

Minutes of Regular Town Council Meeting February 24, 1976.

1. Call to order and Flag Salute.

All Members Present.

Correction to Agenda - Item 14 "oral report" to read "proposed contract".

2. CONSENT AGENDA

M/S Anderson, Capurro to pass consent agenda with the exception of Item c.

Passed unanimously.

After Council discussion M/S Anderson, Capurro to pass Item c. Passed unanimously.

- a. Approve minutes of February 10, 1976.
- b. Proclaim March, 1976 as Red Cross Month.
- c. Set hearing March 9 on parcel split application, 168 Hilldale Dr. (SS-191)
- d. Proclaim 2/28/76 as "Miles for Meals Bay Area Walk-a-Thon Day".

3. ANNOUNCEMENTS

Mayor Colteaux announced that Dick Kientz has resigned as Chairman of the Bicentennial Committee. Staff was directed to make press announcement requesting applicants as soon as possible.

Councilman Blinder registered concern about P.G.&E.'s negative policy response to the Town's effort to conserve energy and reduce cost in street lighting.

The Director of Public Works announced that engineering for reconstruction of Alder Avenue is under way with final plans and cost estimate to be before Council for bid authorization probably in April, 1976.

4. COUNCIL REQUESTS FOR FUTURE AGENDA ITEMS: COMMENTS AND DIRECTIONS TO STAFF

Mayor Colteaux expressed concern about broken curbing of parkway strip on Miracle Mile as a result of San Rafael reconstruction work. The Director of Public Works stated area in question is in San Rafael.

Staff was directed to communicate directly with the County Board of Supervisors regarding banning movement and sale of elmwood as firewood.

Councilman Toal raised a question as to San Rafael's Miracle Mile improvements causing increased vehicle speed on Red Hill westbound in San Anselmo. Staff was directed to have the Police Department study this problem.

5. OPEN TIME FOR PUBLIC DISCUSSION

Mr. Signorelli called attention to destruction by vandals of lattice work in Creek Park. The Council ordered consideration of design alternatives on the next agenda.

6. ENDORSEMENT OF COUNTY PARK POLICY

Supervisor Peter Arrigoni requested Council endorsement of new County Park Policy, which would provide financial aid to City Park programs. After Council discussion M/S Capurro, Anderson to endorse the new County Park Policy as presented. Passed unanimously.

PUBLIC HEARINGS

7. Abandonment of Portion of City Hall Avenue

To permit completion of legal research, M/S Blinder, Toal to continue to meeting of March 9, 1976. Passed unanimously.

8. TeleVue Systems Proposals

The hearing was opened, and Neil McHugh, Tele-Vue Manager, outlined his Company's proposals. After lengthy public comment, both pro and con, the hearing was closed and the Council deliberated.

M/S

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M/S Toal, Blinder to direct Town Attorney to prepare for Council action prior to July 1st 1) a resolution incorporating the rate schedules as suggested on pages 9 and 10 of the proposal in order to facilitate Level IV, 2) minimum necessary amendments to Chapter 3 of Title VI of the Municipal Code, and 3) a franchise renewal agreement containing commitment by Tele-Vue to rebuild the cable system on a time schedule to be specified.

Ayes: Blinder, Toal

Noes: Anderson, Capurro, Colteaux

Motion Defeated

M/S Blinder, Toal to authorize Level VI service effective July 1, 1976, with accompanying rate increase of 55¢ per month.

Ayes: Blinder, Toal

Noes: Anderson, Colteaux, Capurro

Motion Defeated

M/S Capurro, Colteaux that this item be continued indefinitely and referred back to the applicant.

Ayes: Capurro, Colteaux, Anderson

Noes: Toal, Blinder

Motion Passed.

9. DRAINAGE EASEMENT - WALTER FIRESTONE

Put over to March 9th at request of Mr. Firestone.

10. APPEAL BY LEONARD THOELECKE FROM PLANNING COMMISSION APPROVAL OF APPLICATION BY ROBIN SKEWES-COX TO MOVE STRUCTURE FROM # 7 to # 43 SAN RAFAEL AVENUE.

Robin Skewes-Cox having withdrawn application for a lot split, and the location of the structure not requiring a variance, the appeal was withdrawn.

11. APPEAL BY KENNETH ANDERSON FROM PLANNING COMMISSION GRANT OF VARIANCE ELIMINATING OFF-STREET PARKING RODIGOU RESIDENCE, 78 Berkeley Ave. (VAR-652).

After presentation by Kenneth Anderson and by Attorney Tod Hedin for Gloria Rodigou and Council discussion,

M/S Blinder, Anderson to grant the appeal and overrule the Planning Commission's granting of variance 652, on the grounds that this variance is not in the public interest, that hardship situation is not involved, that the property is not dissimilar from the other properties in the area, that the Town did not mislead the owner as in another recent case, and that a precedent would be set which would make the underlying ordinance meaningless.

Ayes: Anderson, Blinder, Colteaux

Abstain: Toal, Capurro

Motion passed.

12. RED CARPET REAL ESTATE REQUEST FOR VARIANCE FROM FULL PAVED SIDEWALK REQUIREMENT.

After discussion,

M/S Blinder, Toal to approve a variance from the requirement of Muni Code Section 7-5.04 for a full width sidewalk and allow a 5 foot planter strip next to the curb line with a 4 foot sidewalk along the Suffield frontage of 1604 Sir Francis Drake Blvd., (A/P 5-121-14), on the basis that special circumstances exist due to the need to conform to any future sidewalk construction to the north and that the use of this sidewalk will be primarily residential, that property rights will be afforded the applicant in allowing a more pleasing visual frontage for the property, and will not be detrimental, but in fact advantageous, to public welfare and property in the neighborhood. Further move to refer the revised landscaping plan to Design Review. Passed unanimously.

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13. PARK & RECREATION RULES AND REGULATIONS, ISABEL COOK RECREATION CENTER

M/S Capurro, Anderson to approve Rules and Regulations governing use of the Isabel Cook Recreation Center, as submitted, changing II. B. to read "San Anselmo Planning Area" in order to include Sleepy Hollow area non-profit organizations. Passed unanimously.

14. SAN ANSELMO/SLEEPY HOLLOW FIRE PROTECTION DISTRICT PROPOSED CONTRACT

Mayor Colteaux presented, and explained a form of contract which he, the President of the District, and the attorneys for both parties, in a February 23, meeting called by Supervisor Arrigoni, agreed to recommend to the two legislative bodies.

After Council discussion,

M/S Blinder, Toal that the Mayor be authorized to sign the agreement as presented, at such time as the District is prepared to sign. Passed unanimously.

15. LEGISLATIVE MATTERS

M/S Blinder, Toal that Town Administrator communicate to appropriate legislators Council endorsement of 1) SB 1384 requiring all beverage containers to carry a refund value, and 2) Legislative Analyst's proposal to index senior citizens property tax assistance in relation to inflation. Passed unanimously.

16. AN APPROPRIATION FOR GROUP PHOTOGRAPH OF NEW COUNCIL

M/S Blinder, Toal to direct Town Administrator to set aside \$110 and arrange for a group photograph of the incoming Council, in accordance with recent tradition.

ORDINANCES

17. Emergency Ordinance - An Ordinance Amending Chapter 4 of Title 10 of the San Anselmo Municipal Code Reducing the Membership of the Design Review Committee.

M/S Blinder, Toal to waive reading of Ordinance. Passed unanimously.

M/S Blinder, Anderson to adopt Ordinance No. 699 to be effective immediately. Passed unanimously.

18. Ordinance Rezoning Scenic Highway Frontage Parcels.

M/S Blinder, Anderson to waive reading of Ordinance. Passed unanimously.

M/S Blinder, Anderson to adopt Ordinance No. 700 amending Ordinance No. 485, rezoning Scenic Highway frontage parcels. Passed unanimously.

19. Conversion of Garages, Carports and Parking Areas

M/S Blinder, Anderson to waive reading of Ordinance. Passed unanimously.

M/S Blinder, Anderson to adopt Ordinance No. 701 regulating the conversion of garages, carports, or outside parking areas.

Ayes: Blinder, Anderson, Capurro, Colteaux

Noes: Toal, stating that he voted against passage of this Ordinance because it will create hardship on people who cannot afford to purchase dwellings with adequate living space.

20. Retirement System Contract Changes Ordinance

M/S Anderson, Capurro to waive reading of Ordinance. Passed unanimously.

M/S Anderson, Capurro to adopt Ordinance 702 amending Retirement System Contract. Passed unanimously.

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21. Interim Rezoning of 48 Vacant Parcels, Conservation Zone

M/S Blinder, Anderson to rezone all the properties in the "Notice of Public Hearing" from R-1 to PPD/R-1 or R-1/B-20 to PPD/R-1/B-20, and to direct the Planning Commission to revise the slope policy so as to reduce the density allowable on these parcels to a density consistent with the General Plan, and to direct that an ordinance be prepared for introduction at the next meeting. Passed unanimously.

22. Ordinance Prohibiting Fluorocarbon Aerosol Sprays after March 1, 1977.

M/S Blinder, Anderson to waive reading of Ordinance. Passed unanimously.

M/S Blinder, Anderson to introduce Ordinance prohibiting sale of fluorocarbon aerosol sprays in San Anselmo after March 1, 1977. Passed unanimously.

23. Ordinance regulating garage sales.

M/S Blinder, Anderson to waive reading of Ordinance. Passed unanimously.

M/S Capurro, Anderson to table this Ordinance. Passed unanimously.

Councilman Capurro, as the originator of the proposal for regulation of garage sales, stated that he could not support the ordinance in the form presented.

Adjourned at 12:30 A.M. to March 9, 1976.

AUDREY J. ELLIOTT
Deputy Town Clerk