

**TOWN OF SAN ANSELMO**  
**Minutes of the Town Council Meeting of July 9, 1996**

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

6:30 p.m.  
Closed session regarding

8:00 p.m.  
1. CALL TO ORDER

Mayor Breen announced that no action was taken during closed session.

2. PLEDGE OF ALLEGIANCE, LED BY SAN ANSELMO POLICE EXPLORERS POST NO. 306.

Mayor Breen thanked the Explorers for their impressive flag ceremony.

3. OPEN TIME FOR PUBLIC EXPRESSION:

David Gladysz, 47 Cedar Street, said there was an accident recently at Magnolia and San Anselmo Avenue. He would like to see road buttons and lane striping installed to make the lane boundaries more visible when San Anselmo Avenue is repaved. In front of Coffee Roasters he feels it might improve drivers' line of vision to move the bike rack to another location.

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

Kroot asked staff for a report on the status of efforts in Mill Valley and Novato regarding skateboard parks.

Chignell asked about the analysis of the garbage rate increase. Pollard said she has been working with Solid Waste Chair Barbara Thornton and Deloitte & Touche on the rate increase. It will be ready for a public hearing in September.

Breen said he attended the Fireflow Study report meeting. Their recommendation most probably will be a ballot measure, set at \$75 per household, to fund this work.

Chignell said he is concerned about the equity issue on the fireflow plan and how it can be presented to the committee. He is concerned that big property owners, like shopping malls, would pay the same \$75 as individual homeowners.

Breen said he and Councilmember Yarish attended a meeting on the Marin Town & Country Club issue. A survey has been done on possible uses of this property. He would like to arrange for a presentation at a future Council meeting on the groups' conclusions.

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

- (a) Approve minutes: June 25, 1996.
- (b) Acknowledge and file WARRANTS: Nos. 22290 through 22648, in the amount of \$684,215.65.

Item (a) was removed for discussion.

M/s, Yarish/Kroot, to approve Consent Agenda Item (b). Ayes: All.

Regarding Item (a), Kroot said he would like the minutes (page 3, item h) to reflect that the Hamilton development plans include about 1 million square feet of commercial development.

There is the possibility that the runway will be demolished, possibly the equivalent of pulling up the railroad tracks throughout Marin.

M/s, Chignell/Kroot, to approve Consent Agenda Item (a) as amended. Ayes: All.

6. PUBLIC HEARING ON NUISANCE ABATEMENT ON CONSTRUCTION OF A STEEL FRAME PATIO COVER AND DECK AT 379 OAK AVENUE; THEODORE POSTHUMA, PROPERTY OWNER. AN UNFINISHED STEEL FRAME PATIO/DECK STRUCTURE CURRENTLY EXISTS ON THIS PROPERTY AND WAS CONSTRUCTED WITHOUT PERMITS.

Mayor Breen proposed establishing a Council subcommittee to work to achieve a resolution between the involved parties before the next meeting.

Yarish said he feels there have been unprecedented delays in this project, and another delay is not pursuing our responsibilities as a Council.

Kroot asked if Mr. Posthuma is willing to enter into the proposed negotiations.

Jeffrey Moss, Attorney for Ted Posthuma, said Mr. Posthuma is willing to do so.

Hodgens said she'd like to open the public hearing, and decide this question after the discussion.

Jeffrey Moss, Attorney for Ted Posthuma, said there are people here tonight in support of Mr. Posthuma who would like to make their testimony and not make a trip back to a second meeting. He asked that the continuance issue be resolved before the public testimony, because the outcome of that issue will affect the testimony from the neighbors and him.

Ms, Kroot/Hodgens, to establish a Council subcommittee to work with Mr. Posthuma and Mr. Moss to see if resolution can be achieved between the parties before the next meeting. Ayes: Breen, Chignell, Hodgens, Kroot. Noes: Yarish

David Gladysz, Cedar Street, said he is in favor of Mr. Posthuma's project and would like to see it go forth.

Paul Anderson, 510 Redwood Road, said he is in support of the project. This process has gone on forever and he feels the structure is an improvement to the property.

Jay Douglas Eggers, manager of the property at 375 Oak Avenue, feels Mr. Posthuma is working hard to create a nice home for his family. The deck is unassuming and a pleasurable addition to his property.

Bob Formigi, Oak Avenue, said he doesn't object to the deck. Mr. Posthuma has learned a big lesson already from not getting the building permit in the first place.

It was the consensus of Council to continue the public hearing to July 23, 1996.

M/s, Kroot/Yarish, to nominate Breen and Chignell for the subcommittee. Ayes: All.

7. AWARD PAVING CONTRACT FOR A PORTION OF MEASURE G YEAR ONE CAPITAL IMPROVEMENT PLAN PAVING WORK TO GHILOTTI BROTHERS.

Public Works Director Bush said this is the contract for the first major Measure G work, It includes resurfacing of Butterfield Rd., Broadmoor Avenue and Carlson Court, and the installation of drainage facilities on Butterfield Rd. from Suffield Ave. to Fairview Ct. Five contractors bid on the project. Ghilotti Bros. Construction had the low bid at \$611,255.15. The Town's portion will be \$368, 844.65, which is less than expected.

Hodgens asked how an assessment of the bidders is made regarding the quality of the contractors who bid.

Public Works Director Bush said the Town is required by law to go with the lowest bidder.

Kroot said Ghilotti Brothers is a very reputable company.

Public Works Director Bush said the next action will be to advertise for the drainage projects on Elm, Barber, and Floribel.

M/s, Chignell/Kroot, to award the contract to the low bidder Ghilotti Brothers Construction for the amount of \$611,255.15 and authorize a project contingency of \$87,000. Ayes: All.

8. ADJOURN.

The meeting was adjourned in memory of Anita Gannon Kern, former San Anselmo Town Clerk at 9:00 p.m.

Debbie Stutsman