

MINUTES OF THE SAN ANSELMO TOWN COUNCIL MEETING OF JANUARY 12, 1988

Mayor Cordingley convened the regular meeting at 8:00 p.m. in the Council Chambers, following a closed session regarding pending litigation, pursuant to Government Code Section 54956.9(a) (Estes et al vs. Town of San Anselmo), and personnel matters, with Councilmembers Chignell, Sharp and Walsh present and Wooliever not present.

Cordingley announced that agenda item #5, public hearing to consider extension of an interim ordinance, would be continued to a regular adjourned meeting on Friday, January 15, 1988, at 5:30 p.m.

2. OPEN TIME FOR PUBLIC EXPRESSION

There was no public comment.

3. RESOLUTION COMMEMORATING THE ACCOMPLISHMENTS AND CONTRIBUTIONS OF GEORGE STUMP.

Cordingley read aloud the Resolution honoring the late George Stump, active member of the community and member of the Library Planning Committee.

M/S, Chignell/Sharp, to approve Resolution No. 3045 commemorating the accomplishments and contributions of George Stump. Motion passed unanimously.

Town Librarian Wingate accepted a copy of the Resolution on behalf of Edith Stump.

4. CONSIDERATION OF LIBRARY PLANNING COMMITTEE REPORT AND ESTABLISHMENT OF A FUNDING STUDY COMMITTEE.

Wingate summarized the report, which concludes that it is economically unfeasible to rebuild the present library building and recommends that a new 15,000 square foot library be built on the present site.

Sarah Nome, 77 Alder Avenue, said that there has been no cash flow chart presented, the Town has been overdrawn in the General Fund account and therefore she is unable to tell how the Town would fund this or any other project.

Cynthia Barrows, 265 Crescent, President of the Friends of the Library, said there are a number of people who stand behind the committee's report. She noted that use of the library is expanding, but not the amount of space.

Stephanie Kramer, 211 San Anselmo Avenue #3, Chairman of the Library Planning Committee, said the committee had so much raw information to assimilate in its study. The sense of the committee members was that they had a responsibility to evaluate the facility and tried very hard in the report to let residents know the situation regarding the current structure and the need for adequate space, light, ventilation and structural stability. The idea now is to get this information out to residents, and she hoped to have a series of neighborhood meetings to inform the public about the library report.

William Jelinek, 53 Florence, asked whether anyone had considered converting the empty Kaufman's building across the street into a library. Wingate responded that this had been considered, but that Kaufman's was very prone to flooding.

Virginia Richardson, member of the Library Planning Committee, said that it is not necessarily the ideal library that would be built, but one that will serve the community well. She noted that three separate groups were hired to study what could be done and felt the report represents what several professionals recommend.

Barrows said that the Friends of the Library are ready to get involved but were waiting for Council reaction to the report.

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John Montgomery, 333 Scenic, said that the library should be used by the community and be open four nights a week. He said it is used often for reference purposes by students since schools do not keep their libraries open at night.

Chignell said he agreed with the report, thought a new structure was needed, and that the Council needed to move in the direction of forming a funding study committee.

Sharp agreed with Chignell's comments and expressed concern about whether residents are aware of what is happening to the library. He felt it was better to find out now if opposition exists rather than down the road, and wanted to see some effort made to get the word out about the report and its recommendations.

Walsh, a member of the Library Planning Committee, expressed her concurrence with the other Councilmembers' comments. She said she had wanted to save the building but found it was not possible. She was concerned about how many people did not know about the report, noting that non-library users would not be apt to be interested in it. She suggested starting with a funding study committee, and then getting the findings of that committee out to the public.

Cordingley felt the Council ought to make a commitment that it wants a new library and agreed with the need to set up a funding committee that also includes a study of the annual cost of having a library. He opined that it was only when residents knew how much a new library would cost their families that the Council would find out whether the project was supported in the community.

Barrows said the Friends have plans to provide speakers and a video tape to organizations to inform the public about the library project, and that a building fund is already in place.

It was the consensus of the Council that the Friends could go ahead and send a letter to organizations to generate interest in seeing the presentation.

Wingate suggested the funding committee have members other than library supporters. Walsh recommended including people who specialize in obtaining grants. Chignell felt the committee should be broad based in terms of areas they represent but that it not be large in size.

Town Administrator Dickens was asked to meet with Wingate, Barrows and Kramer to draft guidelines for committee membership and its charge, to bring back to the Council.

5. PUBLIC HEARING TO CONSIDER EXTENSION OF AN INTERIM ORDINANCE, ORDINANCE NO. 893, AS ADOPTED AS AN URGENCY MEASURE BY THE TOWN COUNCIL ON DECEMBER 4, 1987, WHICH PROHIBITS APPLICATIONS FOR A GENERAL PLAN AMENDMENT, ZONE CHANGE, ZONING ORDINANCE AMENDMENT, ANNEXATION, PREZONING, SUBDIVISION OF LANDS IN THE R1-H ZONING DISTRICT, AND SUBDIVISION, DEVELOPMENT AND LAND USE APPLICATIONS ON PROPERTIES WHERE THE CURRENT ZONING IS INCONSISTENT WITH THE CURRENT SAN ANSELMO GENERAL PLAN.

This item was continued to a regular adjourned meeting on January 15, 1988, at 5:30 p.m.

6. REQUEST FOR WAIVER OF FEE FOR VARIANCE APPLICATION, NANCY FILMER, 10 ENTRATA AVENUE.

Filmer obtained a variance for an addition from the Planning Commission in July, 1987. Her architect applied for a building permit, but halfway through the plan check Filmer changed her mind about the design and subsequently submitted a new design. The new design also requires a variance, and a new application and review before the Commission is required.

Filmer said her designer paid the building plan check fee without her authorization, and that it is a smaller addition than the previous design.

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Kottage said the staff review would take approximately 50% less time because it was a modification of a recently reviewed design.

It was the general feeling of the Councilmembers that they did not want to establish a precedent for waiving fees, but that in this case the circumstances were compelling and a relationship could be made between the reduced amount of staff work required - since a similar addition was recently reviewed, and the fee.

M/S, Chignell/Walsh, to waive 50% of the fee for the second variance application. Motion passed unanimously.

7. MEMORANDUM OF UNDERSTANDING BETWEEN THE TOWN OF FAIRFAX AND THE TOWN OF SAN ANSELMO REGARDING FUTURE DEVELOPMENT PROPOSALS IN EITHER TOWN.

The proposed agreement was modified after Fairfax's redevelopment proposal was withdrawn. It now calls for mutual cooperation between the Towns regarding significant development proposals in either town.

Cordingley noted that this was the first formal agreement between the two towns on development issues.

M/S, Sharp/Chignell, to authorize the Mayor to sign the Memorandum of Understanding between the Town of Fairfax and the Town of San Anselmo. Motion passed unanimously.

8. REPORT ON REMOVAL OF GRAFFITI FROM BUILDINGS IN THE DOWNTOWN.

Public Works/Planning Director Kottage reported that the owner of the building on Tamalpais and San Anselmo Avenue was willing to let the Town paint over the graffiti, but did not like the estimated cost of the work. The Town tried to get volunteers to do the work, but that did not work out. The owner has hired a painter to do the work on January 22. Kottage explained that the Town cannot paint private property without the property owner's permission unless authorized to do so following a nuisance abatement process.

Walsh said that her concern was that the graffiti is on two buildings in the downtown and did not think it was satisfactory for the Town to wait for private owners to remove it. The graffiti is on commercial property, and therefore it technically could be considered an illegal sign and should be removed. Allowing it to remain sends a message to the community.

Kottage explained that the nuisance abatement procedure was a time consuming and costly process, and noted that it penalizes the owner of the buildings with the graffiti who are also victims. A separate nuisance abatement procedure would be required for each property.

Walsh supported notifying the property owner on Tamalpais and San Anselmo Avenue that if the graffiti is not removed by January 22, the Town would begin nuisance abatement proceedings.

It was the general feeling of the other Councilmembers to try to cooperate with the property owners on removal of the graffiti and wait and see whether the graffiti had been removed by the meeting of January 26 before making a decision on whether to proceed with nuisance abatement. Staff was directed to contact all the property owners to notify them of this intention.

9. REPORT ON THE STRUCTURAL CONDITION OF THE TOWN OWNED BUILDING OCCUPIED BY THE PEACE CENTER OF MARIN, 1024 SIR FRANCIS DRAKE BOULEVARD.

Dickens reported that during the Council review of the lease renewal on this building, the issue of the poor condition of this building was raised. The Council made it clear it wanted the Peace Center to remain in the building but also wanted to ascertain the condition of the building. The Town hired a private inspection firm to provide the appropriate expertise for this review, which revealed that the building has serious safety problems. Dickens advised the Council that in light

of this information, the responsible course of action for the Town to take was to give notice to the Peace Center to vacate the premises within 60 days.

Hannah Creighton, staff person for the Peace Center, asked that notice not be given at this time, but that the Center be given 30 days to submit a complete proposal regarding the condition of the building and repairs to be made, adding that they had disagreements with the inspection report.

Walsh and Chignell supported continuing the decision regarding the notice until the meeting of February 23. Sharp and Cordingley were reluctant to delay giving notice, in light of the findings of the report and the Town's position as landlord. Dickens noted that the Town could extend any notice given at a future date. Chignell commented that the word "dangerous" did not appear in the inspection report.

Dorothy Hughes, a member of the Board of Directors of the Peace Center, asked the Council not to give notice, commenting that it seemed like a drastic action and the engineer working for the Center did not agree with some of the report.

Creighton commented that the Peace Center's engineer felt that even if there was a moderate earthquake and the building fell off of its foundation, it would not necessarily collapse, and that the alarm was instaff's report, not the Town consultant's report.

Walsh asked that the Fire Department give a review of the building.

M/S, Chignell/Walsh, that the Council accept a report from the Administrator of the Peace Center within 30 days, to be reviewed by staff and that a report be made to the Town Council on February 23, 1988. Motion passed unanimously.

Sarah Nome, 77 Alder Avenue, expressed concern about the piecemeal stories about the Town buildings that need work. She suggested there be a total inventory of all the Town buildings on what it would take to bring them up to safe standards. Cordingley responded that at a previous meeting, he had requested that an evaluation of all the Town buildings be performed on a regular basis.

10. REQUEST FOR LIMIT ON ANNUAL RENT INCREASE FOR THE TAMALPAIS DAY TREATMENT CENTER, ISABEL COOK COMMUNITY CENTER.

Dickens reported that the Tam Day Treatment Center previously had a verbal agreement with the Town Administrator that no annual rent increase exceed 10%, and the Center is requesting that this limit be included in the new written lease with the Town.

Linda Reed, Director of the Center, said that the reason for the cap is that the Center is a contract agency with the County and it rarely receives increases from the County that even meet the increase in the consumer price index.; in fact, this year their funding was cut. She noted that it was the only agency in the Isabel Cook Community Center where the government was the exclusive source of revenue.

M/S, Chignell/Walsh, that the lease for the Tamalpais Day Treatment Center be amended so that the annual rent increase is limited to 10%. Motion passed unanimously.

11. RESOLUTION UPDATING THE TOWN'S "DISADVANTAGED BUSINESS ENTERPRISE PROGRAM" TO COMPLY WITH FEDERAL REQUIREMENTS IN ORDER TO QUALIFY FOR FEDERAL ASSISTANCE ASSOCIATED WITH THE CONSTRUCTION OF THE CALETA AVENUE BRIDGE.

M/S, Sharp/Chignell, to approve Resolution No. 3046 amending the existing Disadvantaged Business Program in accordance with the 1987 Surface Transportation and Uniform Relocation Assistance Act. Motion passed unanimously.

12. COUNCILMEMBER APPOINTMENTS TO THE 101 CORRIDOR ACTION COMMITTEE

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AND THE TRANSPORTATION EXPENDITURE PLAN COMMITTEE.

M/S, Chignell/Sharp, that Sharp and Chignell be appointed to the 101 Corridor Action Committee and that Wooliever be the primary representative and Cordingley be the alternate representative to the Transportation Expenditure Plan Committee. Motion passed unanimously.

13. APPOINTMENTS: ANNOUNCEMENT OF EXPIRATION OF TERMS ON THE ROBSON-HARRINGTON HOUSE ASSOCIATION BOARD OF DIRECTORS.

Two of the four Town Council appointed seats on the Board will expire at the end of February.

M/S, Sharp/Chignell, to announce the expiration of terms. Motion passed unanimously.

14. CONSENT AGENDA

- (a) Approval of warrants: 2214 - 2249, 5702 - 5758, and 6539 - 6668, in the amount of \$983,850.02.
- (b) Approval of minutes: December 4 and 22, 1987.
- (c) Waive reading and adoption of Ordinance No. 895 rezoning the property at 54 Ross Avenue, A/P 7-282-14, from R1 to R2.
- (d) Waiver of fee to hang banner announcing the Pickle Family Circus as a fund raiser for the Fairfax-San Anselmo Childrens Center.
- (e) Approval of Resolution calling election on April 12, 1988, requesting consolidation with other County elections and election services by the County Clerk, and providing candidates' statement of qualifications, measure argument rebuttals and Town Attorney impartial analysis.
- (f) Declaration of support for creation of a neighborhood called Oak Springs Summit along a portion of Oak Springs Drive.

Walsh asked that the minutes of December 4 be amended to include the following statement: "Walsh said the Town has taken a position on denying this application based on opinions rather than the facts presented to the Council."

M/S, Chignell/Walsh, to approve the Consent Agenda as amended. Motion passed unanimously, except for an abstention by Sharp on items 14(b) and 14(c).

15. COUNCIL REQUESTS FOR FUTURE AGENDA ITEMS, COMMENTS AND DIRECTIONS TO STAFF; STAFF MISCELLANEOUS ITEMS.

Donation - Dickens announced that the Jean and John Holm had turned their state tax rebate check over to the Town.

Photo - Dickens noted that the Council needed to select a meeting night to have a group photograph taken.

MAPE contract - Chignell complimented staff for the collective bargaining agreement with MAPE, commenting that it was a frugal and fair agreement that conformed to the Town's budget.

18 Bolinas day care - Chignell asked staff to ascertain whether this operation had the proper permits.

Tam Theater - Walsh requested an update on the activity taking place on the second floor of the theater building, adding that she has received complaints about the noise. Kottage said that applications have been submitted for use permits for this area.

Downtown study - Cordingley reported that Ranny Cockburn had conducted 93 interviews with San Anselmo merchants about their attitudes towards Town permits, ordinances, etc. Cordingley requested that it be placed on the next agenda.

16. ADJOURNMENT

The meeting was adjourned at 9:40 p.m., to January 15, 1988, at 5:30 p.m.