

consideration and recommendation for an advisory ballot measure in the event of a finding of the necessity for additional tax levies, and that the Committee should be flexible to come back to Council with recommended changes in the charges to it.

Herman Kramer suggested that the Committee should also be assigned duties relating to outgo as well as income.

Bill Cordingley commented that the Committee's responsibilities will be advisory and not decision-making.

M/S Toal, Wooliever to request Councilmember Ollinger to prepare a press release soliciting qualified and interested applicants for a Committee to be established in accordance with the recommendations submitted. Motion passed by unanimous vote.

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

Councilmember Wooliever questioned whether the Council would consider an endorsement of Proposition 13. Concensus was that the policy of this Council not to make political endorsements as a body should be continued.

Ollinger suggested that a progress report on the Planning Commission's consideration of the density ordinance should be due - he will request from the Planning Commission Chairman.

Toal reported on his gaining expertise on the subjects of hazardous materials and Cable TV.

Buckle suggested that the timetable for filling the authorized position of Senior Engineer/Building Inspector be moved up in view of the burdensome workload of the Department of Public Works. Council requested a report and recommendation from the Administrator on feasibility in relation to budget impact.

Buckle commented on his accord with the Park & Recreation Commission scheduling consideration of the use of the Memorial Park playing field with the user organizations.

The Director of Public Works called Council's attention to San Anselmo sign ordinance violations in the present proliferation of political signs. Council concensus was that time-consuming enforcement should not carry a high priority on staff's work schedule.

11. CONSENT AGENDA

M/S Wooliever, Ollinger to pass consent agenda. Motion passed by unanimous vote.

- a. Approved minutes of meeting of September 28, 1982.
- b. Approved warrant register for 9/16-30/82.
- c. Adopted Resolution No. 1919 authorizing Town Clerk to sign loan documents.
- d. Adopted Resolution No. 1920 reserving right of Council to designate holidays on which Town offices are closed.
- e. Authorized transfer of \$60 from reserve for contingencies to Acct. 411-21 to reimburse Councilmember Toal's attendance at ABAG meeting.
- f. Rejected claim of Mario Markwordt.
- g. Continued to November 23 public hearing on subdivision ordinance.
- h. Accepted status report, referrals to Park & Recreation Commission.

LIBBY HANSON
Secretary to Council

MINUTES OF REGULAR TOWN COUNCIL MEETING OCTOBER 26, 1982

Council met at 7:30 P.M. in executive session with the Town Attorney for briefing on a matter in litigation.

The regular session was convened by Mayor Buckle at 8 P.M. with Councilmembers Toal, Capurro, Wooliever and Ollinger present.

2. OPEN TIME FOR PUBLIC DISCUSSION

Richard Thompson of 309 Greenfield called attention to a litter problem in the area of Redwood trees at the bus stop in back of his property. Director of Public Works will have cleaned up.

3. PUBLIC HEARING ON NUISANCE ABATEMENT, HAZARDOUS UNCOMPLETED SITE WORK, 306 GREENFIELD AVENUE

James Flanagan, the property owner; George Davison, Town Engineer; and Richard Johnson, Lynn Frat and Richard Clark, adjacent property owners, were duly sworn and testified. The Town Engineer testified that the property owner had some months ago cut a steeply sloping driveway within a 10 foot access easement over 310 Greenfield to the property at 306 Greenfield, proceeding with a dwelling construction without completing site work on the driveway and drainage provisions. As a result there is a considerable amount of loose excavated material which will turn into mud and silt slides onto Greenfield Avenue and adjacent dwellings at 310 Greenfield and 5 Greenfield Ct. during the upcoming rainy season. James Flanagan, the property owner, testified that financial problems caused delays in the construction procedure, but he is now in position to proceed with completion of driveway and retaining walls. Adjacent property owners testified as to concerns on property damage as a result of mud and silt slides, and drainage. After hearing the testimony and examining the evidence offered, the Council found that failure to complete the site work, including driveway and drainage provisions has created a hazardous condition which can cause damage to adjacent property and constitutes a public nuisance.

M/S Wooliever, Toal to adopt Resolution No. 1921 declaring the premises at 306 Greenfield Avenue (A/P No.s 6-212-03 & 05, and driveway easement over A/P 6-212-02) to be a public nuisance, directing the property owner to abate said nuisance by proceeding diligently and immediately to perform full and complete driveway and retaining wall construction in accordance with plans prepared by his Civil Engineer. Upon failure to comply by making substantial progress, in the opinion of the Town Engineer, by November 1st, said Town Engineer shall cause said work to be completed by any means available and the cost thereof to the Town made a lien on said property. Motion passed by unanimous vote.

Council directed that a progress report be made at its next regular meeting on November 9th.

4. (Cont.) PUBLIC HEARING - NUISANCE ABATEMENT, HAZARDOUS DWELLING - 20 ALLYN AVE. PROGRESS REPORT

The Town Engineer advised that significant progress has been made since the report at the Council's last meeting and an inspection today indicates no evidence of damage caused by yesterday's heavy rain storm. Further progress report to be made at November 9th regular meeting.

5. PUBLIC HEARING ON PLANNING COMMISSION RECOMMENDATION TO REZONE EIGHT PARCELS OFF CORDONE DRIVE AND MT. VIEW AVE. FROM PPD R-1 TO R-1 WITH USE PERMIT/DESIGN REVIEW PROVISIONS

Council was made aware that it had previously approved a rezoning of this property from PPD R-1 to SPD for four single family units and that subsequently a final map had been recorded to cover the parcel split of four lots approved by the Planning Commission. However, since the two year period for submittal of application for use permit/design review has lapsed, zoning has reverted to PPD R-1, and the Planning Commission has recommended rezoning to straight R-1 with use permit/design review provisions for four lots.

M/S Wooliever, Toal to waive reading of ordinance. Motion passed with 5 ayes.

M/S Wooliever, Toal to introduce an ordinance amending Ordinance No. 485 by changing the property classification from PPD R-1 to R-1 of lands off Cordone Drive and Mountain View Avenue, A/P Nos. 5-212-05, 06, 07, 5-222-25, 26, 31, 32 & 36 subject to use permit/design review of four single family dwellings. Motion passed by unanimous vote.

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Buckle suggested that consideration be given to removing the time limit for use permit/design review application from the SPD zoning ordinance.

6. JAMSHEED JAMSHEED FOCUSED EIR - OAK SPRINGS HEIGHTS

Council received a focused EIR prepared by the architect for the Oak Springs Heights development which tied together the various consultant reports, reciting proposed mitigation measures and presenting alternative development proposals as requested by Council at its previous hearing. Council complimented the architect for the concise result of his efforts.

M/S Toal, Wooliever to accept the report and certify mitigated negative declaration based thereon for the Oak Springs Heights Development. Motion passed by unanimous vote.

M/S Toal, Capurro to set a public hearing on November 23rd on property exchange and development alternatives. Motion passed by unanimous vote.

7. CONSIDERATION OF PERMIT SYSTEM FOR OVERNIGHT ON-STREET PARKING; OTHER OPTIONS

After hearing from residents urging some exception to San Anselmo's overnight parking prohibition via a permit process, together with some strong public support for retaining the ordinance, Council discussion developed a majority consensus unfavorable to the option of outright repeal, but some favorable leaning towards a relaxation in extreme hardship cases and to accommodate occasional overnight guests.

M/S Capurro, Toal to leave the ordinance as is. Motion passed with four ayes with Buckle abstaining on the basis of his belief that this is an unnecessary motion.

M/S Capurro, Toal to direct staff and the Town Attorney to prepare and bring back to Council within 30 days for a public hearing thereon a proposed ordinance amendment adding a limited permit procedure for on-street night parking for occasional visitors as well as residents meeting the following criteria: (a) no space on premises; garage or other parking space not converted or placed in other use; (b) no Town lot or other available space and no public transit within a reasonable distance, and (c) 12' clearance regulation would not be violated; with a monthly permit fee of \$10.00. Motion passed by unanimous vote.

8. SALE OF THREE SURPLUS TOWN-OWNED PARCELS FOR REVENUE PURPOSES

Council received the report of Semple Appraisals, Inc. covering A/P 7-021-23 on Forest Ave., A/P 7-031-01 on Summit Rd. and A/P 177-251-43 on Indian Rock Ct.

M/S Capurro, Ollinger to accept appraisal as determinative of fair market value of each parcel, finding that disposition is for the common benefit; and to direct staff to offer at fair market value for 60 days to agencies specified in Government Code Sec. 54222-23 and if purchase agreements not made to advertise for sealed bids to be received on a date certain, the advertisement to stipulate that each parcel is a legal building site and specify deposit and closing requirements, bids to be opened and read at the following Council meeting, further oral bidding then to be in order provided the first oral bid is 5% over the highest responsible bid, Council discretion to accept lowest responsible bid or to reject all bids. Motion passed on a 3 - 2 vote, with Toal and Buckle voting no.

9. COMMITTEE FOR AFFORDABLE HOUSING REQUESTING PARTICIPATION IN COUNTY HOUSING FINANCE PROGRAM

M/S Toal, Wooliever to indicate San Anselmo's interest in participating in a County-wide housing finance program utilizing tax-exempt mortgage revenue bonds, authorizing staff to make available information on housing units and developments that could be eligible for the program and to authorize the Committee for Affordable Housing in Marin to contact developers and property owners to determine their ability and interest in participation. Motion passed with four ayes - Capurro being absent from the room at this point on the agenda.

10. CONSIDERATION OF EARLIER HIRE DATE FOR SENIOR CIVIL ENGINEER/BUILDING INSPECTOR.

With reluctance, not considered in view of budget impact.

11. FAIRFAX TOWN COUNCIL REQUEST FOR ADDITIONAL FUNDING FOR RVFS TO CONTINUE THIRD CHIEF POSITION BEYOND 12/31/82 AS NOW BUDGETED

No action taken.

MINUTES OF REGULAR TOWN COUNCIL MEETING OCTOBER 26, 1982

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

Toal reported that he had received an affirmative response from his inquiry to the Fire Chief on his knowledge of hazardous spills, etc.

Buckle again questioned status of installation of backstop at Memorial Park field.

13. CONSENT AGENDA

M/S Toal, Ollinger to pass consent agenda. Passed by unanimous vote.

- a. Approved minutes of meeting of October 12, 1982.
- b. Approved warrant register for 10/1-15/82.
- c. Approved and authorized Mayor to sign JPA for hazardous spills management.

ADJOURNED at 11:20 P.M. to regular meeting November 9, 1982.

LIBBY HANSON
Secretary to Council