

Regular Town Council Meeting September 14, 1982

Council met in Executive Session commencing at 7:30 P.M. to discuss litigation and for annual evaluation of management performance.

a. Instructed Town Attorney on pending litigation.

b. Reviewed management performance for the period July 1, 1981 - June 30, 1982 and determined to retain all incumbent management personnel and set salaries for 82-83 FY as follows:

Town Administrator	\$3,450*	-	Effective 10/1/82
Administrative Assistant	1,800	-	" "
Director Public Works/Planning	2,900	-	" "
Asst. Director Pub. Works/Plan.	2,560	-	Effective 7/1/82
Maintenance Supervisor	2,150	-	Effective 10/1/82
Chief of Police	2,900		" "
Police Captain	2,650		" "
Library Director	2,200		" "

*with permission to convert certain benefits to salary.

At 8:45 P.M. Mayor Buckle convened the regular meeting with Councilmembers Toal, Capurro, Wooliever and Ollinger present.

2. OPEN TIME FOR PUBLIC DISCUSSION

Don Farquharson, President of the Chamber of Commerce, requested Council response to questions previously raised concerning the estimates of San Anselmo sales tax for the 81-82 fiscal year. Council directed that this item be placed on the agenda of the next regular meeting for discussion.

Mark Mitchell, an employee of United Ambulance, located at 11 Belle Ave., solicited assistance of the Council in relation to United Ambulance employees parking problems. It was suggested that this matter be taken up with the Chief of Police or Traffic Safety Committee.

3. CONTINUED PUBLIC HEARING - NUISANCE ABATEMENT, HAZARDOUS DWELLING, 20 ALLYN AVE.

The Director of Public Works presented a proposal from parties concerned to reconstruct the dwelling at its present resting place in lieu of demolition. It was the consensus of staff and neighboring residents that rehabilitation would be a more desirable solution. There was concern expressed as to a time table for stabilization prior to rainy season.

M/S Wooliever, Toal to continue the nuisance abatement public hearing to the September 28 Council meeting, at which time a progress report shall be submitted, and advise the property owner that he may pursue his plans for reconstruction by submitting final drawings and securing the necessary building permit, conditioned on the submission to the Town of a Certificate of Insurance providing public liability of One Million Dollars each person, three million dollars each occurrence, and property damage in the amount of \$500,000 with Town as additional named insured, with said insurance to remain in force until permits for the new foundation and retaining wall have been finalized, and that control of the work shall be under the direction of a qualified soil mechanics engineer, who shall render a final report to the Town indicating that the work was carried out in accordance with his direction, and that the dwelling is safe from further sliding or collapse. Motion passed on a 4 - 1 vote with Capurro voting no.

4. APPEAL OF JEANNETTE MARQUEZ FROM TRAFFIC SAFETY COMMITTEE DENIAL OF ACCESS DRIVEWAY FROM CENTER BLVD. TO 27 YOLANDA DRIVE.

Ms. Marquez presented her appeal, stating that the rear yard of her residence is ample to provide the necessary off-street parking to accommodate the number of automobiles in her household, but would require access from Center Blvd. as there is no economically feasible way to gain access along the side of the house. Council consensus indicated sympathy for the problem, but concern at the safety factor of egress and ingress onto and from Center Blvd.

M/S Capurro, Toal to deny the appeal. Motion passed by unanimous vote.

5. CONTINUED PUBLIC HEARING JAMSHEED JAMSHEED, OAK SPRINGS HEIGHTS DEVELOPMENT

Council first considered the Planning Commission's recommendation for certification of a mitigated negative declaration.

Jerry Mayer, 122 Oak Springs Drive reviewed the various reports relating to

environmental impact, contending that collectively these reports do not constitute an EIR since they are not tied together into one document with mitigations recited and alternatives presented. He is particularly concerned at the impact of soil removal, the extension of Oak Springs Drive as a driveway rather than a public road, inadequacy of the drainage report, the fact that the traffic report does not address switchbacks on Woodside and the indeterminate path of sewer connection.

Council discussion developed a concensus that the soil removal is the biggest problem, and that the collective reports are inadequate and should be consolidated into one document. Chris Craiker, representing the developer, requested and received agreement that this could be done by him and avoid the necessity of hiring another outside consultant.

M/S Toal, Wooliever not to accept the recommendation of the Planning Commission to certify a mitigated negative declaration and request the developer to prepare and submit a focused EIR on: soil removal; private driveway vs public street; drainage; traffic impacts, particularly around Woodside Drive switchbacks; sewer installation path; and development alternatives. Motion passed on a 4 - 1 vote with Ollinger voting no on the basis of his conviction that the land swap question should be resolved first.

Council then proceeded to consider the proposal to exchange Town owned property on the easterly side of the proposed development for a portion of the westerly ridge. A petition of the neighboring residents was presented urging that a land swap include the entire westerly ridge, which would preclude development of one proposed unit. Council indicated favorable consideration would be given to a land swap on that basis.

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

Ollinger questioned when the garbage franchise would be coming before the Council - advised that background work is in process for a rate review which will be coming to the Council shortly. He suggested that consideration be given to a reduced pickup schedule for elderly subscribers - advised that this will be included in staff recommendation.

Ollinger requested an analysis of the continued effect of employee retirement benefits on Town finances and a report on available future options.

Toal questioned the Town taking over street lights. Public Works Director opined it would not be practical unless there was a cooperative effort with other jurisdictions over a wide area.

Capurro suggested that consideration should be given to shortening agendas and limiting time for public expression.

Wooliever expressed concern at the letter written by Mayor Buckle to the Director of the State Department of Housing and Community Development requesting that the Administrator's letter of August 26th be disregarded as having been sent without Council approval.

M/S Ollinger, Toal to reaffirm our position as set forth in Mayor Convis' letter of December 7, 1981 to the department, appropriate officials of the State to be notified. Motion passed on a 4 - 1 vote with Buckle voting no.

Buckle questioned the status of the Memorial Park baseball backstop. The Director of Public Works advised that it is scheduled for the near future, but in the meantime he has requested input from the Baseball Associations and the Park & Recreation Commission on rebuilding the fence at the same time.

Buckle asked that the Council be furnished an equation and explanation on Proposition 4 appropriations limit.

Buckle questioned status of proposal to furnish police services to Fairfax - item dead as Fairfax Council voted to retain its own police department.

7. REBATE MECHANISM, PENSION OVERRIDE TAX

M/S Toal, Wooliever to proceed to appoint a Tax Equity Board per schedule as follows: September 14 - announce applications open through October 6, October 12 7:30 P. interview applicants and appoint 3 at the following regular meeting, and authorize automatic appropriation from Reserve for Contingencies to cover rebates ordered by the Board, establish a new Acct. 12 - Override Tax Rebates - in Non-Departmental Budget 421, with totals to be reported to Council quarterly. Motion passed on a 4 - 1 vote with Capurro voting no.

Regular Meeting - September 14, 1982

M/S Toal, Wooliever to waive reading of an ordinance prohibiting disclosure of information which identifies a person applying for rebate on property involved. Motion passed by unanimous vote.

M/S Wooliever, Toal to introduce an ordinance adding Section 8-2.03 to the San Anselmo Municipal Code providing for penalty for disclosure of information on applications for rebate of pension override tax. Motion passed on a 3 - 2 vote with Buckle & Capurro voting no.

Buckle voted no on the basis he does not believe this code provision is necessary:

Capurro's no votes on this item were made for consistency with his no vote on the levy of the pension override tax.

8. AUTHORIZATION OF SHORT-TERM BORROWING TO COVER DRY PERIOD CASH DEFICIENCY

M/S Toal, Capurro to adopt resolution No. 1918 authorizing short-term borrowing, and authorize the Administrator to execute necessary papers. Motion passed by unanimous vote.

9. DISCUSSION ON FORMATION OF FINANCE COMMITTEE

Deferred to September 28th agenda for report of Council sub-committee, Toal and Ollinger.

10. CONSIDERATION OF EARLY START ON 82-83 BUDGET

Deferred in relation to Item #9.

11. ORDINANCE AMENDING CONTRACT WITH PERS ELIMINATING COVERAGE OF FIRE SERVICE EMPLOYEES

M/S Capurro, Toal to adopt ordinance No. 829 authorizing amendment of contract with PERS. Motion passed by unanimous vote.

12. CONSIDERATION OF CHANGE IN MUNICIPAL ELECTION DATE.

M/S Capurro, Ollinger to table. Motion passed by unanimous vote.

13. OPEN SPACE COMMITTEE RECOMMENDATIONS ON LITT PROPERTY EXCHANGE PROPOSAL

Council accepted the Committee's report which rejects this proposal.

13. CONSENT AGENDA

M/S Toal, Ollinger to pass consent agenda, with exception of Item a - Approval of minutes of August 24th meeting, the latter continued to September 28th. Motion passed by unanimous vote.

- b. Approved warrant register for 8/16-31/82.
- c. Authorized notice of completion, ICC remodeling Phase II.
- d. Denied claim of Charles Eggers.
- e. Awarded contract to Western Roofing Service of San Francisco for Library roof repairs in the amount of \$14,140, allotting \$1,500 for contingencies, making a total allotment of \$15,640 for the project.
- f. Awarded contract to Valentine Corporation of San Rafael in the amount of \$24,830, with a contingency fund of \$5,000 for a total allotment of \$29,830 for repair of retaining wall on Sir Francis Drake Blvd. at #32.

ADJOURNED at 1:05 A.M. to regular meeting September 28, 1982.

LIBBY HANSON
Secretary