

TOWN OF SAN ANSELMO
Minutes of the Town Council Meeting of October 24, 1995

Present: Breen, Chignell, Hodgens, Kroot, Yarish
Absent: None

6:25 p.m.

Announce adjournment to closed session for conference with real property negotiator regarding negotiations with Peter and Pamela Fraser, on the terms and exchange of real property in the vicinity of Bald Hill, Redwood Road, and Oak Avenue, A/P 7-154-04; 7-101-02; and 7-071-03, pursuant to Government Code Section 54956.8.

6:30 p.m.

Closed session for conference with real property negotiator regarding negotiations with Peter and Pamela Fraser, on the terms and exchange of real property in the vicinity of Bald Hill, Redwood Road, and Oak Avenue, A/P 7-154-04; 7-101-02; and 7-071-03, pursuant to Government Code Section 54956.8.

7:10 p.m.

Interviews with applicants to the Planning Commission, Historical Commission, and Solid Waste & Recycling Advisory Committee.

8:00 p.m.

1. CALL TO ORDER AND PLEDGE OF ALLEGIANCE.
2. ANNOUNCE ACTION TAKEN, IF ANY, IN CLOSED SESSION.
3. OPEN TIME FOR PUBLIC EXPRESSION

No comments were received from the public.

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

Chignell asked Town Administrator Pollard if she could get him the names of the members of the JPA Street Light Authority.

Yarish asked the status of the report on the elm tree spraying program. Pollard said it is tentatively on the November 28 agenda.

Pollard asked that Item 11 be continued due to new information from the applicant that has surfaced.

Pollard announced that Item 6 has been continued.

5. CONSENT AGENDA: ITEMS ON THE CONSENT AGENDA MAY BE REMOVED AND DISCUSSED SEPARATELY. OTHERWISE, ALL THE ITEMS MAY BE APPROVED WITH ONE ACTION.

- (a) Approve minutes: October 10, 1995
- (b) Acknowledge and file financial report through September 30, 1995.
- (c) Approve lease of Town-owned space at Isabel Cook Community Center to Aryiis Foundation.
- (d) Adopt ordinance amending Municipal Code Chapter 15, Section 4-15.04(7) to extend the current exemption to allow smoking in restaurants with bars until January 1, 1997; request made by Ted's, 218 Sir Francis Drake Blvd.
- (e) Proclaim October 24, 1995, as *United Nations' Day*.
- (f) CONTINUE TO NOVEMBER 14, 1995: Introduce ordinance adopting Ordinance No. 3197 of the County of Marin, amending Section 8.04.179 of the Marin County code pertaining to animal noise.

(g) CONTINUE TO NOVEMBER 28, 1995: Introduce ordinance modifying the maximum dwelling unit size regulations.

(h) CONTINUE TO NOVEMBER 28, 1995: Public hearing on approval of Negative Declaration and an amendment to the General Plan incorporating the Bald Hill Area Plan.

Yarish said that Item (c) will be withdrawn from the consent agenda and heard before Item 9. Consent agenda items (b) and (e) were removed for discussion.

M/s, Chignell/Breen, to approved consent agenda items (a), (d), (f), (g), and (h). Ayes: All.

Regarding Item (b), Yarish noted that on the financial report that Recreation revenues are at 22% of projected, while expenditures are at 35%. Recreation Director Schweiger said that this is a seasonal thing.

With respect to Item (e), Lucille Dandeleit, Redwood Road, said San Anselmo has been a World City since 1971. This summer the World Citizens' group visited San Anselmo and received a warm welcome. Yarish read the United Nations' Proclamation.

M/s, Breen/Kroot, to approve consent agenda items (b) and (e). Ayes: All.

6. PRESENTATION OF PEDESTRIAN SAFETY AWARD TO THE TOWN OF SAN ANSELMO.

This item was continued to the next regular meeting.

7. APPOINTMENTS:

- (a) Planning Commission. (1 seat)
- (b) Solid Waste & Recycling Advisory Committee (1 seat)
- (c) Historical Commission (5 seats)
- (d) Open Space Committee (3 seats)

(a) *Planning Commission:* M/s, Kroot/Chignell, to appoint Marcia Duys to the Planning Commission. Ayes: All.

Chignell said the Council should be cautious about appointing out-of-towners to the Planning Commission. He feels the Council should keep in mind that commissioners should be conversant with the Town.

Breen said the previous five applicants were all good and it was great that we were able to get a large group of interested individuals willing to give their time.

(b) *Solid Waste & Recycling Advisory Committee:* M/s, Breen/Kroot, to appoint Adam Blinder to the Solid Waste and Recycling Advisory Committee. Ayes: All.

(c) *Historical Commission:* M/s, Chignell/Kroot, to appoint Patricia Swensen, Charles Monte, Michael Peterson, Karen Liberatore, and David Schock to the Historical Commission. Ayes: All.

(d) *Open Space Committee:* M/s, Hodgins/Kroot, to appoint incumbents Linda Hoch, Elizabeth Byers, and Leonard Charles to the Open Space Committee, without interviewing as no other applicants have applied. Ayes: All. It was agreed that the Town Council would hold a joint workshop with the Open Space Committee in the very near future in lieu of interviewing these applicants.

8. REQUEST FOR STOP SIGNS AT THE INTERSECTION OF WOODLAND AVENUE AND SUNNYSIDE AVENUE.

Town Administrator Pollard said a request was received from neighbors and the parent organization at Wade Thomas School regarding these stop signs. The Traffic Safety

Committee has found that the intersection does not meet criteria for a stop sign but Pollard said Council may wish to go ahead and direct that a stop sign be placed.

Robert Hunt, 107 Crescent Road, said the staff report indicated the petitioners' concern was speed control, while it is actually pedestrian safety. He agrees that each leg of the intersection should be signed.

It was the consensus of Council to support the neighborhood request for stop signs.

M/s, Chignell /Kroot, to direct staff to place stop signs at the intersection of Woodland Avenue and Sunnyside Avenue, and that each leg of the intersection be stopped by a stop sign to avoid confusion about the assignment of right-of-way. Ayes: All.

9A. APPROVE LEASE OF TOWN-OWNED SPACE AT ISABEL COOK COMMUNITY CENTER TO ARYIIS FOUNDATION.

Administrative Analyst Kreinberg said the Aryiis Foundation has been a tenant at Isabel Cook for fifteen years. The current lease expired in June and negotiations have been ongoing over the past several months with Deborah Childress, Corporate Secretary of record of the Foundation, but agreement has not been reached. At issue is whether to bring the Aryiis group rent up to the level of the other tenants, who are in office space as opposed to unimproved studio space. Also at issue is whether Aryiis' community service requirement should be used to mitigate in support of lower rent.

Chignell asked if the other tenants have the community service requirement.

Kreinberg said the other tenants, such as the YWCA, Spectrum, Tam Day, and Marin Social Justice, are all non-profits, and thus are not required to submit written community service reports. Aryiis has an element of "for profit" and that is why the community service requirement is there.

Kroot asked with Aryiis is upset about the community service requirement. Kreinberg said they are not upset, but feel they are being treated differently.

Breen asked if Kreinberg has discussed this issue with Roy Bateman at the County. Kreinberg said she has not specifically discussed this with Bateman.

Breen asked if the Town is anticipating a large capital expenditure at the facility. Town Administrative Pollard said about \$75,000 needs to be spent to replace windows found to have lead content.

Deborah Childress, Secretary/Treasurer of Aryiis, said they do not feel the community service requirement is extraordinary. It is not a problem for them. In reality, artists do not work "for profit", it is not their motive. Their space is undeveloped and deteriorating. They feel their rent should be 10% below the developed space.

Yarish asked how many artists are involved in using space. Childress said there are seven or eight artists using studio space

Kathleen Lipinski, tenant, said she thought the Town initially decided to differentiate in rent amounts between developed and undeveloped space. In the years she has been a tenant she has seen an increase of over 50% in rent. They are all individuals and don't get the money from anyone but themselves. She would like to see a five-year lease with the increases stretched out over that period. The building obviously will need major repairs soon.

Frances McCormick, tenant for four years, said it rained in her studio last winter. The roof did get fixed, but she doesn't know if it will hold up.

Marsha Carr, tenant for fifteen years, said the plaster in her room is crumbling and she shares a radiator that doesn't work well. It is cold in the winter. They don't complain because they know they're lucky to be there. There is no heat on the weekends.

Jessica Flynn, tenant for five years, said she is willing to put up with substandard conditions, but her room leaks every year.

Lois Hatfield, tenant for fifteen years, said the ceiling leaks, the floors are patched, the heater is noisy and doesn't work on weekends, and light fixtures only partially function. One of her windows has had broken glass for three years.

Hodgens asked if rent increases would pay for needed repairs. Kreinberg said the money goes directly into operations and maintenance.

Town Administrator Pollard said most repairs are for common areas and the outside of the building.

It was the consensus of Council that more information is needed to make a decision, including a spreadsheet on the rents in effect and planned increases, a plan for performing needed repairs and costs for bringing the building up to standards for health and safety.

M/s, Chignell/Breen, to continue this item to the second meeting in November. Ayes: All.

9. RECOMMENDATION FROM THE AD-HOC ART COMMITTEE TO
CREATE AN ART COMMISSION.

Recreation Director Schweiger that she has worked with the Ad Hoc Art Committee to review the structures, policies, and procedures of the Art Commission, and to make recommendations to the Council on revisions. The Committee recommends placing the Art Commission under the auspices of the Recreation Department, and the Parks and Recreation Commission. The previous Commission did not have any department designation or reporting structure, other than the Town Council. Other changes include expansion of geographic boundaries to include the Ross Valley, and expansion of art disciplines so as not to be restrictive.

Hodgens asked why the Art Commission would be under the Park & Recreation Commission.

Schweiger said the original Art Commission reported directly to Council and did not have a staff liaison.

Town Administrator Pollard said all commissions go directly to Council. Most commissions are self-sufficient. Being under the Park & Recreation Commission would not grant them any funding.

Chignell asked if the Festival of Student Art will take place. Schweiger said she has been talking with Lidija Grzac about this.

Breen said it seems like a commission should report to the Council, so that it would have direct access.

Town Administrator Pollard said the Art Commission could have staff support with Recreation, and direct support through the Council without the Recreation Commission.

Breen asked who provides support to the Historical Commission. Pollard said one of the librarians provides coordination work.

Breen said he doesn't want to give up Council authority. He would like more time spent on language revisions. He is willing to work on language changes.

Chignell commented on the removal language; if you miss three consecutive meetings you are out.

Kroot said he had thought the Commission would be answerable to Council, but he feels the cooperation of the Recreation Department would be good. He commented that nine members seems like a lot.

Bill Jacobson, Ad Hoc Art Committee, said the community is the Ross Valley, so they would like three members from outside San Anselmo.

Kroot said he feels this should be open to all types of people, young, old, professional, amateur, etc., but the language isn't there to that effect.

Breen said that we should consult those Towns that we plan to take in with these boundaries.

Yarish said he would prefer to see the commission respond to the Town Council. Reporting expenses should be through Recreation, but feedback should be directly through the Council. This matter should be continued.

Town Administrator Pollard asked if recruitment should begin for the Art Commission. The consensus of Council is that recruitment should begin.

Hodgens mentioned that the Campaign for a Healthier Community for Children would love to help with the Art Festival.

M/s, Chignell/Kroot, to continue this item to the next regular meeting, incorporating language changes in the resolution, staff to prepare letters from the Mayor to the members of the Ad Hoc Art Committee, thanking them for their work, Breen to contact Ross and Fairfax regarding the Committee, and staff to begin advertising for the Commissioners.
Ayes: All.

10. PUBLIC HEARING ON REQUEST FROM UNOCAL FOR AN AMENDMENT TO A PREVIOUSLY APPROVED USE PERMIT AND DESIGN REVIEW PERMIT FOR CONSTRUCTION OF A SERVICE STATION AT 930 SIR FRANCIS DRAKE BOULEVARD. THE REQUEST IS TO AMEND CONDITION NO. 7 OF RESOLUTION NO 3297 TO ALLOW CONSTRUCTION TO OCCUR ON SATURDAYS WHERE CURRENTLY NO CONSTRUCTION ACTIVITY IS ALLOWED ON WEEKENDS.

Planning Director Chaney said UNOCAL has requested an increase to their allowed work hours to include Saturday hours. They would like to complete the project by December 14, which would involve just seven Saturdays. Heavy work will be completed by the end of this week. They will be down to essentially finishing work. Staff supports the request; the only issue is when to allow Saturday work to begin. Staff recommends Saturday work begin at 8:30 a.m.; on weekdays works begins at 7:30 a.m.

Yarish asked if the steel framework is done as that could be loud.

Dennis Decota, UNOCAL owner, said the heavy, noisy work will be done before the first Saturday work. They will not do loud work on Saturdays. His foreman, Phil Wright, is here tonight and is on the site everyday. Granting this request will cut 4-5 days off their construction schedule. December is the best sales month of the year and he'd like to be open then.

Chignell asked what kinds of issues have come up since construction has begun.

Decota said there were noise complaints when they were compacting the soil and using pile drivers.

Breen asked if he has addressed the complaints as they come up. Decota replied affirmatively.

Planning Director Chaney said she has not directly heard of any complaints regarding the construction.

Hodgens asked if there is any traffic impact to this Saturday work. Decota said there shouldn't be any.

Phil Wright, Foreman, said work on Saturdays will be done with small hand tools, no large, heavy equipment.

M/s, Kroot/Breen, to amend Condition No. 7 of Resolution No. 3297 as follows: The hours of construction and demolition shall be limited between 7:30 a.m. and 5:00 p.m. Monday through Friday. Construction activity permitted on Saturdays shall be limited between 8:30 a.m. and 5:00 p.m. and be further limited to work which does not involve heavy equipment. Ayes: All.

Hodgens asked if the station will have a full-serve island. Decota said UNOCAL management will not allow him to have a full serve island although he would like to.

11. APPEAL OF A PLANNING COMMISSION DENIAL TO CONVERT PROPERTY FROM RENTAL STATUS TO CONDOMINIUM OWNERSHIP STATUS. THE PROPERTY IS LOCATED AT 865 AND 865A SAN ANSELMO AVENUE, WHICH INVOLVES TWO SEPARATE HOUSING UNITS. THE PROJECT ALSO INVOLVES DESIGN REVIEW AND A VARIANCE TO ALLOW FOUR TANDEM SPACES WHERE FOUR CLEAR SPACES ARE REQUIRED. THE SITE IS ZONED R-3 (HIGH DENSITY RESIDENTIAL).

This item was continued to the next regular meeting.

12. ADJOURN.

The meeting was adjourned at 10:00 p.m.

Debbie Stutsman