

MINUTES OF REGULAR COUNCIL MEETING  
December 27, 1983

Mayor Wooliever convened the meeting with Council members Toal, Capurro, Buckle and Ollinger present.

2. OPEN TIME FOR PUBLIC DISCUSSION

Mr. Segale complained of eruptions from the sewer line on The Alameda at Arroyo. Council directed that this item be agendaed for the January 10th meeting, with notification to the Sanitary District.

Les Ferrogiarro, 9 Waverly Rd., called attention to advertised activities New Year's Eve at the Marin Community Playhouse, contending use exceeds limitations imposed by the Planning Commission and Council. Toal announced he would be attending the New Year's Eve event and would monitor.

3. APPOINTMENTS

Robson-Harrington House Association - announcement made that applications will be accepted up to January 5th - appointment to be made at January 10 meeting.

4. TENTATIVE SCHEDULE FOR 84-85 BUDGET PROCESS

Council received and accepted Administrator's proposed schedule.

5. STREET LIGHT ACQUISITION

Council received a report that the County and other Marin cities are participating in joint exploration of the feasibility of acquiring street lights from P.G.&E.

M/S Buckle, Ollinger to approve and authorize the Mayor to sign Joint Powers Agreement for feasibility study and authorize expenditure from the Litigation Reserve of the sum of \$968 to cover San Anselmo's share of the cost of the study and for membership in California City-County Street Light Association, with the understanding that this action does not commit San Anselmo to proceed beyond the feasibility study. Motion passed with four ayes with Toal abstaining on the basis of a possible conflict of interest by reason of his ownership of PG&E stock.

6. REPORT ON ALL NIGHT PARKING PERMIT SYSTEM

Council received the Administrator's report on the first eleven months' experience with the over-night parking permit procedure indicating that the system appears to be working and volume of applications has not overburdened staff, although occasional adamant opposition to the overnight parking prohibition continues.

7. REPORT ON STATUS OF PROPOSALS FOR HOUSING ELEMENT UPDATE/COMPLETION OF AFFORDABLE HOUSING STUDY

The Planning Director reported that only three proposals were submitted, which have been referred to Councilmember Ollinger and the Planning Commission Chairman for review and will come to the Council at the January 10th meeting.

8. MID-YEAR FINANCIAL REPORT

Council received the Administrator's midyear financial report indicating that revenue and expense appear to be comfortably in balance at this point.

9. ADOPTION OF URGENCY ORDINANCE RE SALES TAX EXEMPTIONS

M/S Capurro, Toal to waive reading and adopt on urgency basis Ordinance No. 848 amending Chapter 3 of Title 8 of the San Anselmo Municipal Code relating to exclusions and exemptions on sales and use tax imposed by the State of California. Motion passed by unanimous vote.

10. PUBLIC HEARING ON ECONOMIC FEASIBILITY ASPECT OF APPLICATION OF SIEGFRIED PFENDT FOR REZONING INDIAN HILLS PROPERTY TO SPD FOR 21-26 UNITS

Applicant present with his attorney M. Reed Hunter. Lynn Sedway, the Town's economic consultant, reviewed the elements of her analysis in concluding a 14-unit development done by a qualified developer is economically feasible. Applicant and his attorney reviewed the Williams-Kuebelbeck & Associates' analysis which concludes more than 30 lots would be required before the project would become economically viable. Mr. Hunter recommended to the Council that in view of the divergence in the two analyses a third expert should be brought in by the Council to evaluate the two reports and arbitrate the difference, offering in the event of Council unwillingness to accept this proposal, to settle the entire matter by Council approval of an 18-unit development.

## MINUTES OF REGULAR COUNCIL MEETING - DECEMBER 27, 1983

A number of persons spoke from the audience favoring a lesser development than any of the numbers mentioned.

During Council discussion M/S Ollinger, Toal to accept a maximum of 10 units. Motion failed on the following tie vote: Ayes: Toal, Ollinger; Noes: Capurro, Wooliever; Abstain: Buckle.

Thereafter, M/S Capurro, Wooliever to find development of 12 units viable. Motion passed on a 3 - 1 vote, with Toal voting No, Buckle abstaining.

M/S Ollinger; Capurro to deny application for 21-26 units without prejudice to reapplication by applicant for a not-to-exceed 12 unit development, with fee waiver if application made within 90 days; this denial made on the grounds that the application is contrary to the conservation goal of the General Plan to preserve ridge tops and is in excess of the number of units which the Council has found the site can accommodate. Motion passed with four ayes, Buckle abstaining.

M/S Ollinger, Toal to direct inclusion of subject property, with density as here determined, in draft hillside zoning ordinance. Motion passed with four ayes, Buckle abstaining.

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

Mayor Wooliever thanked Alan Bruce for his service to San Anselmo, commending his genius, integrity and ability.

12. CONSENT AGENDA

M/S Ollinger, Toal to pass consent agenda. Motion passed by unanimous vote

- a. Approved minutes of meeting of December 13, 1983.
- b. Approved warrants 7577 - 7680 totalling \$103,450.16 for the period December 1 - 15, 1983.
- c. Adopted Resolution No. 1973 updating list of employees authorized to acquire Federal surplus property.
- d. Continued to January 10, 1984 B. M. Beins' appeal of Planning Commission lot split denial.

ADJOURNED at 10:50 P.M. to Executive session January 7th, 1984 to interview finalist candidates for Town Administrator.

LIBBY HANSON  
Secretary