

MINUTES OF AN ADJOURNED MEETING OF THE SAN ANSELMO CITY COUNCIL  
HELD SEPTEMBER 18, 1956 -

PRESENT COUNCILMAN - BALL, CULLEN, O'CONNELL, SMITH

ABSENT COUNCILMAN - BOOTH

MAYOR SMITH, presiding

BIDS -for installing 18" corrugated pipe, 24" concrete pipe and  
2 catch basins were opened from the following -

Ceccotti & Son -1994.50

V. Maggiora 1725.00

bids were referred to City Engineer to check same.

OAKLAND ESTATES SUBDIVISION -see attached.

MATTER OF OAKLAND ESTATE SUBDIVISION HELD OVER FROM MEETING OF SEPTEMBER  
11TH WAS AGAIN BROUGHT UP -

George Meehan representing owner stated Mr. Buresh and himself checked the  
State Subdivision Act and after checking same feel it would be proper for  
the City Engineer to certify final map of this subdivision - the matter  
that was brought up is the fact there were no fire hydrants and the 6"  
water main that was raised by the fire chief - nowhere in the State Act  
was their any requirements with regards to water - after checking local  
ordinance with Mr. Buresh this ordinance only requires the tentative map  
show the source of supply of water if any and as our local ordinance  
stands today there is no mention of certain size of pipes. Mr. Meehan  
stated the City Engineer felt he should not certify the map but I think  
that was on condition of what Mr. Buresh would find out from his study  
of the law and I would like to ask Mr. Buresh if he would make some comment  
on his findings. When it becomes an issue however, the subdivider could  
long as you approved the tentative map, that was his time

Mr. Buresh stated it is true there is nothing in the Subdivision Act that  
requires utilities of any kind nor does it require the source of the water  
if any - there is no requirements for a particular kind of (air fire line or  
in fact fire hydrants in the fact. When a subdivider has his map approved  
and is ready to sell land he must file with the Real Estate Commission  
a statement showing several things, among them a statement on utilities  
if any. as a part of accepting final map.

Mayor Smith asked if the present ordinance provided for street lights,  
roads, etc. City Attorney stated it is not in ordinance now. Mayor Smith  
stated it certainly should be the law and I think the facts have been fully  
covered and we could talk until 1:30 in the morning and could not

Councilman O'Connell asked is there any obligation on the part of the city  
after the subdivision map is accepted on demand of any individual homeowner  
to run a pipe line up there to furnish them with water he asks that the  
City Attorney stated no obligation, so it won't appear it's arbitrary and  
Councilman O'Connell asked what action would city have against subdivider  
in case there is a fire up there and same spread to other homes in that area.  
Mayor Smith stated this question has never come before the city council  
before to his knowledge and he certainly would not vote to put in a sub-  
division if same did not provide water to put a fire out per fire  
protection, however, the possibility of spreading

George Meehan stated on the tentative map it shows where the pipes will come  
in from Santa Barbara Avenue, there will be 1" mains instead of 6" mains,  
the reason being to keep cost of subdivision economically feasible and  
sometime in the future these people with other residents in that area could  
get together and put in 6" mains - or property injury.

Mayor Smith feels when these houses are sold there is no question but the  
purchasers will be down to the council meeting demanding fire protection.  
George Meehan stated the subdivider himself will occupy one house and the  
others will be occupied by persons who understand the situation.

Mayor Smith stated if the council has to approve this map which they most  
likely would have to do on advice of the City Attorney he would like it  
entered into the minutes the reasons council is approving same. Attorney  
asked what will take a vote on same. No Motion made.

City Engineer stated the ordinance calls for sidewalks, hydrants, etc. and  
you have to have a water supply on the State Land Commission will not give  
you permission to sell lots and he does'nt think the Water District will  
serve them on a 1" pipe. The council has made other subdividers put in  
sidewalks, drains, water hydrants and then for the council to pass this  
will bring complaints on the road, C.E. wants no part of signing this.  
Mr. Meehan stated the question facing the council is a legal question not  
an engineering question, and city ordinance states the city council has the  
authority to grant things which are not in conformity with ordinance and  
the city council approved the tentative map and the City Engineer did not  
bring up anything that night. Once the city council passed and approved  
the tentative map and the subdivider incurred expenses and proceeded on  
the theory that we could follow the law as it is laid out and at this late  
date you want us to go back and start over again just isn't fair.

GUIBBINI MATTER - George Meehan brought up for discussion matter of Guibbini property and proposes Dr. Guibbini divide his property into 2 legal lots and there would be no violation.

John West, 21 Crescent Lane, stated that would not solve the question as there would not be enough frontage at rear of property - rear frontage fence to fence measures approx 31 ft, ordinance calls for 40ft also set back not enough approx 4 ft from rear line of property which again would be illegal.

Mrs. Phelps, Crescent Road also spoke against this violation. After further discussion by Mr. Meehan and council, Mayor Smith stated next step is up to Chief Wood.

Mr. Meehan would like reasonable time to talk to Dr. Guibbini regarding the moving housekeeper back to old house - Mayor Smith stated Chief Wood is on vacation and same would be referred to him on return.

George Meehan spoke regarding lots in Barber Tract that Mrs. W. Meyers wants to purchase, same does not front on any street, City Attorney stated no action needed on this based on facts presented. If council finds out in a month it is part of a subdivision council would not be bound by action taken now. Mr. Buresh will write a letter to Geo. Meehan so stating.

Mayor Smith introduced County Administrator Jensen and Bert Broemmel, Deputy Auditor who came to meeting regarding Sales Tax and hear councils opinion on this matter - Mayor Smith stated San Anselmo feels as before of not sharing the Sales Tax with county - Mr. Jensen asked if there was another meeting called would San Anselmo attend same with open mind Mayor Smith stated they would. City Attorney stated San Anselmo is going a good job in their collecting and county had plenty of time to pass on sales tax - city needs all the revenue it can get and his advice is City not to share with county.

G.C. KOTT was present at meeting at request of Mayor Smith regarding excavation done on his property on Allyn Avenue. Mr Kott stated he sold this property 2 or 3 months ago and would furnish name of new owner to city clerk - City Engineer and Mayor Smith will go up and check this property.

YELLOW ZONE at Busolo's Serv. Station brought up by Mr. Ferrari. Councilman Cullen stated this spot has been checked by Police Dept and as trucks serving Kings Market could park behind the store moves to remove yellow zone and make one parking space. Councilman Ball seconds same. Passed unanimously. Mayor Smith suggested this zone be removed on trial basis.

Three residents of Tamalpais & Cedar Sts present at meeting asking council if the new culvert going in on Tamalpais Avenue would help relieve the water overflow in the winter at their property. - City Eng. stated at least 75% of water will be taken care by new drain - they wanted to know if anything could be done about creek that runs thru their property - Mayor Smith asked City Engineer to look into this matter - one of the residents Mr. Silvey stated people living next door to him at 72 Tamalpais Avenue have let berry vines block creek area, this matter referred to Chief Marcucci to investigate.

Mr. Little, Jordan Avenue asked City Engineer about drainage easement at his property, City Engineer suggested he check up at recorder's office for information desired.

Frank Quinn reported on recreation program for the past year and the progress made. Mayor Smith complimented Mr. Quinn on excellent report. Councilmen Cullen moves Mr. Quinn be authorized to extend recreation program to St. Anselm's and Brookside Schools. Councilman O'Connell seconds same. Passed unanimously. Councilman Ball will check on matter of insurance for recreation.

Mayor Smith talked on new policy for council meetings and Councilman Cullen moves City Clerk put ad in Times & Independent stating new policy of one meeting per month with set agenda, all letters in office of clerk on Friday preceding meeting. Councilman O'Connell seconds same. Passed unan. Councilman Cullen moves to recind action taken by council to have two meetings per month and one meeting per month be held. Councilman O'Connell seconds same. Passed unanimously

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COUNCILMAN BALL REPORT

Matter of street lighting on San Francisco Blvd. & Santa Barbara will be held up until Councilman Booth is present. Street light on Sierra Avenue checked by Councilman Ball suggests take present light down and replace same with 2 lights in other location. Also tree on property of Mrs. Fischer needs trimming, Councilman Ball will contact Mrs. Fischer about tree and report at next meeting.

Councilman Ball will get together with Chief Marcucci regarding purchase of clam shell.

Councilman Ball moves PG&E make survey of complete lighting system in San Anselmo this survey at no cost to city - same to pin point worse spots. Clerk to send letter to PG&E station motion passed by council to have this survey made. Councilman Cullen seconds same. Passed unanimously

RE CULVERT - San Anselmo & Tamalpais Ave. galvanized pipe damaged additional culvert & catchbasin would cost approx \$1200.00. Councilman Ball moves City Engineer be authorized to progress with installing and improving catch basin that is there - Councilman Cullen seconds same. Passed unanimously

Councilman Ball moves to hire bulldozer to clear creek, price not to exceed \$800.00. Councilman Cullen seconds same. Passed unanimously

COUNCILMAN O'CONNELL REPORT

He had several calls regarding Riley property on Saunders Avenue and he understood Sanitary District denies any responsibility to any damage to property at bridge on Saunders Avenue - Chief Marcucci stated he heard Sanitary District were planning some work there - City Engineer said he had plat to present to council on this matter.

Councilman O'Connell stated matter of Flood property complaint to rest until such time as a petition comes from neighbors.

COUNCILMAN CULLEN REPORT

Matter of need for adding machine in Administrative Office - Councilman Cullen moves to authorize the purchase of machine for \$495 less \$75 for old machine. Councilman O'Connell suggested get in touch with other companies for trial machine first. Councilman Cullen withdraws his motion.

Councilman Cullen spoke on business license, preliminary report only stating Max Martin had met with the committee on business licenses and he will take back to the Chamber of Commerce the action of this committee for full discussion, basic recommendations being license for full year period thereby cutting down cost of administration and collection. That Sec 22-23 which covers greatest majority of merchants in the city be amended to read as follows- approx

Gross \$1.00 - \$20,000	\$10 per year
20,000 - 70,000	25 "
70,000 - 150,000	35 "
150,000 - over	50 "

Request Chamber of Commerce to offer more advice on Sec. 42 of Ord. pertaining to peddlers - after they have their meeting.

Regarding Perry Property, Councilman Cullen moves to authorize comptroller to make up warrant covering rent and interest on above property, rent \$600 Interest \$3,643.76. City Engineer to investigate the amount available from Gas Tax Funds for acquisition of 2 more parcels. Councilman Ball seconds same. Passed unandimously

BIDS covering work on San Anselmo Avenue having been checked by City Engineer who stated there was an error in bid of Maggoria & Son amount should read \$1860.00 instead of \$1725.00. Councilman Ball moves to accept the low bid of Maggoria & Son. Councilman Cullen seconds same. Passed unanimously

CITY ENGINEER PRESENTED PLAT of Saunders Avenue bridge - Mayor Smith stated he will contact Sanitary Board Chair on work they plan to do.

CITY ENGINEER reported Chapter 47 & 20 funds available, \$3371.05 for plans and \$1479.62 for sites - same expires Dec. 31st 1956 - City Engineer will work out plan -

Councilman O'Connell moves to authorize City Engineer to make survey and establish line of creek, approx cost \$2500.00. Councilman Ball seconds same. Passed unanimously

CITY ENGINEER spoke regarding deposit put up by Mr. Hosley for excavation permit work on Laurel Avenue. Clerk to notify Mr. Horsley deposit will be refunded when sidewalk area is cleaned up.

CITY ATTORNEY brought up the matter of no eligible list for Fire and Street Depts, due to illness and vacation time, Chief Marcucci was unable to get other Fire Chief's to give examination. At the present time the three month period of temporary employees will be up the end of Sept, according to ordinance these employees cannot be rehired again for this fiscal year - City Attorney suggests employing these same people for another three months period as an emergency. Councilman O'Connell moves state of emergency exists in Fire and Street Depts with relation to two temporary employees in each dept, in that their temporary employment ends the end of September and ordinance states they cannot be rehired. In view of an emergency and pursuant to the provisions of the ordinance extend the time for rehiring (4) people for an additional three months period pending completion of an eligible list, term of employment to end for these four people unless they have been the successful applicant. Councilman Cullen seconds same. Passed unanimously

CORPORATION YARD Mr. Ferrari spoke regarding selling of same and finding new place for street department trucks - has several places in mind, one being property belonging to Sunny Hills - Mayor Smith suggested Mr. Ferrari turn any information he may have over to committee appointed by him to work on this matter.

Councilman Cullen moves an additional \$2.70 be given to Virginia Haggett for attending Civil Defense Meeting. Councilman Ball seconds same. Passed unanimously

Mayor Smith brought up the matter of City Manager and asked rest of council their opinion - members would consider same. Councilman Ball to get information from other cities.

MEETING ADJOURNED 12:20 until October 9th 1956.

Anita Gannon, City Clerk

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