

Minutes of Regular Town Council Meeting March 10, 1981

Mayor Capurro convened the meeting with Councilmembers Toal, Convis, Wooliever and Buckle present.

2. OPEN TIME FOR PUBLIC DISCUSSION

None

3. PUBLIC HEARING - SAN FRANCISCO BLVD. ANNEXATION

Public Hearing was opened and Council was presented with 106 written protests purportedly signed by registered voters in the annexation area.

M/S Convis, Toal to close public hearing. Motion passed by unanimous vote.

Town Clerk to cause written protests to be compared with voter registration signatures and report value to Council March 24th, at which time Council will order election for November 3, 1981, or find that written protests have been filed by 50% or more of the registered voters within the area.

4. APPEAL BY JAN O'CONNOR FROM PLANNING COMMISSION DENIAL OF VARIANCE FOR THIRD STORY ADDITION, 72 LINCOLN

Appellant presented her appeal on the basis that granting of the requested variance would permit an addition much less obtrusive to the neighborhood than the alternative of building within the setbacks. Warren Fairbanks and Heather Dufton, owners of 74 Lincoln, were present and reiterated objections made to the Planning Commission that the proposed construction would obliterate the view from #74. Support of the proposal was indicated by all of the rest of the immediate neighborhood.

M/S Buckle, Toal to grant the appeal and rescind the Planning Commission denial for John and Janet O'Connor, 72 Lincoln, A/P 6-241-18, for a 3rd story variance to construct a living addition in accordance with the submitted drawings dated December 12, 1980 on the basis that there are unusual conditions of the land, in that the lot is small, steep and narrow, and the disposition of the existing floor plan restricts the flexibility of other alternatives; that the granting of the variance is appropriate for substantial property rights since this building expansion is necessary for the applicants' growing housing needs; and that this will not be significantly detrimental to the health or safety of the neighborhood since the exception is minor in nature, is well below the 35' height limitation, is the most sensible alternate and that the architecture is compatible with the existing structure and the character of the neighborhood. Motion passed by unanimous vote.

5. ORDINANCE AMENDMENT DEREGULATING HOME OCCUPATIONS

Continued to March 24, 1981.

6. GARBAGE FRANCHISE HOLDER REQUESTING UPDATING OF FRANCHISE AGREEMENT TO RECOGNIZE CORPORATE FORM OF OWNERSHIP AND EXTEND TO 1991.

After Council discussion and consideration of the request for an extension of the term of the franchise to assist the company to finance purchase or lease of new equipment and update existing equipment,

M/S Buckle, Wooliever to authorize the Mayor to execute revised Garbage Franchise Agreement between the Town and San Anselmo Garbage Disposal, Inc. for a period of ten years through March 31, 1991. Motion passed with four ayes. Councilmember Toal voting No on the basis that he does not approve the extension of the existing franchise.

7. ADMINISTRATOR SUBMITTING MID-YEAR FINANCIAL REPORT, RECOMMENDING APPROPRIATIONS

Council received the Administrator's report indicating a forecast that revenues for the current fiscal year will exceed budget estimates by approximately \$196,476 with recommendations for appropriations.

M/S Toal, Convis to appropriate FY 80-81 revenues as recommended in the memorandum of March 3, 1981. Motion passed by unanimous vote.

8. COLLECTIVE BARGAINING AGREEMENT AMENDMENTS

M/S Convis, Toal to ratify and authorize the Mayor to sign collective bargaining agreement amendments increasing salary levels 5% over current provisions 7-1-81. Motion passed by unanimous vote.

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

Mayor Capurro suggested that congratulations be conveyed to the Girls and Boys Drake High School Varsity Basketball teams on their highly successful season.

Councilmember Toal acknowledged and thanked the Administrator for distributing minutes of meeting of the Major Crimes Task Force Oversight Committee.

Councilmember Toal suggested that a Citizens Committee should be formed to provide input for the rewriting of the General Plan.

Councilmember Convis reported that he had received a complaint from Lincoln Park residents concerning a truck which had been parked on the street overnight for several days.

Councilmember Convis suggested that Terry Murphy should be sent a letter of thanks for his help in appraising some Town-owned parcels.

Councilmember Buckle requested an item for the next agenda to discuss initiating disposal of the Town's surplus parcels. Staff advised this would be too soon and it should await some preliminary negotiations which could result in property exchange.

Councilmember Buckle expressed concern at the vagueness of Planning Commission motions and lack of findings in granting/denying variances, as well as excessive delays and continuances on simple variances. Recognizing the weighty agendas of the Commission he suggested that efforts should be made towards eliminating unnecessary discussion, or perhaps small items could be dealt with at the staff level, with notice and right of appeal to the Planning Commission.

10. CONSENT AGENDA

M/S Toal, Convis to pass Consent Agenda. Motion passed unanimously.

- a. Approved minutes of meeting of February 25, 1981.
- b. Approved warrant register for 2/16-28/81.
- c. Rejected claim of Lucille and Victor Vallergera.
- d. Adopted resolution No. 1862 designating officials responsible for disaster damage assessment.

ADJOURNED at 9:45 P.M. to regular meeting March 24, 1981

LIBBY HANSON
Secretary to Council