

Minutes of Regular Town Council Meeting May 23, 1978

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

2. OPEN TIME FOR PUBLIC DISCUSSION

None

3. APPEAL OF SUSAN & ROBERT EISGRAU FROM PLANNING COMMISSION GRANT OF PARKING VARIANCE, BARRETT PROPERTY, 54 RUTHERFORD AVE. (V-778)

Richard Grant, Attorney at Law, represented the appellants and presented their appeal on the basis that the granting of the parking variance was illegal in that none of the prescribed conditions for the granting of a variance had been met, and that the granting of the variance to permit the enlargement of a residence in this neighborhood was not proper planning. Appellants also contended, supported by Planning Commissioner Dan Goltz, that the proposed addition would result in an overbuilt lot and would interfere with their light and air property rights. Council consensus was that the granting of a parking variance simply continues a preexisting condition and since the proposed addition to the property is within the legal setbacks, the Planning Commission's finding that there is no justification for denying the variance should be supported.

M/S Capurro, Convis to deny the appeal. Passed unanimously.

4. COUNCIL REVIEW OF VARIANCE ON CREEKSIDE PROPERTY, MISCELLANEOUS, 562 SAN ANSELMO AVENUE (V-779).

In accordance with established Council policy, Planning Commission approval of a parking variance to permit the addition of storage and office space facing Creek Park was brought before the Council for final review. Staff advised that the plans for the addition leave space for continuation of a future envisioned boardwalk paralleling the Creek through this parcel.

M/S Signorelli, Capurro to approve the Planning Commission action in granting the variance to permit the proposed addition on the condition that the concept for a semi-public passageway will be provided for in the plans for the addition. Passed unanimously.

5. ORDINANCE REZONING 129 & 140 PINE STREET FROM C-2 TO R-1

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

M/S Toal, Signorelli to adopt ordinance No. 742 amending ordinance No. 485 of the Town of San Anselmo by changing the property classification from Central Business District (C-2) to Single Family Residential (R-1) A/P Nos. 7-252-13 and 7-241-27, 129 and 140 Pine St. Motion passed on the following roll call vote:

- Ayes: Councilmen Toal, Signorelli, Reed
- Noes: Councilmen Capurro, Convis

6. PROPOSED COUNCIL INITIATION OF REZONING YOLANSDALE SHOOL SITE FROM R-1 PPD TO SPD.

School District Trustee Judy Vallas urged action which would permit the School District to dispose of the property with the highest possible return, which would necessitate a use which would include retention of the existing buildings - the most practical use, a school. Representatives of the Yolansdale neighborhood submitted results of a survey indicating opposition to a school at the site, with a first preference that it be converted to a neighborhood park and with that possibility failing, the property to retain R-1 zoning.

M/S Toal, Signorelli to refer to the Planning Commission with direction to set a public hearing on June 19th for consideration of rezoning to SPD. Motion failed on a 1 - 4 vote with Councilman Toal voting Aye.

Thereafter Mrs. Vallas questioned whether the motion failed because it did not recommend SPD with a specific use of school. A motion to this effect was made by Councilman Toal, but died for lack of a second.

The Administrator was directed to set up a joint meeting with Council and the Board of Trustees of the School District on the subject of proper and desirable rezoning.

14. (out of order) PROPOSED REVISION OF CIVIL SERVICE ORDINANCE WITH ACCOMPANYING REVISION OF RESOLUTION ESTABLISHING CIVIL SERVICE RULES AND REGULATIONS AND AFFIRMATIVE ACTION PLAN

M/S Toal, Signorelli to waive reading of proposed ordinance revising Civil Service provisions of the San Anselmo Municipal Code. Passed unanimously.

M/S Capurro, Toal to introduce an ordinance revising the Civil Service provisions of the San Anselmo Municipal Code. Passed unanimously.

Fireman Pat Stocking questioned some of the provisions of the Resolution adopting rules and regulations. The Administrator advised Council that agreement on these provisions had been reached with the labor organizations representing Town employees, but that thereafter some members of the Fire unit had raised questions. Consultation will occur prior to the next regular meeting on June 13th, at which time any agreements for changes reached and/or disagreements will be brought back to the Council.

7. RECOMMENDATIONS FOR PEDESTRIAN ACCESS TO FAUDE PARK.

Proposed improvements to an access trail to Faude Park having been halted after objection from neighboring residents, and Council having made a physical inspection of the area, consensus agreed with staff that the proposed improvements would discourage or actually prevent trespass on the property of the concerned neighbors.

M/S Signorelli, Convis to authorize Town staff to proceed with the construction of the stairway incorporating the mitigating measures contained in staff memo of May 17th, including construction of a portion of fence to extend the existing fence on the Berryhill property down to the property line at Wood Court - subject to future Council review at the request of the neighboring residents. Passed unanimously.

8. UPDATING OF CONSTRUCTION CODES

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

M/S Toal, Signorelli to introduce an ordinance amending Title 9 of the San Anselmo Municipal Code, Chapters 1, 2, 10, 11 and adding Chapter 12, adopting the Uniform Building Code, 1976 edition; the National Electrical Code, 1975 edition; the Uniform Mechanical Code, 1976 edition; the Uniform Housing Code, 1976 edition; and the Uniform Solar Energy Code, 1976 edition. Passed unanimously.

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

Councilman Signorelli questioned the results of the Administrator soliciting Council opinion as to the filing of a quiet title suit on a trail easement through Cordonne property from Alderney Ave. A "No Trespass" sign has been placed on the Alderney entrance to a trail which has been used by the public for many years and in the opinion of the Town Attorney, such continued use constituted the granting of an easement. Consensus of Council was that the decision to file suit was an administrative one, with Council, except for Councilman Capurro, in agreement that such suit should be filed.

Councilman Signorelli requested consideration of amending the ordinance establishing the necessity for securing a parking variance for additions to existing residential property. Staff advised that a public hearing on the Planning Commission recommendations on this subject had been set for the June 13th meeting.

Pieter Toal complimented staff on the improvements to the pedestrian path leading down to the Sir Francis Drake Blvd. bus stop from Hawthorn Ave.

10. ADMINISTRATOR RECOMMENDATIONS ON ALTERNATIVE REVENUE SOURCES

The Administrator suggested Council consider authorizing the drafting of ordinances for possible urgency action in the event of passage of Proposition 13 on June 6, only if the San Anselmo vote is negative. In this connection he reported that he had been approached by the Fairfax Town Administrator concerning the possibility of Fairfax contracting with San Anselmo for certain services in the event of Proposition 13 passage. Council indicated reluctance to initiate action at this time.

M/S Capurro, Convis to table. Passed unanimously.

11. LIABILITY SELF-INSURANCE POOL PLAN

The Administrator presented the Liability Self-Insurance Pool Plan which had been proposed

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by the Risk Management Group, Inc. to a pool of eight Marin cities, which if joined by the Town of San Anselmo will substantially reduce the Town's annual outlay for liability insurance premiums.

M/S Toal, Capurro to adopt resolution No. 1764 concerning pooling of liability insurance permitting extension of the Joint Powers Agreement of July, 1977 covering Marin County Workers Compensation Fund to incorporate pooling of Liability Insurance.

Passed unanimously.

12. AGREEMENT WITH HOUSING AUTHORITY FORMALIZING ADMINISTRATION OF RESIDENTIAL REHABILITATION LOAN PROGRAM.

M/S Capurro, Toal to approve and to authorize the Mayor to sign Agreement with the Housing Authority of the County of Marin for administration of the Housing Loan Program, with addition of a termination clause. Passed unanimously.

13. ISLAND ANNEXATIONS - SB 1874

M/S Toal, Convis to express opposition to SB 1874 to our legislative delegation. Passed unanimously.

15. CONSENT AGENDA

a. M/S Signorelli, Toal to approve minutes of May 9 and 16, 1978. Passed unanimously.

b. Councilman Capurro, Chairman of the Council Audit Committee questioned a warrant for payment to Next-of-Skin covering purchase of T-Shirts. The Administrator explained that this covered budgeted shirts for Park Staff with San Anselmo logo, as well as shirts for recreation leaders, payment for which is made from revenue from self-supporting recreation programs.

M/S Capurro, Convis to approve warrant register for May 1-15, 1978. Passed unanimously.

c. Mayor Reed expressed concern as to an eventual disposition of the 1948 Seagrave Fire Engine by the San Anselmo Fireman's Club, suggesting that the Town should retain control.

M/S Signorelli, Convis to accept the bid of five dollars for the purchase of the 1948 Seagrave Fire Engine by the San Anselmo Fireman's Association, with the condition that the Town retain legal ownership. Passed unanimously.

Adjourned at 11:25 P.M. to June 1, 1978 budget hearing.

Libby Hanson
Deputy Town Clerk