

Minutes of Regular Town Council Meeting - March 22, 1977

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

2. OPEN TIME FOR PUBLIC DISCUSSION

None

3. NOMINATIONS AND APPOINTMENTSa. Planning Commission

M/S Capurro, Signorelli to close nominations. Passed unanimously.

Thereafter Myron Greenberg was appointed to the Commission for the balance of term to August 18, 1980 by a unanimous vote.

b. Design Review Committee

Councilman Colteaux nominated E. Ross Parkerson.

M/S Capurro, Signorelli to close nominations. Passed unanimously.

A roll call vote resulted in three votes for E. Ross Parkerson and two votes for William Wells. Thereafter, M/S Signorelli, Colteaux to make appointment of E. Ross Parkerson for balance of term to July 15, 1980 unanimous. Ayes all.

c. Parks & Recreation Commission

M/S Signorelli, Colteaux to close nominations. Passed unanimously.

Thereafter Ken Gelatti was appointed to the Commission for the balance of term to July 15, 1980 by a unanimous vote.

d. Historical Commission

Councilman Reed nominated Susan Greenberg and Ethel Landon, who were thereafter by unanimous vote appointed to the Commission for terms to September 14, 1978.

Announcement was made that applications are open for a vacancy on the Commission created by the resignation of Marilyn Montague.

4. APPEAL BY ULRICH WETTSTEIN OF PLANNING COMMISSION GRANT OF USE PERMIT TO GRAND PACIFIC VINEYARD CO., 333 SAN ANSELMO AVE. (U-471)

No appearance was made on behalf of the use permit applicant or the appellant - Council being advised that the applicant had not been able to secure a lease on the premises, thereby making the question of the use permit moot. It was the consensus of Council that to avoid loss of jurisdiction, action on the appeal should be taken. A motion was made by Councilman Colteaux, seconded by Councilman Reed to continue the appeal for 30 days. Motion withdrawn and

M/S Colteaux, Reed to grant the appeal. Motion passed on a 4 - 1 vote with Mayor Toal voting no.

5. APPEAL PLANNING COMMISSION GRANT OF PARKING VARIANCE, 89 WOODSIDE DR. (VAR-714)

Applicant Thomas McNally and architect Alfred Morrissette were present, and were advised that the subject to the appeal was the Planning Commission's omission of the condition heretofore placed on the granting of a variance by the Town Council on the subject property that a covenant be recorded to run with the land to the effect that the carport cannot be converted to a garage and no additional structure can be built in the front 20 feet.

A motion was made, which died for lack of a second, by Councilman Signorelli to deny the appeal. Thereafter,

M/S Colteaux, Capurro to grant the appeal. Motion passed on a 4 - 1 vote with Councilman Signorelli voting no.

The applicant agreed to execute such a covenant.

ABH522

6. R. A. JOHNSON, 18 LINCOLN AVENUE PARKWAY PAVING

Council was advised of Mr. Johnson's request to continue in view of his inability to appear at this meeting. After Council consideration,

M/S Capurro, Toal to deny the request for reimbursement of initial cost for installing the parkway paving. Passed with four ayes, Councilman Colteaux abstaining.

M/S Capurro, Reed to put over until April 12th meeting the question of granting an exception. Passed with four ayes, Councilman Colteaux abstaining.

7. KAREL F. BOTERMANS REQUESTING ELIMINATION OF UTILITIES FROM SECOND UNIT RENT SCHEDULE

Mr. Botermans appeared and informed Council of his concern for property owners being frozen from collecting penalty charges from tenants for overuse of utilities. Council was advised that the HUD recommended schedules were subject to review within two or three months as to this question.

M/S Reed, Colteaux to refer the item to staff for consideration during their study on recommendations for revised rental schedule for second units. Passed with four ayes, Councilman Signorelli abstaining.

8. URGENCY ORDINANCE ADOPTING 1976 UNIFORM PLUMBING CODE - GREY WATER.

M/S Colteaux, Reed to refer back to staff for redrafting ordinance adopting 1976 Code and resolution re grey water. Passed unanimously.

12. (out of order) THE COLLECTIVE - BUSINESS LICENSE

Owners, Patricia Barbera, Anthony Barbera and Ed Hutchison present and indicated willingness to comply with agreement heretofore made with the Town Administrator to execute an affidavit of gross receipts covering all of the businesses at the Collective, and to submit a list of all businesses covered.

M/S Reed, Colteaux to continue to April 12th on the understanding that the parties have agreed to supply the requested data and the matter will not be restored to the agenda if before that time the data is provided to the satisfaction of the Administrator. Passed unanimously.

M/S Colteaux, Reed to refer the question of whether or not penalties can be waived to the Town Attorney for opinion. Passed unanimously.

9. ORDINANCE PERMITTING ADDITIONAL USES IN COMMERCIAL ZONES WITH CHANGES IN HEIGHT, BULK AND PARKING REQUIREMENTS.

M/S Signorelli, Capurro to adopt Ordinance No. 728 amending regulations in the C-1, C-2 and C-3 zones to provide for additional uses and changes in height, bulk and parking requirements.

Ayes: Councilmen Colteaux, Signorelli and Toal
Noes: Councilmen Reed, Capurro

10. ORDINANCE CLARIFYING DEFINITION OF SECOND UNIT

M/S Signorelli, Colteaux to adopt ordinance No. 729 amending Section 10-6.102 of the San Anselmo Municipal Code defining second units. Passed unanimously.

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

Mayor Toal advised of requests for representation of San Anselmo at:

Marin County Taxpayers Association meeting, March 31st - Mayor Toal to attend.

Joint meeting Board of Supervisors/City Councils, March 31st to explore re-activation of City-County Planning Council - Councilman Capurro to attend.

Supervisor Boxer breakfast meeting, April 1st, discussion drought related health and safety hazards - Bob Leitzell to attend.

Assemblyman Wornum's meeting re fire hazards - Fire Chief to attend.

Councilman Colteaux requested a report on the Town's well digging - The Town Engineer reported that the well drilled at Memorial Park was producing 1½ gallons per minute, which is not sufficient to supply the irrigation system - the geologist has recommended the drilling of a second well in the park. The well in Creek Park is producing about 7 gallons per minute and will need a storage tank.

Regular Council Meeting - March 22, 1977

Councilman Colteaux suggested that the Parks & Recreation Director suggest to Council a symbolic name for the Isabel Cook School complex when it comes into Town ownership.

Councilman Signorelli suggested that consideration be given to dedication of the new firehouse to former Fire Chief Frank Sousa.

13. TOWN OF FAIRFAX REQUESTING SAN ANSELMO JOIN AS AMICUS CURIAE, MARIN TOWN AND COUNTRY CLUB APPEAL

M/S Colteaux, Toal to join as amicus curiae in the appeal of the case of Max Friedman vs City of Fairfax. Passed unanimously.

14. DETERMINATION OF METHOD OF PAYMENT OF ASSESSMENT FOR LEAGUE OF CITIES HEADQUARTERS BUILDING

M/S Colteaux, Toal to pay the assessment in a one-time lump sum payment of \$2,448.00 by August 1, 1977. Passed unanimously.

15. GUIDELINES FOR COMMISSION, COMMITTEE AND BOARD MEMBERS

After discussion with suggested revisions to staff draft,

M/S Reed, Colteaux to direct preparation of required ordinance amendments to modify, in accordance with the guidelines, residence requirement for service on all Town boards. Passed unanimously.

On the same motion Ordinance No. 730 was adopted, being an emergency ordinance so providing as to the Design Review Committee.

M/S Capurro, Signorelli to approve tentatively guidelines as amended, subject to comment of the various boards. Passed unanimously.

16. POLICY QUESTION - ENFORCEMENT OF OVERNIGHT PARKING BAN ON UNACCEPTED STREETS

After discussion motion was made by Councilman Reed, which died for lack of a second, to proceed with a public hearing on one or two streets where there appears to be some support for enforcing the parking ordinance. Thereafter,

M/S Reed, Signorelli to direct staff to contact property owners on El Cerrito to determine interest in pursuit and if sufficient, to notice a public hearing. Motion passed on a 4 - 1 vote with Councilman Capurro voting no.

17. CONSENT AGENDA

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

a. Approved minutes of March 8, 1977 with correction adding to Item 5.d. Report on Pipe Sizing for Flow of State Water over Richmond-San Rafael Bridge: "Dr. Filante agreed to furnish, without further request, engineers' recommendations for pipe sizing, etc. to deliver maximum quantities of California project waters that are available to the District. Also, he will report Board decisions at variance with those recommendations and the reasons for them."

b. Approved warrant register for March 1-15, 1977.

c. Adopted Resolution No. 1701 endorsing and supporting the regional housing subsidy distribution system and authorizing the Association of Bay Area Governments to apply for supplemental federal housing assistance on behalf of Marin County.

d. Adopted resolution No. 1702 accepting conveyance of real property from A.H. Tucker Company.

e. Adopted resolution No. 1703 supporting Town meeting.

f. Endorsed Marin Senior Coordinating Council application for UMTA grant to upgrade Whistlestop Wheels fleet.

ADJOURNED at 11:27 P.M. to Thursday March 24th Workshop/Action meeting re Forbes Avenue traffic problem.

Libby Hanson
Deputy Town Clerk