

Minutes of Regular Meeting October 24, 1978

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

2. OPEN TIME FOR PUBLIC DISCUSSION

Ranny Cockburn reported on the excellent success of the recent San Anselmo clean-up day. The Council conveyed appreciation to the Lion's Club for the efficient organization and conduct.

3. APPOINTMENTS

a. Mayor Reed announced that Bernie Del Santo had been selected to become San Anselmo Police Chief effective April 1, 1979.

b. Paul Brand was nominated for reappointment to the Marin/Sonoma Mosquito Abatement District - nominations held open for appointment at next meeting.

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

Appellant Steele and his engineer, Leonard Karp, pursued the appeal, asserting that the contentions of non-conformity to the slope policy could be overcome by engineering. Downslope neighbors reiterated their concerns as to drainage and density.

At the outset of Council discussion, Councilman Signorelli suggested that he should not participate because he might find himself in the same position in applying for a lot split.

Council limited its consideration to the slope policy, finding no variance therefrom in view of the extreme steepness of the property.

M/S Toal, Capurro to deny the appeal. Motion passed with four ayes, Councilman Signorelli abstaining.

6. ORDINANCE REZONING PROPERTIES ON PINE STREET AND SAN RAFAEL AVENUE ADJACENT TO CENTRAL BUSINESS DISTRICT

M/S Capurro, Toal to adopt Ordinance No. 749 amending Ordinance No. 485 of the Town of San Anselmo by Changing the Property Classification of 125 & 130 Pine Street, 11, 13, 16 and 18 San Rafael Avenue from C-2 to P; 15 San Rafael Avenue from C-2 to R-3 and 22 San Rafael Avenue from R-3 to R-1. Passed unanimously.

7. ORDINANCE AMENDING SIGN REVIEW AND DESIGN REVIEW CODE PROVISIONS

M/S Toal, Convis to adopt Ordinance No. 750 amending Sign Review and Design Review Provisions of the San Anselmo Municipal Code. Passed unanimously.

M/S Capurro, Signorelli to appoint George Buckle, Daniel Goltz, Oliver Harle, William Kapranos, Mary Olive, William Ollinger and Duane Ragan as members of the Design Review Committee effective November 23, 1978, for terms corresponding to their respective terms on the Planning Commission; and to remove from office the present members of the Design Review Committee. Passed unanimously.

8. COUNCIL REQUESTS FOR FUTURE AGENDA ITEMS; COMMENTS AND INSTRUCTIONS TO STAFF

Mayor Reed advised that he had been contacted by Anselmo Wessell concerning trees on neighboring property which he believed were in danger of falling. Staff directed to conduct an examination to determine if the situation is hazardous and if so, to schedule a nuisance abatement hearing.

Councilman Capurro requested staff to check with P.G.&E. concerning downtown lights which have not been on for several weeks.

9. MANDATED GARBAGE RATE ADJUSTMENTS EFFECTIVE JANUARY 1, 1979.

The Administrator advised Council that this was a ministerial act inasmuch as the franchise agreement called for a rate adjustment January 1st in direct relation to labor cost increases, and to permit cost of living change in partners' salaries not exceeding 6%, and although the Company's original submittal of cost increases showed 10.4%, this had been worked down to 6.26%.

Councilman Toal moved to deny the proposed rate adjustment - motion died for lack of a second.

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Thereafter, M/S Capurro, Convis to approve the 1979 garbage collection rate schedule set forth in the staff memo of October 9, 1978, with the understanding that the Company will give timely written notice to all subscribers, with opportunity to change type of service as of January 1, 1979. Motion passed 3 - 2, with Councilman Toal and Mayor Reed voting No.

10. JOINT POWERS AGREEMENT FOR PROVISION OF PARTIAL FIRE DISPATCHING TO TOWN OF FAIRFAX

M/S Toal, Convis to approve and authorize the Mayor to sign Joint Powers Agreement with the Town of Fairfax providing for fire dispatching services to the Town of Fairfax by the San Anselmo Fire Department between the hours of 8:00 A.M. and 5:00 P.M. Monday through Friday. Passed unanimously.

11. ABAG REQUESTING RECONSIDERATION OF NON-PAYMENT OF DUES

The Council was presented with a revised invoice indicating a reduction in the 1978-79 dues by 70%. Council questioned whether the membership fee had been reduced, feeling that this fee had always been unfair to small cities.

M/S Capurro, Convis to reinstate ABAG dues and authorize transfer of \$348.00 from a/c 492-60 to 421-16, and request the Administrator to determine whether the overall reduction included any adjustment in the membership fee. Motion passed on a 4 - 1 vote with Councilman Signorelli voting no.

Councilman Toal requested an item on the next agenda to discuss termination of ABAG membership for timely notice to be given for the next fiscal year.

12. CONSIDERATION OF PERS CONTRACT AMENDMENT INCREASING PENSION OF RETIRING POLICE CHIEF

Council was advised the proposed contract amendment to enhance the retirement benefits of the Police Chief would be at a cost to the Town of \$12,624. Although Council was in complete agreement that this would be a well-deserved benefit for the retiring Chief, there was extreme concern as to the financial impact on the Town budget. There was a consensus to concede to contribute 50% of the amount.

M/S Signorelli, Convis to pass resolution of intention to approve an amendment to contract with PERS adding Section 20818 service credit, subject to limitation of Town cost to 50% of \$12,624. Passed unanimously.

13. PLANNING COMMISSION APPEALING PLANNING DIRECTOR'S CERTIFICATION OF THREE EXISTING LOTS, YOLANSDALE SCHOOL PROPERTY

M/S Toal, Convis to deny the appeal based on the Town Attorney's opinion that this matter is outside of the Council's jurisdiction. Passed unanimously.

14. CONSENT AGENDA

Councilman Signorelli requested a correction of the minutes of October 10th deleting the word "steep" in describing the driveway on Butterfield Road under Item No. 8.

Item f was removed from the Consent Agenda.

M/S Toal, Convis to approve the consent agenda as to items a, b, c, d & e. Passed unanimously.

- a. Approved minutes of meeting of October 10, 1978, as corrected.
- b. Approved warrant register for 10/1-15/78.
- c. Transferred \$11,500 from 492-60 to 442-22b for street light retention.
- d. Designated the Town Clerk or the Deputy Town Clerk, as may be convenient as the official to prepare ordinance summaries for publication in accordance with Section 36933 of the Government Code.
- e. Adopted Resolution No. 1782 delegating to the Town Administrator authority to perform the functions of the Council in allowing, compromising and settling claims against the Town not exceeding \$5,000.

f. In discussion of the progress report, Mayor Reed indicated his irritation with the time table for the Town Hall reconstruction project and dismay at the delayed progress.

ADJOURNED at 10 P.M. to regular meeting November 14, 1978.

LIBBY HANSON
Deputy Town Clerk