

Minutes of Regular Council Meeting May 27, 1980

Council convened at 7:30 P.M. with Mayor Capurro, Councilmembers Toal, Convis, Wooliever and Buckle present to interview Planning Commission nominees Michael McGill, Frederick Peterson and Kenneth Meyer; Arthur Madsen had withdrawn his application.

The regular meeting was called to order at 8 P.M.

2. OPEN TIME FOR PUBLIC DISCUSSION

Mr. Segale suggested that an expression be given by the Council in memory of Carmel Booth, former Council member, recently deceased. Mayor Capurro advised this meeting would be adjourned in her memory.

3. APPOINTMENTS

Frederick F. Peterson was by unanimous vote appointed to the balance of a term on the Planning Commission to August 18, 1983.

4. PLANNING COMMISSION RECOMMENDING ORDINANCE REZONING HARDWICK PROPERTY, CORDONE DRIVE AND MT. VIEW AVE., FROM PPD R-1 TO SPD FOR FOUR SINGLE-FAMILY RESIDENCES

Public Hearing was opened with no public input, and after reviewing Planning Commission recommendations:

M/S Convis, Buckle to waive reading and introduce ordinance rezoning A/P 5-212-02 from PPD R-1 (Preliminary Plan Development with a presumptive use of Single Family Residential) to SPD (Specific Plan Development) for four single family dwellings as approved by the Planning Commission on May 19, 1980. Passed unanimously.

5. CONFIRMATION OF COSTS AND SETTING INTEREST RATE FOR TIME PAYMENTS, SIDEWALK REPAIRS, 17 CALUMET, 218 CRESCENT, 37 and 54 MAGNOLIA

Public hearing was opened with no public input,

M/S Toal, Convis to adopt Resolution No. 1834 confirming the "Report of Costs of Repairs - Sidewalks 1980" and to direct the Superintendent of Streets to record a lien against the respective abutting properties if assessment is not paid within five days of this hearing. Interest to be charged on the unpaid balance at the rate of 7 percent per annum. Passed unanimously.

6. RONALD BROWN, FORMER OWNER OF CAPRI APARTMENTS, 1520 SAN ANSELMO AVENUE, REQUESTING REDUCTION OF FEE SCHEDULE FOR RESALE INSPECTIONS AND REPORT ON MULTIPLE DWELLINGS.

Mr. Brown protested the amount of the inspection fee required by San Anselmo ordinance and resolution as being unreasonable and arbitrary, with no relation to the time and effort spent. The Town Attorney advised Council it would not be possible legally to make special dispensation on an individual basis, and the only alternative would be to amend the fee schedule across the board.

M/S Toal, Wooliever to deny the request of Ronald Brown for a reduction in the fee for resale inspection of 1520 San Anselmo Ave. Passed unanimously.

7. DIRECTOR OF PUBLIC WORKS REPORT ON CONDITION OF UNACCEPTED STREETS

The Director's report indicated a deteriorating situation with regard to the Town's unaccepted streets exacerbated by the fact that no maintenance has been performed since 1978. A cost estimate to upgrade these streets to a standard where they could be accepted by Town for future maintenance was submitted with the recommendation that the possibility of formation of Assessment Districts to finance improvements be explored.

M/S Toal, Wooliever to set a public hearing for August 26th for the purpose of obtaining input from property owners directly affected on the formation of Assessment Districts to finance improvements on unaccepted streets - said hearing to be widely publicized. Passed unanimously.

8. DIRECTOR OF PUBLIC WORKS REPORTING ON DRAINAGE PROBLEMS, HAWTHORNE HILLS

This report outlined problems caused by the inadequate drainage system in the Valley Road and Camino de Herrera areas, recommending that the entire system be reconstructed, either through assessment district proceedings or a five-year program using Town funds, or some combination. Council consensus was that the idea of formation of an Assessment District should be explored.

M/S Toal, Convis to set a public hearing for July 22nd for the purpose of obtaining input from affected property owners on the possibility of the formation of an Assessment District to contribute to the cost of replacing the entire drainage system in the Valley Road and Camino de Herrera areas, with notice of the hearing given to all property owners in the area. Passed unanimously.

9. ORDINANCE EXEMPTING FROM REGULATION STREET BENCHES PLACED BY BUS TRANSIT AGENCIES

Councilmember Buckle suggested that these regulations are outmoded and should be deleted from the Code, with placement of street benches by Transit Agencies handled through encroachment permits.

M/S Buckle, Toal to waive reading and introduce an ordinance repealing Chapter 8 of Title 4 of the Municipal Code. Passed unanimously.

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

Councilmember Buckle requested staff to check as to whether all of the conditions placed on the use permit for the automobile repair service at Sir Francis Drake and Madrone have been complied with.

Councilman Buckle questioned as to whether the Town could institute enforcement proceedings against speeding vehicles through the United Market parking lot solely for the purpose of short-cutting into the closed section of Jordan Avenue. Staff advised that inasmuch as the parking lot was private property, remedies would have to be instituted by the property owner.

Councilmember Buckle suggested that he wished to propose that the present limit of five unrelated persons occupying a single family residence specified by San Anselmo ordinance be lowered and questioned the effect on this ordinance resulting from the recent court decision. The Town Attorney will study the court opinion and report back.

Mayor Capurro directed the Town Attorney to prepare a draft ordinance controlling the display of drug paraphernalia in retail establishments to be agendaed for the July 22nd regular meeting.

11. RESOLUTION FOR ADOPTION OF CONFLICT OF INTEREST CODES

After discussion,

M/S Wooliever, Capurro to adopt Resolution No. 1835 adopting Conflict of Interest Code for the following departments, boards and offices: Administrative Office, Board of Permit Appeals, Board of Review, Fire Department, Library, Park & Recreation Department, Police Department, Public Works/Planning Department, Town Attorney and Planning Commission. Motion passed on a 3 - 2 vote with Councilmembers Buckle and Toal voting no.

Councilmember Buckle's no vote was based on his belief that the range of employees covered was too broad and unnecessary.

Councilmember Toal disapproved on the theory that the State of California is dictating action to be taken by local jurisdictions.

12. CONSIDERATION OF PROPOSAL TO STATE LEGISLATURE TO CONSOLIDATE MUNICIPAL ELECTIONS WITH JUNE PRIMARY.

Discussion did not develop a consensus.

M/S Toal, Convis to table. Passed unanimously.

13. ANNOUNCEMENT OF SAN FRANCISCO FOUNDATION APPROVAL OF GRANT FOR SAN ANSELMO VOLUNTEER EFFORT

The Administrator announced that the application for a grant to support the San Anselmo Volunteer Effort has been approved by the San Francisco Foundation.

14. CONSENT AGENDA

- M/S Toal, Wooliever to pass Consent Agenda. Unanimous
- a. Approved minutes of meetings of 5/13 & 5/20/80.
 - b. Approved warrant register for 5/1-15/80.
 - c. Rejected claim of Andrew Zaharoff.

ADJOURNED AT 10:45 P.M. in memory of Carmel Booth and Roger Kent to regular meeting June 10, 1980.

LIBBY HANSON
Deputy Town Clerk