

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

2. OPEN TIME FOR PUBLIC DISCUSSION

Mrs. C. Preble of Saunders Avenue complained of the noise generated by garbage pickup at Drake High School at an unreasonable hour in the mornings.

Herman Heim, 6 Jersey Lane, suggested that Council should seek funds from gasoline tax revenues to maintain and improve the unaccepted streets in San Anselmo, the majority of which have deteriorated to the point that a dangerous situation is created for passage of emergency vehicles.

Paul Brand, 130 Allyn Ave., suggested that a work party of residents would be willing to provide the labor using Town-purchased materials to improve the condition of a section of Allyn Avenue at Floribel.

Council directed that an item "unaccepted streets" be placed on a Council agenda for consideration.

3. ORDINANCE COMBINING SMALL PARCELS IN COMMON OWNERSHIP AND APPLYING SLOPE POLICY - SECOND READING

M/S Toal, Convis to waive reading of ordinance as introduced August 28th. Passed unanimously.

M/S Toal, Reed to adopt Ordinance No. 767 amending Section 10-3.1908 of the San Anselmo Municipal Code combining adjacent hillside parcels having an average natural slope of more than fifteen percent (15%) as introduced with the understanding that the word "can" inadvertently omitted from the typed copy will be inserted between the words "adjustment" and "meet" in the last line of the first paragraph of Section 10-3.1908(b).

At this point Dan Goltz suggested that Councilman Reed should not participate in discussion and voting on this item, contending that there was a conflict of interest by reason of Councilman Reed's ownership of real property which would be affected by the ordinance. Councilman Reed contended that the effect on his property would be adverse, but withdrew his second to the foregoing motion. Thereafter, Councilman Convis seconded the motion, which passed on the following roll call vote:

Ayes: Councilmen Toal, Convis, Signorelli  
 No: Councilman Capurro  
 Abstain: Councilman Reed

4. ORDINANCE REZONING 5 SANTA BARBARA AVENUE FROM PPDR-1 TO SPD

M/S Convis, Capurro to adopt Ordinance No. 768 amending Ordinance No. 485 of the Town of San Anselmo by changing the property classification from PPDR-1 to SPD, A/P 5-211-30, 5 Santa Barbara Ave. Passed unanimously.

5. ORDINANCE REZONING TWO PARCELS OFF WOODSIDE DR. AND CHERNE LANE FROM PPDR-1 TO SPD (WAYNE LOWE)

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

M/S Toal, Reed to introduce an ordinance amending ordinance No. 485 of the Town of San Anselmo by changing the property classification from PPDR-1 to SPD, A/P Nos. 5-300-24 and 5-300-25. Passed unanimously.

6. RAY HORNSBY REQUEST COUNCIL REVIEW OF PLANNING COMMISSION DENIAL OF REZONING 15 BANK STREET FROM R-1 TO R-2

Applicant's appeal to the Council to rezone 15 Bank Street from R-1 to R-2 was presented by his attorney, Robert Franklin Howell, on the basis that the requested rezoning would not alter the present two-family use of the property, which includes a second unit under Use Permit authorized by the Second Unit ordinance, and therefore could not adversely affect the neighborhood. Several residents of the area voiced objection to the proposed rezoning as contrary to the desire to retain the R-1 nature of the neighborhood. Council noted that the existence of the second unit is a special situation created to allow two-family use in R-1 zones under Town controls and that rezoning to R-2 would defeat the purposes of the Town's second unit ordinance.

M/S Toal, Convis to uphold the recommendation of the Planning Commission to deny rezoning of 15 Bank Street from R-1 to R-2. Passed unanimously.

7. REVISED GARBAGE COLLECTION RATE STRUCTURE FOR DECEMBER, 1979 THROUGH NOVEMBER, 1982

Public hearing was opened, with objections to the Administrator's recommended rate increase voiced by Attilio Segale. Review of the 1978 audit and consideration of inflation factors affecting the Franchisee's financial situation led to Council consensus that an upward revision in the rate structure was necessary in order to maintain the current level of service. Councilman Reed objected to a commitment without having available information concerning the rate structure of other Marin service areas for comparison purposes.

M/S Capurro, Convis to approve the Town Administrator's recommendations for garbage collection rates for the succeeding three years as follows:

	<u>12/1/79 to 11/30/80</u>	<u>12/1/80 to 11/30/81</u>	<u>12/1/81 to 11/30/82</u>
One can weekly pickup	\$ 5.40	\$ 5.85	\$ 6.20
Two cans	8.65	9.35	9.90
Each additional can	3.10	3.35	3.55
Extra can charge			
regular service time	1.55	1.65	1.75
other times	6.50	7.00	7.40
Debris box rental			
4 days	14.80	16.00	16.95
each extra day	3.70	4.00	4.25
extra dump	8.65	9.35	9.90
Multi-residential			
(per living unit)	5.40	5.85	6.20
Commercial - minimum	5.40	5.85	6.20

Motion passed on a 4 - 1 vote with Councilman Reed voting No.

8. GARBAGE COLLECTION FRANCHISE AMENDMENTS

Council considered the following proposed amendments to the Garbage Franchise Agreement with the San Anselmo Garbage Disposal Company:

1. Extending the franchise to run to 12-31-89.
2. Limiting the franchise fee to the present level.
3. Providing for three-year rather than one-year outside audit.
4. Permitting basic rate review at three-year intervals only.
5. Deletion of Section 14 dealing with interim rate adjustments.
6. Adding provision for standards to be used in determining collection hours.

Councilman Reed objected to the extension of the franchise on the basis that the present franchise has seven more years to run and the company should be kept under some kind of a limitation to guarantee maintenance of levels of service, etc. He also strongly objected to limiting the franchise fee to a fixed amount rather than continuing the percentage basis since this is a tax producing revenue to provide municipal services shared by all residents. Thereafter,

M/S Reed, Toal to authorize amendment of the franchise agreement to provide for a three-year rather than one-year outside audit. Passed unanimously.

M/S Capurro, Toal to authorize amendment of the franchise agreement incorporating the provisions of items 4, 5 & 6 in the Administrator's memorandum of August 30th. Passed unanimously.

M/S Signorelli, Capurro to authorize amendment of the franchise agreement extending the franchise to 12-31-89 and limiting the franchise fee to the present level. Motion failed on a 2 - 3 vote, with Councilmen Capurro and Signorelli voting yes.

No further action taken.

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

Councilman Convis thanked the Administrator for his handling of the debris box matter on Tamalpais Avenue, and expressed appreciation to the Planning Staff for their assistance in gathering information for him.

Councilman Toal objected to the parking of Guasco delivery trucks in the Chevron station as being unsightly.

Councilman Capurro suggested staff investigate the possibility of using some of

the funds allocated for undergrounding utilities on Red Hill to eliminate the need for the pole behind the new Town Hall.

Councilman Capurro suggested that the intersection of Sir Francis Drake & Butterfield created a hazardous situation for the traffic going in and out of the Montessori School.

Councilman Reed called attention to the fact that the Golden Gate Transit bus which brings students from the Sleepy Hollow area to Drake High School arrives at the school at 8:44 and classes start at 8:40. Councilman Toal will bring this to the attention of the Marin County Transit District.

10. PETITION REQUESTING TOWN ACCEPTANCE OF HOLSTEIN ROAD

The Director of Public Works recommended against acceptance as being against Town policy to accept streets that have not been brought up to Town standards. Warren Brentlinger, 72 Holstein Rd. and Larry Gove, 38 Holstein Road, spoke for the petition, advising that improvements had been made to a portion of the road to an extent which would make it legally possible for Town acceptance, although not entirely up to Town standards. In view of the advice that the petition only went to a certain section of Holstein Road, rather than the entire street, Council requested that further consideration be agendaed for October 23rd, at which time Council will be more fully informed.

11. ORDINANCE AMENDMENT REDUCING SIGN REDEMPTION PERIOD FROM 10 - 5 DAYS

M/S Reed, Capurro to waive reading. Passed unanimously.

M/S Reed, Toal to introduce an ordinance amending Section 9-7.1002 of the San Anselmo Municipal Code changing the redemption period for impounded signs to five days. Passed unanimously.

12. ADMINISTRATOR SUBMITTING PLANS FOR REDEDICATION OF TOWN HALL

Council approved plans as submitted with the exception that participation be sought from the Chamber of Commerce.

13. CONSENT AGENDA

M/S Toal, Convis to pass consent agenda. Passed unanimously.

- a. Approved minutes of meeting of August 28, 1979.
- b. Approved warrant register for 8/15-31/79.
- c. Approved progress payment No. 21, Town Hall reconstruction in the amount of \$26,040.10 to Page Construction Company.
- d. Approved and authorized execution radio maintenance agreement with County of Marin.
- e. Adopted Resolution No. 1807 setting standards for Town provision of school crossing guards.
- f. Adopt Resolution No. 1808 revising gross income schedule for second units, per latest HUD data.
- g. Accepted the final EIR for a development on Summit Road on A/P Nos. 7-031-23/24 as recommended by the Planning Commission.

ADJOURNED at 11:20 P.M. in memory of Anselm "Bill" Wessell.

LIBBY HANSON  
Deputy Town Clerk