

The meeting of the City Council was called to order at 8:05 p.m. on August 11, 1964 in the Council Chambers, City Hall, San Anselmo, California.

Present Councilmen: Clute, Reichmuth, Smith, Capurro

Absent Councilmen: Franchini
Vice-Mayor Woodrow Capurro presiding

Councilman Reichmuth moved approval of the minutes of the July 14 and July 28th meetings, seconded by Councilman Clute, unanimously approved.

Formation of Indian Rock Special Assessment District. The City Administrator introduced Mr. Harold Rogers, Attorney, was explained proceedings to date and announced there had been no protests received by the City Clerk's Office and said the next step would be to open the bids. The City Engineer, who is also the Superintendent of Streets for the City of San Anselmo, and Engineer for the Contractor, Mr. Neil Prescott, representing George Nolte Company, and Mr. Rogers verified and checked the following bids:

E. A. Forde.....	\$187,867.48
Cecotti & Sons.....	195,263.32
O. C. Jones & Sons.....	217,034.79
J & K Construction.....	166,495.49 alternate bid \$158,362.89
Maggiora & Ghilotti.....	192,071.67

Mr. Prescott said the Engineer's estimate was \$147,329.00 plus \$10,000 for contingencies.

The City Administrator asked if it would be possible to have a meeting to review the bids before the final awarding of a contract. The Council agreed to tentatively approve the contract subject to the approval of the City Engineer and the City Administrator after reviewing it on August 12, 1964.

Resolution 1019 confirming the Assessment and ordering the proposed improvements to be made. Approval moved by Councilman Smith, seconded by Councilman Reichmuth, unanimously approved.

Resolution 1020 awarding contract to J & K Construction Company for the amount of \$158,362.89 (alternate bid) with the condition that it be approved by the City Administrator, and City Engineer. Approval moved by Councilman Smith, seconded by Councilman Clute, unanimously approved.

Mr. Rogers then presented the offer of Walston & Company, Inc. to purchase the bonds in the amount of \$265,830 at par value, interest rate of 6%. Acceptance of bonds will be scheduled for the City Council meeting of August 25, 1964.

Matter of rezoning of 21 acres above Hawthorne Hills from R-1 to P.D. The City Administrator explained that what was being asked actually was amending the zoning ordinance. He stated that the Planning Commission had approved the request for a zone change from R-1 to P.D. and he read the minutes of the Planning Commission. Mr. Clyde, of Land Planning, Inc., the applicant, enumerated the many advantages to the city as well as to the builder, of a Planned Development. He again described the proposed development. Mr. Douglas Lindauer, 76 Valley Road, stated that a group of property owners that were directly concerned with the zoning change had organized and elected him to represent them. He presented a petition of 265 signatures, with arguments against the rezoning. There were a large group of spectators in the audience. Mr. Charles Leitzell, chairman of the Planning Commission reiterated the Planning Commission approval and gave the reasons for the approval as follows: The Planning Commission feels that this is an area of hilly terrain above narrow streets which could and no doubt will be subdivided in the near future. If random subdivision of the acreage is allowed the city will have no opportunity to require off-site improvements such as widening of Camino de Herrera. With a planned Development the Planning Commission could require the contractor to improve the access streets, there would be architectural control of the buildings, by this form of Cluster Development, the buildings could be so placed to preserve the natural beauty of the area. Councilman Clute stated that he was very much in favor of a Planned Development, however, he felt that they should approve a specific number of residences and not just a rezoning. Mr. Miller, 50 Oakwood Avenue asked what type of buildings were to be constructed, and whether they were high rise, apartments, or all single family dwellings and he wished to know if there was any assurance of the type of building which would be constructed. Mr. John Mooney, Camino de Herrera stated that he wanted the Council to be aware that although this Development consisted of 21 acres, actually the buildings would be on

approximately 10 acres only. Mr. Lee Bussolo, former Planning Commission member spoke about how diligently the Planning Commission had labored to include a Planned Development District in the coning ordinance and said that this area was approximately the last remaining area in San Anselmo where Planned Development zoning could be applied. After a lengthy discussion it was decided the delay action on the rezoning for 30 days, during which time the City Administrator, the applicant and the representative of the property owners in the area would meet and try to resolve some of the questions pertaining to the effects of such a rezoning.

Appeal of Lido Artegiana, of the decision of the Planning Commission to deny rezoning at 31 Lansdale Avenue. The City Administrator read the action of the Planning Commission. Councilman Reichmuth moved to uphold the action of the Planning Commission, seconded by Councilman Smith, approved. Ayes: Councilman Reichmuth, Smith, Capurro
Noes: Councilman Clute

Matter of Encroachment on Allyn Avenue. Mr. & Mrs. Dennis T. Moore, 147 Allyn Avenue, discovered that their garage encroached into the city right-of-way and applied for a revokable encroachment permit. Councilman Clute moved, seconded by Councilman Reichmuth, to grant the encroachment permit. Unanimously approved.

Letter of transmittal from Park & Recreation Commission. A letter was read from the Chairman of the Parks & Recreation Commission, in which they unanimously oppose the plan of the Army Corps of Engineers for Flood Control. Mr. Paul Brand and Mr. Ernest Kettenhofen both spoke on the undesirable plan, and the Council asked to have a resolution drafted for the next Council meeting opposing the plan and urging an alternate plan with a more esthetic method of handling the flood control problem.

A letter from the Parks & Recreation Commission was read urging City Council approval of the principle of open-air zoning classification for possible change of zoning for Marin Municipal Water District lands. Councilman Smith moved the Council go on record as being in favor of the open-air classification, seconded by Councilman Reichmuth, unanimously approved.

Mr. Duane Ragan had submitted a letter regarding construction on Laurel Avenue, and he was asked to read it aloud. The City Administrator stated that the City Engineer and he had been up and personally inspected the construction taking place on Laurel Avenue and found no violation of the building code. However, for Mr. Ragan's reassurance, he suggested a meeting at the construction site, and a date was set to review the construction on Thursday morning, August 13, 1964.

Request of P. B. Silvertson, 1648 San Anselmo Avenue for permission to pave park-way between the curb and sidewalk. Mr. Flautt stated that this would conform to other paving on the street and recommended approval. Councilman Smith moved permission be granted, seconded by Councilman Clute, unanimously approved.

Request for a 4" encroachment into sidewalk area by Jack Minnes at 121 Tunstead Avenue. Mr. Flautt explained that the applicant wished to "brick-in" the front of his building and there are two existing pillars that would require a 4" encroachment into the sidewalk area. Councilman Smith moved to grant the encroachment request, seconded by Councilman Reichmuth, unanimously approved.

Progress Payment #3 on Sir Francis Drake Blvd. project. A summary of estimates and a request for a progress payment in the amount of \$31,113.90 were presented. Councilman Reichmuth moved payment be made to Contractor, seconded by Councilman Smith, unanimously approved.

Tax deeded property. The City Administrator read a memo from the office of the Treasurer-Tax Collector of Marin County, relative to two pieces of tax deeded property they propose to auction. He urged the City to purchase both pieces, one on Sequoia Avenue and one on Forrest Avenue for street use. Councilman Reichmuth moved approval of the purchase of this property from the State, seconded by Councilman Smith, unanimously approved.

Review of Council policy on Holiday Pay. The City administrator read a memo to the Council from him asking for a clarification in two areas of the Holiday pay for firemen and policemen. In the first instance, clarification of whether holiday pay shall apply to the Chiefs and Assistant Chiefs of the Departments, and secondly when an off-duty policeman or fireman is called back to work as relief whether he is entitled to both relief and holiday pay or just the relief pay. Assistant Chief of Police Sam Serio spoke in favor of the holiday pay. Councilman Smith said he favored an additional 5% across-the-board raise in pay in lieu of the double time holiday pay. Councilman Reichmuth felt this might pose problems if double-time holiday pay, which has been granted was now rescinded in favor of a 5% raise in lieu of the holiday pay. It was pointed out that the amount of money involved was the same in either case. The Council felt that they would like to discuss it further when Mayor Franchini was present. Mr. Flautt pointed out that a decision was necessary because there would be 2 holidays in September. Councilman Reichmuth

moved approval of the plan the administrator presented, seconded by Councilman Clute.

Ayes: Councilmen Clute, Reichmuth

Noes: Councilmen Smith, Capurro

The voting thus produced a tie vote. It was decided to go along with the administrator's suggestion for the next two weeks and then reconsider the matter.

Ordinance 511 . Final reading of Dog Ordinance. The Dog Ordinance was read by title, Councilman Reichmuth moved adoption, seconded by Councilman Clute, unanimously approved.

Ordinance 512 . Final reading of Garbage Ordinance. The Garbage Ordinance was read by title, Councilman Reichmuth moved adoption, seconded by Councilman Clute, unanimously approved.

Resolution 1021 . Claims and Demands for July, 1964. Councilman Reichmuth moved approval, seconded by Councilman Smith, unanimously approved.

Permission to erect banner. The Kiwanis Club asked permission of the Council to erect their banner on Butterfield Road, Councilman Smith moved permission be granted, seconded by Councilman Reichmuth, unanimously approved.

The Administrator brought up the matter of a permanent civil service rating for the Equipment Operator, who has currently been on a 30 day suspension for violation of the civil service code. ~~He said he had a talk with the man, and hoped for improvement and civil service code.~~ He said he had a talk with the man, and hoped for improvement and asked for a 30-day extension of probationary period, The City Attorney ruled that it would not be possible to grant an extension of the probationary period, he would be considered on a permanent civil service status. Therefore, it was recommended that Bernard Roarty not be appointed to the position of equipment operator, and that he be placed in the lower classification, Councilman Clute moved approval of the recommendation, seconded by Councilman Smith, unanimously approved.

A letter was read from the Chief of Police requesting a barrier with flaring buttons by erected on Center Boulevard at Alder Avenue to prevent motorcycles and other vehicles from jumping the bank from Alder Avenue to Center Blvd. Councilman Smith moved the erection of such a barrier, seconded by Councilman Clute, unanimously approved.

The City Administrator said there had been several requests for a public telephone in front of the City Hall, and presented a picture of a modern installation that he felt would be well adapted to the front of the City Hall. He said the telephone company would give the City 15% of the revenue from the telephone. Councilman Smith moved approval of the installation of a public telephone outside the City Hall, seconded by Councilman Clute, unanimously approved.

There was some discussion relative to the City Hall switchboard, and several councilman questioned the advisability of having all City telephone calls come through the Police Department switchboard. It was decided to review the matter again.

At 11:30 p.m. the meeting adjourned.

Thelma L. Foster
Acting City-Clerk