

MINUTES OF REGULAR COUNCIL MEETING OCTOBER 23, 1979

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

2. OPEN TIME FOR PUBLIC DISCUSSION

None

3. RECONSIDERATION OF SLOPE POLICY/COMBINING ORDINANCE

As directed at the Council meeting of October 9, the Town Attorney presented a proposed ordinance which would repeal Ordinance No. 767.

M/S Convis, Capurro to introduce an ordinance repealing Ordinance No. 767. Motion passed on the following roll call vote: Councilman Toal - no, Councilman Convis - aye, Councilman Reed - abstain, Councilman Capurro - aye, Mayor Signorelli - abstain.

The Town Attorney advised Council that prior to adoption of the proposed ordinance, a full Environmental Impact Report would be required. The Director of Public Works reported that a total of 282 building sites would be reduced to 145 under the combining provisions of Ordinance No. 767 and therefore, if rescinded the effect would be to add 137 building sites and the EIR would be necessary to assess the environmental impact on the Town if these sites are developed. The estimated cost to hire outside consultants for this purpose is \$4,000.

Thereafter a motion was made by Councilman Convis to appropriate up to \$4,000 for this purpose. This motion died for lack of a second.

The Town Attorney advised that the result of the foregoing motion is that Ordinance No. 767 will remain in effect unless set aside by a Court.

4. CONSIDERATION OF COMMUTER TRAFFIC PROBLEM ON PORTIONS OF SAN ANSELMO AVENUE

As directed by the Council, a traffic count had been conducted on right turns into San Anselmo Avenue from Sir Francis Drake Blvd. during commute hours, and also from Center Blvd. onto San Anselmo Ave. The Traffic Safety Committee presented its recommendation for "no right turn signs during morning commute hours" at these two locations. Residents of the neighborhood present supported these recommendations as a possibility to minimize the impact of commuter traffic.

During Council discussion, Councilman Reed questioned as to whether the prohibition would also apply to bicycles, since San Anselmo Avenue is an established bicycle route, and expressed concern that the impact on through traffic on Sir Francis Drake Blvd. would renew pressure to widen this thoroughfare.

M/S Toal, Capurro to direct installation of a "No Right Turn 7 - 9 A.M. Monday-Friday" on Drake Blvd. at San Anselmo Avenue, excepting bicycles. Passed unanimously.

M/S Toal, Convis to direct installation of a "No Right Turn 7-9 A.M. Monday-Friday" on Center Blvd. at San Anselmo Avenue on the assumption that the Town of Fairfax will agree to the same signing at the Center/Pastori/Lansdale intersection. Passed unanimously.

5. APPEAL BY ROBERT C. MARTIN FOR S & M CONSTRUCTION/EDWARD GOLITI FROM PLANNING COMMISSION DENIAL OF VARIANCE FOR EXCESS HEIGHT RETAINING WALL, 308 GREENFIELD AVE.

Robert C. Martin, the project engineer, presented the appeal on the basis of denial of property rights, volunteering to suggest mitigating measures to minimize impact on the neighbors. Neighboring residents appeared expressing objection to the retaining wall.

A motion was made by Councilman Reed, which died for lack of a second, to deny the appeal. Thereafter,

M/S Toal, Reed to refer application for Variance 850 back to the Planning Commission to await a plan that mitigates detrimental effects to neighboring property, while granting the applicant substantial property rights. Resubmittal of applicant shall be by January 18, 1980, or application shall be deemed to be denied, with no further action required. Passed unanimously.

6. ADELE & DOUGLAS FRAZIER REQUESTING TOWN REMOVAL OF DANGEROUS TREET, 31 VINEYARD

Continued to November 13 at request of applicant.

7. PUBLIC HEARING: NUSIANCE ABATEMENT, ACCUMULATION OF DEBRIS, 1033 SAN ANSELMO AVE.

Public Hearing was opened and the following witnesses who were to give testimony in this matter were sworn: Police Chief Bernard Del Santo, Town Administrator Alan Bruce and Jim Andrekin, resident at 1033 San Anselmo Ave. The Town Administrator testified that he had personally viewed the condition of the premises following neighborhood complaints and prior to the issuance of Notice of Public Hearing and that the accumulation of garbage and combustible debris was unsightly and constituted a fire hazard. An inspection just prior to this hearing indicated that some of the debris had been removed from the front of the premises, but that there still remains two obviously inoperable vehicles - one of which is loaded with furniture and other unsightly debris. The Police Chief presented photographs taken on this date of the present condition. Jim Andrekin and the owner of the property, Jerry Lindquist (who arrived during this hearing and was duly sworn) indicated willingness to cooperate in abating the nuisance.

M/S Reed, Toal to adopt Resolution No. 1814 declaring the accumulation of materials stored in the open and in a pickup truck at 1033 San Anselmo Avenue to be a public nuisance and ordering the abatement thereof by removal of the materials per instructions of the Fire Marshal. Passed unanimously.

The Police Chief was directed to follow up on the question of the operability of the parked vehicles.

8. PUBLIC HEARING: ADOPTION BY REFERENCE OF COUNTY ANIMAL CONTROL CODE.

Public Hearing was opened with no public input.

M/S Toal, Convis to adopt Ordinance No. 773 adopting by reference the Marin County Animal Control Code. Passed unanimously.

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

Councilman Reed questioned status of his request concerning the Golden Gate Transit bus schedule from Sleepy Hollow to Drake High School. Councilman Toal advised that it is necessary to revise the schedules to accommodate to school opening time - which is being worked on.

Councilman Reed requested investigation of a missing door on a garage on Center Blvd. stored with unsightly debris to ascertain whether there are grounds for a public hearing on a nuisance abatement proceeding.

Councilman Capurro requested staff to contact the appropriate agency with the suggestion that a shelter for waiting bus patrons be placed at the bus stop in front of the Union 76 Station on Drake at Sonoma Ave.

10. POLICY CONSIDERATION RE FUTURE COUNTRY FAIR DAYS. CHAMBER OF COMMERCE REQUEST FOR SUBSIDY PAYMENT

Noting the Chamber's request that Country Fair day policy consideration be put over until early 1980 - after the election of the succeeding Board of Directors, it was suggested that in the meantime a preliminary meeting be held with the present Directors for input from the 1979 Country Fair Day leaders. This meeting and the subsidy payment item to be agendaed for one of the November meetings at the choice of the Chamber.

11. PROPOSED REPEAL OF INEQUITABLE AND OBSOLETE SECTIONS, BUSINESS LICENSE ORDINANCE

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

M/S Toal, Convis to introduce an ordinance repealing Section 6-1.47 of the San Anselmo Municipal Code. Passed unanimously.

12. CONSENT AGENDA

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

- a. Approved minutes of meeting of October 9, 1979.
- b. Approved warrant register for October 1-15, 1979.
- c. Adopted resolution No. 1815 encouraging continued development of regional planning Districts, LEA program.
- d. Authorized transfer \$1,061 from Reserve for Contingencies for required funding of Major Crimes Task Force.
- e. Restored custodian position in Parks & Recreation Department to full time.
- f. Continued to November 13 public hearing on rezoning Spaulding Ave. property for private parking lot.

- g. Adopted Resolution No. 181⁶ accepting deed portion of Cordone Drive.
- h. Adopted Resolution No. 181⁷ seeking SB 90 reimbursement for OSHA-required firefighters' clothing.

ADJOURNED at 10:20 P.M. to regular meeting November 13, 1979.

LIBBY HANSON
Deputy Town Clerk