

Minutes of Regular Town Council Meeting March 25, 1980

Vice-Mayor Capurro, presiding in place of Mayor Signorelli, called the meeting to order with Councilman Toal, Convis, Reed and Mayor Signorelli present.

2. OPEN TIME FOR PUBLIC DISCUSSION

None

3. APPOINTMENTS

- a. Ad Hoc Committee for discussion with Sleepy Hollow Fire Protection District.

Mayor Signorelli and Councilman Toal appointed with the understanding that Mayor Signorelli will continue to serve as a private citizen following the expiration of his term of office on the Council.

- b. Nominations for 1980-81 Grand Jury

Continued to April 8, 1980 meeting

4. PUBLIC HEARING - PLANNING COMMISSION PROPOSED ORDINANCE SETTING DENSITY USE LIMITS AND DEVELOPMENT GUIDELINES FOR LARGER UNDEVELOPED AND PARTIALLY DEVELOPED PARCELS

Continued to special meeting Tuesday, April 1 at 8 P.M. - Planning Commissioners and members of Citizens Committee to be invited.

5. PUBLIC HEARING (CONT.) CONDOMINIUM CONVERSION ORDINANCE - REINTRODUCTION

Staff presented an errata sheet to the proposed ordinance as recommended by the Planning Commission with the following rewording changes: Subsections (14) and (15) of Section 10-7.107(b) changed to read - (14) Each current tenant shall be offered an 18-month lease at the rental rate in effect for his unit 12 months prior to the date of conversion, plus not to exceed the percentage increase over said 12 months in the residential rent component of the San Francisco/Bay Area All Urban Consumer Price Index. (15) Each current tenant who is 60 years of age or older or who is handicapped shall be offered a five year lease, for the first year at the rental rate in effect for his unit 12 months prior to the date of conversion, plus not to exceed the percentage increase over said 12 months in the residential rent component of the San Francisco/Bay Area All Urban Consumer Price Index. For the second through the fifth year, the rental rate may be increased by not more than the annual percentage increase in the residential rent component of the San Francisco/Bay Area All Urban Consumer Price Index. Section 10-7.108(a) third line - change "below" to "above".

During Council discussion unanimous concensus developed for approval of the following changes proposed by Councilman Reed: Deletion of the Phrase "but not limited to" in the second line of subsection (c), Section 10-7.105. Section 10-7.107: subsection(b)(1) - reword to require compliance with existing legal off-street parking; subsection (b)(5)(a) add: "if practicable as determined by the Building Inspector; subsection (b)(13) - delete. Section 10-7.108: reference to "tenant" and/or "tenant household" to be clarified to assure in each instance a meaning of one vote/offer to - one unit; subsection(3)(a) - modify reference to prepayment/refinancing.

Public input from the applicants for condominium conversion and tenants of 84 Madrone did not indicate any substantial objection to any of the provisions of the proposed ordinance.

In further Council discussion led by Councilman Reed, a majority concensus developed that the dual pre-conditions for approval of use permit in Section 10-7.107(a) of rental vacancy rate and proportion of multi-family rental units to total number of housing units is redundant and that the vacancy rate percentage could act as a prohibition for many years, as well as become burdensome to staff in establishing same and subject to manipulation and expensive to applicants for conversion. It was agreed that maintenance of a proportion of multi-family rental units would be the most desirable condition.

M/S Signorelli, Reed to delete the vacancy rate factor condition from Section 10-7.107. Motion passed on a 4 - 1 vote, with Councilman Toal voting no.

Thereafter, M/S Toal, Reed to waive reading of ordinance. Passed unanimously.

M/S Reed, Convis to reintroduce an ordinance adding Chapter 7 to Title 10 of the San Anselmo Municipal Code regulating condominium conversion as recommended by the Planning Commission incorporating the agreed changes and subject to rewording by the Town Attorney for clarification and condensation without altering the intent developed here. Passed unanimously.

6. STATUS REPORT, RESTORATION OF COMMERCIAL BUILDING, DILL PROPERTY, 520 REDHILL

Staff advised that Mr. Dill plans to have the exterior of the building completed by the deadline of April 30, but will present at the April 8, 1980 Council meeting a request and justification for a time extension to complete the interior work.

7. UNITED MARKET REQUESTING "REFORM" OF BUSINESS LICENSE TAX ORDINANCE

Fred Saccone of United Market protested the present gross receipts business license tax schedule as being grossly unfair to high volume, low mark-up business, suggesting that a maximum tax should be reinstated in the schedule. Council deferred consideration of this request to budget hearings. Terry Murphy, President of the Chamber of Commerce, offered the services of the Chamber in working with the Council on an equitable business license ordinance.

8. AMENDMENTS TO CODE PROVISIONS REGULATING FUND SOLICITATION

The Town Attorney (a) advised that the ordinance as introduced calls for renewal of a permit every two years and the Police Chief has requested a requirement for renewal on an annual basis; (b) suggested that "the name of the organization" be included in the information required in the application for a permit under the provisions of Section 4-16.05.

M/S Toal, Convis to reintroduce an ordinance regulating fund solicitation to contain a provision for annual renewal and the addition of the requirement for the name of the organization in the application for a permit. Passed unanimously.

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

Mayor Signorelli informed Council that he has been working with C. Fredrick Faude on Mr. Faude's desire to donate \$50,000 for improvements to Faude Park, to include an attractive stone entrance. There has been neighborhood opposition to improvements to the park and he requested Council authority for an approach to Mr. Faude with the suggestion that he establish a trust fund in the amount of \$100,000, with the proceeds to be used for other Parks & Recreation purposes in addition to Faude Park improvements. Unanimous approval was given.

Councilman Capurro questioned status of the Creek Park/bus shelter plans. The Administrator advised that Federal funds for this project as well as the signalization project had been authorized, but were now frozen. In this connection, he sought Council direction as to the continuation of the engineering design on the signalization, which has been contracted for and in process. Councilman Reed suggested that it would be a waste of time and money if funds were not to be immediately available in view of state of the art changes which would make a current design outmoded in a couple of years. The Administrator to determine status of Federal funds as well as the present stage of the engineering design and report back to Council at the April 8th meeting.

Mr. Segale suggested that the planked wooden bridge on Caletta was dangerous and potentially exposed the Town to liability for accidents occurring on the bridge. Staff to investigate and present any suggestions for rebuilding at budget hearings.

10. CONSENT AGENDA

M/S Toal, Signorelli to pass consent agenda. Passed unanimously.

- a. Approved minutes of meeting of March 11, 1980.
- b. Approved warrant register for 3/1-15/80.

ADJOURNED at 10:15 P.M. to special meeting April 1, 1980 at 8 o'clock P.M.

Libby Hanson
Deputy Town Clerk