

Minutes of Regular Town Council meeting held November 9, 1976

Mayor Capurro convened the meeting with Councilmen Reed, Colteaux, Signorelli, Toal present.

2. OPEN TIME FOR PUBLIC DISCUSSION

Dale Sittler thanked Council for the report of the Police Department on the subject of vandalism at Isabel Cook School, clarifying that in bringing up the subject, he was indicating concern rather than registering a complaint.

3. APPOINTMENTS

- a. Park & Recreation Commission - balance of term to 7/15/78.

Councilman Colteaux nominated Jean Clare Plebani, Jane Schweitzer and Ken Gelatti - nominations held open.

- b. Design Review Committee - three terms commencing 12/9/76.

Councilman Reed suggested that the Planning Commission be queried as to whether they wish one of their members be appointed to serve on Design Review.

Councilman Reed nominated William Wells;

Councilman Signorelli nominated Beverly Mutneck.

Nominations were held open

- c. Board of Review

Announcement made that applications open for a six year term commencing December 15, 1976.

4. PUBLIC HEARING - COMMUNITY DEVELOPMENT BLOCK GRANT - YEAR III

The Administrator reviewed eligibility criteria and present Town priorities. Public hearing opened.

Attilio Segale suggested that application should be made for funds for street and drainage improvements on The Alameda.

Audrey Fatooh, Ross Valley Ecumenical Housing Association, supported an application for additional funds to be used for housing rehabilitation loans.

Mary Olive of the Yolansdale Community Park Association requested Council explore the possibility of contributing to purchase of the Yolansdale School site for development of housing for the elderly along with open space and park use.

R. Barthelmy of 9 Oak Springs Drive presented a petition requesting the Town construct a mini-park on the undeveloped land owned by the Town at 2 Oak Springs Dr.

Marty Santucci supported an application for purchase of Yolansdale School property for use as open space and playground area.

Dale Sittler called attention to the recommendations for mini-parks in the San Anselmo General Plan and suggested that such recommendations should have priority over the purchase of the Yolansdale School property.

Brian Pierce questioned whether the Town has to match any funds received.

Attilio Segale suggested that the funds should not be used for any project which would require ongoing spending by the Town.

Mayor Capurro questioned whether funds could be used for tax reduction. The Administrator responded in the negative.

Several of the speakers, in addition to their specific proposals, acknowledged that priority may properly be given to Isabel Cook School property acquisition.

Public hearing continued to November 23rd.

5. ISABEL COOK SCHOOL PROPERTY ACQUISITION

After reviewing the question of a ballot measure and other alternatives proposed by staff,

M/S Toal, Colteaux to request a meeting of the School-Town Joint Negotiating Committee for further consideration of alternatives, with the attorneys for both parties participating, and preferably in connection with the parcelization alternative. Motion passed on a 4 - 1 vote with Councilman Signorelli abstaining.

Mayor Capurro stated he wished to remove himself from the negotiating committee and appointed Councilman Reed in his stead. Councilman Colteaux to continue.

6. COUNCIL CONFLICT OF INTEREST CODE

M/S Toal, Signorelli to adopt resolution No. 1683 adopting a conflict of interest code applicable to the members of the Town Council pursuant to the Political Reform Act of 1974. Passed unanimously.

7. STATE REGULATIONS GOVERNING PREPARATION AND ADMINISTRATION OF LOCAL HOUSING ELEMENTS

M/S Reed, Signorelli to protest and oppose the revisions of the housing element guidelines as proposed by the State Director of Housing and Community Development, with particular reference to the time table set forth, which gives no opportunity for local government study. Passed unanimously.

8. COUNCIL REQUESTS FOR FUTURE AGENDA ITEMS, COMMENTS AND DIRECTIONS TO STAFF

Councilman Colteaux questioned whether a letter had been sent to Quick Stop Market on the accumulated debris problem. The Director of Public Works advised that a letter was going out outlining violations of the conditions of the use permit. It was directed that similar letter be sent to Stop 'n Go as the same situation exists there.

Councilman Colteaux expressed displeasure at the recent trend in San Anselmo business names - it being his opinion that we are accumulating a rather large number of far-out business names.

Councilman Reed mentioned that he had attended a meeting of a service organization where the question of donations to the Town came up, and suggested that the Department Heads create a list of suggestions that do not reach the budget level and could be provided by willing service organizations.

Councilman Toal recommended that a Council representative attend the December 8 & 9 Tax Reform Conference in Sacramento - Administrator directed to agenda item November 23rd for appropriation and representative appointment.

Councilman Signorelli suggested a procedure whereby the applicant or his designer comes before the Design Review Board prior to the development of plans. The Planning Director advised that this could be arranged where desired by the applicant.

Mayor Capurro solicited Council support of ordinance amendment to cover control of color in painting of existing buildings. The Planning Director advised that the Town has no control now except for a building that has heretofore been before Design Review, and suggested inclusion of color control for consideration at the time of hearing of design review ordinance amendments. Scheduled for discussion on next agenda.

9. ORDINANCE RESTORING DESIGN REVIEW TO SEVEN MEMBERS

M/S Reed, Signorelli to adopt Ordinance No. 716 amending Chapter 4 of Title 10 of the San Anselmo Municipal Code relating to membership of the Design Review Committee. Passed unanimously.

10. URGENCY 120-DAY ORDINANCE REGULATING CONDOMINIUM AND COOP HOUSING PROJECTS

After explanation by the Planning Director of the need for interim guide lines pending adoption of the Proposed Community Housing Ordinance, hearing from Max Holsinger, applicant for a condominium subdivision, and Council discussion,

M/S Reed, Signorelli to waive reading and adopt Ordinance No. 717 as an urgency ordinance for a period of 120 days, to be effective immediately in the form of the revised 9/24/76 staff draft with the deletion of subsection 9 from Section 9 B and of Section 14. Passed unanimously.

14. (Out of order) SAN ANSELMO SCHOOL DISTRICT NOTICE OF AVAILABILITY OF YOLANSDALE SCHOOL PROPERTY

At the request of representatives of the Yolansdale Community Park Association and noting that the School District's requested timing does not require release of interest by the Town until January 27, 1977, action was postponed.

11. REVISION OF BUSINESS LICENSE TAX STRUCTURE

After discussion,

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M/S Reed, Capurro to waive reading and introduce ordinance amending the Code relating to business licensing. Motion failed as to waiver of reading by reason of a 4 - 1 vote with Councilman Toal abstaining.

Thereafter,

M/S Reed, Toal to waive reading. Passed unanimously.

M/S Reed, Colteaux to introduce ordinance amending the code relating to business licensing as submitted except for revising the proposed gross receipts fee schedule to provide for a first category of \$ - 0 - to \$10,000 at \$15 fee, second category \$10,001 to \$25,000 at \$25 fee, eliminating Sections 8 & 9 providing for special penalty for understatement of gross receipts, and substituting revised penalty provision as recommended by the Town Attorney. Motion passed on a 4 - 1 vote with Councilman Toal abstaining.

## 12. SIGN ORDINANCE AMENDMENTS

The Planning Director reviewed proposed sign ordinance amendments recommended by the Design Review Committee, with concurrence of the Chamber of Commerce.

M/S Reed, Signorelli to strike proposed amendment No. 3. Motion passed on a 4 - 1 vote with Councilman Colteaux voting No.

M/S Colteaux, Capurro to strike proposed amendments Nos. 8 & 9. Passed unanimously.

M/S Toal, Signorelli that the wording in Amendment No. 11 be changed to read "Political signs shall not be posted more than 60 days prior to a specific election, and shall be removed within 5 days after the election." Passed unanimously.

M/S Colteaux, Reed, to amend the wording in the first sentence of Section 9-7.203(e) to read as follows: "One sign per candidate or issue with an area not exceeding 6 square feet each, located by an individual on his property or place of residence and not more than two signs on the premises of any other use. Passed unanimously.

M/S Reed, Toal to waive reading. Passed unanimously.

M/S Reed, Colteaux to introduce an ordinance amending the sign ordinance in accordance with the proposed amendments as amended by the foregoing motions. Passed unanimously.

## 13. REPEAL OF PROHIBITION ON AEROSOL SPRAYS

M/S Capurro, Reed to introduce an ordinance repealing Chapter 8 of Title 10 of the San Anselmo Municipal Code relating to sale of aerosol sprays on the basis that the Federal Government has commenced encompassing action. Motion passed on a 4 - 1 vote with Councilman Toal voting no.

## 15. RESOLUTION EXEMPTING "JUNK" TREES FROM HERITAGE TREE ORDINANCE NEIGHBORHOOD COMMERCIAL ZONES

M/S Signorelli, Toal to pass resolution No. 1684 listing "Junk" trees as being exempted from the "Heritage Tree" definition contained in Section 4-13.02(b) of the San Anselmo Municipal Code. Passed unanimously.

## 16. RECOMMENDATION TO INITIATE ORDINANCE CHANGE PERMITTING RESIDENTIAL USE IN NEIGHBORHOOD COMMERCIAL ZONES

M/S Reed, Signorelli to direct the Planning Director to schedule a public hearing before the Planning Commission as soon as possible on ordinance changes as to uses in C-1 zones. Passed unanimously.

M/S Reed, Colteaux to pass consent agenda. Passed unanimously.

a. Approved minutes of October 26, 1976.

b. Approved warrant register October 16 - October 31, 1976.

c. Approved progress payment No. 1 to Rudo-Metkin Construction Company on the new main firehouse in the amount of \$34,712.10.

d. Granted an extension of time of 120 days to Phyllis Nerviani for the abatement of public nuisance at 1201 San Anselmo Avenue.

e. Authorized the Mayor to sign Grant of Easement approving drainage easement to serve A/P 5-254-06, 9 Oak Springs, across Town-owned A/P 5-254-08 and adopted Resolution No. 16852 granting deed of easement.

f. Approved asphalt and gutter, post and cable barrier and reworking one catch basin in lieu of concrete curb and gutter for 409 and 413 Sequoia development on the basis that this change is in the public interest.

g. Authorized payment of \$169.02 to James T. Thornton, as final payment on the Mariposa Avenue Overlay - 1976, to accept the work and to authorize payment of the 10% retention of \$961.15, at the end of 35 days (after filing of "Notice of Completion") provided no defects in materials or workmanship are found by that time. Should defects in materials or workmanship require repairs by the contractor, retention payment is authorized when the necessary repairs have been made.

ADJOURNED at 12:35 A.M. to November 23, 1976