

MINUTES OF REGULAR COUNCIL MEETING - November 10, 1981

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

2. OPEN TIME FOR PUBLIC DISCUSSION

None

3. APPOINTMENTSHistorical Commission

M/S Capurro, Toal to appoint Richard Best to the balance of a term on the Historical Commission to September 14, 1982. Motion passed by unanimous vote.

4. PUBLIC HEARING ON OPTIMUM DATE FOR TOWN ELECTIONS

Public Hearing was opened for the purpose of receiving citizen input as to the desirability of changing the Municipal Election date from April in even-numbered years to consolidate with June even-numbered years, November even-numbered years or November odd-numbered years elections.

William Geisler, 40 Woodruff Rd., from the audience, suggested that the municipal election should be consolidated with the November odd-numbered years school districts election. There was limited written support for each of the alternatives.

Majority Council concensus indicated support for the April '82 election to proceed on schedule with future consideration of consolidation with the School District elections so that a single election would deal only with local issues. In the meantime, legislative amendment would be desirable to either permit school district elections in April even-numbered years, to coincide with currently scheduled municipal elections, or permit shortening of current Council terms for election in November, 1983.

5. APPEAL OF ASTRA ENTERPRISES FROM PLANNING COMMISSION DENIAL OF REZONING UPPER INDIAN HILLS PARCEL TO SPD FOR 10 SINGLE FAMILY RESIDENCES AND CONFIRMATION OF PREVIOUSLY ACCEPTED ENVIRONMENTAL REPORT FOR THIS PROPOSAL

Staff presented the plan for development of 10 units on the upper parcel - this being a new application and substantially different from two previous proposals which have been denied and which called for development of 24 units on two contiguous parcels owned by applicant. Staff expressed opinion that this proposal for development of the upper parcel alone is not "logical and orderly development."

Prior to proceeding with a full hearing on applicant's appeal, Council considered staff and Planning Commission's recommendation that the formerly accepted EIR for a previous proposal to develop 24 units on two parcels is adequate to cover this proposal.

M/S Wooliever, Convis to confirm the previously accepted EIR as being adequate to cover this proposed project. Motion passed on the following roll call vote:

Ayes: Councilmembers Toal, Wooliever, Convis
 Noes: Councilmember Capurro
 Abstain: Councilmember Buckle

(Councilmember Buckle left the podium and did not participate in discussion or voting on this appeal).

The appeal was presented by Siegfried Pfenndt representing appellant Astra Enterprises, its attorney, Kent Mitchell, Esq., and Architect Doug Anawalt.

Appellant contended that the findings of the Planning Commission are not supported by the record or by law, and substantially repeated the presentation made to the Planning Commission on November 2, 1981.

Applicant submitted: (1) Copy of Government Code Section 659182 re compensation for taking of property; (2) Copy of "George to Robbie" memorandum of January 17, 1981 suggesting willingness to compensate for any difference in value resulting from redesign to leave the northerly ridge in open space; and (3) Copy of a Marin County Open Space District "shopping list".

Council discussion revealed concern that the applicant has shown unwillingness to work with staff and residents on a compromise proposal which would mitigate Town concerns and General Plan provisions for preservation of ridge tops and over-density.

M/S Wooliever, Toal to deny applicant's appeal from Planning Commission denial of

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Z-211, accepting the Planning Commission's findings as the basis for such denial. Motion passed with four ayes.

6. ORDINANCE AMENDING SPD FOR FOUR LOT DEVELOPMENT BETWEEN REDWOOD RD. & LAUREL, AS TO ACCESS AND BUILDING SITES

M/S Toal, Capurro to adopt Ordinance No. 814 amending Ordinance No. 796 approving amendment to specific planned development to construct four single family dwellings A/P Nos. 7-131-15, 7-142-01 and 7-182-3. Motion passed by unanimous vote.

7. RESOLUTION ENDORSING NEW VOTER EDUCATIONAL RESEARCH FOUNDATION AND AUTHORIZING CONTRIBUTION

M/S Toal, Wooliever to adopt Resolution No. 1887 endorsing New Voter Educational Research Foundation and authorize a one-time donation of \$50.00 to the Foundation. Motion passed with five ayes.

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

The Administrator announced that the Fairfax-San Anselmo Fire Merger Committee has developed a Joint Powers Agreement draft that is ready for public hearing at a joint meeting of the two Councils and advised that such a meeting has been tentatively set for December 7th at the Sleepy Hollow Clubhouse. Council confirmed the December 7th date.

8. CONSENT AGENDA

Councilmember Buckle requested a correction to the October 27th minutes with an addition to Item 5 concerning modification of Swimming Pool fencing requirements to include his recommendation that material requirements for fencing be flexible.

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

- a. Approved minutes of October 27, 1981 as corrected.
- b. Approved warrant register for 10/16-31/81.
- c. Approved and authorized Mayor to sign Cooperation Agreement for Community Development Block Grant Program for next three years.
- d. Accepted overlay portions of Sir Francis Drake Blvd. as complete and authorized filing of completion notice.
- e. Adopted Resolution No. 1888 authorizing Mayor to execute grant deed from Town of San Anselmo to William and Jeanne Hendrickson, and accepting grant deed from William and Jeanne Hendrickson - Hub Bus Transfer Facility.

ADJOURNED at 11:30 P.M. to November 16th joint meeting with Planning Commission on Housing Element.

LIBBY HANSON
Secretary