came up against the prejudice few will admit exists in Marin County.

Alphonse Norris, 29, said he called eight places in San Rafael listing studio apartments at rents he could afford to pay. "But when I told them I was a Negro, none of them wanted me," Norris said.

According to Norris, one woman said, "We have two people

chief obstacle to Negroes settling in Marin County is financial, said Mrs. Walker. "With one-bedroom apartments in the county going for $115 up, two bedrooms starting at $125, and three-bedroom, two-bath homes from $175 up, few Negroes seem able to afford them."

Moreover, places at those starting prices "are very, very hard to find," she said.

Also voicing opposition to the fair housing bill passed by the state legislature is the Marin County Apartment Owners Assn.

Mrs. Hazel Thole, a director of the association, puts it this way:

"You have a 42-unit apartment building. You have loan payments and utility bills to meet each month. If you rent to a Negro you will have 41 vacant apartments. Who is going to pay the bills?"

Mrs. Thole said that she had polled apartment houses and found that "better than 50 per cent of the tenants" would have moved out if the apartment had been rented to a Negro.

She said it was the fear of some apartment owners that if one Negro family moved in an partment, others would follow and there would "be an influx and a downgrading of the property."

Racial integration, Mrs. Thole said, "is not for the landlord to shove down the throats of his tenants. He doesn't want an empty building."

Figure 7 Daily Independent Journal 1963

3. *Site Inventory*

The site inventory in the housing element update now requires an analysis of how sites identified to accommodate new housing can improve or exacerbate existing conditions (e.g., segregation and access to opportunity). This step will require answering questions like:

- Are sites concentrated in specific geographies (e.g., are all sites to accommodate low-income households are clustered in specific area)?
    - What are the demographics and resources in those geographies?

- What policies and plans are in place to transform these areas?

- How do the sites address disproportionate housing needs, including displacement?

This step also requires the identification of policies and programs needed to address the availability of adequate sites.

4. *Identification and Prioritization of Contributing Factors*

Based on the results of the first three steps, factors that have created, perpetuate, or increase the severity of one or more fair housing issues must be identified. These factors are referred to as "contributing factors."

- HCD requires that contributing factors be prioritized to an actionable list (of 4-6 factors) based on those that most limit or deny fair housing choice and access to opportunity.

- The AFFH guidance <https://www.hcd.ca.gov/community-development/affh/docs/affh_document_final_4-27-2021.pdf> provides a list of over 70 common contributing factors (p. 68- 70) as a first step.
- ABAG has partnered with UC Merced to produce an AFFH segregation analysis report for each jurisdiction. A separate report at a regional scale will detail existing land use policies in cities throughout the region that have been shown to have a positive correlation with segregation.
- Community input will be important to help identify and prioritize these factors and tie them to meaningful actions.

5. *Goals, Policies and Actions*

Identification of goals and policies with concrete steps, timelines, and outcomes for the specific actions are required and must be linked to the fair housing issues and contributing that they are designed to address. These may include different types of actions utilizing:

(1) human resources: outreach, education, marketing, collaboration

(2) land use resources: general plans, zoning, specific plans, ordinances and procedures, and

(3) financial resources.

FISCAL IMPACT

No fiscal impact to receive report. Staff has one proposal to assist with AFFH housing element work for approximately $80,000 as part of the racial equity audit. If that project is not funded, staff would conduct the work in-house using resources outlined above and seek contract assistance for public outreach work

GENERAL PLAN CONSISTENCY

State law requires the Housing Element to incorporate the duty to AFFH.

CEQA AND CLIMATE ACTION PLAN CONSISTENCY

Housing element update environmental review process is unknown at this time. Actions to AFFH are likely to lead to more affordable housing in the Town and a reduction in Vehicle Miles Traveled as more local workers can live in the town and will not have to drive in from other jurisdictions, which would reduce Greenhouse Gas emissions in the Town.

CONCLUSION

Incorporating the duty to affirmatively further fair housing into the Housing Element update is required to be in compliance with state housing laws, which are being enforced with new penalties <https://abag.ca.gov/sites/default/files/documents/2021-06/Consequences%20of%20Non-Compliance%20with%20Housing%20Laws.pdf>. This new requirement adds several analyses and steps onto the traditional Housing Element update process.

Numerous resources are being developed to help jurisdictions meet these new requirements including:

- HCD has a webinar <https://youtu.be/2LbbdRwLKxA> and the Association of Bay Area Governments (ABAG) webinar <https://www.youtube.com/watch?v=JLzXafVsyHo>, and guidance <https://www.hcd.ca.gov/community-development/affh/docs/affh_document_final_4-27-2021.pdf> memo, and other tools available to assist local jurisdictions to meet these new requirements.
- The County of Marin has retained a consultant to prepare some of the materials (See Attachment 1) for Marin jurisdictions.

As ABAG/MTC continue to support this work, they encourage us to send questions and suggestions for new products and assistance to housingTA@bayareametro.gov <mailto:housingTA@bayareametro.gov>.

MIG

to **Jillian Zeiger, Planner**

from **Scott Davidson, Contract Services Director**

re **County of Marin AFFH Task Order Scope of Work and Budget Estimate**

date **07/28/2021**

Project Understanding

Operating under an agreement with MIG, Veronica Tam and Associates (VTA) will prepare AFFH (Affirmatively Furthering Fair Housing) analysis to be used by the following Marin County Jurisdictions as part of their Housing Element Update:

- Sausalito (De Novo Planning Group)
- Tiburon (Christine O'Rourke)
- Corte Madera (Christine O'Rourke)
- Fairfax – EMC
- Marin County Collaborative (Larkspur, Ross, Belvedere, San Anselmo) – EMC
- Mill Valley (DKS for outreach)
- San Rafael (Barry Miller)
- Novato – Unknown

VTA will generate information for each jurisdiction as described in the following phases. Each jurisdiction will be responsible for engaging the community, addressing community specific needs, and incorporating the information in their Housing Element.

AB 686 (Affirmatively Furthering Fair Housing) compliance has become one of the most significant changes to the Housing Element requirements. The principles of and analysis for AFFH must be used to inform the Housing Element development process. In response to HCD guidance, our scope of work proposes to conduct the AFFH analysis in phases.

Scope of Work

Phase 1: AFFH Existing Conditions Maps for Informing Community Outreach and Sites Selection

VTA will attend a kickoff meeting to discuss the process and expectations with the jurisdictions and/or their consultants for Housing Element update. The County will schedule this meeting and take notes, as needed.

HCD's AFFH Guidance Memo indicates that jurisdictions should be outreaching to groups who are targets for the AFFH requirements. Specifically, these include minorities, persons with disabilities, low/moderate income population, families with children, persons living in poverty, and persons with disproportionate housing needs (substandard housing conditions, cost burden, overcrowding).

We will provide each jurisdiction a set of the AFFH maps (from HCD AFFH Data Viewer) and other sources such as the Marin County Analysis of Impediments to Fair Housing Choice. These maps will show geographic concentrations of specific groups. When designing the outreach program for the Housing Element, jurisdictions should increase/target outreach activities to geographic areas with concentrated issues. When selecting sites for RHNA, jurisdictions should also consider the characteristics of impacted neighborhoods. Place-based strategies for neighborhood improvements should be developed to complement the RHNA sites strategies.

Phase 2: Existing Conditions Analysis

VTA has developed a template for the AFFH analysis. We have already received HCD approval on some of our AFFH analyses following this template. We also understand from HCD staff that our work has been used as a sample analysis. We will deliver the Existing Conditions Analysis for each jurisdiction that includes the maps from Phase 1, additional data tables from various sources, and narratives/discussions. We will identify areas where jurisdictions need to supply local context. The AFFH analysis cannot rely on data alone and should be supplemented with local knowledge (such as historical background, and recent trends).

Phase 3: Distribution of RHNA Sites by AFFH Factors

An important component of the AFFH analysis is the distribution of RHNA units by the various characteristics analyzed in Phase 2. Our GIS specialist will prescribe a format and the required data to conduct the analysis. Our scope assumes each jurisdiction will submit their RHNA sites in our prescribed format. VTA will complete the AFFH analysis with discussions on the distribution of RHNA sites by AFFH factors.

Phase 4: Meaningful Actions

VTA will provide some general guidance on the meaningful actions based on our experience working with HCD on Housing Elements in Southern California. However, this scope does not include developing meaningful actions for each jurisdiction. We will conduct an initial meeting to explain HCD expectations. We can also review and comment on actions developed by individual jurisdictions. The County will schedule this meeting and take notes, as needed.

Project Coordination

VTA and MIG will provide ongoing project coordination services to ensure the project is proceeding in a timely manner.

Budget

The MIG/VTA team will complete the above-noted scope of work for this project for an estimated cost of approximately $151,160 as follows:

Phase / Billing Rate	Tam $180	Planners $130	GIS $130	MIG	Total
Phase 1: AFFH Existing Conditions Maps	10	60			$9,600
Phase 2: Existing Conditions Analysis	20	500			$68,600
Phase 3: Distribution of RHNA Sites by AFFH Factors	20	200	100		$42,600
Phase 4: Meaningful Actions	20	20			$6,200
Project Coordination	20			$7,500	$11,100
Project Administration				$13,060	$13,060
Total	90	780	100		$151,160

Assumptions

- The County will be responsible for communicating with the local jurisdictions, including all logistics (e.g., meetings, communiques), transfer of data/information, etc. Local jurisdictions will work through/contact the County rather than VTA for all project-related activities.

Town of San Anselmo Housing Element 2023-2031 Update

Public Outreach Plan

The Town will make diligent efforts to include community members of all economic backgrounds, including low-income people; non-English speakers; people with disabilities; people of color; immigrants; those without access to smart phones and computer technology; and other who face barriers to being heard in Town decision making. The Town will also seek out information from people who would like to live in the Town but cannot.

The Town will gather input on housing-related priorities and strategies from the following stakeholders:

- Residents
- Property Owners
- Businesses
- University of the Redlands
- Developers/architects (via Marin Builders Association and emails to business license holders)
- San Anselmo Chamber of Commerce
- Youth (via schools)
- Ross Valley Seniors
- Potential future residents
- Cedars of Marin
- Local agencies and nonprofits
    - Public housing authority
    - Housing providers
    - Advocacy groups

Outreach Activities

Outreach activities are planned to reach a broad audience utilizing a variety of methods, considering limited staff resources and budget.

Public Meetings

- Meetings 1: Kick-off to Housing Element Update (Town Council January 25, 2022 at 7:00 p.m.): review existing housing element and Affirmatively Furthering Fair Housing
- Meeting 2: Objective Design and Development Standards and discussion of areas where housing could be allowed by right, subject to the design standards (Planning Commission workshop)
- Meeting 3: Site inventory review (Planning Commission workshop)
- Meeting 4: Review programs for Affirmatively Furthering Fair Housing (Racial Equity Ad hoc Committee workshop)
- Meeting 6: Draft Housing Element and Safety Element (Planning Commission hearing)
- Meeting 7: Draft Housing Element and Safety Element (Town Council hearing)

Public meetings will be scheduled in evening at 7:00 p.m. to facilitate attendance by students and those that work during the day.

Meetings on Zoom using Otter third-party closed captioning service for the live stream.

Telephone option for all meetings, for those who lack computers and internet.

Staff will strive to have meeting materials available at least two weeks prior to any meeting. The public review of the first draft of the Housing Element will be available at least 30 days in advance of public consideration.

Interpreter services when requested and Spanish interpreters for hearing when Town Council considers draft Housing Element. Association of Bay Area Government offers $2000 translation services to the Town through a State Regional Early Action Planning (REAP) grant.

Website and Online Materials

Staff to develop Housing Element update page with links to all meeting materials and meeting videos and Frequently Asked Questions with answers

Interactive Map *In progress*

Planning Department staff applied for and received a free Balancing Act license to create an interactive map of housing element sites to allow public to select how to meet affordable housing allocation. Fairfax and the County of Marin are using this program for their outreach.

Map marking exercise that allows participants to view where existing housing is allowed and spatially mark where they would like to see housing developed in the Town in the future and add comments.

Survey

Public outreach survey (in English and Spanish) on SurveyMonkey

Email link to survey to Town business license email list and San Anselmo Chamber of Commerce and encourage employers to share with employees

Hard copy surveys at select locations

Retain bi-lingual consultant to do in person surveying and offer small incentive for completing survey (incentive that supports local business such as: $20 San Anselmo Gift Card that may be used at Taqueria Mi Familia):

- San Anselmo Spanish SDA Church, 1509 Sir Francis Drake
- Red Hill Community Park Soccer Games
- San Anselmo Library story time – weekday
- Memorial Park Millennium Playground – weekday
- Taqueria Mi Familia, 580 Red Hill Avenue – weekday lunch hour
- Laundromat

Other Outreach

Notify Federated Indians of Graton Rancheria pursuant to SB 18 and AB 52 to identify the opportunity for consultation.

Presentation on Housing Element Update to Ross Valley Seniors

Mailed letter to owners of multifamily and commercially zoned sites with notice of meetings on the Housing Element Update and Objective Design and Development Standards. Request owners to contact staff if interested in developing residential units during housing element timeframe.

Town staff to meet with the owners of largest potential housing sites, the school district and Side by Side, to discuss housing opportunities.

Public Notices

All notices in English and Spanish.

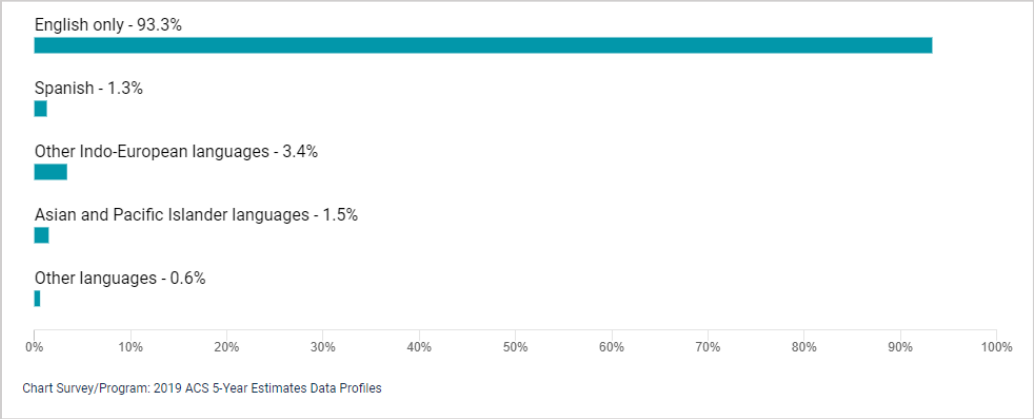


Figure 1 Types of Language Spoken at Home San Anselmo

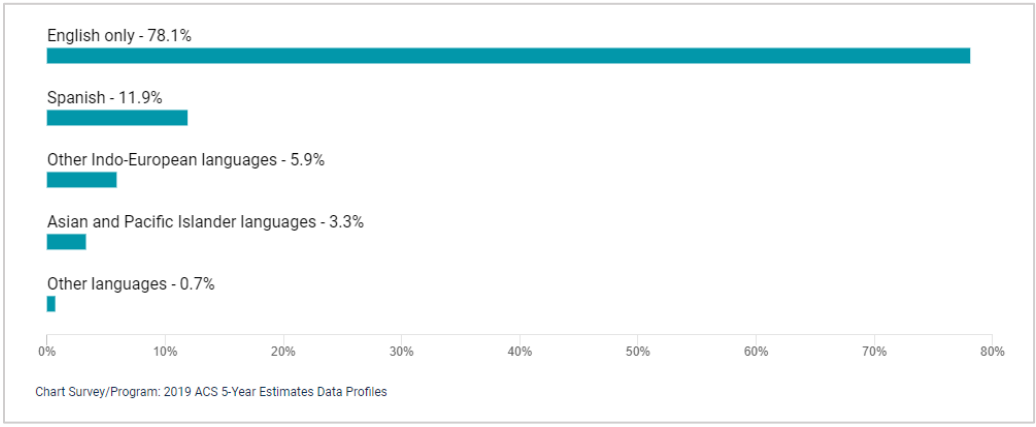


Figure 2 Types of Language Spoken at Home in Marin County

Offer interpreter service to encourage feedback from those that are not well represented in the community:

> English Do you need an interpreter or any other assistance to participate? Please call us at (415) 258-4636. We require three days' notice to provide reasonable accommodation.
>
> Spanish ¿Necesitas un intérprete o cualquier otra asistencia para participar? Comunícate al (415) 258-4636. Necesitamos aviso con tres días de anticipación para proporcionar asistencia razonable.

Chinese (Traditional) 為了便於參加，您需要口譯員或其他任何協助嗎？請致電 (415) 258-4636. 聯絡我們。我們需 要提前3天通知才能提供合理的輔助服務。

Filipino Kailangan mo ba ng interpreter o anumang iba pang tulong upang lumahok? Mangyaring tumawag sa amin sa (415) 258-4636 Kailangan namin ng tatlong araw na abiso upang magkaloob ng sapat na mga bagay na kailangan.

Vietnamese Bạn có cần thông dịch viên hoặc bất cứ trợ giúp nào khác để tham gia hay không? Vui lòng gọi cho chúng tôi ở số (415) 258-4636. Chúng tôi đòi hỏi phải được thông báo trước ba ngày để cung cấp các thu xếp hợp lý.

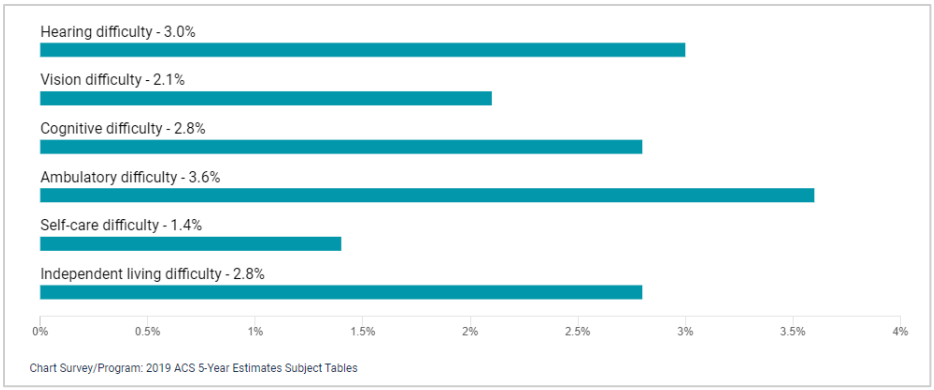


Figure 1 Types of Disabilities in San Anselmo

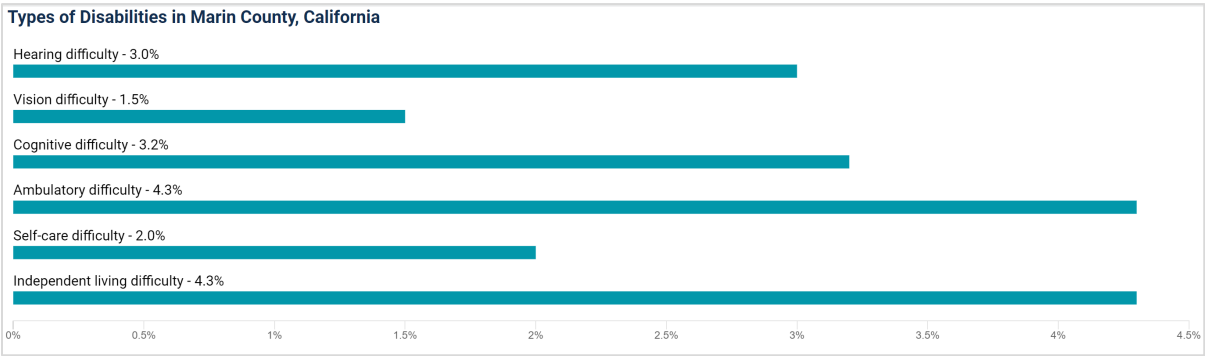


Figure 2 Types of Disabilities in Marin County

Presentations recorded and made available on the Town's Housing Element Update website

Every meeting publicized on/in:

- Town Manager email newsletter
- NextDoor and Facebook
- Announcement on home page of Town website
- Town website calendar and Legistar/Granicus meeting agenda calendar
- Town Housing Element Update website
- Email to special notification list for Housing Element https://www.townofsananselmo.org/list.aspx - staff promotes email list on all mailed public notices by Planning Department
- Email town business email list and encourage employers to share with employees
- Posted notices on Town Bulletin Boards: 805 San Anselmo Avenue (Quick N Easy Market), Memorial Park and Town Hall

- Written materials and notices at Town Library
- Post laminated notices at Hub bus station, near public transportation
- Email to community-based organizations including San Anselmo churches and schools
- Mailed postcard to all residents when draft element is available with date for Planning Commission and Town Council hearings
- Email notices to Patch and Marin Independent Journal for inclusion in their upcoming event calendars

Notices to clearly show how public comments will be received.

Provide notice for how reasonable accommodations can be requested.

Incorporation Into Housing Element

Feedback from the outreach process will inform and guide the development of the 6th cycle Housing Element goals, policies, and programs. The Housing Element will include:

- Description of the diligent efforts and an outreach summary:
  - List of organizations contacted and consulted
  - Number of meetings held and format for meetings (live or virtual)
  - How Town advertised meetings
  - Number of participants
  - Racial makeup of participants (to see if outreach adequate)
  - What was presented
  - Opportunity for public discussion and comments (such as live polling questions for the participants)
- Summary of public input received and how the comments are considered and incorporated (including comments that were not incorporated) into the housing element; and
- Summary of issues that contributed to lack of participation in the housing element process by all economic segments, particularly people with protected characteristics, if that proves to be the case.

Each new draft of the housing element will indicate how the Town incorporated public input.

525 San Anselmo Avenue
San Anselmo, CA 94960

Town of San Anselmo

Staff Report

TO: Planning Commission **Meeting of** 1/25/2022

FROM:
Elise Semonian, Planning Director

SUBJECT:
Housing Element 2023-2031 Receive presentation on proposed public engagement process and timeline for Housing Element 2023-2031 update and provide direction to staff.

RECOMMENDATION

Receive report and provide direction to staff.

BACKGROUND

Every eight years, every city, town and county must update the Housing Element of their General Plan and have it certified by the California Department of Housing and Community Development (HCD). This staff report is an introduction to the upcoming 6th Cycle 2023-2031 Housing Element Update for San Anselmo. The memo provides background information on state requirements as well as a proposed local process and timeline.

The Housing Element update is an opportunity for a community conversation about how to address local housing challenges and find solutions. The Housing Element addresses a range of housing issues such as affordability, design, housing types, density and location, and establishes goals, policies and programs to address existing and projected housing needs. The Housing Element must be internally consistent with other parts of the General Plan and is critical to having a legally adequate General Plan.

State law does not require that jurisdictions *build* or *finance* new housing, but they must *plan* for it. It is in the community's Housing Element that local governments make decisions about where safe, accessible, and diverse housing could be developed to offer a mix of housing opportunities for a variety of household incomes. The Housing Element must identify how the town will meet its share of the region's housing need, called the Regional Housing Needs Allocation, or RHNA.

Key Components of a Housing Element

State law outlines specific requirements for a Housing Element. All Housing Elements include:

1. **Housing Needs Assessment**: Examine demographic, employment and housing trends and conditions and identify existing and projected housing needs of the community, with attention paid to special housing needs (e.g., large families, persons with disabilities).
2. **Evaluation of Past Performance**: Review the prior Housing Element to measure progress in implementing policies and programs (See Attachment 1 to Agenda item 20).

3. **Housing Sites Inventory**: Identify locations of available sites for housing development or redevelopment to ensure there is enough land zoned for housing to meet the future need at all income levels.
4. **Community Engagement**: Implement a robust community engagement program, reaching out to all economic segments of the community plus traditionally underrepresented groups.
5. **Constraints Analysis**: Analyze and recommend remedies for existing and potential governmental and nongovernmental barriers to housing development.
6. **Policies and Programs**: Establish policies and programs to be carried out during the 2023-2031 planning period to fulfill the identified housing needs.

Penalties for Noncompliance

There are many consequences for not having a certified Housing Element. The town can be sued by individuals, developers, third parties or the State. The town may be fined. A court may limit local land use decision-making authority until the town brings its Housing Element into compliance. The town may lose the right to deny certain projects. The town would be ineligible for numerous sources of funding, such as Infill Infrastructure Grants and Regional Transportation Funds such as OneBayArea Grants.

Regional Housing Needs Allocation (RHNA) Process

Every city in California receives a target number of homes to plan for at various income levels. This is called the Regional Housing Needs Allocation (RHNA). RHNA starts with the Regional Housing Needs Determination (RHND) provided by HCD, which is the total number of housing units the San Francisco Bay Area needs over the eight-year period, by income group. The Association of Bay Area Governments (ABAG) develops the methodology to allocate a portion of housing needs to each city, town, and county in the region. ABAG adopted the Final Regional Housing Needs Allocation (RHNA) Plan: San Francisco Bay Area, 2023-2031 <https://abag.ca.gov/sites/default/files/documents/2021-12/Final_RHNA_Allocation_Report_2023-2031-approved_0.pdf> on December 16, 2021.

The RHNA allocation for San Anselmo increased from 106 units in the 2015-2023 cycle to 833 units in the 2023 -2031 cycle. The Town's RHNA allocations:

Income Category	Income Range	2023-2031 6th Cycle RHNA
Extremely Low Income (0-30% of Area Median Income)	1 person household $0-$38,400 4-person household $0-$54,800	127
Very Low Income (30%-50% of Area Median Income)	1 person household $38,401-$63,950 4-person household $54,801-$91,350	126
Low Income (50-80% of Area Median Income)	1 person household $63,951-$102,450 4-person household $91,351-$146,350	145
Moderate Income (80-120% of Area Median Income)	1 person household $102,451-$125,650 4-person household $146,351-$179,500	121

Above Moderate Income (>120% of Area Median Income)	1 person household $125,651 or more 4-person household $179,501 or more	314
	Total	**833**

New Requirements for this Housing Element Update

Recent legislation resulted in the following key changes for this 6th cycle of RHNA and Housing Element updates:

- **Higher allocations -** There is a higher total regional housing need. HCD's identification of the region's total housing needs has changed to account for unmet existing need, rather than only projected housing need. HCD now must consider overcrowded households, cost burdened households (those paying more than 30% of their income for housing), and a target vacancy rate for a healthy housing market (with a minimum of 5%).
- **Affirmatively Furthering Fair Housing (AFFH) -** Local Housing Elements must affirmatively further fair housing. According to HCD, achieving this objective includes preventing segregation and poverty concentration as well as increasing access to areas of opportunity. HCD maps Opportunity Areas <https://www.treasurer.ca.gov/ctcac/opportunity.asp> and has developed guidance <https://www.hcd.ca.gov/community-development/affh/index.shtml> for jurisdictions about how to address affirmatively furthering fair housing in Housing Elements. ABAG's RHNA methodology allocated a higher share of low-income units to the Town based on its location in a High Resource Area and high housing costs.
- **Limits on Sites -** Identifying Housing Element sites for affordable units will be more challenging. The Town cannot reuse the sites identified to accommodate affordable housing in the last housing element unless the housing element has a program to allow residential use by-right (it may be an overlay zone). HCD now requires the Town to consider realistic development potential such as the extent existing uses may constitute an impediment to additional residential development (like existing leases), past experience converting existing uses to higher density residential development, and availability of incentives for development (like fee waivers or deferrals).
- **Safety Element -** State law requires that the Safety Element of the General Plan be updated concurrently with the Housing Element. The Safety Element must address new wildfire, evacuation routes, and climate adaptation and resilience requirements in an integrated manner. The town must adopt a Safety Element to meet this requirement.

DISCUSSION

New Resources Available This Cycle

The State of California Office of Planning and Research has updated State General Plan Guidelines for the preparation and content of general plans and has a "how to" resource for drafting a general plan, including the required Safety Element. HCD created Building Blocks: A Comprehensive Housing-Element Guide <https://www.hcd.ca.gov/community-development/building-blocks/> to assist jurisdictions in updating housing elements. HCD also provides a Housing Element Completeness Checklist <https://www.hcd.ca.gov/community-development/housing-element/docs/housing%20element%20completeness%20checklist.pdf> that outlines what HCD will be looking for to certify the housing element.

HCD also makes all housing element review letters <https://view.officeapps.live.com/op/view.aspx?src=https%3A%2F%2Fwww.hcd.ca.gov%2Fcommunity-development%2Fhousing-element%2Fdocs%2Fheweb_list.xlsx&wdOrigin=BROWSELINK> available online so that staff may avoid issues by reviewing how other jurisdiction housing elements have been found inadequate.
The Association of Bay Area Governments (ABAG) received a $24 million state grant and now offers a Regional Housing Technical Assistance <https://abag.ca.gov/our-work/housing/housing-technical-assistance-program> program that includes: data package for Town that meets HCD requirements; model staff reports, presentations and social media posts; staff training webinars; interpretation services; and public engagement tools. More materials will be coming out in 2022, such as guidance for Affirmatively Furthering Fair Housing (AFFH) through a partnership between ABAG and UC Merced.
Locally, staff is meeting monthly with planning directors in Marin to collaborate on housing work and share resources, such as meeting notices in Spanish and shared feedback from surveys and focus groups.

Draft Housing Element Timeline

The Town is required to have an HCD-approved Housing Element by January 31, 2023. Staff recommends completing any ordinance changes (such as adoption of Objective Design and Development Standards for multifamily housing, any rezoning, and eliminating conditional use permit requirement for housing in commercial districts) concurrent with the Housing Element update. This will assist with the indicating the redevelopment potential of sites.

The attached timeline lays out the process for updating San Anselmo's Housing Element.

Next Steps

Staff will seek contract staff to begin public outreach work. A proposed schedule and public engagement plan are attached (Attachments 1 and 2). Staff has no funding or time scheduled for an Environmental Impact Report, which we hope is not required. Concurrently, staff will be working on bringing the Objective Design and Development Standards and Inclusionary Housing Ordinance to the Planning Commission and Town Council.

FISCAL IMPACT

The Town Council has included update of the Housing Element, Safety Element and Circulation Element and Vehicle Miles Travelled (VMT) policy as two-year Council goals and has budgeted $250,000 for the work to date. Staff has secured $85,000 LEAP/REAP grants. Proposals received to date for these projects total $734,000. Since the department lost one staff member in February 2021 that has not been replaced, staff is seeking a mid year budget adjustment to transfer unspent salary costs to the consultant budget for this project. Since the planning director cannot update the Circulation Element or prepare a Vehicle Miles Travelled policy in house, those projects are a priority for funding with the limited budget. Assistance with documenting the realistic development potential of individual housing element sites is a place where outside assistance would be very helpful.

All other Marin County jurisdictions have retained, or are in the process of retaining, firms to prepare their housing elements and have varied budgets:

Corte Madera	$420,000 for Housing and Safety elements
Mill Valley	$140,000 (recently comprehensively updated General Plan)
Marin County	$1,627,784 for Housing and Safety elements
Fairfax	$250,000 up to $413,000 if EIR required
Belvedere	$450,000
Tiburon	cost unknown, has consultant for General Plan/Housing Element update
Sausalito	$860,000 (recently comprehensively updated General Plan)
Ross	Requesting proposals until January 28, 2022
Novato	$928,225 (including EIR)
San Rafael	$174,745 in consultants ($250,000 est., recently updated General Plan)
Larkspur	$425,000 with a spending authority up to $660,000

GENERAL PLAN CONSISTENCY

The project is intended to bring elements of the General Plan into conformance with State law.

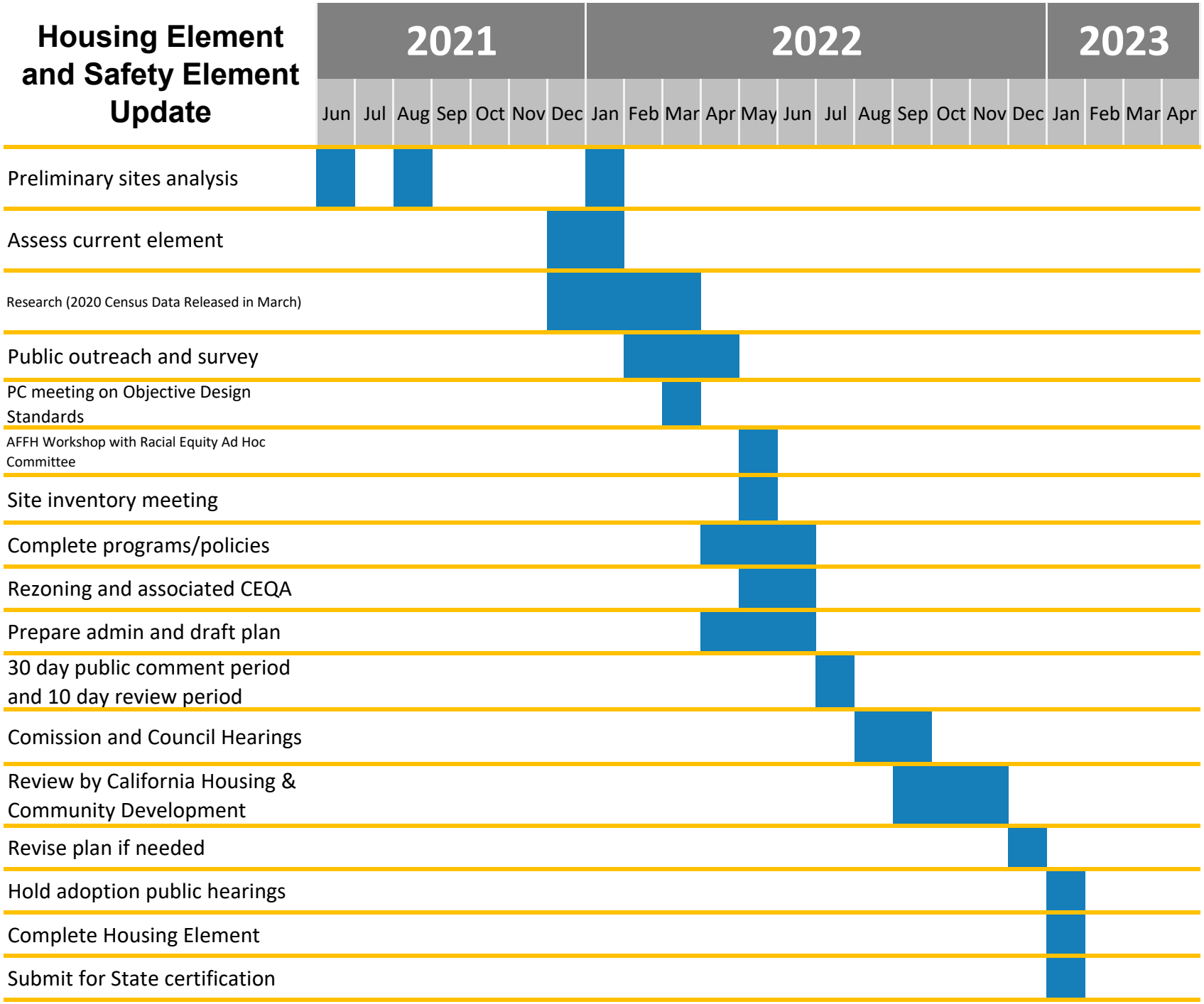
CEQA AND CLIMATE ACTION PLAN CONSISTENCY

Unknown at this time.

CONCLUSION

Provide staff with feedback on public engagement strategy and timeline.

Housing Element and Safety Element Update



Town of San Anselmo Housing Element 2023-2031 Update

Public Outreach Plan

The Town will make diligent efforts to include community members of all economic backgrounds, including low-income people; non-English speakers; people with disabilities; people of color; immigrants; those without access to smart phones and computer technology; and other who face barriers to being heard in Town decision making. The Town will also seek out information from people who would like to live in the Town but cannot.

The Town will gather input on housing-related priorities and strategies from the following stakeholders:

- Residents
- Property Owners
- Businesses
- University of the Redlands
- Developers/architects (via Marin Builders Association and emails to business license holders)
- San Anselmo Chamber of Commerce
- Youth (via schools)
- Ross Valley Seniors
- Potential future residents
- Cedars of Marin
- Local agencies and nonprofits (list attached for mailing or emailing flyer with dates)
    - Public housing authority
    - Housing providers
    - Advocacy groups

Outreach Activities

Outreach activities are planned to reach a broad audience utilizing a variety of methods, considering limited staff resources and budget.

Public Meetings

- Meetings 1: Kick-off to Housing Element Update (Town Council January 25, 2022 at 7:00 p.m.): review existing housing element and Affirmatively Furthering Fair Housing
- Meeting 2: Objective Design and Development Standards and discussion of areas where housing could be allowed by right, subject to the design standards (Planning Commission workshop)
- Meeting 3: Site inventory review (Planning Commission workshop)
- Meeting 4: Review programs for Affirmatively Furthering Fair Housing (Racial Equity Ad hoc Committee workshop)
- Meeting 6: Draft Housing Element and Safety Element (Planning Commission hearing)
- Meeting 7: Draft Housing Element and Safety Element (Town Council hearing)

Public meetings will be scheduled in evening at 7:00 p.m. to facilitate attendance by students and those that work during the day.

Meetings on Zoom using Otter third-party closed captioning service for the live stream.

Telephone option for all meetings, for those who lack computers and internet.

Staff will strive to have meeting materials available at least two weeks prior to any meeting. The public review of the first draft of the Housing Element will be available at least 30 days in advance of public consideration.

Interpreter services when requested and Spanish interpreters for hearing when Town Council considers draft Housing Element. Association of Bay Area Government offers $2000 translation services to the Town through a State Regional Early Action Planning (REAP) grant.

Website and Online Materials

Staff to develop Housing Element update page with links to all meeting materials and meeting videos and Frequently Asked Questions with answers

Interactive Map *In progress*

Planning Department staff applied for and received a free Balancing Act license to create an interactive map of housing element sites to allow public to select how to meet affordable housing allocation. Fairfax and the County of Marin are using this program for their outreach.

Map marking exercise that allows participants to view where existing housing is allowed and spatially mark where they would like to see housing developed in the Town in the future and add comments.

Survey

Public outreach survey (in English and Spanish) on SurveyMonkey

Email link to survey to Town business license email list and San Anselmo Chamber of Commerce and encourage employers to share with employees

Hard copy surveys at select locations

Retain bi-lingual consultant to do in person surveying and offer small incentive for completing survey (incentive that supports local business such as: $20 San Anselmo Gift Card that may be used at Taqueria Mi Familia):

- San Anselmo Spanish SDA Church, 1509 Sir Francis Drake
- Red Hill Community Park Soccer Games
- San Anselmo Library story time – weekday
- Memorial Park Millennium Playground – weekday
- Taqueria Mi Familia, 580 Red Hill Avenue – weekday lunch hour
- Laundromat

Other Outreach

Notify Federated Indians of Graton Rancheria pursuant to SB 18 and AB 52 to identify the opportunity for consultation.

Presentation on Housing Element Update to Ross Valley Seniors

Mailed letter to owners of multifamily and commercially zoned sites with notice of meetings on the Housing Element Update and Objective Design and Development Standards. Request owners to contact staff if interested in developing residential units during housing element timeframe.

Town staff to meet with the owners of largest potential housing sites, the school district and Side by Side, to discuss housing opportunities.

Public Notices

All notices in English and Spanish.

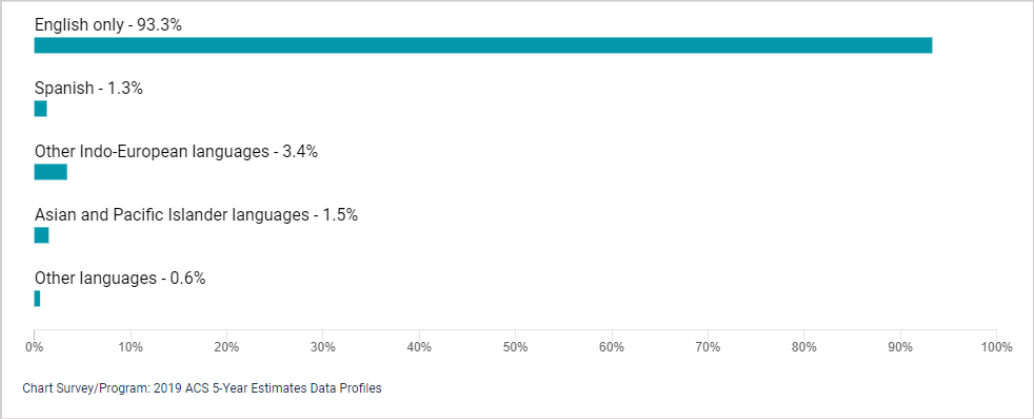


Figure 1 Types of Language Spoken at Home San Anselmo

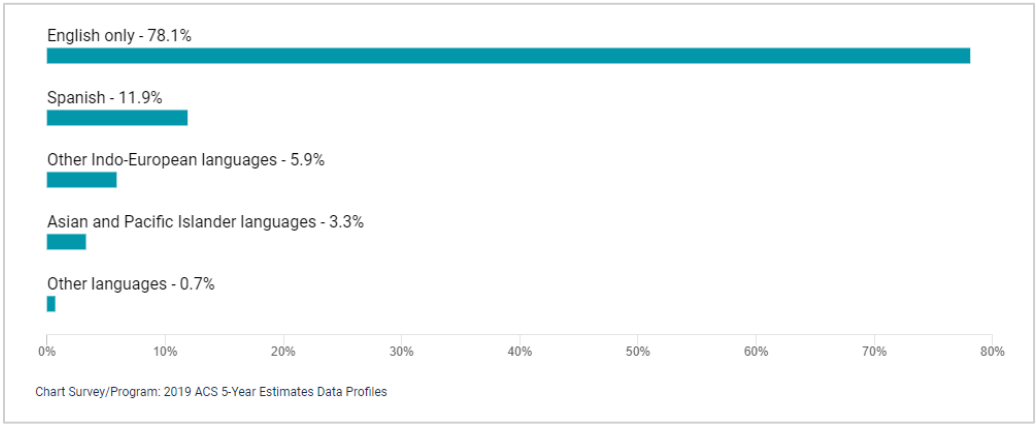


Figure 2 Types of Language Spoken at Home in Marin County

Offer interpreter service to encourage feedback from those that are not well represented in the community:

> English Do you need an interpreter or any other assistance to participate? Please call us at (415) 258-4636. We require three days' notice to provide reasonable accommodation.
>
> Spanish ¿Necesitas un intérprete o cualquier otra asistencia para participar? Comunícate al (415) 258-4636. Necesitamos aviso con tres días de anticipación para proporcionar asistencia razonable.

Chinese (Traditional) 為了便於參加，您需要口譯員或其他任何協助嗎？請致電 (415) 258-4636. 聯絡我們。我們需 要提前3天通知才能提供合理的輔助服務。

Filipino Kailangan mo ba ng interpreter o anumang iba pang tulong upang lumahok? Mangyaring tumawag sa amin sa (415) 258-4636 Kailangan namin ng tatlong araw na abiso upang magkaloob ng sapat na mga bagay na kailangan.

Vietnamese Bạn có cần thông dịch viên hoặc bất cứ trợ giúp nào khác để tham gia hay không? Vui lòng gọi cho chúng tôi ở số (415) 258-4636. Chúng tôi đòi hỏi phải được thông báo trước ba ngày để cung cấp các thu xếp hợp lý.

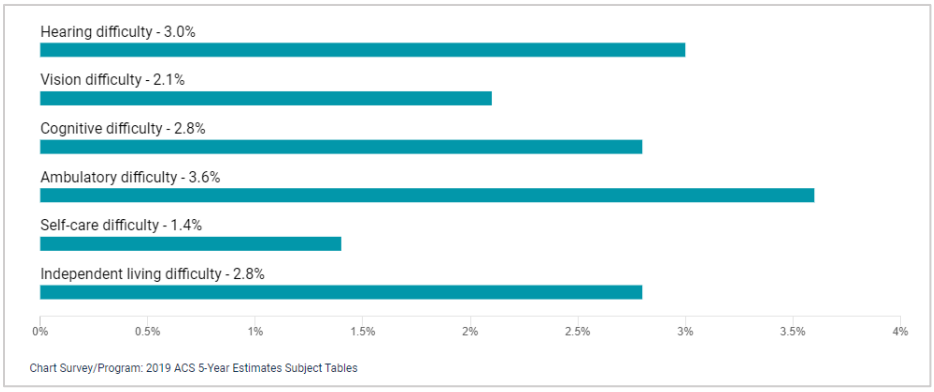


Figure 1 Types of Disabilities in San Anselmo

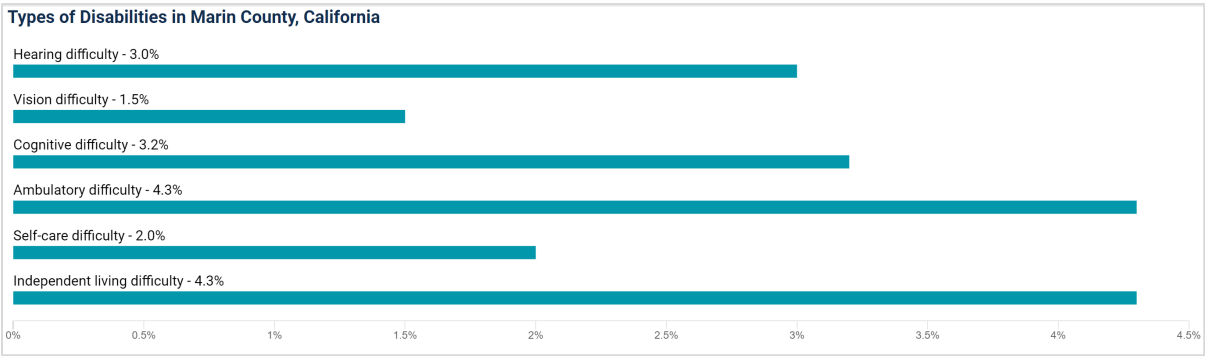


Figure 2 Types of Disabilities in Marin County

Presentations recorded and made available on the Town's Housing Element Update website

Every meeting publicized on/in:

- Town Manager email newsletter
- NextDoor and Facebook
- Announcement on home page of Town website
- Town website calendar and Legistar/Granicus meeting agenda calendar
- Town Housing Element Update website
- Email to special notification list for Housing Element https://www.townofsananselmo.org/list.aspx - staff promotes email list on all mailed public notices by Planning Department
- Email town business email list and encourage employers to share with employees
- Posted notices on Town Bulletin Boards: 805 San Anselmo Avenue (Quick N Easy Market), Memorial Park and Town Hall

- Written materials and notices at Town Library
- Post laminated notices at Hub bus station, near public transportation
- Email to community-based organizations including San Anselmo churches and schools
- Mailed postcard to all residents when draft element is available with date for Planning Commission and Town Council hearings
- Email notices to Patch and Marin Independent Journal for inclusion in their upcoming event calendars

Notices to clearly show how public comments will be received.

Provide notice for how reasonable accommodations can be requested.

Incorporation Into Housing Element

Feedback from the outreach process will inform and guide the development of the 6th cycle Housing Element goals, policies, and programs. The Housing Element will include:

- Description of the diligent efforts and an outreach summary:
  - List of organizations contacted and consulted
  - Number of meetings held and format for meetings (live or virtual)
  - How Town advertised meetings
  - Number of participants
  - Racial makeup of participants (to see if outreach adequate)
  - What was presented
  - Opportunity for public discussion and comments (such as live polling questions for the participants)
- Summary of public input received and how the comments are considered and incorporated (including comments that were not incorporated) into the housing element; and
- Summary of issues that contributed to lack of participation in the housing element process by all economic segments, particularly people with protected characteristics, if that proves to be the case.

Each new draft of the housing element will indicate how the Town incorporated public input.

525 San Anselmo Avenue
San Anselmo, CA 94960

Town of San Anselmo

Staff Report

TO: Town Council **Meeting of** 1/25/2022

FROM:
Elise Semonian, Planning Director

SUBJECT:
Annual Report on General Plan for 2021 and Review of 2015-2023 Housing Element

RECOMMENDATION

Hold a public hearing and accept public comments and direct staff to submit the report to the State Governor's Office of Planning and Research (OPR) and State Housing and Community Development Department (HCD).

BACKGROUND

State law requires the Town to present a status report on the General Plan annually to the Town Council and OPR. It also requires the Town to provide an update on the implementation of the Housing Element to HCD by April 1st each year on their Annual Progress Report form (Attachment 3).

DISCUSSION

The attached reports provide an update on the Town's progress in implementing the programs in the General Plan for calendar year 2021 and progress implementing the Housing Element for 2015-2021. This year, staff has included thorough analysis of the goals, policies and programs in the current Housing Element (Attachment 1). The Town is required to review the current Housing Element for the development of the 6th Cycle 2023-2031 Housing Element. The public is invited to comment on this document, which will be incorporated as an appendix in the Housing Element 2023-2031.

ANALYSIS

The Town has made excellent progress in developing new housing units in all income levels except units for Extremely Low-Income households. No Extremely Low-Income units have been developed during this Reginal Housing Needs Allocation (RHNA) projection period (January 1, 2014 - October 31, 2022).

PROGRESS TOWARDS 2015-2023 RHNA ALLOCATION *Since start of reporting period January 1*				
Income Level	**2015-2023 RHNA Allocation**	**Approved since**	**Building Permit Issued**	**Units Completed**

EXTREMELY LOW I of Area Median Inc	17	0	0	0
VERY LOW INCOM Median Income)	16	17	21	19
LOW INCOME (50- Median Income)	17	28	33	22
MODERATE INCOM Area Median Incor	19	51	31	24
ABOVE MODERATE (>120% of Area Me	37	63	46	24
TOTAL	**106**	**159**	**131**	**89**

Table 1

The Town has approved a variety of housing types, including several multifamily housing projects. The following summarizes the types of units approved:

Type of Unit	Net New Units
Junior Accessory Dwelling Unit	1
Duplex structure	2
Apartment added to existing multifamily	3
Townhomes/Condo: 6-unit, 4 unit	8
Single Family Residence	9
New apartment building: 12-unit, 16-unit, 16-unit *Each project has 2 units of deed restricted very low- or low-income housing*	44
Accessory Dwelling Unit	90
Total	157

Table 2

Notable housing accomplishments in 2021 were the Town Council adoption of ordinances enacting temporary moratoriums on rent increases and evictions due to the financial impacts of the COVID-19 Pandemic, and Town promotion of the Marin County emergency rental assistance grant program <https://www.marincounty.org/depts/cd/divisions/housing/renter-and-landlord-resources/marin-county-emergency-rental-assistance-program>. The programs were promoted on social media and the Town email list and information was mailed to all property owners and tenants of multi-unit property. As of January 7, 2022, the County has received 135 applications for emergency rental assistance and paid 40 cases in San Anselmo.

FISCAL IMPACT

None.

GENERAL PLAN CONSISTENCY

The annual report is required by State law and the General Plan Housing Element programs.

CEQA AND CLIMATE ACTION PLAN CONSISTENCY

Acceptance of the report is not a project subject to review under the California Environmental Quality Act (CEQA) and will not conflict with the Climate Action Plan 2030. The report details actions taken to further the General Plan.

CONCLUSION

Direct staff to submit the report to the State Governor's Office of Planning and Research (OPR) and State Housing and Community Development Department (HCD).

Review of 2015-2023 Housing Element Goals, Objectives, Policies and Programs

This summarizes the results and outcomes of the 2015-2023 housing-element's goals, objectives, policies, and programs from 2015 to 2021, when this report was prepared. During the 5th Cycle Housing Element, the Town of San Anselmo implemented programs that facilitated development of new housing; assisted residents to stay in their homes during the Covid 19 pandemic; and improved the quality and energy efficiency of many existing housing units.

The Town adopted new regulations and policies to facilitate the development of Accessory Dwelling Units (ADUs) such as by-right approvals; a new process for allowing flexibility in application of zoning regulations; waiver of building permit fees for deed restricted affordable units; and a colorful new website and handbook to guide homeowners seeking to construct ADUs. The Town has approved 90 ADUs and has issued building permits for 59 ADUs.

The Town adopted regulations to implement State and local Greenhouse Gas reduction goals and climate adaptation strategies including water efficient landscape requirements; new green building regulations; and requirements for electric vehicle charging infrastructure.

Several multifamily structures were approved that will result in six new deed restricted Very Low- and Low-Income units. The Town found that its zoning regulations encouraged these market rate developers to include deed restricted affordable housing in their projects to obtain incentives and concessions. Without the restrictive standards, the projects would have been 100% market rate, like some of the smaller multifamily projects constructed during the housing element cycle. Only one multifamily project approval was appealed to the Town Council.

PROGRESS TOWARDS 2015-2023 RHNA ALLOCATION *Since start of reporting period January 1, 2014*				
Income Level	**2015-2023 RHNA Allocation**	**Approved since**	**Building Permit Issued**	**Units Completed**
EXTREMELY LOW INCOME (<30% of Area Median Income)	17	0	0	0
VERY LOW INCOME (<50% of Area Median Income)	16	17	21	19
LOW INCOME (50-80% of Area Median Income)	17	28	33	22
MODERATE INCOME (80-120% of Area Median Income)	19	51	31	24
ABOVE MODERATE INCOME (>120% of Area Median Income)	37	63	46	24
TOTAL	**106**	**159**	**131**	**89**

Table 1

2021 Household Income Limits and Maximum Housing Costs

The Department of Housing and Urban Development (HUD) annually estimates Median Family Income for Marin County to set income limits for housing programs.[1] In 2021, HUD estimated Marin County's area median income at $149,600. Census data indicates that San Anselmo's median income is higher than the County of Marin as a whole.[2]

Income Category	Income Range
Acutely Low Income (0-15% of Area Median Income)	1 person household $0-$15,700 4-person household $0-$22,450
Extremely Low Income (15-30% of Area Median Income)	1 person household $15,701-$38,400 4-person household $22,451-$54,800
Very Low Income (30%-50% of Area Median Income)	1 person household $38,401-$63,950 4-person household $54,801-$91,350
Low Income (50-80% of Area Median Income)	1 person household $63,951-$102,450 4-person household $91,351-$146,350
Moderate Income (80-120% of Area Median Income)	1 person household $102,451-$125,650 4-person household $146,351-$179,500
Above Moderate Income (>120% of Area Median Income)	1 person household $125,651 or more 4-person household $179,501 or more

Table 2

	Maximum Housing Cost 1-to-4-person household[3]
Acutely Low	$393 - $561
Extremely Low	$960 - $1,370
Very Low Income	$1,599 - $2,284
Low Income	$2,561 - $3,659
Median Income	$2,618 - $3,740
Moderate Income	$3,141 - $4,488

Table 3

Accessory Dwelling Units

Accessory Dwelling Unit (ADU) applications make up most of the new housing units in the Town and are responsible for most of the affordable housing units. The number of annual ADU applications has more than doubled since 2020 when new State law eliminated floor area limits, lot coverage limits, and parking requirements for most ADUs. These applications increased with minimal promotion of the Town's ADU incentives.

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[1] The basis for HUD's median family incomes is data from the 2018 American Community Survey, table B19113 – Median Family Income In The Past 12 Months. A Consumer Price Index (CPI) forecast is used to bring the 2018 data forward to 2021.
[2] $128,212 vs. $110,843 based on 2019 American Community Survey Data
[3] Based on 2021 Income Limits for Marin County and using HUD Guideline of 30% of household income available for monthly rent and utilities.

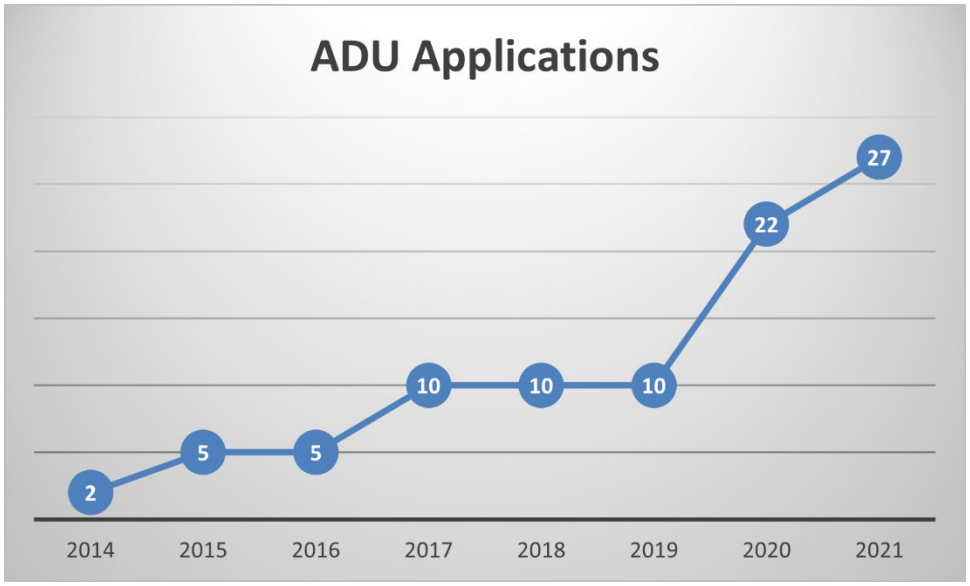
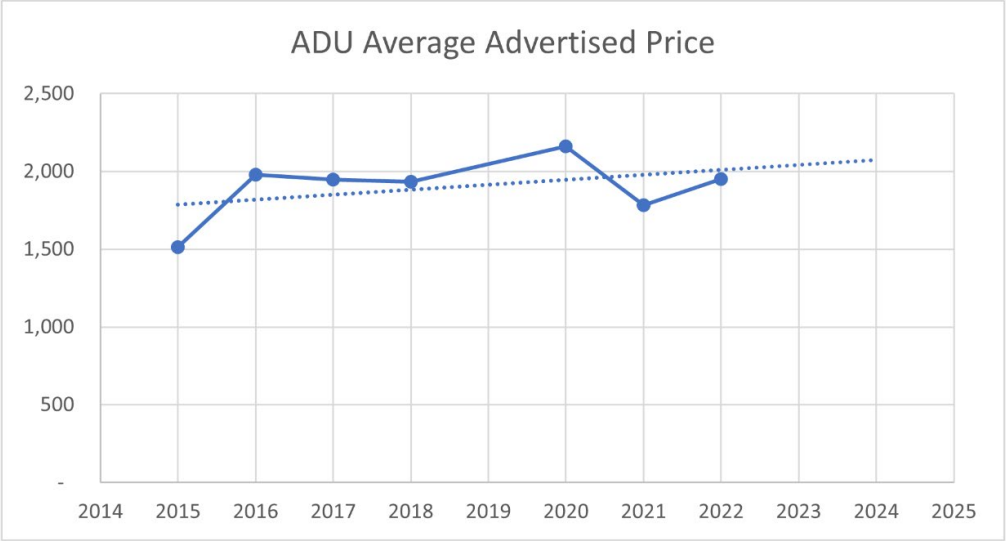


Table 4

The Town partnered with other County jurisdictions on a website to promote ADUs and provide information to property owners on their development, including a cost calculator: https://adumarin.org/. A colorful workbook is available for viewing and download.

ADUs are now allowed on all multifamily sites but no ADUs have been created on any multifamily sites. Staff believes more units can be created at these sites with promotion of the program, such as mailed information to property owners. This can be a program in the next housing element.

ADUs remain an important source of affordable housing in the Town, and, with promotion, their development can be increased in the next housing element cycle. Staff reviews San Anselmo rental advertisements to monitor housing prices and unpermitted units. The average advertised monthly rent for a studio to 1-bedroom ADU is $1,922 per month ($800 to $2,500) and for a 2 bedroom is $2,474 per month ($2,350 to $3,000). A 2017 Town survey showed that the average actual rent for Town ADUs was $1,498 since many are rented for well below market rate, and many ADUs were occupied by family that did not pay rent (these units were not included in the calculation of average rent).



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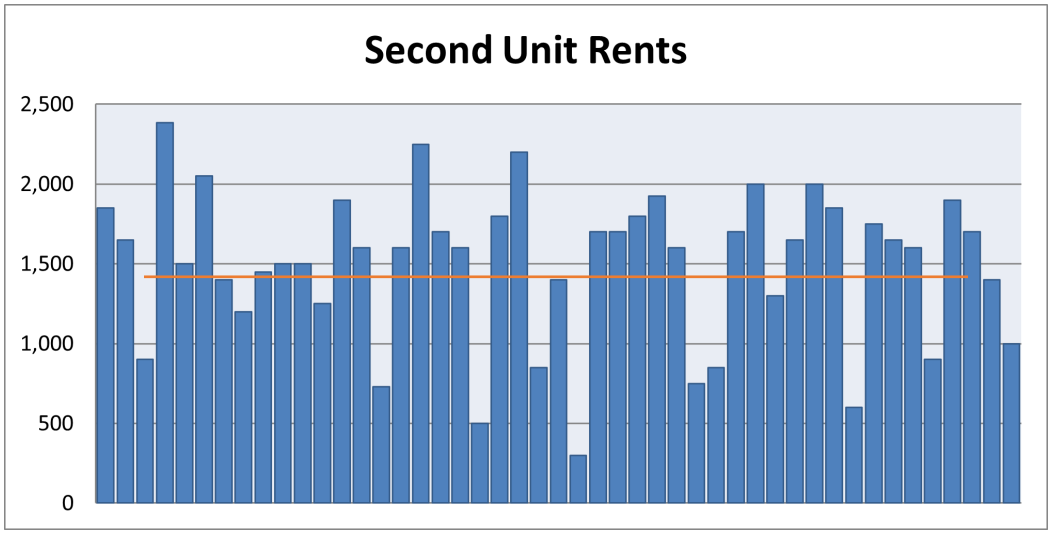


Table 6 2017 Survey Results

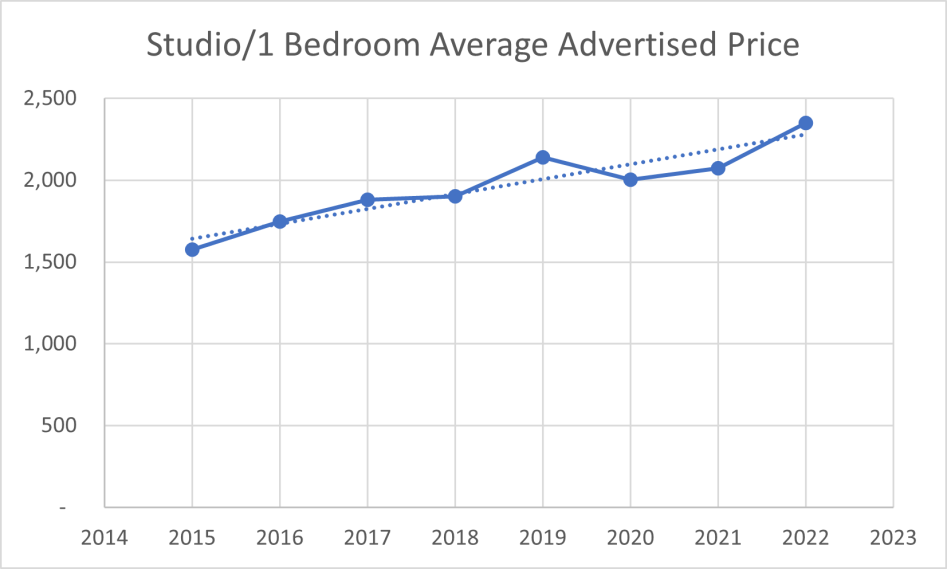
Apartments

Apartments have also remained a source of affordable housing in San Anselmo. About 17% of San Anselmo housing units are in 3-unit or larger developments.

	Total Sites	Total Units
More than 4 units	70	757
4 Units	21	84
3 Units	41	123
2 Units	352	704
Single family	3,922	3,922
	Total Units	5,590

Table 7

Like ADUs, apartments remain affordable to Low to Moderate income households and their preservation and development should be encouraged in the next housing element. Staff has noted that the most expensive apartments are in the larger (15+ unit) apartment developments with more amenities, such as the 70-unit Parkside Apartments on Sunny Hills Drive near Memorial Park and 15-unit 35 Tamalpais. Apartment rental prices continue to increase.



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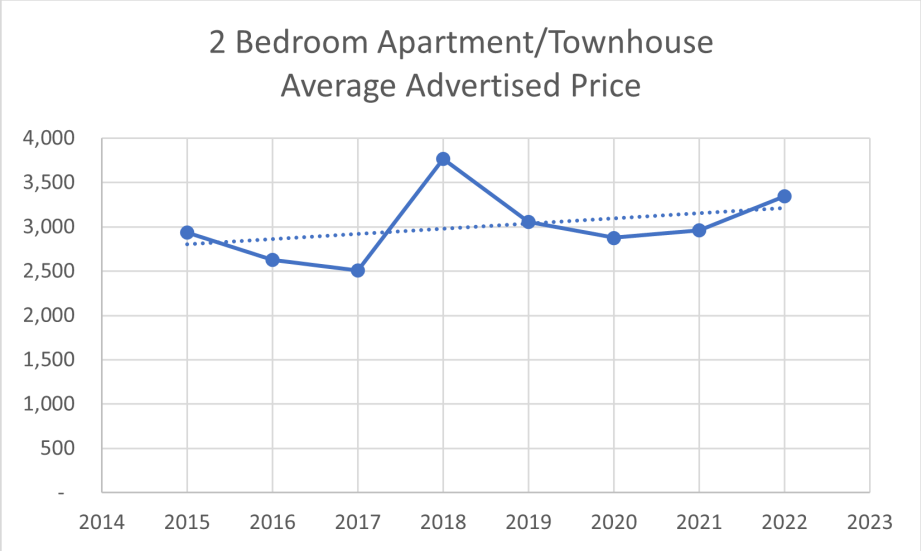

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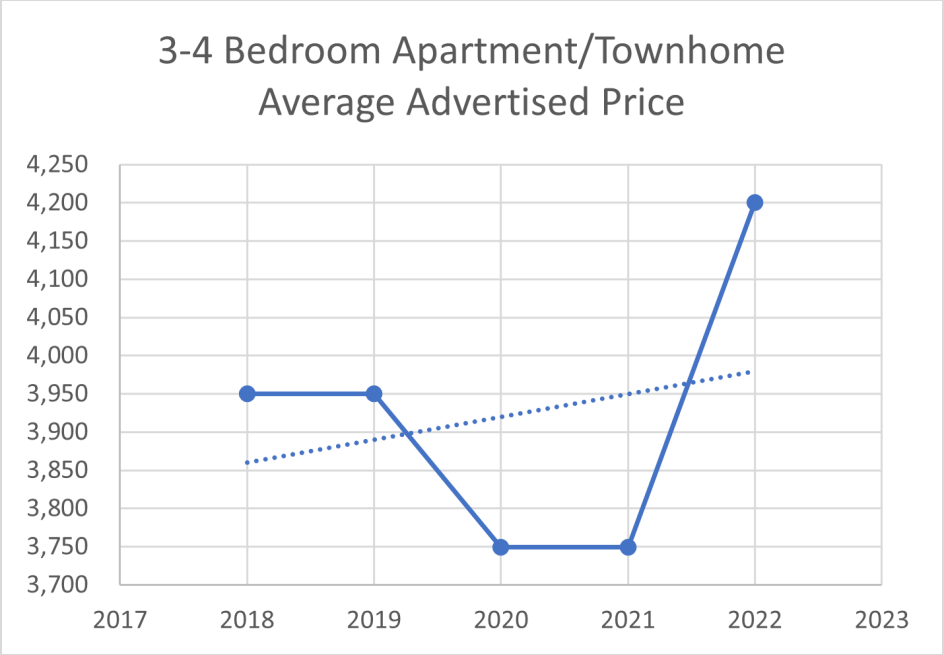

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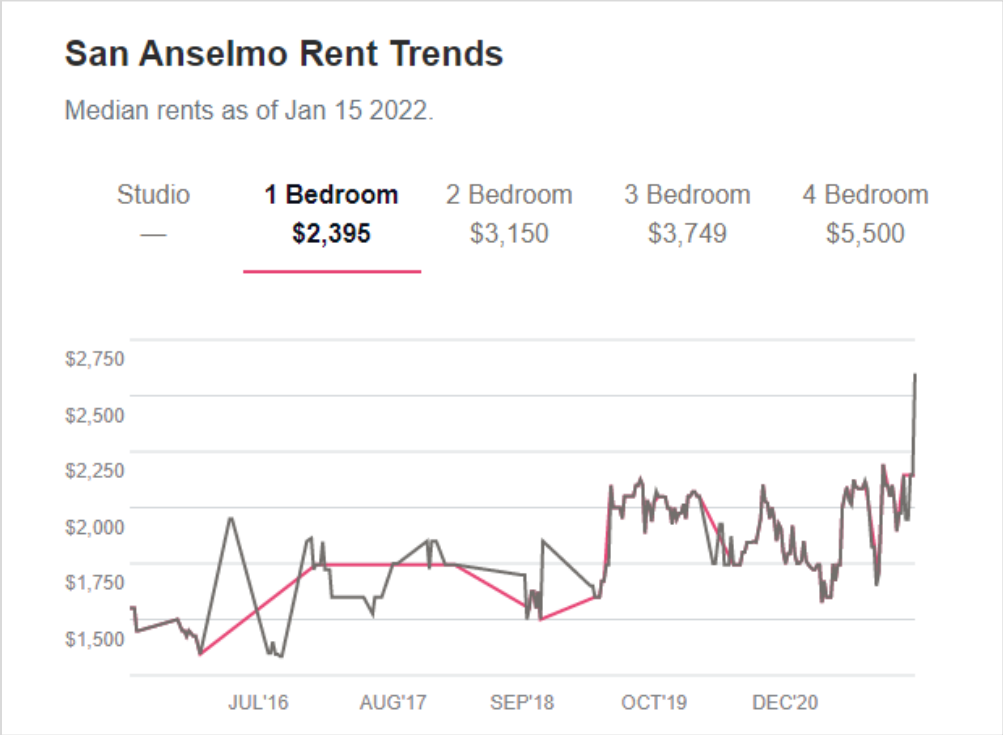

Table 11 Rent Trends from Zumper.com

Single Family Homes

Single family home rental prices vary greatly based on the house size, number of bedrooms and construction year. Based on units advertised since 2015, over half of the rental homes in town

were affordable to Low- and Moderate-Income families. On the higher end, one newly constructed 3-bedroom house was advertised for rent at $9,000 per month in 2021.

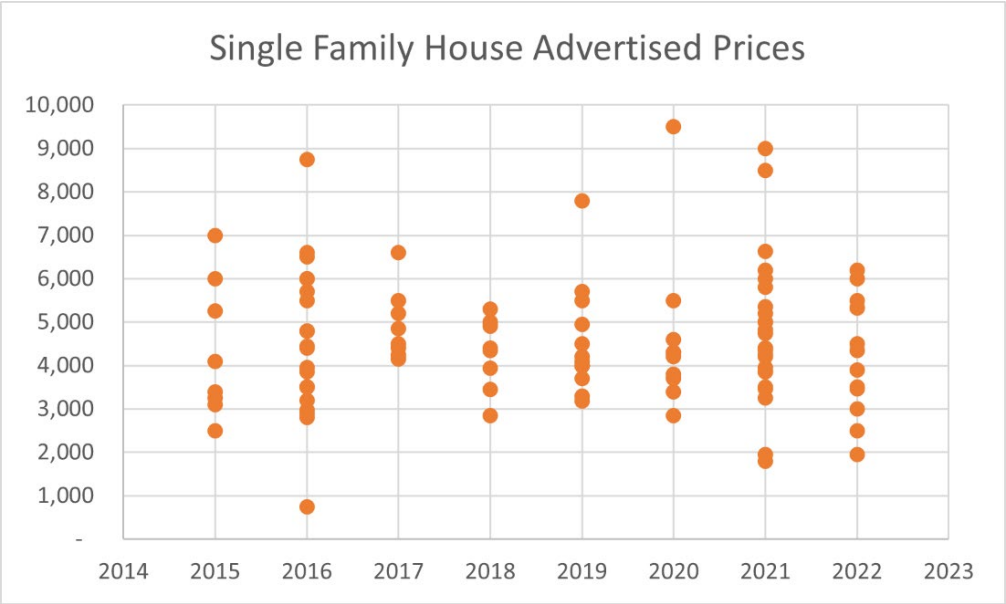

Table 12

In 2020, 160 single family homes were sold with a mean price of $1,523,090 and median price of $1,362,500. Nine condominium and townhome units were sold with a mean price of $1,145,000 and a median price of $1,400,000.[4] Of note is that condominium/townhome units were not more affordable than conventional detached single-family residences.

Table 13 below details typical monthly costs for more affordable San Anselmo ownership property, compared with a median priced single-family residence. There are still opportunities for moderate income families to purchase small residences in the Town of San Anselmo. However, Low Income residents must overpay to afford the monthly costs of home ownership.

	1 Bedroom Condo	1 Bedroom Single Family	2 Bedroom Condo	2 Bedroom Single Family	Median Single Family 2020
Unit price	$ 650,000	$ 740,000	$ 800,000	$ 1,150,000	$ 1,362,500
Mortgage (3% to 3.38%)	$ 2,192	$ 2,496	$ 2,698	$ 3,941	$ 4,819
Insurance	$ 42	$ 275	$ 42	$ 275	$ 275
HOA Dues	$ 450	$ -	$ 600	$ -	$ -
Taxes	$ 875	$ 964	$ 1,027	$ 1,376	$ 1,605
Total	**$ 3,559**	**$ 3,735**	**$ 4,367**	**$ 5,592**	**$ 6,699**

Table 13 Monthly Homeownership Costs

The following pages review the 2015-2023 Housing Element Goals, Policies and Programs and includes staff's recommendations regarding continuing, modifying or deleting the programs. The Town Council and public are invited to comment on this document, which will be incorporated as an appendix in the next housing element.

[4] Marin County Assessor Data https://www.marincounty.org/depts/ar/divisions/assessor/sales

Implementation Program	Implementation Objective	Timeline in Housing Element	Appropriateness, Effectiveness, and Progress in Implementation	Continue, Modify or Delete
GOAL 1 — BUILD LOCAL GOVERNMENT INSTITUTIONAL CAPACITY AND MONITOR ACCOMPLISHMENTS TO EFFECTIVELY RESPOND TO HOUSING NEEDS.				
H1.7 **Organizational Effectiveness.** In recognition that there are limited resources available to the Town to achieve housing goals, the Town will seek ways to organize and allocate staffing and community resources effectively and efficiently to implement the programs of the Housing Element.				
H1.A **Create a Housing Element Implementation Subcommittee.** The Town will create a Housing Element Implementation Subcommittee of the Planning Commission to work with the staff, the community and non-profits to implement Housing Element programs and to be available for future updates of the Housing Element. Responsibilities of the Subcommittee include:	Assist in implementing Housing Element programs.	Establish Subcommittee in 2015 and develop work program in 2015	Not appropriate. In 2016 two Planning Commission members appointed to Subcommittee. The subcommittee met only once. The 7-member Planning Commission served this role by reviewing proposed regulations. Town Council, through recommendations by staff, prioritized housing element programs to implement as Town Council work plan priorities.	Delete. The Planning Department has inadequate staff to support a sixth committee. Continue to have Town staff present annual report to Planning Commission and Town Council and review progress on Housing Element programs. Annually prioritize programs to implement and consider when the Town budget is considered.
a. Participate in the annual review of the Housing Element.			Entire Planning Commission and Town Council reviewed Housing Element progress annually.	
b. Develop an annual work program to assist in implementing Housing Element programs for review with the Town Council.			Town Council, with advice of staff, develops work program priorities and budget and has included Housing Element programs to implement.	

Implementation Program	Implementation Objective	Timeline in Housing Element	Appropriateness, Effectiveness, and Progress in Implementation	Continue, Modify or Delete
c. Review options for funding affordable housing.			No general review of funding sources has taken place. The Planning Commission has considered an inclusionary housing fee that the Town Council and Planning Commission are scheduled to consider in 2022 after workshops with developers.	Add new program to retain consultant with expertise in affordable housing funding to present options for funding affordable housing in the Town.
d. Make recommendations to the Planning Commission and Town Council on strategies for housing opportunity sites and for funding.			Not completed by subcommittee.	Development of affordable housing on opportunity sites largely depends on available funding (particularly for Town-owned sites) and interest of landowner to develop housing. Consider new program to retain consultant to develop strategies to present to the Town Council.
e. Provide follow-up on housing opportunity sites and funding based on directions provided by the Town Council, including working with the community, San Anselmo Theological Seminary, Sunnyhills, Ross Valley School District, non-profits and property owners. This would include all of the actions identified in Program H3.F.			Not completed. Planning Commission members are volunteers and not necessarily housing experts. This program could involve ex parte communications and may set Commission up for conflict of interest, or the appearance of conflict of interest, when a project is before the Planning Commission.	Delete. Staff can continue to work with housing opportunity site owners and bring projects before the full Planning Commission.

Implementation Program	Implementation Objective	Timeline in Housing Element	Appropriateness, Effectiveness, and Progress in Implementation	Continue, Modify or Delete
f. Conduct community outreach and provide community information materials through an open and non-advocacy process.			Not completed by committee. Planning Commission meetings are used for open discussion on housing issues and publicized to the community.	Delete. Community outreach will take place with Housing Element Update and specific programs.
g. Engage property owners in identifying opportunities for the construction of affordable housing.			Town staff engages property owners to identify opportunities for affordable housing. Planning Commission members could have a conflict of interest if the project ever comes before them for review.	Delete. Housing owners will be contacted and engaged for Housing Element update. Consider program to continue this communication for those that express interest in developing housing.
h. Pursue unique opportunities where the Town can participate in the construction of affordable housing, either on Town-owned sites, or through funding or regulatory means. (For example, the Subcommittee will review Town-owned sites and recommend a program for development for review with the Town Council).			Town staff has pursued potential affordable housing projects for town sites and has included all relevant staff (building, public works, fire), which would be complicated to organize with a subcommittee of Planning Commissioners. Any potential projects would be brought to the Town Council to consider.	Fold into new program to have consultant assist with development of funding options and development program for affordable housing on town owned sites.
i. Review funding options as part of the annual Housing Element review and support funding applications as opportunities are available and undertake other actions (such as modifications to parking requirements and granting concessions and incentives) to assist in the development of housing for extremely low income households.			Planning Commission has discussed potential inclusionary housing fee. The Town Planning Commission considered, and the Town Council adopted, regulations for single room occupancy units in 2018, including modifications to parking standards for extremely low-income units (Ordinance 1126).	Fold into new program to have consultant assist with development of funding options and development program for affordable housing on town owned sites.

Implementation Program	Implementation Objective	Timeline in Housing Element	Appropriateness, Effectiveness, and Progress in Implementation	Continue, Modify or Delete
j. Develop an incentive program for affordable housing, including adoption of an Affordable Housing Overlay Zone and allowing housing as a "use-by-right" on key sites.			State law provides ample incentives for development of affordable housing, including significant density bonuses and parking waivers. Town will consider by right housing with housing element update process.	If by right housing not adopted prior to housing element adoption, continue program for housing use by right.
k. Develop ongoing and annual outreach and coordination with non-profit housing developers and affordable housing advocates to participate in Subcommittee meetings and provide advice and comment on proposed zoning and other program implementation.			Town staff has conducted outreach to non-profit housing developers and has met with three.	Modify. Staff should continue outreach to non-profit housing developers to facilitate development of Town-owned sites and other Town sites that become available for development.
l. Work with infill property owners in the Downtown and adjacent areas by conducting outreach with property owners in 2015, as part of the Subcommittee tasks, and to identify specific incentives for property owners to develop their properties with housing, including the identification of incentives the Town can utilize to encourage lot consolidation to achieve economies of scale in site development.			Town staff met with property owners in two workshops held in November 2021 to discuss incentives that will be under consideration for housing, such as objective design standards, and solicited comments.	Modify. Staff should continue outreach to property owners. Outreach should specifically inform them of incentives adopted to implement housing development.
m. Revisit the Visioning process conducted for Lower San Anselmo Avenue and conduct outreach to property owners to effectuate changes consistent with the Vision.			Staff has had contact with owner of largest site in the area and has discussed 3 development proposals.	Delete. Staff should continue outreach to property owners to inform them of incentives adopted for housing development in all areas of the town.

Implementation Program	Implementation Objective	Timeline in Housing Element	Appropriateness, Effectiveness, and Progress in Implementation	Continue, Modify or Delete
n. Eliminate residential density in prescribed infill areas, such as along Greenfield, in the Downtown and along Lower San Anselmo Avenue, to encourage new residential uses. Allow residential uses by right, subject to design review, as long as parking, setbacks and building height standards are met in the development).			The Town has found that having specific density limit aids in certainty for developers and ease in implementation of the State Density Bonus Law to encourage development of affordable units. Town will be considering adoption of objective standards and by right zoning in 2022.	Delete if by right use adopted prior to housing element update, otherwise continue program for by right residential uses.
H1.3 **Neighborhood Responsibilities within San Anselmo.** The Town will seek ways, specific to each neighborhood, to provide additional housing as part of each neighborhood's fair share responsibility and commitment to help achieve community-wide housing goals. This may include in-lieu fees, second units, infill housing, mixed-use, or other new housing construction.				
No programs corresponded to this policy. The Town may consider continuing this policy with the new housing element and development of the sites inventory to Affirmatively Further Fair Housing and provide housing opportunities in all Town neighborhoods.				
H1.8 **Housing Element Monitoring, Evaluation and Revisions.** The Town will establish a regular monitoring and update process to assess housing needs and achievements, and to provide a process for modifying policies, programs and resource allocations as needed in response to changing conditions.				

Implementation Program	Implementation Objective	Timeline in Housing Element	Appropriateness, Effectiveness, and Progress in Implementation	Continue, Modify or Delete
H1.B **Review the Housing Element Annually.** As required by State law, the Town will review the status of Housing Element programs by April of each year. To maintain consistency between the Housing Element and the other General Plan Elements and the policies and programs, as portions of the General Plan are amended in the future, this Housing Element will be reviewed to ensure that internal consistency is maintained. In addition, a consistency review will be implemented as part of the annual general plan implementation report required under Government Code Section 65400.	Review and monitoring of Housing Element implementation; submittal to HCD	Annually by April 1st	In accordance with State requirements, the Town prepares Housing Element Annual Progress Reports after each calendar year. The program implementation has been successful, and the Town has reviewed the Housing Element on an annual basis and submits Annual Progress Reports State Housing and Community Development Department Annually to assess the Town's progress toward its eight-year RHNA housing production targets and toward the implementation of housing activities identified in the Housing Element.	Modify. Annual report is required by state law and does not have to be a program in the housing element. Since the annual review takes place long before the Town budget is reviewed, the Town way wish to set goals at that time to implement programs that staff can bring forward for funding consideration with the annual budget.
H1.I **Update the Housing Element.** Update the San Anselmo Housing Element pursuant to State law requirements. Upon adoption, the Town will submit the updated Housing Element to the Marin Municipal Water District, the Central Marin Sanitation Agency, and the Ross Valley Sanitary District.	Consistency with Housing Element law	Update the Housing Element by 2023	The town is in the process of updating the housing element.	Delete. This is a State law requirement and does not need to be an implementation program in the Town's housing element to be reviewed annually.
H1.5 **Equal Housing Opportunity.** To the extent possible, the Town will ensure that individuals and families seeking housing in San Anselmo are not discriminated against on the basis of race, color, religion, marital status, disability, age, sex, family status (due to the presence of children), national origin, or other arbitrary factors, consistent with the Fair Housing Act.				

H1.C **Publicize Fair Housing Laws and Respond to Discrimination Complaints.** Promote fair housing opportunities for all people and support efforts of Town, County, State and Federal agencies to eliminate discrimination in housing by continuing to publicize information on fair housing laws and State and federal anti-discrimination laws. The Director of Planning is the designated Equal Opportunity Coordinator in San Anselmo with responsibility to investigate and deal appropriately with complaints. Discrimination complaints will be referred to the Fair Housing of Marin, the Marin Housing Authority, HUD, or the California Department of Fair Employment and Housing, as appropriate. Information regarding the housing discrimination complaint referral process will be posted on the City's website and available consistent with Program H1.D.	Obtain and distribute materials (see Program H4.D) and respond to complaints	Ongoing and in response to complaints	Program is appropriate to disseminate information on Fair Housing. Town staff did not receive any fair housing complaints directly. The Town posted links to Fair Housing of Marin, Marin Housing Authority, Legal Aid, and Marin Mediation Services on its website and obtained and makes fair housing literature available including flyers in multiple languages. HUD Region 9 reported two (2) Fair Housing inquiries for San Anselmo between 01/01/2013 - 03/19/2021 (one for sex and one for disability). "While these aren't official cases, there is still value to identify concerns that residents have about possible discrimination. These inquiries may not have been pursued by the resident for any number of reasons." The Town Council has promoted fair housing by proclaiming April to be Fair Housing Month every year and receiving a report on complaints received. 12/11/18 the Town Council adopted Ordinance 1131 to	Modify program to eliminate completed website work.

Implementation Program	Implementation Objective	Timeline in Housing Element	Appropriateness, Effectiveness, and Progress in Implementation	Continue, Modify or Delete
			prohibit discrimination based on source of income.	
H1.D **Provide Information on Housing Programs.** The Town will promote the availability of Marin County programs for housing construction, homebuyer assistance, rental assistance, and housing rehabilitation through the following means: (a) Creating a link on the Town's website that describes programs available in the Town of San Anselmo and provides direct links to County agencies that administer the programs; (b) Including contact information on County programs in Town newsletters and other general communications that are sent to residents; (c) Maintaining information on programs at the Town's public counter; (d) Training selected Town staff to provide referrals; and, (e) Distributing information on programs at public locations (library, schools, etc.) Examples of specific information would include: 1. Fair Housing Laws; 2. Rehabilitation loan programs; 3. Housing Authority information; 4. Housing programs; 5. Code enforcement; 6. Homebuyer assistance; 7. Information about affordable housing.	Update website and provide information to residents	Review and update website links by September 2015; distribute and post information at least once annually	Program effective. The Town receives information from the Marin Housing Authority on affordable housing availability and shares this information by email and bulletin boards. Town staff provides informational handouts at Town Hall and on the Town website. The Town has promoted new COVID 19 emergency rental assistance program administered by the County in 2021. Information was included in Town's email newsletter and business newsletter. Letters were mailed to all renters and owners of multifamily property. As of January 2022, the County had received 135 applications from San Anselmo residents and paid 40 cases. Staff promotes a County program that offers loans to owners that will create units available to those using Housing Choice Vouchers and other incentives.	Modify program to delete portions that were already implemented and make specific goals for public outreach.

Implementation Program	Implementation Objective	Timeline in Housing Element	Appropriateness, Effectiveness, and Progress in Implementation	Continue, Modify or Delete
H1.2 **Community Participation in Housing and Land Use Plans.** The Town will undertake effective and informed public participation from all economic segments and special needs groups in the community in the formulation and review of housing and land use policy issues.				
H1.4 **Neighborhood Meetings.** Developers will be encouraged to have neighborhood meetings with residents early in the process to undertake problem solving and facilitate more informed, faster and constructive development review.				
			In 2019 the Town considered a draft ordinance to require parties to meet and confer prior to appealing decisions to the Town Council, but it was not adopted. The Town now requires applicants to review plans with neighbors prior to submitting for planning entitlements.	
H1.E **Community Outreach when Implementing Housing Element Programs.** Coordinate with local businesses, housing advocacy groups, neighborhood groups, and the Chamber of Commerce to build public understanding and support for workforce, special needs housing and other issues related to housing, including the community benefits of affordable housing, mixed-use and pedestrian-oriented development. The Town will notify a broad representation of the community to solicit ideas for housing strategies when they are discussed at Planning Commission or Town Council meetings. Specific outreach activities include:	Conduct outreach and distribute materials	Consistent with implementing programs	The Town uses most of the listed means to communicate housing strategies when they are discussed. The Town has not had any general outreach regarding housing but will have these discussions during the housing element update and a robust public engagement process is planned.	Modify. The Town has a broad engagement strategy for the Housing Element update. Consider what strategies work and do not work for getting broad representation of community and update this program. Do not include activities in program that are not new and are routine, such as posting notices and publishing notice in newspaper.
a. Maintain the Housing Element mailing list and send public hearing notices to all interested public, non-profit agencies and affected property owners.			Mailing list for Housing Element started in 2021 and advertised on every mailed notice sent out by Planning Department, estimated at 200 per month, and on website. 12 individuals have subscribed.	Continue

Implementation Program	Implementation Objective	Timeline in Housing Element	Appropriateness, Effectiveness, and Progress in Implementation	Continue, Modify or Delete
b. Post notices at Town Hall, the library, and the Post Office.			All notices are posted at Town Hall, which is immediately adjacent to the library. There is no place to post a flyer at the Post Office.	Modify, see above.
c. Publish notices in the local newspaper.			Notices are published in the newspapers as required by law.	Modify, see above.
d. Post information on the Town's website.			All agendas are posted on the town website for any meetings by the Town.	Modify, see above.
e. Conduct outreach (workshops, neighborhood meetings) to the community as Housing Element programs are implemented.			No neighborhood meetings conducted.	Modify, see above.
f. Assure that Housing Element Implementation Subcommittee meetings are publicized and provide opportunities for participation from housing experts, affordable housing advocates, special needs populations, and the community as a whole.			Subcommittee only met once, and it was not to consider any programs and was not noticed to public.	Modify, see above.
H1.6 **Local Funding for Affordable Housing.** The Town will seek ways to reduce housing costs for lower income workers and people with special needs by developing ongoing local funding resources and continuing to utilize other local, state and federal assistance to the fullest extent possible.				

Implementation Program	Implementation Objective	Timeline in Housing Element	Appropriateness, Effectiveness, and Progress in Implementation	Continue, Modify or Delete
H1.G **Establish an Affordable Housing Fund.** Establish an Affordable Housing Fund to increase below market rate affordable housing opportunities in San Anselmo. Specific uses of the fund, operating procedures/criteria, sources of funding, decisions on accepting funding or donations, actions tied to obtaining funds, etc., would be developed by the Housing Element Subcommittee and staff, and approved by the Town Council. Potential sources of funds could include, but would not be limited to: a. Marin Workforce Housing Trust; b. Marin Community Foundation; c. Federal Grants; d. Transportation Authority of Marin; e. In-lieu fee payments under inclusionary requirements, including consideration of in-lieu fees beginning at 2 unit for-sale developments — assuring that the payment of in-lieu or housing impact fees are reasonable and not punitive; f. Voluntary donations (such as bequeaths, trusts, donations of land and buildings, etc.); g. Affordable Housing Impact Fee on larger single-family homes. (For example, consider Marin County's sliding scale housing impact fee on larger homes over 2,000 square feet in size).	Accumulation of funds for affordable housing	2015	This program has not yet been implemented. Funding source identified was the General Fund. The Town has not allocated any funding for development of affordable housing and there is no source of revenue for an affordable housing fund. The Town Considered an in-lieu housing fee in 2009 but the ordinance did not move forward. The Town Council considered a Development Agreement Ordinance in 2019, but it did not move forward. In 2019 the Town received SB 2 grant funds for an in-lieu housing fee study and housing trust fund. The study was completed in 2021 and the Town will consider the in-lieu housing fee in 2022.	Continue program and coordinate with other programs noted above to retain a consultant to provide information on potential funding sources for affordable housing fund.
H1.1 **Local Government Leadership.** Affordable housing is an important Town priority, and the Town will take a proactive leadership role in working with community groups, other jurisdictions and agencies, non-profit housing sponsors, and the building and real estate industry in following through on identified Housing Element implementation actions in a timely manner.				

Implementation Program	Implementation Objective	Timeline in Housing Element	Appropriateness, Effectiveness, and Progress in Implementation	Continue, Modify or Delete
H1.F **Work with the Marin Housing Authority.** Continue to implement the agreement with the Marin Housing Authority (MHA) for management of the affordable housing stock in order to ensure permanent affordability, and implement resale and rental regulations for very low, low and moderate income units, and assure that these units remain at an affordable price level.	Implement agreements to maintain affordability	Ongoing	Marin Housing Authority (MHA) continues to manage three below market rate ownership units in San Anselmo at Sohner Court and at Willow Glen. MHA assisted Town with agreement for 2 affordable rental units at 1 Lincoln Park in 2018 and will manage the units.	Modify. The Town needs assistance to manage affordable housing stock and will continue to use Marin Housing, as they are the only resource that staff has found to manage these programs. However, Marin Housing has indicated that they may not manage rental housing programs in the future and the Town may have to contract with others. Program should be revised to consider options for management of deed restricted affordable housing.
H1.H **Work with Non-Profits on Housing.** The Town will work with non-profits to assist in achieving the Town's housing goals and implementing programs. Coordination should occur on an ongoing basis and as special opportunities arise as the Housing Element is implemented. Participation of non-profits in an advisory role to the Town's Housing Element Implementation Subcommittee (see Housing Element Program H1.A) would be desirable in understanding the needs and opportunities for non-profit housing development in the community.	Working relationship with non-profit housing sponsors	As development proposals are submitted and as other opportunities arise	Town staff has met with non-profit housing developers to review Town affordable housing sites and discuss strategies for development of the sites.	Continue, but modify to have more specific actions. Consider merging into program with consideration of funding sources and program to develop Town sites with housing.
GOAL 2 — MAINTAIN, PROTECT AND ENHANCE EXISTING HOUSING, AND BLEND WELL-DESIGNED NEW HOUSING INTO THE COMMUNITY.				
H2.1 **Housing Design.** The Town will review proposed new housing in order to achieve excellence in development design in an efficient process.				
H2.2 **Design that Fits into the Neighborhood Context.** The Town will encourage innovative design that creates housing opportunities that are complementary to the location of the development. It is the Town's intent to enhance neighborhood identity and sense of community by ensuring that all new housing will (1) have a sensitive transition with the surrounding area, (2) avoid unreasonably affecting the privacy of neighboring properties, or (3) avoid impairing access to light and air of structures on neighboring properties.				

Implementation Program	Implementation Objective	Timeline in Housing Element	Appropriateness, Effectiveness, and Progress in Implementation	Continue, Modify or Delete
H2.D **Implement Effective Design Review.** The Town will continue to conduct design review to assure excellence of design in new development.	Implement Design Review	Ongoing	The Town conducted design review for commercial and residential projects. The Town reorganized the design review regulations and lowered the threshold for design review to require review of all upper-level additions.	The Town is considering objective design and development standards for multifamily housing projects in 2022. Modify program if objective design and development standards are adopted prior to adoption of housing element update. Discretionary design review is required for housing development projects, which may be a barrier to housing development. Consider developing additional objective standards for multifamily units in single family residential neighborhoods.
H2.E **Amend Zoning to Provide for Single Room Occupancy Units.** Amend the Zoning Ordinance to establish development standards for residential buildings containing single-room occupancy (SRO) units and allow SROs as a conditionally permitted use in commercial zoning districts.	Facilitate housing for extremely low-income individuals	2015	Completed. Ordinance 1126 adopted on 9/11/2018.	Delete as completed. Consider program to encourage development of housing for the extremely low income, including SROs.
H2.3 **Preservation of Residential Units.** In order to protect and conserve the housing stock, the Town will, to the extent permitted by law, limit the conversion of residential units to other uses and will regulate the conversion of rental developments to non-residential uses unless there is a clear public benefit or equivalent housing can be provided.				

Implementation Program	Implementation Objective	Timeline in Housing Element	Appropriateness, Effectiveness, and Progress in Implementation	Continue, Modify or Delete
No associated programs. Continue policy and modify to be more general to loss of residential units, as some property owners remove residential units and do not replace them with any other use. The Town should consider programs for preservation of "naturally affordable" housing that could be lost when property is sold or when units are remodeled. The Town considered regulating short term rentals but found few units have been lost to short term rentals. Local regulations prevent new ADUs from being converted to short term rentals. Seven single family dwelling units were approved for demolition without replacement units. The Town adopted a requirement for a demolition permit in 2020 and a policy in the municipal code to discourage projects reducing the number of housing units in the Town, whether involving the demolition of a single unit with no replacement unit or the demolition of multiple units with fewer replacement units. The Town will be considering an ordinance to require one-to-one replacement of units in 2022. If not adopted, the program should be added as a program in the next housing element.				
H2.4 **Condominium Conversions.** Except for limited equity cooperatives and other innovative housing proposals which are affordable to lower income households, the Town will conserve its existing multiple family rental housing supply by prohibiting conversions of rental developments to condominium ownership unless the proportion of multi-family rental units exceeds 25 percent of the total number of housing units in the Town, or, if the proportion of multi-family units exceeds 20 percent but is less than 25 percent, the tenant is granted a right to continued tenancy for five years at the same rental rate, adjusted for inflation.				
This policy is codified in the Municipal Code. The Town may wish to re-examine the condominium conversion regulation and this policy as a program in the next housing element based on the median sales prices of condominium units. This policy could result in loss of existing affordable rental units if existing state law does not require affordable units to be replaced.				
H2.5 **Protection of Existing Affordable Housing.** The Town will strive to ensure that affordable housing provided through government incentives, subsidy or funding, and deed restrictions remains affordable over time, and the Town will intervene when possible to help preserve such housing.				

Implementation Program	Implementation Objective	Timeline in Housing Element	Appropriateness, Effectiveness, and Progress in Implementation	Continue, Modify or Delete
H2.A **Monitor "At Risk" Units.** The Town will establish regular contact with the owners of potential "at risk" units to assure long-term coordination. If the units appear to be in danger of conversion or being lost as affordable housing, the Town will establish contact with public and non-profit agencies who may be interested in managing or purchasing the units to inform them of the project's status and inform tenants of any assistance available. In working with other agencies, the Town will ensure that funding sources are identified and timelines for action are executed.	Establish regular contact with owners of at-risk units to preserve affordable units	Annually	The Town General Plan identifies no units at risk of conversion during the housing element cycle (see page 42 of Housing Element).	Consider deleting as Town has no units at risk of conversion during the next housing element cycle. Conditions of approval for the 13 units of low-income housing at 27 Mariposa (the only applicable at-risk units) would require the units to be turned over to the Town if converting during the 7th Housing Element Cycle. Modify to include policy to assess and identify ways to maintain naturally affordable housing at risk of conversion to higher rates (after property sale or remodel) and if those units can be converted to rent-restricted units. Consider program to analyze risk of losing affordable multifamily apartments in the Town and a program for maintaining the affordability of the units, considering State laws for unit replacement requirements.
H2.6 **Maintenance and Management of Quality Housing and Neighborhoods.** The Town will encourage good management practices, rehabilitation of viable older housing, and long-term maintenance and improvement of neighborhoods.				

H2.B **Implement Rehabilitation and Energy Loan Programs.** Coordinate with the Marin Housing Authority, PG&E, Marin Clean Energy, and other organizations to publicize available loan programs to eligible property owners. Promote programs in Town e-newsletters and on the Town's website.	Loans provided to rehabilitate or improve energy efficiency of housing (8 Residential Rehabilitation loans to very low-income households and 20 PACE loans)	Ongoing	The Town has met its goal for 20 Property Assessed Clean Energy (PACE) loans. The Town has infrequently promoted the programs and information is not readily available on the Town website. The Town could better publicize information on energy loan programs, including PACE and Energy Upgrade California Loans, provided to rehabilitate or improve energy efficiency of housing. The Planning Department requested, but did not receive, data on the number of Residential Rehabilitation Loans that may have been issued by the Marin Housing Authority to Town property owners in this Housing Element cycle. In 2012 the Town Council approved the Property Assessed Clean Energy (PACE) program. It permits residents and multi-family property owners to participate in PACE programs. PACE programs allow property owners to finance energy and water efficiency projects and solar installations on their property tax bills. In 2015, the Town	Continue and set goal to update website by a certain date and for new Town Communications staff and Climate Action Commission to publicize program a certain number of times per year.

Implementation Program	Implementation Objective	Timeline in Housing Element	Appropriateness, Effectiveness, and Progress in Implementation	Continue, Modify or Delete
			Council expanded the program. Through 2017: 25 Energy Efficiency Projects, Financed $682,148 3 Renewable Energy Projects, Financed $71,530 1 Water Conservation Project, Financed $54,220 BayREN Home Upgrades through June 2017: 16 Projects, 3,465 sum of Total kWh Savings, 1,833 Sum of Total Therms Savings	

Implementation Program	Implementation Objective	Timeline in Housing Element	Appropriateness, Effectiveness, and Progress in Implementation	Continue, Modify or Delete
H2.C **Conduct Home Presale Inspections.** The Town will continue to inspect and report on all residential units prior to resale, with the report indicating previous Planning discretionary approvals and Building permits, zoning, current use, flood zone, zoning violations, and work performed without permits.	Conduct presale inspections	Ongoing	The Town building department continues to conduct an average of 180 physical inspections of residential sites prior to resale every year to identify health and safety hazards, work without permit, and recommend safety corrections. Contract code enforcement staff contacts property owners to correct life/safety hazards identified. Year/Number of inspections: 2015/180 2016/153 2017/157 2018/179 2019/170 2020/194 2021/226	There is no need to have the program in the Housing Element as the Town has been conducting resale inspections since 1969. The Town should seek legal advice regarding whether requiring mandatory physical inspections by government staff may violate an owner or tenant's rights under the Fourth Amendment to the Constitution. The Town may want to consider obtaining written owner and tenant consent to the government inspections and provide the owners and tenants with an option to opt out of physical inspections and to receive a written report of zoning information and permits.
GOAL 3 — USE OUR LAND EFFICIENTLY TO MEET HOUSING NEEDS, AND TO IMPLEMENT 'SMART' AND SUSTAINABLE DEVELOPMENT PRINCIPLES.				
Policy H3.1 **Housing for Local Workers.** The Town will strive to provide an adequate supply and variety of housing opportunities to meet the needs of San Anselmo's workforce and their families, seeking to match housing types and affordability with household income.				
Policy H3.2 **Variety of Housing Choices.** In response to the broad range of housing needs in San Anselmo, the Town will strive to achieve a mix of housing types, densities, affordability levels and designs. The Town will work with developers of non-traditional and innovative housing approaches in financing, design, construction and types of housing that meet local housing needs. Housing opportunities for families with children should not be limited because necessary facilities are not provided on site.				

Implementation Program	Implementation Objective	Timeline in Housing Element	Appropriateness, Effectiveness, and Progress in Implementation	Continue, Modify or Delete
Consider merging policies and new programs to implement in next housing element. The Town programs resulted in application for and approval of 157 new housing units between 1/1/14 and 12/31/21. Tiny Houses are now allowed in the Town with adoption of 2018 International Residential Code Appendix Q. New regulations also allow trailers to be used for housing after disasters and during housing construction. No tiny homes or trailer applications were received during the 5th housing element cycle. These were a variety of unit types in all areas of Town:				

Type of Unit	Net New Units
Junior Accessory Dwelling Unit	1
Duplex structure	2
Apartment added to existing multifamily	3
Townhomes/Condo: 6-unit, 4 unit	8
Single Family Residence	9
New apartment building: 12-unit, 16-unit, 16-unit *Each project has 2 units of deed restricted very low- or low-income housing*	44[5]
Accessory Dwelling Unit	90
Total	157

H3.3 **Mixed-use Infill Housing.** The Town will encourage well-designed mixed-use developments (residential mixed with other uses) where residential use is appropriate to the setting and development impacts can be mitigated. The Town will develop incentives to encourage mixed-use development in appropriate locations, such as in and near the downtown, that are in proximity to transit and services and would support Downtown businesses.				
No mixed-use projects were developed or requested. 100% residential projects were proposed on commercially zoned sites in commercial areas near downtown (1 Lincoln Park, 754 Sir Francis Drake). Continue policy and add programs for Objective Design and Development Standards, parking incentives, and by-right housing.				

[5] One project included conversion of two existing units to deed-restricted affordable housing. Those two units are not included here since they were existing.

Implementation Program	Implementation Objective	Timeline in Housing Element	Appropriateness, Effectiveness, and Progress in Implementation	Continue, Modify or Delete
H3.A **Modify Development Standards to Encourage Infill Housing.** Review and modify the following development standards based on the most up-to-date empirical studies to allow exceptions and incentives for infill housing located close to transit and services.	Provide flexibility in the application of development standards fitting the location and type of development, consistent with community goals	2016	Since 2017, the Town is subject to California Government Code Section 65913.4 that allows for streamlined review of infill development projects and eliminates parking requirements (2017 SB 35). One duplex was approved pursuant to these regulations in 2018. The Town Council adopted an ordinance to implement California Government Code Sections 65852.21 and 66411.7 (2021 SB 9) and allow multi-unit development in single family zoning districts on 12/14/21. This allows expedited review, reduced parking, and increased density in infill areas. Town follows State law requirements for expedited review of projects under Permit Streamlining Act and specific sections related to housing, such as State ADU regulations. Town will be considering Objective Design and Development standards for multifamily housing in Spring 2022 that will address parking standards, funded by SB 2 grant.	Modify if Objective Design and Development standards are adopted prior to housing element adoption.

Implementation Program	Implementation Objective	Timeline in Housing Element	Appropriateness, Effectiveness, and Progress in Implementation	Continue, Modify or Delete
a. **Variable Density Standards.** Establish unit densities for studio and one-bedroom units based on "density unit equivalents" or the size of the unit.			Variable density has not been considered.	Continue if not addressed in Town Objective Design and Development standards for multifamily property prior to housing element adoption.
b. **Reduce Parking Standards for Senior and Affordable Housing.** Provide reduced parking standards to support affordable and senior housing development.			State law allows reductions to parking, and no parking requirement, for projects that include certain levels of affordable housing.	Modify if Objective Design and Development standards are adopted prior to housing element adoption.
c. **Flexible Parking Strategies.** Provide for more flexible parking requirements that help to facilitate infill, affordable, transit-oriented and mixed-use development, while at the same time avoiding off-site parking impacts. Examples include joint use parking, off-site parking (currently allowed), allowances for reduced standards depending upon location (such as near transit), parking stall dimensions, "grandfathering" non-compliant buildings and uses, etc.			See above regarding State parking law. Objective design and development standards for multifamily housing will be under consideration in 2022 and include flexible parking strategies.	Modify if Objective Design and Development standards are adopted prior to housing element adoption.
d. **Modify Parking Standards for Mixed-Use Housing.** Adopt as appropriate modified parking standards for mixed-use development in the commercial zoning districts in order to facilitate development of affordable housing.			See above.	Modify if Objective Design and Development standards are adopted prior to housing element adoption.

Implementation Program	Implementation Objective	Timeline in Housing Element	Appropriateness, Effectiveness, and Progress in Implementation	Continue, Modify or Delete
e. **Expedited Review and Fee Waivers or Reductions.** Provide expedited review of desired housing developments and waivers or reductions of development fees where feasible.			Town staff follows the expedited review required under State law for housing development projects. In 2020 Town Council waived building permit fees for ADUs deed restricted for affordable housing. No one has applied for the fee waiver as of 1/8/21.	Modify. Consider program to modify building permit fees for housing projects. Analyze fees collected for recent multifamily housing against actual time for plan check and inspections by staff and outside consultants. For example, 1 Lincoln Park senior housing project paid over $110,000 in building permit fees based on the project valuation, but actual Town cost for reviews and inspections of project construction may be far less.
f. **Parcel Consolidation.** Promote parcel consolidation for the assembly of new housing sites to ensure minimum densities are achieved and integrated site planning occurs by (1) identifying priority sites for lot consolidation where common ownership occurs, (2) contacting property owners of contiguous vacant and underutilized sites, (3) conducting outreach to affordable housing developers, and (4) offering the incentives listed above to promote lot consolidation.			A limited number of multifamily sites have been on the market. Staff has contacted property buyers and/or adjacent property owners when they may have interest in sites on the market. One was purchased by an adjacent property owner in 2021. Few sites had common ownership during housing element cycle. Staff has alerted affordable housing developers to sites that are on the market. This has not resulted in the purchase of any sites or development of affordable housing.	Continue program.

Implementation Program	Implementation Objective	Timeline in Housing Element	Appropriateness, Effectiveness, and Progress in Implementation	Continue, Modify or Delete
g. **Work with Property Owners.** Conduct outreach with property owners in 2015 to identify specific incentives for property owners to pursue parcel consolidation and develop their properties with housing.			Town staff held two public workshops in November 2021 by Zoom. Notice was emailed to Town business list (which includes property owners of commercial/rental sites) and mailed to downtown property owners. Incentives that will be under consideration for housing were discussed and Town solicited comments on other incentives.	Delete. Incorporate into program to inform property owners of programs available for development of housing.
H3.4 **Redevelopment of Commercial Shopping Areas and Sites.** The Town will encourage the development of housing in conjunction with the redevelopment of commercial shopping areas and sites when it occurs.				
Continue policy.				
H3.5 **High Potential Housing Opportunity Areas.** Given the diminishing availability of developable land, the Town will identify housing opportunity areas and sites where a special effort will be made to provide workforce and special needs affordable housing. The Town will take specific actions to promote the development of affordable housing units on these sites (identified in the Implementing Programs).				
H3.B **Adopt Standards for an "Affordable Housing Overlay Zone."** Amend the San Anselmo Zoning Ordinance to establish specific standards and incentives for an affordable housing overlay zone. Specific standards include densities, development standards incentives, parking, building heights, specified level of affordability, etc.	Provide flexibility in the application of development standards for affordable projects	2016	Town working on adopting objective design review standards for multifamily developments that may involve overlay zone. Anticipated to be considered by Town Council in Spring 2022. State density bonus law now allows significant density incentives and exceptions and concessions to development regulations for projects that include affordable housing at specified levels.	Consider during Housing Element update process and update at that time or continue if necessary.
Continue policy.				

Implementation Program	Implementation Objective	Timeline in Housing Element	Appropriateness, Effectiveness, and Progress in Implementation	Continue, Modify or Delete
H3.E **Work with Non-Profits and Property Owners on Housing Opportunity Sites.** Work with non-profits and property owners to seek opportunities for an affordable housing development on either the Sunnyhills site or the former Redhill School site. Undertake the following actions to encourage development of multi-family, affordable housing at Housing Opportunity Sites:	Development of affordable housing	Undertake items a-d , during 2015. Undertake rezoning, environmental review and other actions during 2016	See below.	Modify and continue. Sunny Hills Services is now Side by Side.

Implementation Program	Implementation Objective	Timeline in Housing Element	Appropriateness, Effectiveness, and Progress in Implementation	Continue, Modify or Delete
a. Work closely with non-profit housing developers (EAH, NPH, others) and property owners to identify housing development opportunities, issues and needs.			Town staff has met with Homeward Bound, Habitat for Humanity and EAH Housing, nonprofit housing developers. Property owners were not interested in development of affordable housing at Side by Side (formerly known as Sunny Hills) and Red Hill School (owned by Ross Valley School District) during 5th Housing Element cycle. EAH Housing interested in partnering with the Town to develop 50 units of affordable housing at Isobel Cook Community Center site. However, Town would need to fund reconstruction of community center and offices. Nonprofits were not interested in Town parking lot sites as they are too small to be feasible for development of affordable housing. One nonprofit suggested the Town sell Town site above Loma Robles for market rate housing to fund development of affordable housing on parking lot sites.	Continue.
b. Select the most viable site or sites.			See above.	Continue.

Implementation Program	Implementation Objective	Timeline in Housing Element	Appropriateness, Effectiveness, and Progress in Implementation	Continue, Modify or Delete
c. Conduct a rezoning study with the intent to rezone at least one of these properties to a zoning district that will enable affordable housing to be built at 20 or more units per acre.			Both sites are zoned SPD, Specific Planned Development District, which allows flexibility in development standards, including density of 20 or more units per acre.	Delete or modify depending upon the Objective Design and Development standards and districts that are adopted in 2022.
d. Undertake community outreach as part of the rezoning and, as appropriate, in coordination with the potential developer and property owner.			See above.	
e. Undertake environmental review as part of rezoning to address on-and off-site issues so that future affordable housing proposals can be processed expeditiously.			Town will be updating its General Plan Circulation Element in 2022-2023, which is expected to provide information on off site circulation issues involved with development of the sites.	Continue. Significant funding is necessary to implement this program.
f. Use the affordable housing overlay zone (when adopted — see Program H3.B) to incentivize affordable housing to be applied to High Potential Housing Opportunity Sites and areas in the Downtown.			Sites will be identified in maps for application of Objective Design and Development Standards for multifamily housing.	Modify as necessary, depending on outcome of Objective Design and Development Standards.
g. Complete site planning studies, continue community outreach, and undertake regulatory approvals in coordination with the development application.			No development application was submitted.	Continue.
h. Facilitate development through regulatory incentives, including the establishment of housing as a “use by-right,” the reduction or waiver of Town fees, fast-track processing, use of affordable housing funds, implementation of Housing Element Programs H3.A and H3.B, and assistance by Town Planning staff in development review.			Town considering Objective Design and Development Standards and will be considering by right uses for sites in 2022.	Continue.

Implementation Program	Implementation Objective	Timeline in Housing Element	Appropriateness, Effectiveness, and Progress in Implementation	Continue, Modify or Delete
i. Target sites in Downtown and surrounding infill areas and, especially properties where lot consolidation is possible, and provide incentives for lot consolidation and property redevelopment with housing.			Same as above.	Continue.
3.6 **Density Bonuses and Other Incentives for Affordable Housing Developments.** The Town will use density bonuses and other incentives to help achieve housing goals while ensuring that potential impacts are considered and mitigated. This will include provisions consistent with State Density Bonus Law.				
The Town has successfully used its objective development standards and the Density Bonus Law to encourage development of deed restricted affordable housing units: 1 Lincoln Park site was limited to two stories and the applicant agreed to restrict two of the 16 units for deed restricted Low Income housing in order to build a 3-story structure. If the Town had a 3-story height limit, the applicant would have constructed only market rate units. 754 Sir Francis Drake was limited to 100% floor area ratio and 2 stories. The Town's two-story limit and floor area ratio limit were an incentive for the developer to include 2 units deed restricted for Very Low-Income housing. 600 Red Hill the applicant deed restricted 2 units for Low Income housing in order to gain additional market rate units at the site.				
H3.7 **Retention and Expansion of Multi-Family Sites at Medium and Higher Density.** The Town will strive to protect and expand the supply and availability of multi-family and mixed-use infill housing sites for housing. The Town will not re-designate or rezone residential land for other uses or to lower densities without re-designating equivalent land for higher density multi-family development.				
No multi-family or mixed-use infill housing sites were redesignated or rezoned for other uses or lower densities. Continue program.				
H3.8 **Long-Term Housing Affordability Controls.** The Town will apply resale controls and rent and income restrictions to ensure that affordable housing provided through incentives and as a condition of development approval remains affordable over time to the income group for which it is intended. Inclusionary units shall be deed-restricted to maintain affordability on resale to the maximum extent possible (at least 55 years).				
Six units of housing for the very low and low income were approved that will have 55-year deed restrictions. Consider modification or deleting if the Town adopts inclusionary housing requirements prior to adoption of housing element. Town will be considering longer term resale and rent restrictions in 2022.				
H3.10 **Second Dwelling Units.** The Town will encourage the construction of well-designed new second units and the legalization of existing second units as an important way to provide affordable housing.				
The Town approved 90 Accessory Dwelling Units (ADUs) and adopted objective design standards for ADUs.				

Implementation Program	Implementation Objective	Timeline in Housing Element	Appropriateness, Effectiveness, and Progress in Implementation	Continue, Modify or Delete
H3.D **Junior Second Units.** Review and adopt as appropriate standards to allow the creation of junior second units. Standards to review should include, but not be limited to, the following: a. Conversion of existing bedroom required – no building expansion; b. Maximum unit size; c. Limitation on kitchen size and appliances; d. Bathroom requirement; e. Internal and external access; f. Parking; g. Owner occupancy requirement.	18 new second units, including junior second units, by October 2022	Consider adoption of standards in 2015	Completed. Final occupancy granted for 39 new Accessory Dwelling units, including one Junior Accessory Dwelling Unit as of 12/31/21. Town ADU regulations allowed for development of JADUs prior to the 5th Cycle Housing Element. Town regulations updated in 2019-2020 to develop requirements for JADUs when state law required the Town to approve multiple units and distinguished between ADUs and JADUs. Staff believes there are a limited number of JADU applications as there are fewer restrictions for ADUs, such as no size limit and owner occupancy requirement.	Delete as completed.
The Town will work with special districts to reduce or waive fees for junior second units.			In 2017, Town Council wrote a letter to the Ross Valley Sanitary District to request elimination of connection fees. State law eliminated connection fees for ADUs.	Delete.
H3.9 **Inclusionary Housing Approach.** To increase affordable housing construction, the Town will require residential developments to provide units for very low, low and moderate income housing on a sliding scale or an in-lieu fee related to the size of the new main dwelling on the particular site. The units provided through this policy are intended for permanent occupancy and must be deed restricted, including, but not limited to, single family housing, multi-family housing, condominiums, townhouses, or land subdivisions. In addition, the Town will require larger non-residential developments, as job generators, to participate in addressing housing needs in the community.				

Implementation Program	Implementation Objective	Timeline in Housing Element	Appropriateness, Effectiveness, and Progress in Implementation	Continue, Modify or Delete
H3.C **Adopt Inclusionary Housing Regulations and Establish Housing Impact Fees.** Amend the Zoning Ordinance to require residential developments to provide affordable units for very low, low and/or moderate income housing, pay an in-lieu fee, or pay a housing impact fee. The ordinance should include specific definitions for affordability tied to Area Median Income (AMI), and should cover participation from larger non-residential developments. As part of the annual review of the Housing Element there will be a review as to whether this program has been effective in encouraging very low and low-income housing. The program will be revised if it is deemed to be ineffective. In undertaking the work, the ordinance will be evaluated as a potential constraint to the provision of housing. This would include analysis of the policy's implementation framework, levels of mandated affordability, and a description of the types of options and incentives the Town offers to encourage and facilitate compliance with the inclusionary requirements. The Town will also engage the development community to facilitate this analysis. Inclusionary requirements and/or housing impact fees will be based on the following considerations:	Provide housing for very low, low and moderate income households	2016	Ordinance considered in 2009 but did not move forward. Town received SB 2 grant to obtain in lieu housing study in 2020, in coordination with other Marin County jurisdictions. Study completed and presented to Planning Commission in 2021. Staff received first draft of regulations in December 2021. Staff working with other Marin County jurisdictions to hold outreach workshops in Spring 2022 with developers and to coordinate standards. Planning Commission and Town Council to consider in lieu fee and ordinance in Spring 2022.	Delete if inclusionary housing regulations are adopted prior to Housing Element adoption, otherwise continue and modify to remove specifics, which are already under consideration.
a. The number of inclusionary units required based on project size, such as: 3-10 units — 10%; 11-20 units — 15%; 21+ units — 20%.				
b. Inclusionary zoning requirements or housing impact fees will address the need for very low and low income rental units and moderate income ownership units.				

Implementation Program	Implementation Objective	Timeline in Housing Element	Appropriateness, Effectiveness, and Progress in Implementation	Continue, Modify or Delete
c. The primary intent of the inclusionary requirement is the construction of new units on site.				
d. The focus is on multi-family housing developments with deed restrictions to support long periods of affordability.				
e. Second priority for meeting inclusionary requirements is the construction of units off site or the transfer of land and sufficient funding to develop the number of affordable units required.				
f. If these options are not practical, then other alternatives of equal value such as in-lieu fees, housing impact fees, transfer of land and/or dedication of units, or rehabilitation of existing units may be considered.				
g. Fees paid in-lieu of providing units on site or housing impact fees shall be of a value proportionally equivalent to the number of units in the project. The amount of the fee shall be established by a schedule that is periodically reviewed and updated by the Town Council.				
h. Establish incentives as part of an ordinance whereby the Council would decide the standards in the public review process when considering an actual ordinance. Standards include parking exceptions, increased height, mixed-use, and reduced setbacks.				
GOAL 4 — PROVIDE HOUSING FOR SPECIAL NEEDS POPULATIONS THAT IS COORDINATED WITH SUPPORT SERVICES.				
H4.1 Special Needs Groups. The Town will actively promote the development and rehabilitation of housing to meet the needs of special needs groups, including the needs of seniors, people living with disabilities, the homeless, people with HIV/AIDS and other illnesses, people in need of mental health care, single parent families, large families, and other persons identified as having special housing needs.				

Implementation Program	Implementation Objective	Timeline in Housing Element	Appropriateness, Effectiveness, and Progress in Implementation	Continue, Modify or Delete
No associated implementation strategies. Modify to include farmworker housing, as farmworkers may live up to 75 miles from their place of employment. Consider specific programs to implement the policy in housing element update. Accomplishments: • Strategies to house special needs populations were adopted including objective standards for single room occupancy housing and prohibiting housing discrimination based on source of income. • In 2021 the Town adopted temporary moratoriums on rent increases and evictions due to the financial impacts of the COVID-19 Pandemic. The Town promoted the Marin County emergency rental assistance grant program on social media, the Town email list and by mailings to property owners and tenants of multi-unit property. As of January 7, 2022, the County has received 135 applications for emergency rental assistance and paid 40 cases in San Anselmo. • Many new rental housing units affordable to lower income households were constructed in the housing element cycle. New affordable units were two bedrooms or smaller and not appropriate for several large households in San Anselmo that are overpaying for housing. • The Town approved one 16-unit senior apartment building that will be completed in 2022. Two of the 16 units are set aside for low-income senior households. • The Town approved five requests for reasonable accommodations to allow disabled residents to remain in their homes, including two setback and noise limit exceptions for generators to power air conditioning equipment and refrigeration, one exception to allow a parking area for disabled access, and two exceptions for access ramps. Several sidewalk ramps were installed and improved in residential neighborhoods to assist the disabled. • The Town adopted an Administrative Citation program to assist in enforcement of housing regulations and safety standards. • To assist female-headed households and many families in the Town, one new preschool was approved on Greenfield Avenue, which will have up to 118 students. The Town lost Village Preschool on Jones Street, which had a capacity for 30 students. The town modified its regulations to allow neighborhood family childcare centers by-right.				
H4.2 Health and Human Services Programs Linkages. As appropriate to its role, the Town will assist service providers to link together services serving special needs populations to provide the most effective response to homelessness or persons at risk of homelessness, youth needs, seniors, persons with mental or physical disabilities, substance abuse problems, HIV/AIDS, physical and developmental disabilities, multiple diagnoses, veterans, victims of domestic violence, and other economically challenged or underemployed workers.				
Consider modifying policy or adding programs after outreach to these service providers for the housing element.				
H4.3 Density Bonuses for Special Needs Housing. The Town will use density bonuses to assist in meeting special housing needs and housing for lower income elderly and the disabled, consistent with roadway capacity and considering parking needs and neighborhood scale.				
A 16-unit senior housing development was approved at 1 Lincoln Park on a commercially zoned site next to a residential neighborhood. A density bonus allowed the project to be up to three stories and resulted in two units of deed-restricted housing for the Low Income. Elevator access and a community gathering space is provided, along with outdoor garden area. The one-bedroom units each have one parking space and are walking distance to shopping, restaurants, services and transit.				
H4.4 Adaptable/Accessible Units for the Disabled. The Town will ensure that new multi-family housing includes units that are accessible and adaptable for use by disabled persons in conformance with the California Building Code. This will include ways to promote housing design strategies to allow seniors to "age in place."				

Implementation Program	Implementation Objective	Timeline in Housing Element	Appropriateness, Effectiveness, and Progress in Implementation	Continue, Modify or Delete
Modify policy. The Town implements building code requirements for accessible units. Consider expanding strategies to allow seniors to "age in place."				
H4.5 Transitional and Supportive Housing. The Town of San Anselmo recognizes the need for and desirability of transitional and supportive housing and will treat transitional and supportive housing as a residential use that will be subject only to the same restrictions that apply to other residential uses of the same type in the same zone.				
H4.6 Rental Assistance Programs. The Town will continue to publicize and create opportunities for using available rental assistance programs, such as the project-based Section 8 program and tenant-based Housing Choice Voucher program, in coordination with the Marin Housing Authority (MHA). The Town will also continue to support the use of Marin Community Foundation funds for affordable housing and continue to participate in the Housing Stability program administered through MHA.				
H4.7 Emergency Housing Assistance. Participate and allocate funds, as appropriate, for County and non-profit programs providing disaster preparedness and emergency shelter and related counseling services.				

H4.A **Use of Rental Assistance Programs.** Continue to publicize and participate in rental assistance programs such as the Housing Choice Voucher program and other available rental programs.	Publicity of Housing Choice Vouchers	Ongoing	Staff publicized the rental assistance program to property owners by social media posts and a mailer. In 2015 there were 122 Housing Choice Vouchers in use in San Anselmo. In 2022 there are 106 Housing Choice Vouchers in Census tracts covered by the Town limits, making up less than 10% of renter occupied housing units. Links to information are provided on the Town web site. Due to limited staff time, publicity was limited, and program not considered successful due to the decrease in Housing Choice Voucher units over time. Town Council established protections for tenants in 2021 during Covid 19 pandemic by freezing rent increases and prohibiting evictions (Ordinance 1154 and 1155). Staff mailed notice of programs to all multifamily property owners and tenants in 2021. Planning department staff received 1 email inquiry about the program from a property owner seeking to return to San Anselmo to a rented residence. Town publicized the Marin County Covid 19 pandemic	Modify to be more specific about how often program will be publicized. Use new Town Communications staff to promote program.

Implementation Program	Implementation Objective	Timeline in Housing Element	Appropriateness, Effectiveness, and Progress in Implementation	Continue, Modify or Delete
			Emergency Rental Assistance Program to property owners and tenants via social media and a mailer in 2021. The County received 135 applications from San Anselmo residents and has paid 40 cases in San Anselmo as of 1/7/22. Town publicizing rental assistance program appeared to be successful, based on number of applications received.	
H4.8 Coordination with Other Agencies in Housing the Homeless. The Town will actively engage with other jurisdictions in Marin to support long-term housing solutions for homeless individuals and families in Marin County, and to implement the Marin County Continuum of Care actions in response to the needs of homeless families and individuals. The Town will allocate funds, as appropriate, for County and non-profit programs providing emergency shelter and related support services.				

Implementation Program	Implementation Objective	Timeline in Housing Element	Appropriateness, Effectiveness, and Progress in Implementation	Continue, Modify or Delete
H4.9 Local Approach to Housing for the Homeless. The Town of San Anselmo recognizes the need for and desirability of emergency shelter housing for the homeless and will allow a year-round emergency shelter as a permitted use in the Limited Commercial, General Commercial, and Public Facilities zoning districts. Designated site(s) must be located within one-quarter mile of a transit stop, since this could be considered a reasonable distance for a person to walk to/from a transit stop to/from a facility. In addition, the following would apply: a. The Town will encourage a dispersion of facilities to avoid an over-concentration of shelters for the homeless in any given area. An over-concentration of such facilities may negatively impact the neighborhood in which they are located and interfere with the "normalization process" for clients residing in such facilities. b. The Town will encourage positive relations between neighborhoods and providers of permanent or temporary emergency shelters. Providers or sponsors of emergency shelters, transitional housing programs and community care facilities shall be encouraged to establish outreach programs within their neighborhoods and, when necessary, work with the Town or a designated agency to resolve disputes. c. It is recommended that a staff person from the provider agency be designated as a contact person with the community to review questions or comments from the neighborhood. Outreach programs may also designate a member of the local neighborhood to their Board of Directors. Neighbors of emergency shelters shall be encouraged to provide a neighborly and hospitable environment for such facilities and their residents. d. Development standards for emergency shelters for the homeless located in San Anselmo will ensure that shelters would be developed in a manner which protects the health, safety and general welfare of nearby residents and businesses, while providing for the needs of a segment of the population as required by State law. Shelters shall be subject only to development, design review and management standards that apply to residential or commercial development in the same zone, except for the specific written and objective standards as allowed in State law.				
The town saw its homeless population rise and no Extremely Low-Income housing was created during the housing element period. A point in time count of homeless living in vehicles in San Anselmo decreased from 15 in 2019 to 7 in 2021.[6]				

Unsheltered Homeless			Sheltered Homeless			Total for San Anselmo		
2015	2017	2019	2015	2017	2019	2015	2017	2019
13	2	20	0	0	0	13	2	20

[6] Marin County Homeless Count & Survey Comprehensive Report by Applied Survey Research (ASR) (2019)

H4.B **Investigate Possible Multi-Jurisdictional Emergency Shelter.** As the opportunity arises, the Town will consider participation in a multi-jurisdictional emergency shelter, should one be proposed in the future.	Construction of homeless facility (if determined feasible)	As the opportunity arises	The Town has not funded any multi-jurisdictional project for an emergency shelter. On October 1, 2017, the County of Marin and local homeless service providers launched a "Coordinated Entry System" for providing people experiencing homelessness with housing and services and have housed approximately 330 people who had been experiencing chronic homelessness. On July 27, 2021 the Town contributed $55,299 to a pool of local city and town resources to create a new "city-funded case management" option, that provides additional case management support for people experiencing chronic homelessness and allows the town to prioritize more of the most high-needs people for permanent supportive housing. On April 28, 2015, the Town contributed $14,145 to jointly fund with all the cities and towns of Marin County, a rotating homeless winter emergency shelter program known as the Rotating Emergency Shelter Team (REST).	Modify to define what "participation" entails and to create more specific project goals. All emergency shelters in Marin are open to all homeless individuals, including those from San Anselmo. Therefore, any Marin shelter is a multi-jurisdictional shelter. There is opportunity to contribute to the development of homeless shelters that are planned or currently under construction in San Rafael.

Implementation Program	Implementation Objective	Timeline in Housing Element	Appropriateness, Effectiveness, and Progress in Implementation	Continue, Modify or Delete
			REST was run by San Anselmo churches and community volunteers with the Marin Organizing Committee from November 15 through April 15 from 2015 to 2018, when the program was discontinued. The program served up to 40 homeless men at rotating congregations, including First Presbyterian Church of San Anselmo, and 20 homeless women housed at the County Wellness Center and served by congregations. Although successful, the program provided temporary housing during five winter months only. San Anselmo staff and residents participated in working at the San Anselmo shelter and a San Anselmo church participated by providing the facility.	

Implementation Program	Completed	In Progress or Partially Complete	Not Completed	Timeline in General Plan	Comments on Implementation
LAND USE ELEMENT					
1. Code Revisions – Zoning Ordinance and Map					Partially implemented.
The top priority for implementation would be the revision of San Anselmo's Zoning Ordinance and Zoning Map to be consistent with the revised general plan. Ordinance amendments would include rewriting the residential and commercial sections of the code to incorporate the density and intensity provisions of the revised general plan.		X			Zoning Ordinance updated to be consistent with General Plan in 1991 (Ordinance 917). Zoning Map updated in 1991 and periodically updated. Digital GIS zoning map updated in 2016. Zoning Ordinance must be updated for 2015 voter-approved Measure D "Parklands" Memorial Park policies. Project delayed in order to consider update of Open Space Element and develop regulations for passive and active park uses in conjunction with Open Space Element update.
Updating the parking requirements of the code	X				Parking requirements updated in 1991 (Ordinance 917). Second unit parking standards revised in 2017 to allow more flexibility for second unit parking. Second unit parking standards revised in 2019 and 2020 to allow further flexibility for second unit parking, and to allow certain units with no parking.
Providing a Housing Opportunity section in the code.	X				2015 Housing Element identifies housing opportunity areas.

Implementation Program	Completed	In Progress or Partially Complete	Not Completed	Timeline in General Plan	Comments on Implementation
Special provisions could be written into the code to provide that existing uses with a density or intensity of use greater than the revised plan could continue as legal permitted uses.	X				State law permits nonconforming multifamily residential uses to continue. Town nonconforming use regulations permit continuation of legal nonconforming uses.
2. Code Revisions – Subdivision Ordinance The subdivision ordinance should be reviewed and updated to conform with the Subdivision Map Act. The ordinance can be modified to require a developer to pay certain impact fees to cover the costs to the community that are directly attributable to the development.	X				Subdivision Ordinance updated in 1983. Staff reviews current provisions in Subdivision Map Act when processing applications for subdivision. Town may impose impact fees as conditions of approval for development projects, subject to State Government Code and applicable law.
3. Housing Opportunity Areas Map - The Town will conduct a more detailed study of existing land uses and parcel sizes in the designated Mixed Residential, Commercial, and Public Facility areas to determine which sites are most appropriate as housing opportunity areas. The objective of the study is to map parcels which are considered appropriate Housing Opportunity sites.	X				Housing opportunity areas are identified in 2015-2023 Housing Element.
4. Central Commercial Circulation and Parking Study - The Town will conduct a study of the traffic circulation and parking activity in the Central Commercial area. The purpose of the study is to develop a program to improve traffic circulation, parking opportunities, and evolve a method to finance any needed improvements. Businesses in the area will be invited to participate in the study.			X		Proposals were requested and received for a downtown parking study In March 2018. No proposals were accepted and Public Works - Engineering and Inspection Department staff completed an informal parking occupancy study in 2019. The study was ~~that will be~~ presented to the Town Council in 2021. Staff was directed to conduct additional outreach with residential neighbors that may be impacted by changes to parking time limits.

Implementation Program	Completed	In Progress or Partially Complete	Not Completed	Timeline in General Plan	Comments on Implementation
5. Design Review in the Single-Family Residential-Conservation Category - Prior to enacting an ordinance to implement the objectives of the Single-Family Residential-Conservation area the Town will conduct studies and hold workshops to determine when and where the discretionary power of design review will be used for new development on vacant lots, and when design review will be required for proposed expansion or reconstruction of existing buildings in the area. The staffing requirements to implement these objectives will also be studied. The purpose of the study is to determine the degree of flexibility which will be incorporated into the ordinance.	X				Zoning Ordinance updated to be consistent with General Plan in 1991 (Ordinance 917).
6. Historic Preservation Ordinance - The Town will prepare a historic preservation ordinance which will not only protect the visual and design character of existing historic buildings in the community, but will establish a procedure and guidelines for new building construction in areas of the community which contain examples of San Anselmo's architectural heritage.		X			Partially completed. No specific historic preservation ordinance. However, the Town requires a use permit to demolish a building (Ordinance 1021, 2001). The Town also requires design review for all new buildings. Decision makers consider the potential historic significance of any building 50 years or older that is subject to discretionary review, under the California Environmental Quality Act. No procedures and guidelines specifically for new buildings in areas with architectural heritage.

Implementation Program	Completed	In Progress or Partially Complete	Not Completed	Timeline in General Plan	Comments on Implementation
7. Park Land Zoning Ordinance - The Town shall prepare a park lands zoning ordinance, which shall apply to all park lands so designated on the General Plan land use map. The ordinance will implement and be consistent with the General Plan land use criteria for Parks set forth in Section E.3 of the Land Use Element.			X		Added by Measure D, which was passed by voters in November 2015. Town Council adopted Open Space zoning designation in 2020. Project delayed due to Housing Element project work and consideration of cannabis business uses.
CIRCULATION ELEMENT					
1. Zoning Ordinance Rewrite - The parking requirements section of the zoning ordinance shall be reviewed and revised to implement the concept, objectives, and policies of the circulation element. The parking standards should be revised to accommodate planned land use and today's smaller sized automobiles.	X				Parking requirements updated in 1991 (Ordinance 917).
2. Commercial Area Parking Study - The Town in conjunction with representatives of the local business community should establish a committee to study the parking problems in the commercial areas, and recommend a solution including funding that is agreeable to all parties involved. Special attention should be given to the concept of creating additional shared parking among all businesses. The study should focus on both the Central Business District and the Greenfield commercial areas.			X		Proposals were requested and received for a downtown parking study In March 2018. No proposals were accepted and Public Works - Engineering and Inspection Department staff completed an informal parking occupancy study in 2019.
3. Funding of Roadway, Bikeway, and Pedestrian Improvements					
All new developments which require roadway modifications or improvements will be required to install and finance the entire cost of all these improvements.		X			Considered on a case-by-case basis with development projects.

Implementation Program	Completed	In Progress or Partially Complete	Not Completed	Timeline in General Plan	Comments on Implementation
Long-term improvements expected along Sir Francis Drake Boulevard, Center Boulevard, Butterfield Road, Red Hill Road, and local residential streets may be financed by gas tax funds, transportation grants, and other public monies.		X			5-year Capital Improvement Plan adopted in 2019.
However, should the available funding not be adequate to install the necessary improvements, the Town may establish a traffic mitigation fee plan which estimates the cost of all improvements desired and charges each new development or improvement a fee based upon the number of trips it generates to the area during the peak hour. These fees will be used to help finance and pay the debt on improvements. The Town will and must seek the cooperation of the Town of Fairfax and the County of Marin in charging similar fees to finance improvements needed along Sir Francis Drake Boulevard, Center Boulevard, Butterfield Road, and Red Hill Road.			X		Due to inadequate funds to implement major roadway improvements, no comprehensive long term improvement plan has been adopted and no traffic mitigation fee to implement the plan has been adopted.
4. Development Review Process - The Town will establish a development review process which requires all new development proposals of a medium or large scale to submit a traffic study with their applications which discusses the impact of the proposed development on the street system, and its conformance with the circulation objectives and policies of the plan. The cost of the study will be borne by the applicant, but will be conducted by a traffic consultant retained by the Town, or as part of an EIR prepared on the proposed project.		X			Required for projects subject to discretionary review. Town must update its standards in 2020 to comply with SB 743 and new Vehicle Miles Traveled CEQA analysis.
17.1 Zero Emission Vehicle readiness. Provide a foundation for electric vehicle implementation efforts, including investments in electric vehicle infrastructure and guidance for ongoing Town initiatives, by preparing an Electric Vehicle Strategy. The strategy should establish a framework for near-term actions that support longer-term mobility goals and initiatives, including, but not limited to, Town policy on costs and fees for Town charging stations, regulations for residential and workplace electric vehicle readiness, and policies for conversion of the Town vehicle fleet.	X				Electric Vehicle Strategy adopted in 2019 and policy for charging stations adopted in 2020.

Implementation Program	Completed	In Progress or Partially Complete	Not Completed	Timeline in General Plan	Comments on Implementation
OPEN SPACE ELEMENT					
The Town will review the comprehensive list of open space parcels contained in Appendix A of the General Plan, and will evolve a prioritized list of parcels to hopefully acquire if funding can be found or generated through private interest groups or initiative efforts. Implementation policies in Open Space Element discuss methods for property acquisition and funding.		X			A number of the properties included in the Open Space element have been protected or developed. Town Council adopted an Open Space Designation and assigned parcels to the designation in 2020. The Town Open Space Committee and Town staff are reviewing the Open Space element and staff is working towards bringing an update of the Open Space Element to the Planning Commission and Town Council to reflect properties acquired and developed; reconsider priorities; update acquisition and protection strategies to reflect current law; and to ensure adequate policies are in place for continued protection of sites with open space value.
SAFETY ELEMENT					
Town General Plan does not include a safety element.			X		Town Council updated Local Hazard Mitigation Plan in 2019, which triggered requirement for a Safety Element. Staff intents to draft in house in 2022~~2020~~.
CONSERVATION ELEMENT (from 1976 General Plan)					
1. Regulation					

Implementation Program	Completed	In Progress or Partially Complete	Not Completed	Timeline in General Plan	Comments on Implementation
a. Health and Safety zoning including:					
1. Geologic risk zones (fault and landslide);	X				Town has access to maps that identify general areas of fault and landslides and has not mapped specific zones.
2. Flooding risk zones (floodplain, stream and bank protection; and	X				Federal Emergency Management Agency updated Flood Insurance Rate Maps to identify flooding risk zones in 2014.
3. Fire risk zones (grass, dry brush, dead-end canyons, and inadequate water supply).	X				Ross Valley Fire Department has mapped area of wildfire hazards and the Town has an adopted a Wildland Urban Interface Map. Ross Valley Fire will be updating Wildland Urban Interface zone maps for Town consideration in 2016 in association with a County Wildfire Protection Plan.
b. Noise and flight path safety zones (airport, freeway).	X				Not applicable in Town.
c. Special recreation-visitor zoning (golf courses, hunting preserves, special event areas, etc.)	X				Not applicable in Town.
d. Agricultural and rural zones.	X				Not applicable in Town.

Implementation Program	Completed	In Progress or Partially Complete	Not Completed	Timeline in General Plan	Comments on Implementation
e. Designation of historic preservation sites and structures (including archaeological sites and structures of unusual architectural design).			X		No historic resource study has been adopted. Town staff and decision makers review projects on a case-by-case basis and consult with San Anselmo History Museum staff. Town Council has directed staff to work on an inventory, but no funding has been allocated to complete project. Mapping archaeological sites is not recommended since it puts resources at risk and may also fail to protect unmapped resources. Projects are reviewed on a case-by-case basis. Particular care will be given to areas known for Miwok resources, such as areas near existing and former fresh water sources.
f. Riparian and wildlife resource conservation reserves.			X		No riparian conservation reserves have been designated. Information on wildlife resources is available through the California Natural Diversity Database https://www.wildlife.ca.gov/Data/CNDDB which is consulted on a case-by-case basis.
g. View protection zones.			X		No view protection zones have been established. Public views are considered on a case-by-case basis during environmental review for discretionary projects. The Town Council has directed staff to work on a draft view ordinance.

Implementation Program	Completed	In Progress or Partially Complete	Not Completed	Timeline in General Plan	Comments on Implementation
h. Destiny transfer zones and planned unit (cluster) zones.			X		No zones have been established.
i. Scenic travel corridor and parkway zones.	X				The Town General Plan defines Scenic Highways as Red Hill Avenue, Sir Francis Drake Boulevard from Ross Town limits to the Fairfax Town limits, and Center Boulevard from the Hub to the Fairfax Town limits.
j. Development of contractual land use agreements given in return for assessment freezes.			X		The Town has not entered into any agreements in return for assessment freezes.
k. Review of proposed residential and commercial development.	X				Town reviews environmental impacts of proposed development on a case-by-case basis.
2. Management The following methods of achieving the goals of this element may be attained by management techniques as opposed to regulation.			X		The County of Marin

Implementation Program	Completed	In Progress or Partially Complete	Not Completed	Timeline in General Plan	Comments on Implementation
a. Countywide management board to administer management programs for public and private open space.		X			Since the 1960s and 1970s organizations have preserved critical natural lands and family farms that resulted in creation of two National Park Service units, the Marin Agricultural Land Trust, and voter approval of the Marin County Regional Park District (now Marin County Parks). In the past four decades, Marin County Parks has acquired hundreds of undeveloped parcels from willing sellers, totaling more than 20,000 acres. Much of this acreage became open space preserves. Most recently in 2018 the 16.2-acre Sky Ranch near Fairfax and San Anselmo was preserved.
b. Agricultural/rural management plan.			X		Agriculture is not an allowable use in the Town of San Anselmo and there are no rural areas in Town limits.

Implementation Program	Completed	In Progress or Partially Complete	Not Completed	Timeline in General Plan	Comments on Implementation
c. Multi-use management plan (recreation, marsh, wildlife, flood control, water, sewer, fire, school, etc.)					There is no marshland in Town. The Town is responsible for public wildlife areas. The town manages its own recreation activities. The Ross Valley jurisdictions and County of Marin coordinate flood control efforts and have passed a flood fee to fund projects. Ross Valley Fire Department manages fire safety for the Town and adjacent jurisdictions. The Ross Valley School District and Tamalpais Union High School District manage public schools in Town and adjacent communities. Wildlife management The Marin Municipal Water District is the Town's water supplier and conducts water supply planning. The most recent review is 2010. http://marinwater.org/217/Water-Supply-Planning The Ross Valley Sanitary District, which serves San Anselmo, plans for sewer management and improvements. http://rvsd.org/customers/planning-and-capital-improvements
3. Acquisition Where public uses, not established by prescriptive rights, require acquisition of part or all of the development rights in the land the following techniques may be used: …					Implementation program does not specify any particular action.

Implementation Program	Completed	In Progress or Partially Complete	Not Completed	Timeline in General Plan	Comments on Implementation
TOWN PARKS, RECREATION, AND PUBLIC FACILITIES ELEMENT (from 1976 General Plan)					
Parks and Recreation					
1. Isabel Cook School multi-purpose building should be refurbished and used as a community center in order to provide a meeting place for many of the local groups who do not have an adequate facility at present.		X			Isabel Cook School used for gymnastics and former classrooms used for artist studios and recreation classes. Community Facilities Master Plan completed in 2015. Project is not yet designed or funded.
2. Park and Recreation offices should be located at the Isabel Cook School or moved into quarters vacated by other civic functions, depending on the Town Hall site alternatives finally chosen. Memorial Park would still require an office, but Isabel Cook School's multi-purpose building would provide more space.	X				Park and Recreation offices are currently located at the Isabel Cook school.

Implementation Program	Completed	In Progress or Partially Complete	Not Completed	Timeline in General Plan	Comments on Implementation
3. The community's needs for a swimming pool, tennis courts, and adjacent play fields could be met at Sorich Ranch provided these facilities could be made compatible with the open space amenities of the rest of the area. Other possibilities which should be explored in providing for these needs are the possible acquisition of the entire Isabel Cook School site or acquisition of the Fairfax Town and Country Club by the County with maintenance and management jointly provided by the Towns of Fairfax and San Anselmo.		X			In 1946 San Anselmo voters turned down a bond to fund a municipal swimming pool. On July 27, 1993, the town adopted the Master Plan for Sorich Ranch Park. The Master Plan promotes passive recreational activities does not incorporate a pool, tennis court or fields. In April 2009, the Red Hill Community Park was opened to the public and operates under a Joint Use Agreement with the Tamalpais High School District for use of the John Wright Athletic Fields and Red Hill Community Dog Park. A master plan for Memorial Park was approved in 2018. The Town seeks funding to implement the plan. A tax to fund the plan was rejected by voters in 2019.
4. Neighborhood mini-parks and playgrounds should be acquired for the Hawthorn Hills, Sequoia Park, and Hilldale areas of the Town.			X		In 2017-2021 residents of the Hilldale area sought Town permission to convert Town land near United Market into a neighborhood pocket park. The issue has not been considered by the Town Council.
5. Public art of a durable kind should be an addition to the Town park system.		X			The Town has incorporated art into public parks including the Millennial Playground. The Town approved a public art project to paint utility boxes in 2020.

Implementation Program	Completed	In Progress or Partially Complete	Not Completed	Timeline in General Plan	Comments on Implementation
6. The Log Cabin site adjacent to Memorial Park should be incorporated into the park, when surplus to the needs of the present owner.			X		
7. Resting spaces along trails and street approaches to trails and bikeways should be part of the recreational facilities provided in support of public non-auto use of open spaces. This would be even further facilitated by trailhead and bikeway terminal amenities.			X		The Town approved three benches along the Red Hill Trail in 2021, installed by an Eagle Scout candidate.
Public Facilities					
1. Town administration, public works, and public safety functions are presently conducted in inadequate or rented space. Recommendations for alleviating this condition are:	X				All town offices located in upper level of Town Hall at 525 San Anselmo Avenue. Public Works corporation yard located at the end of San Francisco Avenue.
a. Relocate the present Fire Department headquarters and Firehouse No. 1 to the corner of San Rafael Avenue and San Anselmo Avenue. Firehouse No. 2 on Butterfield will remain at its present location.	X				Town Fire Department on San Anselmo Avenue redeveloped and completed in 2010.
b. The present Town Hall site should be expanded by the acquisition of 15 Magnolia Avenue, plus perhaps the five parcels between City Hall Avenue, Library Place, and Tunstead Avenue.		X			15 Magnolia was acquired by the Town in 1975 and is improved as a parking lot for Town staff, Police and Sheriff. The five other parcels remain in private ownership.
c. A further acquisition of the business properties between the present Town Hall site, Magnolia and San Anselmo avenues should be explored for future acquisition to square off the Town's government center, particularly if other public functions are to be accommodated in the Town.			X		No other property has been acquired by the Town. 23 Magnolia on market in 2016 and sold for $840,000.

Implementation Program	Completed	In Progress or Partially Complete	Not Completed	Timeline in General Plan	Comments on Implementation
d. City Hall Avenue adjacent to the Civic Center site should be closed and made a part of the Center.	X				Town vacated City Hall Avenue for street purposes between San Anselmo Avenue and Library place in 1975 by Resolution 1629 and 1976 Resolution 1661 and retained ownership of the area. Area used for Town Hall parking and pedestrian path and landscaping.
e. Library Place should be extended as appropriate to serve the public facilities area.			X		
f. The present corporation yard and municipal shop should be made visually compatible with the Sorich Ranch Park setting by use of fencing, landscaping, and the demolition of obsolete and visually disturbing buildings. One possibility which should be explored further in capital improvement programming would be to leave the site as a corporation yard only and farm out auto maintenance.		X			New corporation yard building constructed, and improvements made as funding available. The Town approved a Low Impact Development Project to provide a solid surface for collecting green waste and prevent stormwater pollution.
2. Sanitary Service. The present collection system is operating near capacity. Population growth should not exceed the progress made in bringing the sanitary sewer system up to regional standards and expanding its capacity for collection and treatment of wastes.		X			Ross Valley Sanitary District continues to fund improvement of sanitary sewer system. Sanitary District indicates they have adequate capacity for planned development.

Implementation Program	Completed	In Progress or Partially Complete	Not Completed	Timeline in General Plan	Comments on Implementation
3. Storm Drainage and Flood Control. The natural appearance and runoff capacity of stream channels should be protected, preserved, and enhanced by the development of small improvements (e.g., small earth-fill dams for storm water retention) and landscaping rather than a major flood-control project such as the concrete channel in lower Corte Madera Creek. The channel lines on both sides of San Anselmo Creek should be protected from encroachment by development.		X			In 2007, Ross Valley parcel owners approved a parcel fee on all parcels that drain into the Ross Valley watershed to help pay a portion of annual costs for a flood protection program. Voters rejected a proposal to consider Memorial Park for use as a dual use park and flood detention facility in 2015 by Proposition D. Small private projects are considered when submitted. The Ross Valley Flood Protection and Watershed Program is considering both small and major flood control projects. http://www.marinwatersheds.org/rossvalleywatershed-org/ In January 2017 the Town Council approved flood protection options for the County to consider for an Environmental Impact Report. The County approved the Environmental Impact Report in 2018.
NOISE ELEMENT (from 1976 General Plan)					
1. Promulgate information to all residents of the need for and methods of obtaining reduced noise levels.		X			Construction and leaf blower regulations advertised in handouts, Town email and the web site.

Implementation Program	Completed	In Progress or Partially Complete	Not Completed	Timeline in General Plan	Comments on Implementation
2. Adopt, budget for, and enforce an effective noise ordinance and other ordinances relating to noise reduction.		X			Town Noise Ordinance adopted in 1975 (Ordinance 685). Restrictions on leaf blowers added in 1993 and 1994 (Ordinances 951 and 957) Construction day and time limits added in 1997 and updated in 2007 (Ordinances 983 and 1059) Gas powered leaf blower prohibition and new operating hours adopted in 2021 (Ordinance 1158) and in effect in 2022.
3. The Town shall cooperate in the establishment of a countywide program of noise abatement when it has been developed.			X		No Countywide program of noise abatement has been developed. However, Town staff has been discussing coordinating a noise ordinance update with other jurisdictions under the Central Marin Police Authority.
4. The Town will work actively with the California Highway Patrol to police noise levels on moving vehicles.		X			California law requires that all vehicles must be equipped with an adequate muffler to prevent excessive noise from the exhaust system. The Vehicle Code has provisions related to vehicle noise that would be enforced by law enforcement.
SCENIC HIGHWAYS (PARKWAY) ELEMENT (from 1976 General Plan)					
1. San Anselmo has three entryways, all of which could be improved by landscaping, improved signing, lighting, and other outdoor design features.		X			In 2000, the Town funded a downtown beautification project

Implementation Program	Completed	In Progress or Partially Complete	Not Completed	Timeline in General Plan	Comments on Implementation
2. Divided highways in the planning area should have their landscaping, lighting, and street furniture upgraded in keeping with a common design theme that will visually signal that one has arrived and is moving through a different community.		X			that included new trees and landscaping. The 5-year Capital Improvement Plan adopted in 2019 includes funding for median landscape improvements: The Town Council adopted a Median Master Plan in 2018. The Red Hill Avenue median project has been funded by a donation and completed in 2020. ~~the o~~Other median landscaping costs are not yet identified or funded. The Town Economic Development Plan (2018, page 26) includes an objective to beautify areas of the Town "through improved landscaping, streetscape, and other public amenities." The Economic Development Committee approved plans for wayfinding signage that staff ~~is~~ installed~~ing~~ in 2020.

Jurisdiction	San Anselmo	
Reporting Year	2021	(Jan. 1 - Dec. 31)
Planning Period	5th Cycle	01/31/2015 - 01/31/2023

ANNUAL ELEMENT PROGRESS REPORT
Housing Element Implementation
(CCR Title 25 §6202)

This table is auto-populated once you enter your jurisdiction name and current year data. Past year information comes from previous APRs.

Please contact HCD if your data is different than the material supplied here

Table B
Regional Housing Needs Allocation Progress
Permitted Units Issued by Affordability

		1	2									3	4
Income Level		**RHNA Allocation by Income Level**	**2015**	**2016**	**2017**	**2018**	**2019**	**2020**	**2021**	**2022**	**2023**	**Total Units to Date (all years)**	**Total Remaining RHNA by Income Level**
Very Low	Deed Restricted	33	-	1	-	2	-	-	-	-	-	12	21
	Non-Deed Restricted		2	-	1	-	-	3	3	-	-		
Low	Deed Restricted	17	-	-	2	2	-	-	-	-	-	17	-
	Non-Deed Restricted		-	-	-	1	-	3	9	-	-		
Moderate	Deed Restricted	19	-	-	-	-	-	-	-	-	-	27	-
	Non-Deed Restricted		2	1	4	7	7	5	1	-	-		
Above Moderate		37	1	4	5	25	3	1	5	-	-	44	-
Total RHNA		**106**											
Total Units			**5**	**6**	**12**	**37**	**10**	**12**	**18**	**-**	**-**	**100**	**21**

Note: units serving extremely low-income households are included in the very low-income permitted units totals and must be reported as very low-income units.

Please note: For the last year of the 5th cycle, Table B will only include units that were permitted during the portion of the year that was in the 5th cycle. For the first year of the 6th cycle, Table B will only included units that were permitted during the portion of the year that was in the 6th cycle.

Please note: The APR form can only display data for one planning period. To view progress for a different planning period, you may login to HCD's online APR system, or contact HCD staff at apr@hcd.ca.gov.

Table A2															
Annual Building Activity Report Summary - New Construction, Entitled, Permits and Completed Units															
Project Identifier					Unit Types		Affordability by Household Incomes - Completed Entitlement								
1					2	3	4							5	6
Prior APN+	Current APN	Street Address	Project Name+	Local Jurisdiction Tracking ID+	Unit Category (SFA,SFD,2 to 4,5+,ADU,MH)	Tenure R=Renter O=Owner	Very Low-Income Deed Restricted	Very Low-Income Non Deed Restricted	Low- Income Deed Restricted	Low- Income Non Deed Restricted	Moderate-Income Deed Restricted	Moderate-Income Non Deed Restricted	Above Moderate-Income	Entitlement Date Approved	# of Units issued Entitlements
Summary Row: Start Data Entry Below							0	0	0	0	0	0	0		0
	006-155-24	100 Hilldale Drive, Unit A		B2019-0630	ADU	R									0
	005-165-73	56 Indian Rock, 56 Indian Rock Unit A		B2016-0665	ADU	R									0
	006-044-09	232 Saunders Avenue, Unit A		B2020-0184	ADU	R									0
	006-181-20	31 Woodruff Rd., Unit A		B2018-0073	ADU	R									0
	007-141-12	419 Redwood Rd., Unit A		B2020-0653	ADU	R									0
	006-082-35	25 Bella Vista, Unit A		B2020-0590	ADU	R									0
	007-041-42	100 Alder Units A and B		B2019-0147	ADU	R									0
	007-063-10	134 Scenic Avenue, Unit A		B2020-0356	ADU	R									0
	007-172-06	19 Myrtle Lane, Unit A		B2020-0348	ADU	R									0
	005-163-06	49 Berkeley Avenue, Unit A		B2020-0089, B2020-08(	ADU	R									0
	007-095-05	258 Redwood Road, Unit A		B2020-0289	ADU	R									0
	005-154-23	38 Oak Knoll Ave., Unit A		B2020-0023	ADU	R									0
	007-117-29	27 Laurel Ave., Unit A		B2020-0492	ADU	R									0
	006-12-09	40 Jordan Ave., Unit A		B2020-0651	ADU	R									0
	007-115-16	216 Laurel Avenue, Unit A		B2019-0462	ADU	R									0
	007-081-10	69 Scenic Avenue, Unit A		B2020-0232	ADU	R									0
	007-222-24	106 Woodland Avenue, Unit A		B2020-0417	ADU	R									0
	005-091-12	30 Hillcrest Court, Unit A		B2021-0034	ADU	R									0
	005-203-09	35 Salinas Ave., Unit A		B2020-0864	ADU	R									0
	005-126-09	28 Rutherford, Unit A		B2019-0677	ADU	R									0
	007-284-08	45 Ross		B2021-0155	5+	O									0
	006-082-25	58 Madrone Avenue, Unit A		B2020-0763	ADU	R									0
	005-063-46	28 Carlson Court, Unit A		B2020-0130	ADU	R									0
	007-052-13	1337 San Anselmo Avenue, Unit A		B2021-0292	ADU	R									0
	007-121-86	444 Laurel Avenue, Unit A		B2021-0293	ADU	R									0
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Table A2

Annual Building Activity Report Summary - New Construction, Entitled, Permits and Completed Units

Project Identifier			Affordability by Household Incomes - Building Permits								
			7							8	9
Current APN	Street Address	Project Name+	Very Low-Income Deed Restricted	Very Low-Income Non Deed Restricted	Low- Income Deed Restricted	Low- Income Non Deed Restricted	Moderate-Income Deed Restricted	Moderate-Income Non Deed Restricted	Above Moderate-Income	Building Permits Date Issued	# of Units Issued Building Permits
			0	3	0	9	0	1	5		18
006-155-24	100 Hilldale Drive, Unit A										0
005-165-73	56 Indian Rock, 56 Indian Rock Unit A										0
006-044-09	232 Saunders Avenue, Unit A										0
006-181-20	31 Woodruff Rd., Unit A										0
007-141-12	419 Redwood Rd., Unit A										0
006-082-35	25 Bella Vista, Unit A										0
007-041-42	100 Alder Units A and B										0
007-063-10	134 Scenic Avenue, Unit A										0
007-172-06	19 Myrtle Lane, Unit A			1						8/9/2021	1
005-163-06	49 Berkeley Avenue, Unit A										0
007-095-05	258 Redwood Road, Unit A					1				2/19/2021	1
005-154-23	38 Oak Knoll Ave., Unit A										0
007-117-29	27 Laurel Ave., Unit A										0
006-12-09	40 Jordan Ave., Unit A			1						5/21/2021	1
007-115-16	216 Laurel Avenue, Unit A					1				1/21/2021	1
007-081-10	69 Scenic Avenue, Unit A					1				2/23/2021	1
007-222-24	106 Woodland Avenue, Unit A			1						3/15/2021	1
005-091-12	30 Hillcrest Court, Unit A					1				3/19/2021	1
005-203-09	35 Salinas Ave., Unit A					1				3/23/2021	1
005-126-09	28 Rutherford, Unit A					1				5/12/2021	1
007-284-08	45 Ross								5	7/30/2021	5
006-082-25	58 Madrone Avenue, Unit A					1				8/16/2021	1
005-063-46	28 Carlson Court, Unit A					1				10/5/2021	1
007-052-13	1337 San Anselmo Avenue, Unit A					1				10/11/2021	1
007-121-86	444 Laurel Avenue, Unit A							1		12/15/2021	1
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Table A2

Annual Building Activity Report Summary - New Construction, Entitled, Permits and Completed Units

Project Identifier			Affordability by Household Incomes - Certificates of Occupancy								
			10							11	12
Current APN	Street Address	Project Name+	Very Low-Income Deed Restricted	Very Low-Income Non Deed Restricted	Low- Income Deed Restricted	Low- Income Non Deed Restricted	Moderate-Income Deed Restricted	Moderate-Income Non Deed Restricted	Above Moderate-Income	Certificates of Occupancy or other forms of readiness (see instructions) Date Issued	# of Units issued Certificates of Occupancy or other forms of readiness
			0	5	0	4	0	5	0		14
006-155-24	100 Hilldale Drive, Unit A							1		1/7/2021	1
005-165-73	56 Indian Rock, 56 Indian Rock Unit A							1		1/25/2021	1
006-044-09	232 Saunders Avenue, Unit A			1						3/3/2021	1
006-181-20	31 Woodruff Rd., Unit A							1		4/6/2021	1
007-141-12	419 Redwood Rd., Unit A			1						4/11/2021	1
006-082-35	25 Bella Vista, Unit A					1				4/28/2021	1
007-041-42	100 Alder Units A and B					1				6/7/2021	1
007-063-10	134 Scenic Avenue, Unit A							1		6/9/2021	1
007-172-06	19 Myrtle Lane, Unit A			1						8/9/2021	1
005-163-06	49 Berkeley Avenue, Unit A					1				8/10/2021	1
007-095-05	258 Redwood Road, Unit A					1				8/19/2021	1
005-154-23	38 Oak Knoll Ave., Unit A							1		9/2/2021	1
007-117-29	27 Laurel Ave., Unit A			1						9/23/2021	1
006-12-09	40 Jordan Ave., Unit A			1						12/8/2021	1
007-115-16	216 Laurel Avenue, Unit A										0
007-081-10	69 Scenic Avenue, Unit A										0
007-222-24	106 Woodland Avenue, Unit A										0
005-091-12	30 Hillcrest Court, Unit A										0
005-203-09	35 Salinas Ave., Unit A										0
005-126-09	28 Rutherford, Unit A										0
007-284-08	45 Ross										0
006-082-25	58 Madrone Avenue, Unit A										0
005-063-46	28 Carlson Court, Unit A										0
007-052-13	1337 San Anselmo Avenue, Unit A										0
007-121-86	444 Laurel Avenue, Unit A										0
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Table A2

Annual Building Activity Report Summary - New Construction, Entitled, Permits and Completed Units

Project Identifier				Streamlining	Infill	Housing with Financial Assistance and/or Deed Restrictions		Housing without Financial Assistance or Deed Restrictions	Term of Affordability or Deed Restriction	Demolished/Destroyed Units			Density Bonus			
			13	14	15	16	17	18	19	20			21	22	23	24
Current APN	Street Address	Project Name*	How many of the units were Extremely Low Income?*	Was Project APPROVED using GC 65913.4(b)? (SB 35 Streamlining) Y/N	Infill Units? Y/N*	Assistance Programs for Each Development (may select multiple - see instructions)	Deed Restriction Type (may select multiple - see instructions)	For units affordable without financial assistance or deed restrictions, explain how the locality determined the units were affordable (see instructions)	Term of Affordability or Deed Restriction (years) (if affordable in perpetuity enter 1000)*	Number of Demolished/Destroyed Units	Demolished or Destroyed Units	Demolished/Destroyed Units Owner or Renter	Total Density Bonus Applied to the Project (Percentage Increase in Total Allowable Units or Total Maximum Allowable Residential Gross Floor Area)	Number of Other Incentives, Concessions, Waivers, or Other Modifications Given to the Project (Excluding Parking Waivers or Parking Reductions)	List the incentives, concessions, waivers, and modifications (Excluding Parking Waivers or Parking Modifications)	Did the project receive a reduction or waiver of parking standards? (Y/N)
			0	0						0		0				
006-155-24	100 Hilldale Drive, Unit A			N	Y			Size of unit, quality of construction, number of bedrooms, age								
005-165-73	56 Indian Rock, 56 Indian Rock Unit A			N	Y			Size of unit, quality of construction, number of bedrooms, age								
006-044-09	232 Saunders Avenue, Unit A			N	Y			Size of unit, quality of construction, number of bedrooms, age								
006-181-20	31 Woodruff Rd., Unit A			N	Y			Size of unit, quality of construction, number of bedrooms, age								
007-141-12	419 Redwood Rd., Unit A			N	Y			Size of unit, quality of construction, number of bedrooms, age								
006-082-35	25 Bella Vista, Unit A			N	Y			Size of unit, quality of construction, number of bedrooms, age								
007-041-42	100 Alder Units A and B			N	Y			Size of unit, quality of construction, number of bedrooms, age								
007-063-10	134 Scenic Avenue, Unit A			N	Y			Size of unit, quality of construction, number of bedrooms, age								
007-172-06	19 Myrtle Lane, Unit A			N	Y			Size of unit, quality of construction, number of bedrooms, age								
005-163-06	49 Berkeley Avenue, Unit A			N	Y			Size of unit, quality of construction, number of bedrooms, age								
007-095-05	258 Redwood Road, Unit A			N	Y			Size of unit, quality of construction, number of bedrooms, age								
005-154-23	38 Oak Knoll Ave., Unit A			N	Y			Size of unit, quality of construction, number of bedrooms, age								
007-117-29	27 Laurel Ave., Unit A			N	Y			Size of unit, quality of construction, number of bedrooms, age								
006-12-09	40 Jordan Ave., Unit A			N	Y			Size of unit, quality of construction, number of bedrooms, age								
007-115-16	216 Laurel Avenue, Unit A			N	Y			Size of unit, quality of construction, number of bedrooms, age								
007-081-10	69 Scenic Avenue, Unit A			N	Y			Size of unit, quality of construction, number of bedrooms, age								
007-222-24	106 Woodland Avenue, Unit A			N	Y			Size of unit, quality of construction, number of bedrooms, age								
005-091-12	30 Hillcrest Court, Unit A			N	Y			Size of unit, quality of construction, number of bedrooms, age								
005-203-09	35 Salinas Ave., Unit A			N	Y			Size of unit, quality of construction, number of bedrooms, age								
005-126-09	28 Rutherford, Unit A			N	Y			Size of unit, quality of construction, number of bedrooms, age								
007-284-08	45 Ross			N	Y			Size of unit, quality of construction, number of bedrooms, age								
006-082-25	58 Madrone Avenue, Unit A			N	Y			Size of unit, quality of construction, number of bedrooms, age								
005-063-46	28 Carlson Court, Unit A			N	Y			Size of unit, quality of construction, number of bedrooms, age								
007-052-13	1337 San Anselmo Avenue, Unit A			N	Y			Size of unit, quality of construction, number of bedrooms, age								
007-121-86	444 Laurel Avenue, Unit A			N	Y			Size of unit, quality of construction, number of bedrooms, age								

Jurisdiction	San Anselmo	
Reporting Period	2021	(Jan. 1 - Dec. 31)

Note: "+" indicates an optional field

Cells in grey contain auto-calculation formulas

ANNUAL ELEMENT PROGRESS REPORT
Housing Element Implementation
(CCR Title 25 §6202)

Table H						
Locally Owned Surplus Sites						
Parcel Identifier				Designation	Size	Notes
1	2	3	4	5	6	7
APN	**Street Address/Intersection**	**Existing Use**	**Number of Units**	**Surplus Designation**	**Parcel Size (in acres)**	**Notes**
Summary Row: Start Data Entry Below						
007-021-23	9 Forest	Vacant	2	Surplus Land	0.13287	Steep site

Jurisdiction	San Anselmo	
Reporting Year	2021	(Jan. 1 - Dec. 31)
Planning Period	5th Cycle	01/31/2015 - 01/31/2023

Building Permits Issued by Affordability Summary		
Income Level		**Current Year**
Very Low	Deed Restricted	0
	Non-Deed Restricted	3
Low	Deed Restricted	0
	Non-Deed Restricted	9
Moderate	Deed Restricted	0
	Non-Deed Restricted	1
Above Moderate		5
Total Units		**18**

Note: Units serving extremely low-income households are included in the very low-income permitted units totals

Units by Structure Type	**Entitled**	**Permitted**	**Completed**
SFA	0	0	0
SFD	0	0	0
2 to 4	0	0	0
5 +	0	0	0
ADU	0	13	14
MH	0	0	0
Total	**0**	**13**	**14**

Housing Applications Summary	
Total Housing Applications Submitted:	29
Number of Proposed Units in All Applications Received:	33
Total Housing Units Approved:	9
Total Housing Units Disapproved:	0

Use of SB 35 Streamlining Provisions	
Number of Applications for Streamlining	0
Number of Streamlining Applications Approved	0
Total Developments Approved with Streamlining	0
Total Units Constructed with Streamlining	0

Units Constructed - SB 35 Streamlining Permits			
Income	**Rental**	**Ownership**	**Total**
Very Low	0	0	0
Low	0	0	0
Moderate	0	0	0
Above Moderate	0	0	0
Total	0	0	0

Cells in grey contain auto-calculation formulas

Jurisdiction	San Anselmo	
Reporting Year	2021	(Jan. 1 - Dec. 31)

ANNUAL ELEMENT PROGRESS REPORT
Local Early Action Planning (LEAP) Reporting
(CCR Title 25 §6202)

Please update the status of the proposed uses listed in the entity's application for funding and the corresponding impact on housing within the region or jurisdiction, as applicable, categorized based on the eligible uses specified in Section 50515.02 or 50515.03, as applicable.

Total Award Amount	$ 65,000.00	*Total award amount is auto-populated based on amounts entered in rows 15-26.*

Task	$ Amount Awarded	$ Cumulative Reimbursement Requested	Task Status	Other Funding	Notes
Update ADU Ordinance	1500		Completed		
3 public hearings to adopt noticing	1500		Completed		
Housing Element Website	1500		Completed		Not started
Community Outreach program	1500		Other (Please Specify in Notes)		Not started
Prepare HE components	14000		In Progress		
Housing element assessment	5000		In Progress		
Planning commisison hearing notice	1000		Other (Please Specify in Notes)		Not started
Town council hearing notice	1000		Other (Please Specify in Notes)		Not started
Draft version of housing element	9000		Other (Please Specify in Notes)		Not started
Draft inclusionary housing ordinance	4500		In Progress		1st draft completed
3 public hearings to adopt and noticing	1500		Other (Please Specify in Notes)		Not started
Housing trust fund	6000		Other (Please Specify in Notes)		Not started
draft documents for sb 743	13900		In Progress		
Planning commission and town council hearing	3000		Other (Please Specify in Notes)		Not started
public notices	100		Other (Please Specify in Notes)		Not started

Income Level		Current Year
Very Low	Deed Restricted	0
	Non-Deed Restricted	0
Low	Deed Restricted	0
	Non-Deed Restricted	0
Moderate	Deed Restricted	0
	Non-Deed Restricted	0
Above Moderate		0
Total Units		**0**

Building Permits Issued by Affordability Summary		
Income Level		**Current Year**
Very Low	Deed Restricted	0
	Non-Deed Restricted	3
Low	Deed Restricted	0
	Non-Deed Restricted	9
Moderate	Deed Restricted	0
	Non-Deed Restricted	1
Above Moderate		5
Total Units		**18**

525 San Anselmo Avenue
San Anselmo, CA 94960

Town of San Anselmo

Staff Report

TO: Town Council **Meeting of** 1/25/2022

FROM:
Elise Semonian, Planning Director

SUBJECT:
Amend Accessory Dwelling Unit Regulations in Response to 2021 Assembly Bill 345

RECOMMENDATION

Introduce by title only and waive first reading of "An Ordinance Of The Town Council of the Town of San Anselmo Amending San Anselmo Municipal Code Title 10 (Planning and Zoning), Chapter 6 (Accessory Dwelling Units) , Adding New Section 10-6.210 Sale of Accessory Dwelling Units for Low and Moderate Income Housing."

BACKGROUND/DISCUSSION

On July 6, 2020, and August 17, 2020, the Planning Commission considered modifications the Town Accessory Dwelling Unit (ADU) regulations. The Commission considered staff's recommendation for a new section "Sale of Accessory Dwelling Units for Low- and Moderate-Income Housing" (allowed under 2020 AB 587), which would allow separate sale of ADUs by nonprofit housing developers for deed restricted affordable housing. The section was proposed to affirmatively further diversity and fair housing in the Town by providing home ownership opportunities for people that have been historically excluded from home ownership in the Town. The Planning Commission did not recommend in favor of the proposed Section 10-6.210. The Planning Commission wanted more information on how property is transferred, and affordability restrictions maintained. Some questioned what will happen if the units fall into disrepair.

The Town Council considered the section on August 25, 2020 and did not adopt it. They were interested in discussing it further.

On September 28, 2021, Governor Gavin Newsom approved AB 345. The bill requires the Town to allow an accessory dwelling unit to be sold or conveyed separately from the primary residence to a qualified buyer if the certain conditions are met. The bill imposed additional conditions on a tenancy in common agreement to include specified information, including a delineation of all areas of the property that are for the exclusive use of a cotenant, delineation of each cotenant's responsibility for the costs of taxes, insurance, utilities, general maintenance and repair, and improvements associated with the property, and procedures for dispute resolution among cotenants before resorting to legal action. The new requirements are incorporated into the draft ordinance.

The Planning Commission considered the ordinance at a public hearing on November 15, 2021 and recommended that the Town Council adopt the ordinance. With the passage of SB 9, which allows separate

sale of units in residential zoning districts, nonprofit housing developers are only likely to use these regulations for ADUs in multifamily or commercial districts, where SB 9 does not apply.

FISCAL IMPACT

None.

GENERAL PLAN CONSISTENCY

The ordinance is consistent with the programs in the General Plan Housing Element to encourage development of affordable housing.

CEQA AND CLIMATE ACTION PLAN CONSISTENCY

See ordinance for CEQA statement. The proposed regulations further the Climate Action Plan Program T-9 for Smart Growth Development and infill development.

CONCLUSION

Staff recommends adoption of the ordinance.

ORDINANCE NO. __

AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF SAN ANSELMO AMENDING SAN ANSELMO MUNICIPAL CODE TITLE 10 (PLANNING AND ZONING), CHAPTER 6 (ACCESSORY DWELLING UNITS), ADDING NEW SECTION 10-6.209 SALE OF ACCESSORY DWELLING UNITS FOR LOW AND MODERATE INCOME HOUSING

WHEREAS, Accessory Dwelling Units expand the opportunity for small, lower cost, housing units in San Anselmo; and

WHEREAS, the Town has approved 100% of its share of the Regional Housing Need Allocation for the 2015-2023 Housing Element cycle and almost half of the approved units have been Accessory Dwelling Units; and

WHEREAS at its meeting of June 23, 2020, the Town Council discussed its desire to promote development of deed restricted affordable housing and affirmatively promote fair housing and equity; and

WHEREAS, the Town Council wants to provide additional opportunities for the development of affordable housing within existing neighborhoods by allowing nonprofit organizations to sell Accessory Dwelling Units separately from the primary residence for affordable housing pursuant to Government Code Section 65852.26; and

WHEREAS, on September 28, 2021, Governor Gavin Newsom signed AB-345, which requires local agencies to allow an accessory dwelling unit to be sold or conveyed separately from the primary residence to a qualified buyer if certain conditions are met; and

WHEREAS, on November 15, 2021, the Planning Commission conducted a public hearing on the proposed Zoning Ordinance amendments, and considered all staff reports, attachments, testimony and found the proposed ordinance consistent with the General Plan and recommended that the Town Council adopt the proposed ordinance; and

WHEREAS, the Town Council held a public hearing on January 25, 2022, to consider the Planning Commission recommendation and introduce the draft Ordinance; and has found that the provisions of this ordinance are consistent with the goals and policies of the Town's General Plan and other adopted ordinances and regulations of the Town;

WHEREAS, notice of the Planning Commission hearing was published in the Marin Independent Journal on November 5, 2021, and notice of the Town Council hearing was published in the Marin Independent Journal on January 15, 2022.

NOW, THEREFORE, THE TOWN COUNCIL OF THE TOWN OF SAN ANSELMO DOES ORDAIN AS FOLLOWS:

SECTION 1: The Town Council finds and determines that there is no possibility that the adoption of this ordinance will have a significant effect on the environment. The ordinance is intended to modify existing local regulatory requirements to be consistent with State and local law which

encourage development of Accessory Dwelling Units. The ordinance is exempt from the California Environmental Quality Act (CEQA) pursuant to Public Resources Code section 21080.17 as it implements the provisions of Government Code sections 65852.2 and 65852.22. Similarly, the ministerial approval of Accessory Dwelling Unit applications would not be a "project" for CEQA purposes, and environmental review would not be required prior to approving individual applications.

SECTION 2: Title 10 Planning and Zoning Section 10-6.209 Subsection (b) is amended to read as follows:

"(b) Except as provided in Section 10-6.210, the unit shall not be intended for sale separate from the primary residence (including creation of a stock cooperative or similar common interest ownership arrangement) and may be rented. Rental of accessory dwelling units approved after January 1, 2020, shall be for a term longer than 30 days. A deed restriction shall be recorded prior to issuance of the building permit that requires rental for a term longer than 30 days."

SECTION 3: Title 10 Planning and Zoning is amended to add a new Section 10-6.210 Sale of Accessory Dwelling Units for Low and Moderate Income Housing as required by California Government Code Section 65852.26 to read as follows:

10-6.210 Sale of Accessory Dwelling Units for Low and Moderate Income Housing.

(a) For purposes of this section, the following definitions apply:

(1) "Qualified Buyer" means persons and families of low or moderate income, as that term is defined in Section 50093 of the Health and Safety Code.

(2) "Qualified Nonprofit Corporation" means a nonprofit corporation organized pursuant to Section 501(c)(3) of the Internal Revenue Code that has received a welfare exemption under Section 214.15 of the Revenue and Taxation Code for properties intended to be sold to low-income families who participate in a special no-interest loan program.

(b) Notwithstanding 10-6.209 (b) an accessory dwelling unit may be sold or conveyed separately from the primary residence to a qualified buyer upon receipt of a conditional use permit from the Planning Director pursuant to Government Code Section 65852.26. The Town Council may establish a fee for the permit. The Planning Director shall issue the permit upon receipt of evidence demonstrating the following requirements have been met.

(1) The accessory dwelling unit or the primary dwelling was built or developed by a Qualified Nonprofit Corporation.

(2) There is an enforceable restriction on the use of the land pursuant to a recorded contract between the Qualified Buyer and the Qualified Nonprofit Corporation that satisfies all of the requirements specified in Section 402.1(a)(10) of the Revenue and Taxation Code.

(3) The property will be held pursuant to a recorded tenancy in common agreement that includes all of the following:

(A) The agreement allocates to each qualified buyer an undivided, unequal interest in the property based on the size of the dwelling that each qualified buyer occupies.

(B) A repurchase option that requires the Qualified Buyer to first offer the Qualified Nonprofit Corporation to buy the accessory dwelling unit or primary dwelling if the buyer desires to sell or convey the property.

(C) A requirement that the Qualified Buyer occupy the accessory dwelling unit or primary dwelling as the buyer's principal residence.

(D) Affordability restrictions on the sale and conveyance of the accessory dwelling unit or primary dwelling that ensure the accessory dwelling unit and primary dwelling will be preserved for low-income housing for 45 years for owner-occupied housing units and will be sold or resold to a Qualified Buyer.

(E) Separate water, sewer, or electrical connection to a utility providing service to the primary residence, if required by that utility.

(F) If the tenancy in common agreement is recorded after December 31, 2021, it shall also include all the following:

a. Delineation of all areas of the property that are for the exclusive use of a cotenant. Each cotenant shall agree not to claim a right of occupancy to an area delineated for the exclusive use of another cotenant, provided that the latter cotenant's obligations to each of the other cotenants have been satisfied.

b. Delineation of each cotenant's responsibility for the costs of taxes, insurance, utilities, general maintenance and repair, improvements, and any other costs, obligations, or liabilities associated with the property. This delineation shall only be binding on the parties to the agreement, and shall not supersede or obviate the liability, whether joint and several or otherwise, of the parties for any cost, obligation, or liability associated with the property where such liability is otherwise established by law or by agreement with a third party.

c. Procedures for dispute resolution among the parties before resorting to legal action.

(4) A condition of approval shall require a grant deed naming the grantor, grantee, and describing the property interests being transferred to be recorded with the Marin County Clerk and a Preliminary Change of Ownership Report to be filed concurrently with the grant deed pursuant to Section 480.3 of the Revenue and Taxation Code.

SECTION 3: Severability**.** To the extent allowed under State law, the Town Council hereby

declares every section, paragraph, sentence, cause and phrase is severable. To the extent allowed under State law, if any section, paragraph, sentence, clause or phrase of this ordinance is for any reason found to be invalid or unconstitutional, such invalidity, or unconstitutionality shall not affect the validity or constitutionality of the remaining sections, paragraphs, sentences, clauses or phrases.

SECTION 4: Inclusion in the San Anselmo Municipal Code. It is the intention of the San Anselmo Town Council that the text in Section 2 be made a part of the San Anselmo Municipal Code and that the text may be renumbered or relettered and the word "Ordinance" may be changed to "Section", "Chapter", or such other appropriate word or phrase to accomplish this intention.

SECTION 5: This Ordinance shall go into effect thirty (30) days from its adoption and shall be posted or published as required by State law.

THE FOREGOING ORDINANCE was introduced at a regular meeting of the San Anselmo Town Council on January 25, 2022, and was adopted at a regular meeting of the San Anselmo Town Council on_____, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

_____
Alexis Fineman, Mayor

ATTEST: Carla Kacmar, Town Clerk

STATE OF CALIFORNIA
AUTHENTICATED
ELECTRONIC LEGAL MATERIAL

Assembly Bill No. 345

CHAPTER 343

An act to amend Sections 65852.2 and 65852.26 of the Government Code, relating to land use.

[Approved by Governor September 28, 2021. Filed with Secretary of State September 28, 2021.]

LEGISLATIVE COUNSEL'S DIGEST

AB 345, Quirk-Silva. Accessory dwelling units: separate conveyance.

The Planning and Zoning Law authorizes a local agency to provide, by ordinance, for the creation of accessory dwelling units in single-family and multifamily residential zones and requires a local agency that has not adopted an ordinance to ministerially approve an application for an accessory dwelling unit, and sets forth required ordinance standards, including that the ordinance prohibit the sale or conveyance of the accessory dwelling unit separately from the primary residence.

Existing law, notwithstanding the prohibition described above, authorizes a local agency to, by ordinance, allow an accessory dwelling unit to be sold or conveyed separately from the primary residence to a qualified buyer if certain conditions are met, including that the property was built or developed by a qualified nonprofit corporation and that the property is held pursuant to a recorded tenancy in common agreement. Existing law requires that tenancy in common agreement to, among other things, allocate to each qualified buyer an undivided, unequal interest in the property based on the size of the dwelling each qualified buyer occupies.

This bill would require each local agency to allow an accessory dwelling unit to be sold or conveyed separately from the primary residence to a qualified buyer if the above-described conditions are met. The bill would impose an additional condition on a tenancy in common agreement subject to these provisions and recorded on or after December 31, 2021, to include specified information, including a delineation of all areas of the property that are for the exclusive use of a cotenant, delineation of each cotenant's responsibility for the costs of taxes, insurance, utilities, general maintenance and repair, and improvements associated with the property, and procedures for dispute resolution among cotenants before resorting to legal action.

By imposing additional duties on local governments in the administration of the development of accessory dwelling units, the bill would impose a state-mandated local program.

The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that, if the Commission on State Mandates determines that the bill contains costs mandated by the state, reimbursement for those costs shall be made pursuant to the statutory provisions noted above.

The people of the State of California do enact as follows:

SECTION 1. Section 65852.2 of the Government Code, as amended by Section 3.5 of Chapter 198 of the Statutes of 2020, is amended to read:

65852.2. (a) (1) A local agency may, by ordinance, provide for the creation of accessory dwelling units in areas zoned to allow single-family or multifamily dwelling residential use. The ordinance shall do all of the following:

(A) Designate areas within the jurisdiction of the local agency where accessory dwelling units may be permitted. The designation of areas may be based on the adequacy of water and sewer services and the impact of accessory dwelling units on traffic flow and public safety. A local agency that does not provide water or sewer services shall consult with the local water or sewer service provider regarding the adequacy of water and sewer services before designating an area where accessory dwelling units may be permitted.

(B) (i) Impose standards on accessory dwelling units that include, but are not limited to, parking, height, setback, landscape, architectural review, maximum size of a unit, and standards that prevent adverse impacts on any real property that is listed in the California Register of Historical Resources. These standards shall not include requirements on minimum lot size.

(ii) Notwithstanding clause (i), a local agency may reduce or eliminate parking requirements for any accessory dwelling unit located within its jurisdiction.

(C) Provide that accessory dwelling units do not exceed the allowable density for the lot upon which the accessory dwelling unit is located, and that accessory dwelling units are a residential use that is consistent with the existing general plan and zoning designation for the lot.

(D) Require the accessory dwelling units to comply with all of the following:

(i) Except as provided in Section 65852.26, the accessory dwelling unit may be rented separate from the primary residence, but may not be sold or otherwise conveyed separate from the primary residence.

(ii) The lot is zoned to allow single-family or multifamily dwelling residential use and includes a proposed or existing dwelling.

(iii) The accessory dwelling unit is either attached to, or located within, the proposed or existing primary dwelling, including attached garages, storage areas or similar uses, or an accessory structure or detached from the proposed or existing primary dwelling and located on the same lot as the proposed or existing primary dwelling.

(iv) If there is an existing primary dwelling, the total floor area of an attached accessory dwelling unit shall not exceed 50 percent of the existing primary dwelling.

(v) The total floor area for a detached accessory dwelling unit shall not exceed 1,200 square feet.

(vi) No passageway shall be required in conjunction with the construction of an accessory dwelling unit.

(vii) No setback shall be required for an existing living area or accessory structure or a structure constructed in the same location and to the same dimensions as an existing structure that is converted to an accessory dwelling unit or to a portion of an accessory dwelling unit, and a setback of no more than four feet from the side and rear lot lines shall be required for an accessory dwelling unit that is not converted from an existing structure or a new structure constructed in the same location and to the same dimensions as an existing structure.

(viii) Local building code requirements that apply to detached dwellings, as appropriate.

(ix) Approval by the local health officer where a private sewage disposal system is being used, if required.

(x) (I) Parking requirements for accessory dwelling units shall not exceed one parking space per accessory dwelling unit or per bedroom, whichever is less. These spaces may be provided as tandem parking on a driveway.

(II) Offstreet parking shall be permitted in setback areas in locations determined by the local agency or through tandem parking, unless specific findings are made that parking in setback areas or tandem parking is not feasible based upon specific site or regional topographical or fire and life safety conditions.

(III) This clause shall not apply to an accessory dwelling unit that is described in subdivision (d).

(xi) When a garage, carport, or covered parking structure is demolished in conjunction with the construction of an accessory dwelling unit or converted to an accessory dwelling unit, the local agency shall not require that those offstreet parking spaces be replaced.

(xii) Accessory dwelling units shall not be required to provide fire sprinklers if they are not required for the primary residence.

(2) The ordinance shall not be considered in the application of any local ordinance, policy, or program to limit residential growth.

(3) A permit application for an accessory dwelling unit or a junior accessory dwelling unit shall be considered and approved ministerially without discretionary review or a hearing, notwithstanding Section 65901 or 65906 or any local ordinance regulating the issuance of variances or special use permits. The permitting agency shall act on the application to create an accessory dwelling unit or a junior accessory dwelling unit within 60 days from the date the local agency receives a completed application if there is an existing single-family or multifamily dwelling on the lot. If the permit application to create an accessory dwelling unit or a junior accessory dwelling unit is submitted with a permit application to create a new

single-family dwelling on the lot, the permitting agency may delay acting on the permit application for the accessory dwelling unit or the junior accessory dwelling unit until the permitting agency acts on the permit application to create the new single-family dwelling, but the application to create the accessory dwelling unit or junior accessory dwelling unit shall be considered without discretionary review or hearing. If the applicant requests a delay, the 60-day time period shall be tolled for the period of the delay. If the local agency has not acted upon the completed application within 60 days, the application shall be deemed approved. A local agency may charge a fee to reimburse it for costs incurred to implement this paragraph, including the costs of adopting or amending any ordinance that provides for the creation of an accessory dwelling unit.

(4) An existing ordinance governing the creation of an accessory dwelling unit by a local agency or an accessory dwelling ordinance adopted by a local agency shall provide an approval process that includes only ministerial provisions for the approval of accessory dwelling units and shall not include any discretionary processes, provisions, or requirements for those units, except as otherwise provided in this subdivision. If a local agency has an existing accessory dwelling unit ordinance that fails to meet the requirements of this subdivision, that ordinance shall be null and void and that agency shall thereafter apply the standards established in this subdivision for the approval of accessory dwelling units, unless and until the agency adopts an ordinance that complies with this section.

(5) No other local ordinance, policy, or regulation shall be the basis for the delay or denial of a building permit or a use permit under this subdivision.

(6) This subdivision establishes the maximum standards that local agencies shall use to evaluate a proposed accessory dwelling unit on a lot that includes a proposed or existing single-family dwelling. No additional standards, other than those provided in this subdivision, shall be used or imposed, including any owner-occupant requirement, except that a local agency may require that the property be used for rentals of terms longer than 30 days.

(7) A local agency may amend its zoning ordinance or general plan to incorporate the policies, procedures, or other provisions applicable to the creation of an accessory dwelling unit if these provisions are consistent with the limitations of this subdivision.

(8) An accessory dwelling unit that conforms to this subdivision shall be deemed to be an accessory use or an accessory building and shall not be considered to exceed the allowable density for the lot upon which it is located, and shall be deemed to be a residential use that is consistent with the existing general plan and zoning designations for the lot. The accessory dwelling unit shall not be considered in the application of any local ordinance, policy, or program to limit residential growth.

(b) When a local agency that has not adopted an ordinance governing accessory dwelling units in accordance with subdivision (a) receives an application for a permit to create an accessory dwelling unit pursuant to this subdivision, the local agency shall approve or disapprove the application

ministerially without discretionary review pursuant to subdivision (a). The permitting agency shall act on the application to create an accessory dwelling unit or a junior accessory dwelling unit within 60 days from the date the local agency receives a completed application if there is an existing single-family or multifamily dwelling on the lot. If the permit application to create an accessory dwelling unit or a junior accessory dwelling unit is submitted with a permit application to create a new single-family dwelling on the lot, the permitting agency may delay acting on the permit application for the accessory dwelling unit or the junior accessory dwelling unit until the permitting agency acts on the permit application to create the new single-family dwelling, but the application to create the accessory dwelling unit or junior accessory dwelling unit shall still be considered ministerially without discretionary review or a hearing. If the applicant requests a delay, the 60-day time period shall be tolled for the period of the delay. If the local agency has not acted upon the completed application within 60 days, the application shall be deemed approved.

(c) (1) Subject to paragraph (2), a local agency may establish minimum and maximum unit size requirements for both attached and detached accessory dwelling units.

(2) Notwithstanding paragraph (1), a local agency shall not establish by ordinance any of the following:

(A) A minimum square footage requirement for either an attached or detached accessory dwelling unit that prohibits an efficiency unit.

(B) A maximum square footage requirement for either an attached or detached accessory dwelling unit that is less than either of the following:

(i) 850 square feet.

(ii) 1,000 square feet for an accessory dwelling unit that provides more than one bedroom.

(C) Any other minimum or maximum size for an accessory dwelling unit, size based upon a percentage of the proposed or existing primary dwelling, or limits on lot coverage, floor area ratio, open space, and minimum lot size, for either attached or detached dwellings that does not permit at least an 800 square foot accessory dwelling unit that is at least 16 feet in height with four-foot side and rear yard setbacks to be constructed in compliance with all other local development standards.

(d) Notwithstanding any other law, a local agency, whether or not it has adopted an ordinance governing accessory dwelling units in accordance with subdivision (a), shall not impose parking standards for an accessory dwelling unit in any of the following instances:

(1) The accessory dwelling unit is located within one-half mile walking distance of public transit.

(2) The accessory dwelling unit is located within an architecturally and historically significant historic district.

(3) The accessory dwelling unit is part of the proposed or existing primary residence or an accessory structure.

(4) When on-street parking permits are required but not offered to the occupant of the accessory dwelling unit.

(5) When there is a car share vehicle located within one block of the accessory dwelling unit.

(e) (1) Notwithstanding subdivisions (a) to (d), inclusive, a local agency shall ministerially approve an application for a building permit within a residential or mixed-use zone to create any of the following:

(A) One accessory dwelling unit and one junior accessory dwelling unit per lot with a proposed or existing single-family dwelling if all of the following apply:

(i) The accessory dwelling unit or junior accessory dwelling unit is within the proposed space of a single-family dwelling or existing space of a single-family dwelling or accessory structure and may include an expansion of not more than 150 square feet beyond the same physical dimensions as the existing accessory structure. An expansion beyond the physical dimensions of the existing accessory structure shall be limited to accommodating ingress and egress.

(ii) The space has exterior access from the proposed or existing single-family dwelling.

(iii) The side and rear setbacks are sufficient for fire and safety.

(iv) The junior accessory dwelling unit complies with the requirements of Section 65852.22.

(B) One detached, new construction, accessory dwelling unit that does not exceed four-foot side and rear yard setbacks for a lot with a proposed or existing single-family dwelling. The accessory dwelling unit may be combined with a junior accessory dwelling unit described in subparagraph (A). A local agency may impose the following conditions on the accessory dwelling unit:

(i) A total floor area limitation of not more than 800 square feet.

(ii) A height limitation of 16 feet.

(C) (i) Multiple accessory dwelling units within the portions of existing multifamily dwelling structures that are not used as livable space, including, but not limited to, storage rooms, boiler rooms, passageways, attics, basements, or garages, if each unit complies with state building standards for dwellings.

(ii) A local agency shall allow at least one accessory dwelling unit within an existing multifamily dwelling and shall allow up to 25 percent of the existing multifamily dwelling units.

(D) Not more than two accessory dwelling units that are located on a lot that has an existing multifamily dwelling, but are detached from that multifamily dwelling and are subject to a height limit of 16 feet and four-foot rear yard and side setbacks.

(2) A local agency shall not require, as a condition for ministerial approval of a permit application for the creation of an accessory dwelling unit or a junior accessory dwelling unit, the correction of nonconforming zoning conditions.

(3) The installation of fire sprinklers shall not be required in an accessory dwelling unit if sprinklers are not required for the primary residence.

(4) A local agency shall require that a rental of the accessory dwelling unit created pursuant to this subdivision be for a term longer than 30 days.

(5) A local agency may require, as part of the application for a permit to create an accessory dwelling unit connected to an onsite wastewater treatment system, a percolation test completed within the last five years, or, if the percolation test has been recertified, within the last 10 years.

(6) Notwithstanding subdivision (c) and paragraph (1) a local agency that has adopted an ordinance by July 1, 2018, providing for the approval of accessory dwelling units in multifamily dwelling structures shall ministerially consider a permit application to construct an accessory dwelling unit that is described in paragraph (1), and may impose standards including, but not limited to, design, development, and historic standards on said accessory dwelling units. These standards shall not include requirements on minimum lot size.

(f) (1) Fees charged for the construction of accessory dwelling units shall be determined in accordance with Chapter 5 (commencing with Section 66000) and Chapter 7 (commencing with Section 66012).

(2) An accessory dwelling unit shall not be considered by a local agency, special district, or water corporation to be a new residential use for purposes of calculating connection fees or capacity charges for utilities, including water and sewer service, unless the accessory dwelling unit was constructed with a new single-family dwelling.

(3) (A) A local agency, special district, or water corporation shall not impose any impact fee upon the development of an accessory dwelling unit less than 750 square feet. Any impact fees charged for an accessory dwelling unit of 750 square feet or more shall be charged proportionately in relation to the square footage of the primary dwelling unit.

(B) For purposes of this paragraph, "impact fee" has the same meaning as the term "fee" is defined in subdivision (b) of Section 66000, except that it also includes fees specified in Section 66477. "Impact fee" does not include any connection fee or capacity charge charged by a local agency, special district, or water corporation.

(4) For an accessory dwelling unit described in subparagraph (A) of paragraph (1) of subdivision (e), a local agency, special district, or water corporation shall not require the applicant to install a new or separate utility connection directly between the accessory dwelling unit and the utility or impose a related connection fee or capacity charge, unless the accessory dwelling unit was constructed with a new single-family home.

(5) For an accessory dwelling unit that is not described in subparagraph (A) of paragraph (1) of subdivision (e), a local agency, special district, or water corporation may require a new or separate utility connection directly between the accessory dwelling unit and the utility. Consistent with Section 66013, the connection may be subject to a connection fee or capacity charge that shall be proportionate to the burden of the proposed accessory dwelling unit, based upon either its square feet or the number of its drainage fixture unit (DFU) values, as defined in the Uniform Plumbing Code adopted and published by the International Association of Plumbing and Mechanical

Officials, upon the water or sewer system. This fee or charge shall not exceed the reasonable cost of providing this service.

(g) This section does not limit the authority of local agencies to adopt less restrictive requirements for the creation of an accessory dwelling unit.

(h) (1) A local agency shall submit a copy of the ordinance adopted pursuant to subdivision (a) to the Department of Housing and Community Development within 60 days after adoption. After adoption of an ordinance, the department may submit written findings to the local agency as to whether the ordinance complies with this section.

(2) (A) If the department finds that the local agency's ordinance does not comply with this section, the department shall notify the local agency and shall provide the local agency with a reasonable time, no longer than 30 days, to respond to the findings before taking any other action authorized by this section.

(B) The local agency shall consider the findings made by the department pursuant to subparagraph (A) and shall do one of the following:

(i) Amend the ordinance to comply with this section.

(ii) Adopt the ordinance without changes. The local agency shall include findings in its resolution adopting the ordinance that explain the reasons the local agency believes that the ordinance complies with this section despite the findings of the department.

(3) (A) If the local agency does not amend its ordinance in response to the department's findings or does not adopt a resolution with findings explaining the reason the ordinance complies with this section and addressing the department's findings, the department shall notify the local agency and may notify the Attorney General that the local agency is in violation of state law.

(B) Before notifying the Attorney General that the local agency is in violation of state law, the department may consider whether a local agency adopted an ordinance in compliance with this section between January 1, 2017, and January 1, 2020.

(i) The department may review, adopt, amend, or repeal guidelines to implement uniform standards or criteria that supplement or clarify the terms, references, and standards set forth in this section. The guidelines adopted pursuant to this subdivision are not subject to Chapter 3.5 (commencing with Section 11340) of Part 1 of Division 3 of Title 2.

(j) As used in this section, the following terms mean:

(1) "Accessory dwelling unit" means an attached or a detached residential dwelling unit that provides complete independent living facilities for one or more persons and is located on a lot with a proposed or existing primary residence. It shall include permanent provisions for living, sleeping, eating, cooking, and sanitation on the same parcel as the single-family or multifamily dwelling is or will be situated. An accessory dwelling unit also includes the following:

(A) An efficiency unit.

(B) A manufactured home, as defined in Section 18007 of the Health and Safety Code.

(2) "Accessory structure" means a structure that is accessory and incidental to a dwelling located on the same lot.

(3) "Efficiency unit" has the same meaning as defined in Section 17958.1 of the Health and Safety Code.

(4) "Living area" means the interior habitable area of a dwelling unit, including basements and attics, but does not include a garage or any accessory structure.

(5) "Local agency" means a city, county, or city and county, whether general law or chartered.

(6) "Nonconforming zoning condition" means a physical improvement on a property that does not conform with current zoning standards.

(7) "Passageway" means a pathway that is unobstructed clear to the sky and extends from a street to one entrance of the accessory dwelling unit.

(8) "Proposed dwelling" means a dwelling that is the subject of a permit application and that meets the requirements for permitting.

(9) "Public transit" means a location, including, but not limited to, a bus stop or train station, where the public may access buses, trains, subways, and other forms of transportation that charge set fares, run on fixed routes, and are available to the public.

(10) "Tandem parking" means that two or more automobiles are parked on a driveway or in any other location on a lot, lined up behind one another.

(k) A local agency shall not issue a certificate of occupancy for an accessory dwelling unit before the local agency issues a certificate of occupancy for the primary dwelling.

(*l*) Nothing in this section shall be construed to supersede or in any way alter or lessen the effect or application of the California Coastal Act of 1976 (Division 20 (commencing with Section 30000) of the Public Resources Code), except that the local government shall not be required to hold public hearings for coastal development permit applications for accessory dwelling units.

(m) A local agency may count an accessory dwelling unit for purposes of identifying adequate sites for housing, as specified in subdivision (a) of Section 65583.1, subject to authorization by the department and compliance with this division.

(n) In enforcing building standards pursuant to Article 1 (commencing with Section 17960) of Chapter 5 of Part 1.5 of Division 13 of the Health and Safety Code for an accessory dwelling unit described in paragraph (1) or (2) below, a local agency, upon request of an owner of an accessory dwelling unit for a delay in enforcement, shall delay enforcement of a building standard, subject to compliance with Section 17980.12 of the Health and Safety Code:

(1) The accessory dwelling unit was built before January 1, 2020.

(2) The accessory dwelling unit was built on or after January 1, 2020, in a local jurisdiction that, at the time the accessory dwelling unit was built, had a noncompliant accessory dwelling unit ordinance, but the ordinance is compliant at the time the request is made.

(o) This section shall remain in effect only until January 1, 2025, and as of that date is repealed.

SEC. 2. Section 65852.2 of the Government Code, as amended by Section 4.5 Chapter 198 of the Statutes of 2020, is amended to read:

65852.2. (a) (1) A local agency may, by ordinance, provide for the creation of accessory dwelling units in areas zoned to allow single-family or multifamily dwelling residential use. The ordinance shall do all of the following:

(A) Designate areas within the jurisdiction of the local agency where accessory dwelling units may be permitted. The designation of areas may be based on the adequacy of water and sewer services and the impact of accessory dwelling units on traffic flow and public safety. A local agency that does not provide water or sewer services shall consult with the local water or sewer service provider regarding the adequacy of water and sewer services before designating an area where accessory dwelling units may be permitted.

(B) (i) Impose standards on accessory dwelling units that include, but are not limited to, parking, height, setback, landscape, architectural review, maximum size of a unit, and standards that prevent adverse impacts on any real property that is listed in the California Register of Historical Resources. These standards shall not include requirements on minimum lot size.

(ii) Notwithstanding clause (i), a local agency may reduce or eliminate parking requirements for any accessory dwelling unit located within its jurisdiction.

(C) Provide that accessory dwelling units do not exceed the allowable density for the lot upon which the accessory dwelling unit is located, and that accessory dwelling units are a residential use that is consistent with the existing general plan and zoning designation for the lot.

(D) Require the accessory dwelling units to comply with all of the following:

(i) Except as provided in Section 65852.26, the accessory dwelling unit may be rented separate from the primary residence, but may not be sold or otherwise conveyed separate from the primary residence.

(ii) The lot is zoned to allow single-family or multifamily dwelling residential use and includes a proposed or existing dwelling.

(iii) The accessory dwelling unit is either attached to, or located within, the proposed or existing primary dwelling, including attached garages, storage areas or similar uses, or an accessory structure or detached from the proposed or existing primary dwelling and located on the same lot as the proposed or existing primary dwelling.

(iv) If there is an existing primary dwelling, the total floor area of an attached accessory dwelling unit shall not exceed 50 percent of the existing primary dwelling.

(v) The total floor area for a detached accessory dwelling unit shall not exceed 1,200 square feet.

(vi) No passageway shall be required in conjunction with the construction of an accessory dwelling unit.

(vii) No setback shall be required for an existing living area or accessory structure or a structure constructed in the same location and to the same dimensions as an existing structure that is converted to an accessory dwelling unit or to a portion of an accessory dwelling unit, and a setback of no more than four feet from the side and rear lot lines shall be required for an accessory dwelling unit that is not converted from an existing structure or a new structure constructed in the same location and to the same dimensions as an existing structure.

(viii) Local building code requirements that apply to detached dwellings, as appropriate.

(ix) Approval by the local health officer where a private sewage disposal system is being used, if required.

(x) (I) Parking requirements for accessory dwelling units shall not exceed one parking space per accessory dwelling unit or per bedroom, whichever is less. These spaces may be provided as tandem parking on a driveway.

(II) Offstreet parking shall be permitted in setback areas in locations determined by the local agency or through tandem parking, unless specific findings are made that parking in setback areas or tandem parking is not feasible based upon specific site or regional topographical or fire and life safety conditions.

(III) This clause shall not apply to an accessory dwelling unit that is described in subdivision (d).

(xi) When a garage, carport, or covered parking structure is demolished in conjunction with the construction of an accessory dwelling unit or converted to an accessory dwelling unit, the local agency shall not require that those offstreet parking spaces be replaced.

(xii) Accessory dwelling units shall not be required to provide fire sprinklers if they are not required for the primary residence.

(2) The ordinance shall not be considered in the application of any local ordinance, policy, or program to limit residential growth.

(3) A permit application for an accessory dwelling unit or a junior accessory dwelling unit shall be considered and approved ministerially without discretionary review or a hearing, notwithstanding Section 65901 or 65906 or any local ordinance regulating the issuance of variances or special use permits. The permitting agency shall act on the application to create an accessory dwelling unit or a junior accessory dwelling unit within 60 days from the date the local agency receives a completed application if there is an existing single-family or multifamily dwelling on the lot. If the permit application to create an accessory dwelling unit or a junior accessory dwelling unit is submitted with a permit application to create a new single-family dwelling on the lot, the permitting agency may delay acting on the permit application for the accessory dwelling unit or the junior accessory dwelling unit until the permitting agency acts on the permit application to create the new single-family dwelling, but the application to create the accessory dwelling unit or junior accessory dwelling unit shall be considered without discretionary review or hearing. If the applicant requests a delay, the 60-day time period shall be tolled for the period of the

delay. If the local agency has not acted upon the completed application within 60 days, the application shall be deemed approved. A local agency may charge a fee to reimburse it for costs incurred to implement this paragraph, including the costs of adopting or amending any ordinance that provides for the creation of an accessory dwelling unit.

(4) An existing ordinance governing the creation of an accessory dwelling unit by a local agency or an accessory dwelling ordinance adopted by a local agency shall provide an approval process that includes only ministerial provisions for the approval of accessory dwelling units and shall not include any discretionary processes, provisions, or requirements for those units, except as otherwise provided in this subdivision. If a local agency has an existing accessory dwelling unit ordinance that fails to meet the requirements of this subdivision, that ordinance shall be null and void and that agency shall thereafter apply the standards established in this subdivision for the approval of accessory dwelling units, unless and until the agency adopts an ordinance that complies with this section.

(5) No other local ordinance, policy, or regulation shall be the basis for the delay or denial of a building permit or a use permit under this subdivision.

(6) (A) This subdivision establishes the maximum standards that local agencies shall use to evaluate a proposed accessory dwelling unit on a lot that includes a proposed or existing single-family dwelling. No additional standards, other than those provided in this subdivision, shall be used or imposed except that, subject to subparagraph (B), a local agency may require an applicant for a permit issued pursuant to this subdivision to be an owner-occupant or that the property be used for rentals of terms longer than 30 days.

(B) Notwithstanding subparagraph (A), a local agency shall not impose an owner-occupant requirement on an accessory dwelling unit permitted between January 1, 2020, to January 1, 2025, during which time the local agency was prohibited from imposing an owner-occupant requirement.

(7) A local agency may amend its zoning ordinance or general plan to incorporate the policies, procedures, or other provisions applicable to the creation of an accessory dwelling unit if these provisions are consistent with the limitations of this subdivision.

(8) An accessory dwelling unit that conforms to this subdivision shall be deemed to be an accessory use or an accessory building and shall not be considered to exceed the allowable density for the lot upon which it is located, and shall be deemed to be a residential use that is consistent with the existing general plan and zoning designations for the lot. The accessory dwelling unit shall not be considered in the application of any local ordinance, policy, or program to limit residential growth.

(b) When a local agency that has not adopted an ordinance governing accessory dwelling units in accordance with subdivision (a) receives an application for a permit to create an accessory dwelling unit pursuant to this subdivision, the local agency shall approve or disapprove the application ministerially without discretionary review pursuant to subdivision (a). The permitting agency shall act on the application to create an accessory dwelling

unit or a junior accessory dwelling unit within 60 days from the date the local agency receives a completed application if there is an existing single-family or multifamily dwelling on the lot. If the permit application to create an accessory dwelling unit or a junior accessory dwelling unit is submitted with a permit application to create a new single-family dwelling on the lot, the permitting agency may delay acting on the permit application for the accessory dwelling unit or the junior accessory dwelling unit until the permitting agency acts on the permit application to create the new single-family dwelling, but the application to create the accessory dwelling unit or junior accessory dwelling unit shall still be considered ministerially without discretionary review or a hearing. If the applicant requests a delay, the 60-day time period shall be tolled for the period of the delay. If the local agency has not acted upon the completed application within 60 days, the application shall be deemed approved.

(c) (1) Subject to paragraph (2), a local agency may establish minimum and maximum unit size requirements for both attached and detached accessory dwelling units.

(2) Notwithstanding paragraph (1), a local agency shall not establish by ordinance any of the following:

(A) A minimum square footage requirement for either an attached or detached accessory dwelling unit that prohibits an efficiency unit.

(B) A maximum square footage requirement for either an attached or detached accessory dwelling unit that is less than either of the following:

(i) 850 square feet.

(ii) 1,000 square feet for an accessory dwelling unit that provides more than one bedroom.

(C) Any other minimum or maximum size for an accessory dwelling unit, size based upon a percentage of the proposed or existing primary dwelling, or limits on lot coverage, floor area ratio, open space, and minimum lot size, for either attached or detached dwellings that does not permit at least an 800 square foot accessory dwelling unit that is at least 16 feet in height with four-foot side and rear yard setbacks to be constructed in compliance with all other local development standards.

(d) Notwithstanding any other law, a local agency, whether or not it has adopted an ordinance governing accessory dwelling units in accordance with subdivision (a), shall not impose parking standards for an accessory dwelling unit in any of the following instances:

(1) The accessory dwelling unit is located within one-half mile walking distance of public transit.

(2) The accessory dwelling unit is located within an architecturally and historically significant historic district.

(3) The accessory dwelling unit is part of the proposed or existing primary residence or an accessory structure.

(4) When on-street parking permits are required but not offered to the occupant of the accessory dwelling unit.

(5) When there is a car share vehicle located within one block of the accessory dwelling unit.

(e) (1) Notwithstanding subdivisions (a) to (d), inclusive, a local agency shall ministerially approve an application for a building permit within a residential or mixed-use zone to create any of the following:

(A) One accessory dwelling unit and one junior accessory dwelling unit per lot with a proposed or existing single-family dwelling if all of the following apply:

(i) The accessory dwelling unit or junior accessory dwelling unit is within the proposed space of a single-family dwelling or existing space of a single-family dwelling or accessory structure and may include an expansion of not more than 150 square feet beyond the same physical dimensions as the existing accessory structure. An expansion beyond the physical dimensions of the existing accessory structure shall be limited to accommodating ingress and egress.

(ii) The space has exterior access from the proposed or existing single-family dwelling.

(iii) The side and rear setbacks are sufficient for fire and safety.

(iv) The junior accessory dwelling unit complies with the requirements of Section 65852.22.

(B) One detached, new construction, accessory dwelling unit that does not exceed four-foot side and rear yard setbacks for a lot with a proposed or existing single-family dwelling. The accessory dwelling unit may be combined with a junior accessory dwelling unit described in subparagraph (A). A local agency may impose the following conditions on the accessory dwelling unit:

(i) A total floor area limitation of not more than 800 square feet.

(ii) A height limitation of 16 feet.

(C) (i) Multiple accessory dwelling units within the portions of existing multifamily dwelling structures that are not used as livable space, including, but not limited to, storage rooms, boiler rooms, passageways, attics, basements, or garages, if each unit complies with state building standards for dwellings.

(ii) A local agency shall allow at least one accessory dwelling unit within an existing multifamily dwelling and shall allow up to 25 percent of the existing multifamily dwelling units.

(D) Not more than two accessory dwelling units that are located on a lot that has an existing multifamily dwelling, but are detached from that multifamily dwelling and are subject to a height limit of 16 feet and four-foot rear yard and side setbacks.

(2) A local agency shall not require, as a condition for ministerial approval of a permit application for the creation of an accessory dwelling unit or a junior accessory dwelling unit, the correction of nonconforming zoning conditions.

(3) The installation of fire sprinklers shall not be required in an accessory dwelling unit if sprinklers are not required for the primary residence.

(4) A local agency may require owner occupancy for either the primary dwelling or the accessory dwelling unit on a single-family lot, subject to the requirements of paragraph (6) of subdivision (a).

(5) A local agency shall require that a rental of the accessory dwelling unit created pursuant to this subdivision be for a term longer than 30 days.

(6) A local agency may require, as part of the application for a permit to create an accessory dwelling unit connected to an onsite wastewater treatment system, a percolation test completed within the last five years, or, if the percolation test has been recertified, within the last 10 years.

(7) Notwithstanding subdivision (c) and paragraph (1) a local agency that has adopted an ordinance by July 1, 2018, providing for the approval of accessory dwelling units in multifamily dwelling structures shall ministerially consider a permit application to construct an accessory dwelling unit that is described in paragraph (1), and may impose standards including, but not limited to, design, development, and historic standards on said accessory dwelling units. These standards shall not include requirements on minimum lot size.

(f) (1) Fees charged for the construction of accessory dwelling units shall be determined in accordance with Chapter 5 (commencing with Section 66000) and Chapter 7 (commencing with Section 66012).

(2) An accessory dwelling unit shall not be considered by a local agency, special district, or water corporation to be a new residential use for purposes of calculating connection fees or capacity charges for utilities, including water and sewer service, unless the accessory dwelling unit was constructed with a new single-family dwelling.

(3) (A) A local agency, special district, or water corporation shall not impose any impact fee upon the development of an accessory dwelling unit less than 750 square feet. Any impact fees charged for an accessory dwelling unit of 750 square feet or more shall be charged proportionately in relation to the square footage of the primary dwelling unit.

(B) For purposes of this paragraph, "impact fee" has the same meaning as the term "fee" is defined in subdivision (b) of Section 66000, except that it also includes fees specified in Section 66477. "Impact fee" does not include any connection fee or capacity charge charged by a local agency, special district, or water corporation.

(4) For an accessory dwelling unit described in subparagraph (A) of paragraph (1) of subdivision (e), a local agency, special district, or water corporation shall not require the applicant to install a new or separate utility connection directly between the accessory dwelling unit and the utility or impose a related connection fee or capacity charge, unless the accessory dwelling unit was constructed with a new single-family dwelling.

(5) For an accessory dwelling unit that is not described in subparagraph (A) of paragraph (1) of subdivision (e), a local agency, special district, or water corporation may require a new or separate utility connection directly between the accessory dwelling unit and the utility. Consistent with Section 66013, the connection may be subject to a connection fee or capacity charge that shall be proportionate to the burden of the proposed accessory dwelling unit, based upon either its square feet or the number of its drainage fixture unit (DFU) values, as defined in the Uniform Plumbing Code adopted and published by the International Association of Plumbing and Mechanical

Officials, upon the water or sewer system. This fee or charge shall not exceed the reasonable cost of providing this service.

(g) This section does not limit the authority of local agencies to adopt less restrictive requirements for the creation of an accessory dwelling unit.

(h) (1) A local agency shall submit a copy of the ordinance adopted pursuant to subdivision (a) to the Department of Housing and Community Development within 60 days after adoption. After adoption of an ordinance, the department may submit written findings to the local agency as to whether the ordinance complies with this section.

(2) (A) If the department finds that the local agency's ordinance does not comply with this section, the department shall notify the local agency and shall provide the local agency with a reasonable time, no longer than 30 days, to respond to the findings before taking any other action authorized by this section.

(B) The local agency shall consider the findings made by the department pursuant to subparagraph (A) and shall do one of the following:

(i) Amend the ordinance to comply with this section.

(ii) Adopt the ordinance without changes. The local agency shall include findings in its resolution adopting the ordinance that explain the reasons the local agency believes that the ordinance complies with this section despite the findings of the department.

(3) (A) If the local agency does not amend its ordinance in response to the department's findings or does not adopt a resolution with findings explaining the reason the ordinance complies with this section and addressing the department's findings, the department shall notify the local agency and may notify the Attorney General that the local agency is in violation of state law.

(B) Before notifying the Attorney General that the local agency is in violation of state law, the department may consider whether a local agency adopted an ordinance in compliance with this section between January 1, 2017, and January 1, 2020.

(i) The department may review, adopt, amend, or repeal guidelines to implement uniform standards or criteria that supplement or clarify the terms, references, and standards set forth in this section. The guidelines adopted pursuant to this subdivision are not subject to Chapter 3.5 (commencing with Section 11340) of Part 1 of Division 3 of Title 2.

(j) As used in this section, the following terms mean:

(1) "Accessory dwelling unit" means an attached or a detached residential dwelling unit that provides complete independent living facilities for one or more persons and is located on a lot with a proposed or existing primary residence. It shall include permanent provisions for living, sleeping, eating, cooking, and sanitation on the same parcel as the single-family or multifamily dwelling is or will be situated. An accessory dwelling unit also includes the following:

(A) An efficiency unit.

(B) A manufactured home, as defined in Section 18007 of the Health and Safety Code.

(2) "Accessory structure" means a structure that is accessory and incidental to a dwelling located on the same lot.

(3) "Efficiency unit" has the same meaning as defined in Section 17958.1 of the Health and Safety Code.

(4) "Living area" means the interior habitable area of a dwelling unit, including basements and attics, but does not include a garage or any accessory structure.

(5) "Local agency" means a city, county, or city and county, whether general law or chartered.

(6) "Nonconforming zoning condition" means a physical improvement on a property that does not conform with current zoning standards.

(7) "Passageway" means a pathway that is unobstructed clear to the sky and extends from a street to one entrance of the accessory dwelling unit.

(8) "Proposed dwelling" means a dwelling that is the subject of a permit application and that meets the requirements for permitting.

(9) "Public transit" means a location, including, but not limited to, a bus stop or train station, where the public may access buses, trains, subways, and other forms of transportation that charge set fares, run on fixed routes, and are available to the public.

(10) "Tandem parking" means that two or more automobiles are parked on a driveway or in any other location on a lot, lined up behind one another.

(k) A local agency shall not issue a certificate of occupancy for an accessory dwelling unit before the local agency issues a certificate of occupancy for the primary dwelling.

(*l*) Nothing in this section shall be construed to supersede or in any way alter or lessen the effect or application of the California Coastal Act of 1976 (Division 20 (commencing with Section 30000) of the Public Resources Code), except that the local government shall not be required to hold public hearings for coastal development permit applications for accessory dwelling units.

(m) A local agency may count an accessory dwelling unit for purposes of identifying adequate sites for housing, as specified in subdivision (a) of Section 65583.1, subject to authorization by the department and compliance with this division.

(n) In enforcing building standards pursuant to Article 1 (commencing with Section 17960) of Chapter 5 of Part 1.5 of Division 13 of the Health and Safety Code for an accessory dwelling unit described in paragraph (1) or (2) below, a local agency, upon request of an owner of an accessory dwelling unit for a delay in enforcement, shall delay enforcement of a building standard, subject to compliance with Section 17980.12 of the Health and Safety Code:

(1) The accessory dwelling unit was built before January 1, 2020.

(2) The accessory dwelling unit was built on or after January 1, 2020, in a local jurisdiction that, at the time the accessory dwelling unit was built, had a noncompliant accessory dwelling unit ordinance, but the ordinance is compliant at the time the request is made.

(o) This section shall become operative on January 1, 2025.

SEC. 3. Section 65852.26 of the Government Code is amended to read:

65852.26. (a) Notwithstanding clause (i) of subparagraph (D) of paragraph (1) of subdivision (a) of Section 65852.2, a local agency shall allow an accessory dwelling unit to be sold or conveyed separately from the primary residence to a qualified buyer if all of the following apply:

(1) The accessory dwelling unit or the primary dwelling was built or developed by a qualified nonprofit corporation.

(2) There is an enforceable restriction on the use of the land pursuant to a recorded contract between the qualified buyer and the qualified nonprofit corporation that satisfies all of the requirements specified in paragraph (10) of subdivision (a) of Section 402.1 of the Revenue and Taxation Code.

(3) The property is held pursuant to a recorded tenancy in common agreement that includes all of the following:

(A) The agreement allocates to each qualified buyer an undivided, unequal interest in the property based on the size of the dwelling that each qualified buyer occupies.

(B) A repurchase option that requires the qualified buyer to first offer the qualified nonprofit corporation to buy the accessory dwelling unit or primary dwelling if the buyer desires to sell or convey the property.

(C) A requirement that the qualified buyer occupy the accessory dwelling unit or primary dwelling as the buyer's principal residence.

(D) Affordability restrictions on the sale and conveyance of the accessory dwelling unit or primary dwelling that ensure the accessory dwelling unit and primary dwelling will be preserved for low-income housing for 45 years for owner-occupied housing units and will be sold or resold to a qualified buyer.

(E) If the tenancy in common agreement is recorded after December 31, 2021, it shall also include all of the following:

(i) Delineation of all areas of the property that are for the exclusive use of a cotenant. Each cotenant shall agree not to claim a right of occupancy to an area delineated for the exclusive use of another cotenant, provided that the latter cotenant's obligations to each of the other cotenants have been satisfied.

(ii) Delineation of each cotenant's responsibility for the costs of taxes, insurance, utilities, general maintenance and repair, improvements, and any other costs, obligations, or liabilities associated with the property. This delineation shall only be binding on the parties to the agreement, and shall not supersede or obviate the liability, whether joint and several or otherwise, of the parties for any cost, obligation, or liability associated with the property where such liability is otherwise established by law or by agreement with a third party.

(iii) Procedures for dispute resolution among the parties before resorting to legal action.

(4) A grant deed naming the grantor, grantee, and describing the property interests being transferred shall be recorded in the county in which the property is located. A Preliminary Change of Ownership Report shall be

filed concurrently with this grant deed pursuant to Section 480.3 of the Revenue and Taxation Code.

(5) Notwithstanding subparagraph (A) of paragraph (2) of subdivision (f) of Section 65852.2, if requested by a utility providing service to the primary residence, the accessory dwelling unit has a separate water, sewer, or electrical connection to that utility.

(b) For purposes of this section, the following definitions apply:

(1) "Qualified buyer" means persons and families of low or moderate income, as that term is defined in Section 50093 of the Health and Safety Code.

(2) "Qualified nonprofit corporation" means a nonprofit corporation organized pursuant to Section 501(c)(3) of the Internal Revenue Code that has received a welfare exemption under Section 214.15 of the Revenue and Taxation Code for properties intended to be sold to low-income families who participate in a special no-interest loan program.

SEC. 4. If the Commission on State Mandates determines that this act contains costs mandated by the state, reimbursement to local agencies and school districts for those costs shall be made pursuant to Part 7 (commencing with Section 17500) of Division 4 of Title 2 of the Government Code.

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