

Minutes of the regular meeting of the San Anselmo City Council held Feb. 23, 1965
 Present Councilmen: Clute, Capurro, Reichmuth, Smith, Franchini
 Mayor Franchini

Review of road plan for Sunnyhills area: Mr. Swanson spoke on road plan, part of lease arrangement with Sunnyhills is to provide access to upper valley and where new Jr. High School will be. Have been studying several possibilities one would be where Bargain Box is presently located but after studying same has been ruled out due to difficult corner - also have made study of Sonoma Ave and have hired Wilsey, Ham & Blair to do traffic report for them and Mr. McGlashon is here to talk to council - he spoke on need for widen Sir Francis Drake Blvd. present time in afternoon peak traffic 850 cars heading out toward Fairfax. Campbell report estimated future traffic will see 25,000 cars per day - feels Sonoma could be improved to provide for two lanes of moving traffic, presented report to council same is a long range program at present thought is to extend Sonoma Avenue making access to Sunnyhills and also Jr. High School.

Mayor Franchini stated sort of missed point not so interested in Sir Francis Drake traffic at this time but Sonoma Avenue, realizes this is a problem. City Administrator stated when subdivision is presented to Planning Commission maps should show circulated plan.

Councilman Clute asked Mr. McGlashon if they had talked with school district, Cedars and other interested parties. He stated they had not directly.

City Administrator stated before next meeting of council maps will be filed with Planning Commission seems to be matter of all getting together.

Mr. Newell of Union Oil Company asked council if it was possible to act tonight on rezoning of three lots on Sir Francis Drake.

City Attorney would advise no haste until council knows how much they want for sidewalk area. Warren Perry member of Planning Commission stated when Planning Commission considered matter of rezoning property major considerations termed on character of surrounding lands and use - at that time width of Sonoma Avenue was raised, Mr. Corlett of school district also raised some questions - subject of street would be taken up when use permit is acted upon. Opinion of members of council to wait until Planning Commission has acted on this matter.

Appeal of Alan Larkins to rezone from R-1 to R-3 #60 Magnolia Ave. rezoning denied by Planning Commission.

Edmund Ward representing Mr. Larkins said lots were purchased after going along with Campbell plan which had been accepted by the council, according to Wilsey, Ham & Blair plan the lot occupies proposed location for new street. City Administrator stated Mr. Larins is not being denied use of his lot as he can build a home on same.

Councilman Reichmuth asked if council should allow man to increase density when street cannot take it - matter of water mains not adequate to take more. Councilman Capurro said he believed in master plan but don't believe it was adopted by council plans call for medium density, have to be able to tell people where new street will be. City Attorney said at time council approved payment they accepted plan as presented, same merely a guide. Warren Perry said Planning Commission recommended this rezoning be denied because it fell within new street.

Councilman Smith moves to uphold the decision of the Planning Commission and deny appeal. Councilman Reichmuth seconds same. Motion passed on following vote:

Noes Councilmen: Clute, Capurro

Ayes Councilmen: Reichmuth, Smith, Franchini

Councilman Capurro said he voted no because he feels no street will ever go thru there. Mayor Franchini stated in all fairness to people there should be a time limit on assessment district. City Administrator said commission is just as anxious to bring this to a head as anyone else. Councilman Smith says in fairness to people council should know where new street is going to go.

Request by Vera Rivers asking council to abandon Rustic Lane -

Mrs. Rivers says she is interested in using same as 10 ft. side line as she wants to build on her lot. City Attorney said never accepted by city but in subdividing in 1921 must have been put there to serve someone - city can abandon any interest but don't know whether Mrs. Rivers could get title to same. Suggested Mrs. Rivers apply to Planning Commission for variance.

City Administrator said city could hold public hearing and if no ones comes forward Mr. Rivers could take it from there - City Attorney said Mrs. Rivers should see own counsel and proceed from there. Warren Perry feels would be wasting Mrs. Rivers time applying to Planning Commission lots of problems, his reaction Planning Commission will not grant variance.

Approval of two lot split on Vine Avenue and waiver of slope policy as recommended by Planning Commission, property of Myrtle Coughlin, this approved by Planning Commission at their meeting of February 15, 1965. Councilman Smith moves to uphold the decision of Planning Commission and grant request. Councilman Capurro seconds same. Passed unanimously

Councilman Clute moves approval to request of Police Chief that parking be restricted on the east side of Vine for a distance 150'. Councilman Smith seconds same. Passed unanimously.
If chief feels this is not adequate come back with further recommendation.

Letter from John Camtano, 20 Hillside Ave. regarding street sinking. City Engineer checked same and forwarded memo to council stating curb and gutter deteriorated at that place, this is old type curb and gutter not allowed anymore, if complainant wishes a depressed curb city will place same, but feels property owner should place a concrete driveway approach in accordance with city ordinance. Mr. Camtano said up till last year he had been able to get his car in garage - sewer leak caused some damage. City Administrator asked to hold over and he will go out and investigate same with Mr. Camtano.

Request of Jay Simmons for permission to encroach on Scenic Ave. Councilman Reichmuth moves approval. Councilman Smith seconds same. Passed unanimously

Final acceptance of improvement installation of Indian Rock Court, Unit 2, Indian Rock Subdivision. City Engineer inspected late this PM not prepared to give final approval. Mr. Bernard present asked to put off until next meeting.

Assessment District change order #9 in the amount of \$1,261.05 - City Administrator and City Engineer recommend to council they deny this change order.

Letter from Geo. Nolte regarding slides from heavy rain -

1. Heavy mud flow on Miwok Drive, est. cost of correction including replacement of 80' curb and gutter \$6,000.00
2. Minor mud flow on Lot No. 11 estimate cost 500.00
3. Sliding of Blackhawk Drive estimate cost 800.00

Contractor cannot proceed with work until it is determined who is responsible cost chargeable to contingency fund.

City Engineer and City Administrator have reviewed and recommend that this be denied, feel it is necessary to maintain contingency fund.

City Attorney feels not proper charge - Attorney for assessment district feels same is proper.

\$10,000.00 contingency fund and Mr. Buresh does not recommend that this amount be paid out of it, fund not large enough to spend major part.

Mr. Cason, Nolte Engineer stated slide is very dangerous and should be taken care of, if not done could cause a very bad situation - work about 60% completed. City Attorney said don't have enough to work with now and if something further comes up there would be no money to cover same.

Mayor Franchini said it would be foolish to go against word of City Attorney. Councilman Smith and Clute should go on attorneys word. Councilman Capurro asked if some compromise could be worked out.

City Attorney asked if given money could they replace same within 30 days.

Mr. Barnard says money is his anyway - contingency should be for this according to the attorney for the assessment district.

Councilman Smith moves to deny change order #9 and deny request of Engineer of district to use money from contingency to pay for slides. Councilman Reichmuth seconds same. Passed unanimously

Mr. Barnard said if this is stand of City Attorney, he wants in writing what contingency means and what it covers - City Attorney said word contingency means put in street, electric work, etc. but not a land slide off site improvement.

Mr. Clute brought up matter of Sunnyhills, City Administrator had meeting with Sunnyhills, Schools, etc. and they were notified they would have to file map and show proposed road going to San Rafael - came in with map showing Sir Francis Drake & portion of Sonoma. Mayor thinks should talk to Mr. Kettenhofen about Sir Francis Drake being (4) lanes, with some county money we could do same.

Meeting adjourned 10:50 P.M.

Anita Gannon, City Clerk