

Minutes of Regular Council Meeting - December 14, 1982

Mayor Buckle convened the meeting with Councilmembers Toal, Capurro and Ollinger present. Councilmember Wooliever absent at beginning of meeting.

2. OPEN TIME FOR PUBLIC DISCUSSION

The Administrator advised that two emergency items will be brought up (1) - the Director of Public Works seeking authorization to solicit bids to replace a collapsed culvert and; (2) the Administrator seeking authorization for investment of Town funds.

3. APPOINTMENTS

Announcement was made of a vacancy on the Board of Review and applications open for a full term to December 1988. Council directed a note of appreciation be sent to Kenneth Ball, retiring Board Member.

4. PROPOSAL OF BOARD OF DIRECTORS OF ROSS VALLEY PARAMEDIC AUTHORITY

Presentation was made by Paul Brand, San Anselmo representative on the Board, requesting Council authorization to join the other Ross Valley jurisdictions in a June 7, 1983 ballot measure.

M/S Capurro, Ollinger to adopt Resolution No. 1923 directing that the question of whether a paramedic service be provided and funded be placed on the ballot to be decided by the voters. Ayes all present.

M/S Toal, Ollinger to adopt Resolution No. 1924 requesting the Marin County Board of Supervisors to authorize the County Clerk to render services regarding the special election on Tuesday, June 7, 1983. Ayes all present.

5. PUBLIC HEARING (Cont.) - NUISANCE ABATEMENT, HAZARDOUS INCOMPLETE SITE WORK, 308 GREENFIELD - PROGRESS REPORT

Director of Public Works reported that work was not proceeding to his satisfaction and the property owner and lender have been informed that unless concrete corrective work to protect adjacent property owners from mud slides, etc. goes forward before the next series of storms, the Town will move in. Continued to next meeting for further report.

6. PUBLIC HEARING - NUISANCE ABATEMENT, PLUGGED CULVERT, LIU PROPERTY, 525 OAK AVE.

Notice of this hearing having been given to the property owners in the manner and form required by law and no appearance made on behalf of said property owners, with Council receiving the report of the Town Engineer on the imminent danger of severe damage to Oak Avenue from overflow of storm waters created by the plugged culvert,

M/S Toal, Ollinger to adopt Resolution No. 1925 declaring the plugged drainage culvert at 525 Oak Avenue to be a public nuisance, directing the property owner to abate said nuisance by proceeding diligently and immediately to excavate and open the inlet end of the culvert, placing inlet works around the end of the pipe and constructing a debris rack to keep the culvert open. Upon failure of the property owners to complete this work to the satisfaction of the Director of Public Works by January 17, 1983, said Director of Public Works shall cause said work to be done and the cost thereof to the Town made a lien on said property. Ayes all present.

7. PUBLIC HEARING - PLANNING COMMISSION RECOMMENDING ACCEPT NEGATIVE DECLARATION AND REZONE 9 - 11 FERN LANE TO SPD FOR THREE LIVING UNITS

Public hearing was opened with no opposition to this rezoning expressed,

M/S Capurro, Ollinger to confirm negative declaration. Ayes all present.

M/S Toal, Capurro to waive reading of ordinance. Ayes all present.

M/S Ollinger, Toal to introduce an ordinance rezoning 9 - 11 Fern Lane, A/P 5-193-07 from R-1 (Single Family Residential) to SPD (Specific Planned Development) for three separate living units to remain with the condition that one living unit fall into the category of second unit for moderate income housing and a rental agreement entered into to implement that condition. Motion passed with three ayes, Buckle voting no.

8. APPEAL OF SIEGFRIED PFENDT FROM PLANNING COMMISSION DENIAL OF REZONING PORTION OF INDIAN HILLS PROPERTY TO SPD FOR 20-LOT DEVELOPMENT

Town Attorney advised that a review of Government Code Section 65856 indicates that the proper legal action to be taken after a Planning Commission recommendation for

Regular Council Meeting - December 14, 1982

denial of a rezoning is a noticed Public Hearing before the Council rather than an appeal from the Planning Commission denial. Council directed that a public hearing on the applicant's request be set and noticed for the Council regular meeting of December 28.

9. ORDINANCE REZONING OAK SPRINGS HEIGHTS PROPERTY TO SPD FOR FIVE SINGLE-FAMILY DWELLINGS

M/S Toal, Ollinger to adopt Ordinance No. 832 amending Ordinance No. 485 of the Town of San Anselmo by changing the property classification from PPD R-1 to SPD for five single family dwellings, A/P Nos. 5-011-40 and 5-011-60 (off Theresa and Oak Springs Dirves). Ayes all present.

10. ORDINANCE AMENDING SAN ANSELMO MUNICIPAL CODE AS TO GARBAGE COLLECTION SERVICE CHANGES AND DELINQUENT CHARGE

M/S Toal, Capurro to adopt ordinance No. 833 amending Chapter 3 of Title 5 of the San Anselmo Municipal Code as to service changes and delinquent charge. Ayes all present

11. ORDINANCE ESTABLISHING LIMITED PERMIT SYSTEM FOR OVERNIGHT PARKING

M/S Ollinger, Toal to adopt Ordinance No. 834 amending Chapter 5 of Title 3 of the San Anselmo Municipal Code to provide for all night parking by permit. Ayes all present.

12. CONSIDERATION OF ORDINANCE AMENDMENT ELIMINATING SIGN REVIEW OF MURALS

No action taken.

(Councilmember Wooliever arrived at 9:30 P.M.)

13. CONSIDERATION OF REMOVAL OF PLANNING COMMISSIONER FREDERICK F. PETERSON

Commissioner Peterson having declined Council's invitation to resign,

M/S Toal, Wooliever to remove Frederick F. Peterson from the Planning Commission without cause per Section 10-1.01 of the San Anselmo Municipal Code. Motion passed with four ayes, Buckle voting no.

14. TOWN ADMINISTRATOR REPORTING ON OPTIONS FOR MANAGEMENT OF TOWN GOVERNMENT FOLLOWING HIS RETIREMENT

Council discussion of the Administrator's report brought forth a majority consensus that the situation should remain in status quo for the time being, the Administrator stating that he was under no compelling pressure to fix a set retirement date. Ollinger suggested that in the meantime the various options be studied by a Council subcommittee.

A motion by Capurro, seconded by Wooliever to table failed on a 2 - 3 vote with Toal, Ollinger and Buckle voting no.

Council indicated it would be receptive to reviewing and considering staff recommendations for updating the administration ordinance and agreed that consideration should be given to improving financial management during upcoming budget hearings.

15. CONSIDERATION OF CANCELLATION OF DECEMBER 28 REGULAR MEETING

No action taken.

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

Added items to this agenda:

1) The Director of Public Works reported that the drainage culvert on Madrone at Sir Francis Drake has collapsed causing severe flooding in that area when it rains and sought authorization to prepare specs and solicit bids for replacement since the culvert is beyond repair - Council so authorized.

2) The Administrator sought authorization to invest temporarily surplus funds via a proposal which should generate more favorable interest return.

M/S Capurro, Ollinger to adopt resolution No. 1926 authorizing use of services of Blyth Eastmen Paine Weber, Inc. for investment of Town funds. Motion passed by unanimous vote.

17. CONSENT AGENDA

M/S Toal, Capurro to pass consent agenda. Motion passed by unanimous vote with the exception of Buckle's abstention on approval of minutes of November 23 regular meeting.

- a. Approved minutes of meetings of 11/23 and 11/30.
- b. Approved warrant register for 11/16-30/82.
- c. Awarded contract to Able Fence Company for installation of the Minor League backstop at Memorial Park in the amount of \$15,979.30 with a contingency fund of \$750.
- d. Authorized filing of Notice of Completion Hub Bus Transfer Facility.

Adjourned at 10:40 P.M. to regular meeting December 28, 1982.

LIBBY HANSON
Secretary