

Minutes of Regular Meeting of San Anselmo Town Council June 13, 1978.

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

2. OPEN TIME FOR PUBLIC DISCUSSION

Bob Whipler, 1659 San Anselmo Avenue requested Council consideration of a solution to heavy and speeding traffic using San Anselmo Avenue as a short-cut from Sir Francis Dr. Blvd. to Center. Question of installing "slow" sign and reducing speed limit from 25 to 15 miles per hour referred to Traffic Safety Committee. Staff was directed to request Police Department to increase enforcement during morning commute hour.

APPOINTMENTS

a. Library Advisory Board.

Councilman Toal nominated Ranald Cockburn. M/S Toal, Convis to close nominations. Passed unanimously.

Ranald Cockburn was by unanimous vote appointed to a term on the Library Board to June 30, 1982.

b. Liaison Committee of Council of Mayors & Councilmen on State legislation to implement Proposition 13.

Mayor Reed was appointed with Vice-Mayor Signorelli as alternate.

4. CODE AMENDMENTS ESTABLISHING CRITERIA FOR PARKING REQUIREMENTS WHEN ADDITIONS MADE TO DWELLINGS.

Public hearing was opened with no public input. After Council discussion,

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

M/S Signorelli, Toal to introduce an ordinance amending a portion of Title 10 of the San Anselmo Municipal Code relating to additions to dwelling units with less than regulatory parking spaces. Passed unanimously.

5. REVISION OF CIVIL SERVICE ORDINANCE, REVISION OF CIVIL SERVICE RULES AND REGULATIONS AND ADOPTION OF AFFIRMATIVE ACTION PLAN.

The Administrator advised Council that since the last hearing on the ordinance and proposed resolutions, he had met with representatives of the Fire Department and was recommending to the Council changes in the Resolution Adopting Personnel System Rules and Regulations proposed by Fire Department employees, and that no changes had been proposed in the ordinance or the affirmative action resolution. Fireman Pat Williams questioned the necessity of and expressed objections to the adoption of the Civil Service Rules and Regulations, contending that existing Resolution No. 1403 should remain in effect, with possible amendments.

M/S Toal, Capurro to adopt ordinance No. 743 revising the Civil Service Provisions of the San Anselmo Municipal Code. Passed unanimously.

M/S Toal, Signorelli to adopt Resolution No. 1765 Affirming and Amplifying Affirmative Action Plan. Passed unanimously.

Thereafter, a motion was made by Councilman Toal to adopt the resolution adopting Personnel System Rules and Regulations, which died for lack of a second. Council requested Fireman Williams to submit to Council in writing his specific objections to the proposed Rules and Regulations for consideration at the June 27 regular meeting.

6. APPEAL OF ROGER HARTLEY FROM PLANNING COMMISSION DENIAL OF VARIANCE FOR FRONTYARD SETBACK, 61 FORREST AVENUE (VAR-780)

Council heard from Carl Shapiro, Esq., representing the appellant, and Roger Hartley, the appellant and engineer for the project, contending the variance was necessary as the alternatives for placing the parking are very limited because of the steep upslope of the lot. Concensus of Council was that the proposed parking plan was preferable from a safety and visual viewpoint.

M/S Capurro, Convis to grant the appeal, thereby approving V-780, a 20' frontyard variance to permit a 0' frontyard setback, on the basis that a hardship exists due to the steep, upsloping condition of the lot preventing the addition of parking 20' from the front property line on the basis that the granting of the variance will not be detrimental to the neighborhood because the area has significant traffic and parking problems; and the addition

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of off-street parking will be beneficial to the area, and not visually detrimental, and the granting of the variance is necessary for the enjoyment and preservation of substantial property rights, with the following conditions included: The Town Engineer determine if the line of site from the proposed driveway is adequate from a safety standpoint before issuing a building permit, and if not, modification will be made under the supervision of the Town Engineer. Motion passed with four ayes. Councilman Toal voting No.

7. COMPLAINT OF JAMES KILTY ALLEGING PUBLIC NUISANCE IN CONSTRUCTION OF TAM VIEW KNOLLS

Council heard from the complainant alleging excessive dust from construction activity and unsuitable conditions for passage of vehicular traffic with response from the developer, Max Holsinger, protesting excessive supervision of a project on private property, contending that the dust problem had been a temporary situation caused by a cut-off of the water lines for testing, and that all reasonable efforts were being made to keep it under control. Staff suggested that it should be given the name of an individual to whom it can give instructions to solve complaint situations.

A motion was made by Councilman Toal, seconded by Mayor Reed to confirm that the Director of Public Works has authority under existing ordinances to shut down a project if it is creating a nuisance to the neighborhood.

No vote was taken on the motion on the basis that it would be an unnecessary action.

8. HEARING ON PUBLIC NUISANCE, COMBUSTIBLE DEBRIS, 30 MERCED

Theodore Somers, the son of Emma Flover, owner of the property, advised Council that he was in the process of removing the debris. This was confirmed by staff and the matter was continued until the next meeting to be heard only in the event of unsatisfactory completion of the clean-up.

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

Councilman Convis suggested that an expression of appreciation for his service on the Library Advisory Board be extended to retiring member Harry Belgrade.

10. ORDINANCE ADOPTING RECENT EDITIONS OF CONSTRUCTION CODES; RESOLUTION SETTING PERMIT FEES.

M/S Toal, Convis to adopt Ordinance No. 744 amending Title 9 of the San Anselmo Municipal Code, Chapters 1, 2, 10, 11 and adding Chapter 13, 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; and Resolution No. 1766 Setting and Amending Fees for Permits under Title 9 of the San Anselmo Municipal Code. Passed unanimously.

11. RESOLUTION DOUBLING FEES FOR WORK AND/OR USE COMMENCED PRIOR TO TOWN APPROVALS.

Councilman Signorelli suggested that there were existing situations where lot splits had been made without a subdivision application and a double fee for a subsequent application would not be equitable.

M/S Toal, Convis to adopt Resolution No. 1767 amending Resolutions Nos. 1656 and 1697 setting fees for permits or other entitlements under Titles 1, 9 and 10 of the San Anselmo Municipal Code, excepting therefrom applications for subdivision applications for lot line relocations and parcel splits. Passed unanimously.

12. ADMINISTRATOR REQUESTING AUTHORITY TO NEGOTIATE REVISIONS IN AGREEMENT WITH SLEEPY HOLLOW FIRE PROTECTION DISTRICT.

M/S Toal, Convis to authorize staff to negotiate with Sleepy Hollow Fire Protection District representatives amendments to the agreement of May 25, 1976, subject to ultimate Council approval. Passed unanimously.

It was the concensus of Council that no modifications to the agreement would be approved which would permit the furnishing of any services beyond the District's ability to pay.

13. AUTHORIZATION FOR CONDITIONAL PAYMENT OF REVISED SCHOOL DISTRICT BILLING FOR MOVING COSTS.

M/S Toal, Capurro to authorize payment to the San Anselmo School District for moving

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and associated costs to date in the sum of \$20,596, of which \$10,000 has been paid on account, provided the District commits in writing to complete the total move by June 30, 1979 and to waive any claim of breach of contract in relation of the Federally-required move. Passed unanimously.

14. & 15 -- no action.

16. CONSENT AGENDA

M/S Capurro, Convis to pass Consent agenda as to items a, b, c, e, f, & g. Passed unanimously.

- a. Approved minutes of meetings of May 23, June 1 and June 8.
- b. Approved warrant register for May 16-31, 1978.
- c. Approved progress payment #6, Town Hall reconstruction, authorizing payment of the sum of \$6,826.17 to Page Construction Co.
- e. Adopted resolution No. 1768 designating the Fire Chief as issuing authority for explosive permits.
- f. Set public hearing July 25 on Planning Commission recommendations on Proposed Professional District zoning.
- g. Adopted resolution No. 1769 revising Library fine schedule.

(d) APPROVAL OF CHANGE ORDER NO. 2, TOWN HALL RECONSTRUCTION

Council expressed concern at the lack of progress. Staff reported that the delays were due to the inability to proceed with the foundation because of excessive rains.

M/S Signorelli, Toal to approve Change Order No. 2 Motion failed on a 1 - 4 vote with Councilman Signorelli voting aye.

Thereafter, M/S Signorelli, Toal to approve change order No. 2 with the exception of granting the increase in contract time of 37 days. Passed unanimously.

ADJOURNED at 11:50 P.M. to Budget Hearing June 15 - 8 P.M. Robson House.

LIBBY HANSON
Deputy Town Clerk