

## Minutes of Regular Town Council Meeting August 12, 1980

Mayor Capurro convened the meeting at 7:30 P.M. in Executive Session, with Councilmembers Convis, Wooliever and Buckle present; Councilmember Toal absent.

The Council completed performance review of Fire Department management staff, at the conclusion thereof setting monthly salaries for FY 80-81 as follows:

Fire Chief - \$2,330  
Asst. Fire Chief - \$2,120

The Council reconvened in regular session at 8:00 P.M., with Councilmember Toal present at 8:10.

2. OPEN TIME FOR PUBLIC DISCUSSION.

None

3. APPEAL BY ADAM YANOW FROM PLANNING COMMISSION DENIAL OF SETBACK VARIANCE, 34 SAIS

Adam Yanow presented his appeal along with a new plan for reconstruction of the existing structure minus the originally planned extension, contending that this would simply be a continuation of use as a dark room and extra sleeping quarters. Frances Gulick, 42 Sais Avenue, reaffirmed her concerns stated at the Planning Commission hearing that the structure would be used as second unit living quarters. Staff advised that the question of use was not the issue - a variance is necessary to reconstruct within the setbacks.

At the suggestion of the Council, applicant withdrew his appeal, and

M/S Toal, Convis to refer back to applicant for resubmittal to the Planning Commission, with waiver of further fee. Motion passed unanimously.

4. PLANNING COMMISSION RECOMMENDING APPROVE SUBDIVISION APPLICATION TO CONVERT 22 APARTMENT UNITS TO CONDOMINIUMS, 84 MADRONE

Staff advised that if this subdivision is approved by Council, the actual permit for the conversion will be subject to a use permit hearing by the Planning Commission to assure conformance with all of the conditions imposed by San Anselmo's condominium conversion ordinance, including finding that the public interest is better served. Councilmembers Toal and Wooliever and several members of the audience expressed concern at removing these units from the rental market.

M/S Buckle, Convis to approve tentative map for the application to convert 22 apartment units to condominiums at 84 Madrone Avenue, A/P 6-052-21. Motion passed on a 3 - 2 vote with Councilmembers Toal and Wooliever voting No.

Mayor Capurro stated that his Aye vote shall not be considered as a commitment to maintain an affirmative position if this matter comes back to the Council.

5. PLANNING COMMISSION RECOMMENDING ADOPT RESOLUTION REVISING SPHERE OF INFLUENCE BOUNDARIES, SORICH PARK AND SEQUOIA PARK AREAS

The Planning Director advised Council that the San Rafael Planning Commission has recommended changes in sphere of influence boundaries common to San Rafael and San Anselmo by transfer of two areas in Sorich and Sequoia Park, logically in San Anselmo's sphere of influence. After discussion,

M/S Toal, Buckle to adopt Resolution No. 1840 declaring the Town's intent to adopt the sphere of influence boundary as outlined in Attachment A of said resolution. Motion passed unanimously.

6. DIRECTOR OF PUBLIC WORKS SUBMITTING RECOMMENDATIONS AND COST ESTIMATES FOR AMELIORATION OF SKYLINE DRAINAGE PROBLEM.

The Director of Public Works submitted his report and recommendation on the necessity to proceed with some work on the Skyline and Valley Road-West Court area drainage problems prior to heavy winter rains to prevent further and extensive property damage,

M/S Toal, Buckle to (1) authorize expenditure of up to \$10,000 for the Skyline-Camino de Herrera storm drain construction, appropriated from funds available within the Capital Improvements reserve, with the understanding that easements will be granted by owners of 25 & 27 Camino de Herrera and 32 Skyline Road at no cost to the Town; and further that the owners of 25 & 27 Camino de Herrera acknowledge in writing that by installing the subject drain Town makes no representations as to responsibility for

any past actions on either the part of the Town, or other private property owners, which may have caused or contributed to the present problem;

(2) authorize expenditure of up to \$7,500 from the same source for two catch basins and related piping at Valley Road and West Court, if further engineering indicates it is feasible to reroute the storm waters in that area; and

(3) Authorize the addition of these two projects to the present drainage engineering contract with Hoffman & Albritton, consulting engineers, with the understanding the budget amounts include engineering and survey work.

Motion passed unanimously.

7. DIRECTOR PUBLIC WORKS REPORT ON FINANCING REMOVAL OF DISEASED ELM TREES, REQUESTING \$3,000 FROM RESERVE FOR 50-50 COST SHARING WITH STATE

M/S Toal, Buckle to appropriate \$3,000 from the reserve for contingencies to account 442-20C for diseased Elm tree removal on a 50-50 cost sharing basis with the State. Motion passed unanimously.

8. TOWN ATTORNEY REPORTING ON STATE LEGISLATION ON DRUG PARAPHERNALIA IN RELATION TO PROPOSED LOCAL ORDINANCE

Town Attorney advised that enforcement in San Anselmo could be accomplished under State law and it was his advice to withhold adoption of a local ordinance pending experience under the State legislation.

M/S Toal, Convis to table. Motion passed unanimously.

9. PRO ARGUMENT, HOUSING REFERENDUM ELECTION.

M/S Buckle, Toal to approve Argument for Town of San Anselmo Housing Election Measure as prepared by the Marin County Housing Authority and the Town Administrator, with addition of reference to Council as well as Planning Commission hearing on architectural design. Motion passed unanimously.

10. ADOPT RESOLUTION ACCEPTING GRANT DEED FROM SAN ANSELMO SCHOOL DISTRICT FOR ISABEL COOK COMMUNITY CENTER PROPERTY

M/S Buckle, Toal to adopt Resolution No. 1841 accepting grant deed from San Anselmo School District for Isabel Cook Community Center property. Motion passed unanimously.

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

Councilmember Toal suggested that a letter be addressed to Anne White expressing regret at her resignation as Manager of the San Anselmo Chamber of Commerce and the Council's appreciation of her past conduct of the office.

Councilmember Wooliever stated that she had been unable to reach Fairfax Mayor Willman, but hoped to have a report for the Council at its next meeting on the request for further consideration of consolidation of services.

Councilmember Buckle questioned the Director of Public Works letter to the Builders Exchange on the requirement for a building permit to replace a window or add a door as being rather excessive. The Director advised that under State building codes, permits are required for any structural change.

12. CONSENT AGENDA

M/S Buckle, Convis to pass Consent Agenda. Passed unanimously.

a. Approved minutes of meeting of July 22, 1980.

b. Approved warrant register for 7/16-31/80.

ADJOURNED at 10:17 P.M. to August 26, 1980 regular meeting.

LIBBY HANSON  
Deputy Town Clerk