

Minutes of Regular Town Council Meeting September 12, 1978

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

2. OPEN TIME FOR PUBLIC DISCUSSION

None

3. APPOINTMENTS

W. M. Vanderbilt, Richard Street, Audrey LaBelle and Connie Bruce were reappointed to four-year terms on the Historical Commission.

4. APPEAL OF MARVIN H. STEELE OF PLANNING COMMISSION DENIAL OF SUBDIVISION APPLICATION, 4 HERRERA CT. (SS-212)

This application had been denied by the Planning Commission on the grounds that it does not meet the slope policy. Mr. Steele and his engineer presented the appeal on the basis of their belief that the denial was based on the concerns of the downslope property owners re drainage problems. Concerns were expressed by owners of neighboring property. Council was advised by memo from the Planning Director that this property was located in the Conservation Zone which calls for a maximum density of one unit per acre. The appellants contended that they had not been heretofore informed concerning this aspect and the question was not presented at the Planning Commission hearing.

M/S Capurro, Toal to continue the appeal to the regular Council meeting of October 10th pending a full report from Planning staff. Passed unanimously.

5. RECOMMENDATIONS OF FIRE HYDRANT SERVICE CHARGE COMMITTEE

M/S Toal, Convis to endorse and support the proposal of the Fire Hydrant Service Charge Committee that the Marin Municipal Water District Board enact a fire flow service charge to be shown and included on all water billings ranging from 25¢ to \$4 per month to be used for maintaining fire flow capacity and a phased program of replacement of undersized and deteriorated mains and hydrant replacement. Passed unanimously.

Council requested that the Water District be asked for a report as to the projection of when the mains will be brought up to fire standards.

6. ATTORNEY FOR CALIFORNIA LAND TITLE ASSOCIATION REQUESTING COUNCIL DIRECT TOWN ATTORNEY TO RENDER OPINION ON ISSUES ALLEGEDLY PRESENTED BY RESIDENTIAL PROPERTY RECORD ORDINANCE - OR DELETE REQUIREMENT ON ESCROW HOLDER

After Council discussion indicating majority opinion that ordinance should remain intact and based on the fact that the original enactment was subsequent to thorough legal research relating to the requirement on the escrow holder, no additional legal research is warranted at this time.

M/S Toal, Reed to write a letter to William Corrigan, Attorney for California Land Title Association advising that after thorough consideration of the request, we will refrain from asking our Town Attorney to issue an opinion. Motion passed on a 3 - 2 vote with Councilmen Convis and Capurro voting No.

7. LEASE TO SCHOOL DISTRICT OF PORTION OF CORPORATION YARD

M/S Capurro, Signorelli to approve the proposed Lease Agreement, subject to amendment providing that the renewal options shall be subject to exercise only upon agreement by both parties, and the inclusion of a hold harmless and defense clause and to authorize the Mayor to sign the lease if modified accordingly. Passed unanimously.

8. POST-PROPOSITION 13 ORDINANCE REVOCATIONS (CHANGES)

After discussion,

M/S CAPURRO, CONVIS to not delete any of the proposed ordinances. Passed unanimously.

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

Councilman Toal complimented the Administrator on his letter to the Governor requesting veto of SB 1757.

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Councilman Toal called attention to a dangerous situation created in the easement from Hawthorn down to Sir Francis Drake with the curling up of a 2 x 4 - extending about 5 inches above ground - suggested it be removed.

Councilman Capurro reported the street light on San Anselmo Avenue in front of Kaufman's at the bridge has been out for some time - should be turned on to light the bridge.

Councilman Capurro questioned the fact that the crossing guard at Ross Avenue is working 5 - 6 hours a day whereas the school district directive indicated that he would be paid only for 3-3/4 hours per day - Administrator to investigate.

Councilman Signorelli reported a resident complained that the residential property report on his recently purchased residence did not indicate that it was in a high water pressure area.

Councilman Signorelli reported that residents of Ridge Road are indignant at notices received from the Public Works department concerning corrections of curb cuts alleged to be hazardous - contending these should not be included in the hazards correction program. Administrator will take up follow-up action with Town Engineer.

Councilman Toal suggested that in-house candidates for Police Chief be invited to next regular meeting to make an oral appearance before the general public. Concensus of Council was that this would not be a desirable procedure.

Mayor Reed requested a full report to the Council on progress of the Town Hall reconstruction project.

10. CONSENT AGENDA

M/S Toal, Capurro to approve Consent Agenda as to Items 1, 2, 3, 4, 5, 7 & 8. Passed unanimously.

1. Approved minutes of meeting of August 22, 1978.
2. Approved warrant register for August 16 - 31, 1978.
3. Approved progress payment No. 9 in the amount of \$68,204.60 to Page Construction Company, Town Hall Reconstruction Project.
4. Ratified amendment of collective bargaining agreement with International Association of Firefighters Local 1775.
5. Appropriated insurance refund revenue accrued to departmental insurance accounts.
7. Adopted resolution approving deferred compensation plan.
8. Rejected claim of Madeline A. Lawson.

Item 6 - Accepting deeds, drainage easements, Morningside Court project - continued to next regular meeting.

Akjourned at 11:20 P.M. to Workshop Session on Town Meeting recommendations 8 P.M., Tuesday, September 19th, Room 6, Isabel Cook Community Center,

and to Executive Session - Police Chief Selection - Room 6, Isabel Cook Community Center, Thursday, September 21 - 7:30 P.M.

Libby Hanson
Deputy Town Clerk