

## 1. Call to order and Flag Salute

Present: Councilmen Capurro, Toal, Mayor Colteaux

Absent: Councilman Blinder

Councilman Anderson absent at the beginning of the meeting.

2. Consent Agenda

M/S Capurro, Toal to pass Consent Agenda. Ayes all present.

- a. Approved minutes of January 13th regular meeting and January 14th and 17th adjourned meetings.
- b. Approved December, 1975 warrant register, Resolution No. 1639
- c. Adopted Resolution No. 1640 authorizing execution of revised cooperation agreement with the County of Marin including HUD directed technical modification.

3. ANNOUNCEMENTS

Resignation of Keith Franc from Design Review Board - Applications for the vacancy are encouraged.

The Town Attorney reported that former Sgt. David Oliva has been found eligible for disability retirement and therefore has withdrawn his dismissal appeal.

4. Council requests for future agenda items; comments and directions to staff.

Mayor Colteaux - Councilman Blinder's suggestion to introduce an ordinance banning aerosol containers in San Anselmo will be on the February 10th agenda.

Mayor Colteaux - questioned as to whether staff had suggested to the County a county-wide ordinance banning the sale of elmwood for firewood. The Town Engineer will write a letter.

5. OPEN TIME FOR PUBLIC DISCUSSION

Mr. Walter Firestone requested the City to accept an easement of the drainage ditch running through his property in Oak Springs Subdivision #2. He was advised that before the Council could consider acceptance, a recommendation would have to come from the Town Engineer.

(Councilman Anderson arrived at 8:20 P.M.)

6. (cont.) REZONING 48 PARCELS RIDGE & HEALTH & SAFETY OPEN SPACE AREAS

After discussion by Council of observations made during an on-site inspection tour of the areas involved and further public input, the majority of the Council were in agreement that the parcels should be rezoned to PPD with the matter of density to be considered as to each individual parcel when and if necessary, a motion was made by Councilman Toal, which failed for lack of a second, to accept the recommendations of the Planning Commission arrived at during their meetings of October 20 and 17, 1975 to rezone the properties as described in the Notice of Public Hearing and to instruct staff to prepare the required ordinance. Thereafter,

M/S Anderson, Capurro to indicate intent to rezone the 48 parcels to PPD and to refer back to the Planning Commission with the recommendation that no density limitations be included in the proposed ordinance and that consideration also be given to PPD rezoning of improved properties that otherwise would fall in the same categories and to direct staff to consider recommendations for the development of density standards that would be used for the guidance of the Planning Commission on PPD applications.

Ayes: Councilmen Anderson, Capurro, Mayor Colteaux

Noes: Councilman Toal

Absent: Councilman Blinder

7. CORRECTION OF PREVIOUS ACTION REZONING THREE PARCELS FRONTING ON SCENIC HIGHWAYS

M/S Capurro, Colteaux to rezone the following parcels to correct property descriptions and zoning references acted on by the Town Council November 11, 1975:

Highway frontage portion of Assessor's Parcel No. 6-171-12, zoned C-2 to be rezoned PPD/C-2/F.

Highway frontage portion of Assessor's Parcel No. 6-171-06, zoned C-2 to be rezoned PPD/C-2/F

Assessor's Parcel No. 6-191-37, zoned R-1, to be rezoned PPD/R-1/F

Ayes: all present.

17. RESOLUTION TO PERMIT DAILY COMMUTER PARKING IN CREEK PARK PARKING LOT

M/S Anderson, Toal to adopt Resolution No. 1641 amending Resolution No. 1594 providing for all day parking in a portion of the Creek Park/Parking Area, limiting the number of designated spaces to 12, substituting a 50¢ per day fee and requesting the San Anselmo Bus Depot to sell daily parking tickets. Ayes: All present.

8. REPORT OF ISABEL COOK SCHOOL NEGOTIATING COMMITTEE

Mayor Colteaux reported that at a meeting with the School District Negotiating Committee after the last Council meeting, it was concluded by both sides that the parent boards should be requested to direct their attorneys to draft documents incorporating the principle approvals to facilitate ironing out remaining issues. After discussion indicating questions in particular as to the Red Hill project and Town participation therein,

M/S Toal, Capurro to direct the Town Attorney to work with the School District Attorney in preparing a draft lease-purchase agreement as to Isabel Cook School and adjoining property and a draft joint powers agreement as to the Red Hill project. Ayes: all present.

On the same motion, staff was directed to work with District staff on preliminary facilities planning as to the latter project.

9. PRIORITIES AND SCHEDULE FOR ORDINANCE CHANGES CONFORMING TO GENERAL PLAN

After consideration of staff recommendations and discussion,

M/S Anderson, Capurro to approve as a general guide the ordinance priorities as suggested in the Director of Public Works memorandum of January 22nd. Ayes: all present.

10. REPORT OF TOWN ATTORNEY ON STATUS OF SITE ACQUISITION FOR NEW FIREHOUSE

The Town Attorney advised that an agreement had been reached on price for the Butler property and he expected to make transfers within the next month. Condemnation suit has been filed on the Cerruti property, but he expects a negotiated settlement on the price to be reached shortly.

14. LOMBARDI APPEAL (VAR-644)

Put over to February 10th meeting at request of appellants.

15. APPEAL OF J. J. SULLIVAN FROM PLANNING COMMISSION DENIAL OF VARIANCE FOR FRONT & SIDEYARD SETBACKS FOR COVERED CARPORT, 55 MELLVILLE (VAR-649)

After hearing from appellant and consideration of Planning Commission action,

M/S Capurro, Anderson to grant the appeal denying Variance 649 for a 20' frontyard and 6' sideyard variance to allow construction of a car port at 55 Melville on the basis that sufficient hardship exists and that the height of the structure is believed to be not detrimental to the neighborhood, subject to approval of design by the Design Review Committee, and that the existing garage be maintained as off-street parking. Ayes: all present.

16. APPEAL OF FOTOMAT CORP. FROM PLANNING COMMISSION DENIAL OF USE PERMIT AND PARKING VARIANCE FOR KIOSK AT 50 GREENFIELD AVE. (U-434 & VAR-646)

The appeal was presented by Pete Fogerty of Fotomat Corporation. After consideration by Council, particularly of the creation of a circulation problem in this location,

M/S Anderson, Capuroo to deny the appeal and uphold the action of the Planning Commission. Ayes: All present.

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21. (Added Item) DIRECTIONS TO STAFF RE SLEEPY HOLLOW FIRE PROTECTION DISTRICT/  
TOWN AGREEMENT

After advice by the Administrator and Town Attorney as to negotiations frustrated by a recent demand by the District that it be given budget decision authority, it was the consensus of Council that the Town not concede any further than the proposed December 9th agreement and that staff develop a contingency plan to close Fire Station #2 and wind-down for review prior to 1976-77 budget hearings.

11. BOARD OF SUPERVISORS RECOMMENDATIONS 1976-77 BUDGET POLICIES

M/S Toal, Capurro to direct the Administrator to communicate by letter to the County Administrator the information that the San Anselmo Town Council has reviewed the Board of Supervisors Instructions on the County 1976-77 budget as requested and that it sincerely hopes that the County will hold the line in 1976-77. Ayes: all present.

12. CONSIDERATION OF AB 337, PROPERTY TAX REVENUE LIMITATION

Council directed Administrator to respond to legislators that this bill is another way of weakening local government and that the State should set limits on its own spending, rather than on local government spending.

13. AMENDMENTS TO GARBAGE ORDINANCE CONFORMING TO PRIOR COUNCIL ACTIONS

M/S Anderson, Toal to waive further reading of Ordinance. Ayes: All present.

M/S Anderson, Toal to pass Ordinance No. 698 amending Chapter 3 of Title 5 relating to Garbage Disposal. Ayes: All present.

18. CONSIDERATION OF ESTABLISHING SUBSCRIPTION CHARGE FOR AGENDA MAILINGS

After discussion Councilman Toal moved not to establish a subscription fee. Motion failed for lack of a second. Thereafter,

M/S Capurro, Anderson to establish a subscription fee of \$3.00 per year effective April 15, 1976 for mailing of Council and Planning Commission agendas.

Ayes: Councilmen Anderson, Capurro, Mayor Colteaux

Noes: Councilman Toal

Absent: Councilman Blinder

19. DISCUSSION OF PROPOSAL BY MAYOR OF SAN FRANCISCO TO SEEK LEGISLATION PERMITTING  
COMMUTER TAX

At the request of Councilman Capurro, the matter was tabled.

20. RESOLUTION ESTABLISHING POLICY AND PROCEDURE FOR REIMBURSING EMPLOYEES FOR  
PERSONAL PROPERTY DAMAGED OR LOST IN LINE OF DUTY

M/S Anderson, Capurro to adopt Resolution No. 1642 providing for replacement or repair of certain employee property lost or damaged in line of duty.

Ayes: Councilmen Anderson, Capurro, Mayor Colteaux

Noes: Councilman Toal

Absent: Councilman Blinder

ADJOURNED at 11:55 P.M. to February 10, 1976.

Libby Hanson  
Deputy Town Clerk