

TOWN OF SAN ANSELMO
Minutes of the Town Council Meeting of June 22, 1993

6:45 p.m.

Closed session regarding pending litigation, pursuant to Government Code Section 54956.9(a), Town of San Anselmo v. Gill, et al, and related cross complaints, Marin Superior Court #155116.

7:40 p.m.

Interviews with applicants to the Library Advisory Board and Parks and Recreation Commission.

8:00 p.m.

1. CALL TO ORDER.

Mayor Chignell convened the regular meeting, with Council Members Breen, Kanis, Yarish, and Zaharoff present.

2. RECOGNIZE BROOKSIDE SCHOOL FOURTH GRADE CLASS TAUGHT BY LAURETTE ROGERS FOR THEIR EFFORTS ON BEHALF OF THE CALIFORNIA FRESHWATER SHRIMP.

Ms. Rogers and the students were presented with certificates honoring their nationally-recognized work.

3. OPEN TIME FOR PUBLIC EXPRESSION

Barbara Schmidt, 59 Austin Avenue, spoke in support of a moratorium on development on Bald Hill until the working group meets. She wrote a letter regarding the Humane Society and encouraged the appointment of public representatives who were supportive of animals to the County oversight committee

Richard Nagley, objected to fence around the service station at the Hub. He spoke in support of efforts by the Marin Economic Council to create an economic element into the Marin County General Plan.

Sarah Nome, 77 Alder Avenue, questioned whether there was a conflict of interest with the husband of Council Member Zaharoff performing legal services on the Gill lawsuit, objected to the lack of breakdown of fees for Town Attorney Roth's legal services, and commented on the Town being over budget in the legal services department. She asked that this issue be agendized in public and that the taxpayers be more aware of these lawsuits. She said that the easement in question leads only to a chain link fence, and that the Marin Municipal Water District is not going to open the fence and cannot afford to hire another ranger for that area.

Zaharoff said that her husband was representing the residents being sued by Gill et al on a pro bono basis, and the California Fair Political Practices Commission had stated that his work did not create a conflict of interest.

Mitchell Wilenchik, 25 Mountain View Avenue, said he spoke to the Building Department about building a storage shed, and was given the wrong information

about the permit requirements. The Planning Director or Mayor will get back to him on the issue.

4. COUNCIL REQUESTS FOR FUTURE AGENDA ITEMS, COMMENTS AND DIRECTIONS TO STAFF; STAFF MISCELLANEOUS ITEMS.

Graffiti - Kanis expressed concern regarding graffiti appearing throughout the town.. Staff reported that a graffiti removal program was being established.

5. CONSENT AGENDA.

- (a) Approve resolution calling for the Municipal Election and requesting the services of the County Clerk.
- (b) Approve resolution authorizing expenditures at 92-93 budget levels.
- (c) Proclaim July as "Recreation Month."
- (d) Authorize letter from Council in support of grant application for Ross Valley Homeless Assistance Project.
- (e) Approve proposal from the Solid Waste and Recycling Advisory Committee to encourage private property owners to add a "need to recycle" clause in lease/rental agreements.

Sarah Nome, 77 Alder Avenue, expressed concern that the Town Clerk was not available in the office. Staff reported that she was available when needed.

6. PRESENTATION ON ANNEXATION POLICIES, BY DAWN MITTLEMAN, EXECUTIVE DIRECTOR OF THE MARIN COUNTY LOCAL AGENCY FORMATION COMMISSION (LAFCO).

Ms. Mittleman reported on the policies and procedures regarding annexation in Marin County.

7. REVIEW ALTERNATIVES TO BANNING PARKING ON THE SOUTH SIDE OF SIR FRANCIS DRAKE BOULEVARD BETWEEN BUTTERFIELD ROAD AND SAIS AVENUE, AND CONSIDER THE STAFF RECOMMENDATION TO PROHIBIT PARKING.

M/s, Breen/Zaharoff, that the ban on parking on eastbound Sir Francis Drake Boulevard continue as it is now, with the installation of "No left turn" on Sir Francis Drake Boulevard eastbound, for a six month test. Motion passed unanimously.

8. STATUS REPORT ON NUISANCE ABATEMENT, 63 NOKOMIS.

Fire Chief Ron Zeise provided an update on the status of the condition of the property. According to the County Health Department, no health hazards exist except for what was on the porch.

Letha Marchetti, 29 Sais, said that frustration was a mild way to summarize her experience with this property, and wanted the Town to do something about the condition of the property.

Richard Marchetti, 29 Sais, said that if it takes a court order, the neighbors would be willing to pay some of the expense, adding that his quality of life was being taken away from him by the situation at 63 Nokomis. He said he did not need for them to put up fancy drapes; he just would like to not see tires on the front porch, and inoperative vehicles in the yard, and feel like he is living in some kind of civilization.

Sarah Nome, 77 Alder Avenue, said she could provide a list of properties that have been abandoned or have vermin if the Town is going to go to court.

Glory Roads, 63 Nokomis, said that allot of things are accumulated in 40 years. She said that the car has been covered, the hood on the front porch does not make a difference to anybody's health, and the tires are not harboring anything. It was not fair to single out their property. Regarding the inspection appointments, it works better to have a letter sent ahead of time, which they try to accommodate. She and her mother were physically unable to move the things requested to be moved.

In response to questions from Yarish regarding their ability to maintain the level of care that other neighbors do and the inspection schedule, Ms. Rhoads said she thought it would be better, and that a reminder letter from the inspector would help. Zaharoff suggested that volunteers might be able to help with weed eating and taking away car parts.

Council encouraged Ms. Rhoads to work with the Fire Chief to have set dates for inspections.

M/s, Breen/Yarish, to direct staff to continue quarterly site inspections at 63 Nokomis, per the public nuisance abatement resolution no. 3118. Motion passed unanimously.

9. INTRODUCE ORDINANCE AMENDING TITLE 9, CHAPTER 20, OF THE MUNICIPAL CODE REGULATING WATER WELLS AND PRIVATE WATER SUPPLIES, NEGATIVE DECLARATION, AND RESOLUTION SETTING FORTH GUIDELINES TO HELP DETERMINE WHEN WATER IS AVAILABLE.

M/s, Kanis/Yarish, to approve the negative declaration. Motion passed unanimously.

M/s, Kanis/Yarish, to waive reading and introduce Ordinance No. 947, an amendment to the urgency ordinance of the Town of San Anselmo amending Title 9 of the San Anselmo Municipal Code to add Chapter 20 establishing standards regulating the construction of water wells and the use of private water supplies. Motion passed unanimously.

M/s, Kanis/Breen, to approve Resolution No. 3234 setting guidelines by which to determine when water from the public water system is available as stated in Title 9, Chapter 20, and Title 10, Chapter 2, of the San Anselmo Municipal Code. Motion passed unanimously.

10. RECOMMENDATION FROM PLANNING COMMISSION TO INTRODUCE AN ORDINANCE AMENDING CHAPTER 3 OF TITLE 10, ARTICLE 4 (DEVELOPMENT STANDARDS) AND ARTICLE 7 (PROCEDURES) OF THE ZONING ORDINANCE REGARDING DESIGN REVIEW REQUIREMENTS FOR ADDITIONS TO HILLSIDE PROPERTIES.

The ordinance would enable development requiring design review and up to 1,200 square feet in size above the 150 mean sea level elevation to be reviewed administratively, absent any significant visual impact.

After discussion, it was the consensus of the Council to defer the ordinance to the next regular meeting to incorporate language regarding "absent significant visual impact" and "not materially visible off-site."

11. REPORT ON SELECTION OF AUDITOR.

The selection was continued to the next regular meeting.

12. ADJOURN.

The meeting was adjourned at 10:45 p.m.

Beth Pollard