

## MINUTES OF REGULAR MEETING JUNE 22, 1982

Mayor Buckle convened the meeting with Council members Toal, Capurro, Ollinger and Wooliever present.

2. OPEN TIME FOR PUBLIC DISCUSSION

Maureen Groper (P.O. Box 483), expressed dissatisfaction with the recycling program conducted by the San Anselmo Garbage Disposal Co., suggesting that it should be expanded to encourage greater participation. Town Administrator will investigate and report.

2. APPOINTMENTS

- a. ABAG General Assembly - William Ollinger appointed as alternate delegate.
- b. Park & Recreation Commission - Peter Fraser nominated for reappointment; Council acknowledged nomination of Joyce Layton by the San Anselmo School District for reappointment. Appointments to be made at next meeting.
- c. Library Advisory Board. Ranauld Cockburn heretofore nominated for reappointment.

M/S Toal, Capurro to close nominations. Motion passed by unanimous vote.

Cockburn thereby reappointed to full term to June 30, 1986.

4. PUBLIC HEARING - COST ASSESSMENTS - MILLBRAE/WESTGATE/CYPRESS IMPROVEMENTS

In accordance with notice given to affected property owners, public hearing was opened, with no objections expressed.

M/S Toal, Ollinger to adopt Resolution No. 1910 overruling protests to repairs and ordering levy of assessments to adjacent properties in the matter of reconstruction of Millbrae/Westgate/Cypress to be collected via real estate taxes over a period of ten years, with interest at 7% per annum. Motion passed by unanimous vote.

5. PUBLIC HEARING - COST ASSESSMENTS - SIDEWALK REPAIRS AT VARIOUS LOCATIONS

In accordance with notice given to affected property owners, public hearing was opened, with no objections expressed.

M/S Capurro, Ollinger to adopt Resolution No. 1911 overruling protests to repairs and ordering levy of assessments on adjacent properties in the matter of repairs to existing improvements on various streets to be collected via real estate taxes over the designated fixed periods as set forth in Council Action Memo of June 10th, with interest at 7% per annum. Motion passed by unanimous vote.

6. PUBLIC HEARING - PLANNING COMMISSION RECOMMENDING ORDINANCE REZONING WILLOW GLEN PROPERTY TO SPD FOR 2 SINGLE FAMILY RESIDENCES AND 19 TOWNHOUSES

James McDonald, architect for the project, presented for Council review the specific plan approved and recommended by the Planning Commission, which plan had previously been submitted to and approved in principle by the neighboring residents. Concerns previously expressed by the residents at the Planning Commission hearing as to flooding problems which might be aggravated by this development were reiterated.

M/S Wooliever, Ollinger to waive reading of ordinance. Motion passed by unanimous vote.

M/S Wooliever, Toal to introduce an ordinance amending Ordinance No. 485 of the Town of San Anselmo by changing the property classification from PPD R-1/R-3 to SPD for 19 Townhouse units and 2 single family dwellings, 1330 Sir Francis Drake Blvd., A/P 5-224-17 and direct that particular attention be given by the developer and the Planning Commission as to flooding problems in the area during subsequent proceedings. Motion passed by unanimous vote.

7. ORDINANCE AMENDING VARIANCE PROCEDURE

M/S Toal, Wooliever to adopt Ordinance No. 826 amending Title 10, Chapter 3, Article 21, Variances, of the San Anselmo Municipal Code, providing for administrative variances. Motion passed by unanimous vote.

8. ANTENNA THEATER REQUESTING PERMISSION FOR MOVING SCULPTURES PROJECT

Edward Sisson of the Theater presented a sample of a sculpture and a description of the project, which would involve moving the sculptures on and through public and private property in the process of acting out a story.

Councilmember Capurro expressed concern as to the Town's liability exposure and the sculptures creating a nuisance on sidewalks.

M/S Capurro, Toal to refer the matter to the Planning Commission and the Chief of Police. Motion failed on a 1 - 4 vote, with Capurro voting Aye.

Mr. Sisson advised that liability insurance coverage would be furnished by the Theater.

M/S Wooliever, Toal to approve the moving sculptures project with the understanding that specific approval for placement, etc. will be obtained from Town staff and liability insurance coverage holding the Town harmless from any liability will be furnished by Antenna Theater. Motion passed with four ayes, Capurro voting no.

9. RESOLUTION SETTING APPROPRIATIONS LIMIT FOR FY 82-83

M/S Toal, Wooliever to adopt Resolution No. 1912 setting appropriations limit for FY 82-83. Motion passed by unanimous vote.

10. PENSION TAX OVERRIDE CONSIDERATION

Council received the Town Attorney's opinion that the recent Supreme Court decision in Carmen vs Alvord does permit the levying of a pension override tax by the Town of San Anselmo.

The Town Administrator suggested that the Council proceed with its planned continuation of the budget review and after adoption of a budget and final review of all revenue sources in August, consider the override tax if it appears to be needed to close any gaps to permit continuation of the level of services deemed appropriate by the Council.

Public hearing was opened and public input received from spokespersons among the large audience. Strong opinions were expressed on both sides of the subject, with the majority of the expressed opinions in favor of the Council exercising its ability to levy the override tax if it is found to be needed to continue the present level of service.

Councilmembers expressed general consensus to proceed as recommended by staff, with Buckle anticipating ability to make budget reductions which would minimize override tax, and Toal committed to no override unless the revenue picture in August is much worse than it appears now.

After close of public hearing, Mayor Buckle also suggested:

1. Place on the November ballot a measure seeking advice as to whether the Council should proceed with the override levy if needed.
2. Set a special workshop meeting to review employee benefits and salaries, existing and proposed.
3. Form a Finance Committee as an ongoing process consisting of two Councilmembers and 5 at large members who are qualified.

A special workshop budget session was set for Tuesday, July 6th at 7 o'clock PM.

11. ACTION ON ADDITION OF \$5,700 TO PARKS BUDGET FOR MARIN CONSERVATION CORPS CREW TO WORK IN SAN ANSELMO.

M/S Wooliever, Ollinger to transfer the sum of \$5,700 from 81-82 excess revenues to the Parks budget to cover the cost of a Marin Conservation Corps crew working in San Anselmo this summer under the general direction of the Director of Public Works with consultation from the Fire Chief. Motion passed by unanimous vote.

12. RATIFICATION OF SAN ANSELMO POLICE OFFICERS ASSOCIATION COLLECTIVE BARGAINING AGREEMENT

Continued to July 6th

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13. CONSIDERATION OF ELIMINATION FROM FURTHER CONSIDERATION THE "ACCEPTED BUT NOT ADOPTED" HILLSIDE DENSITY ORDINANCE

Councilmember Toal advised he had requested this consideration on the premise that wiping the slate clean will facilitate the work of the new Committee and the Planning Commission on the recently recommended study procedure for a hillside density approach.

Objections were expressed by Planning Commissioners Fred Peterson and A. C. Signorelli and initial Citizens Committee member Carl Baumsteiger.

M/S Toal, Ollinger to eliminate from further consideration the previously proposed hillside density ordinance, with the understanding that all data collected by the initial citizens committee will be preserved and used by the recently formed citizens committee and the Planning Commission. Motion passed with three ayes, Buckle voting no and Capurro abstaining.

Buckle's no vote was based on his opinion that this action is premature.

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

None

15. CONSENT AGENDA

M/S Toal, Wooliever to pass Consent Agenda. Passed by unanimous vote with exception of Buckle's abstention on item a - approval of minutes for the reason he has not had an opportunity to read them.

- a. Approved minutes of meetings of 5/25, 5/27, 6/10, 6/15 & 6/17.
- b. Approved warrant register for 5/16-6/15/82.
- c. Awarded contract to Marcellus Construction in the amount of their low bid, and accepted additive Alternate No. 1, for a total award of \$39,938
- d. Continued rent control consideration to July 13, per agreement with interested parties.
- e. Authorized filing of application to the San Francisco Foundation for a grant to supplement funding to continue SAVE program.

ADJOURNED at 12:10 P.M. to Budget Workshop July 6th at 7 PM.

LIBBY HANSON  
Secretary to Council