

Minutes of the regular meeting of the San Anselmo City Council, held July 27, 1965.  
Present Councilmen: Clute, Smith, Capurro  
Absent Councilmen: Reichmuth, Franchini

Mayor Capurro presiding

A. Matter of Green River Ordinance

The City Administrator recommended to the City Council, because there were two councilmen absent, and in fairness to all concerned, that the matter be put over for 30 days, when all Councilmen would be present.

Mr. Ed Brown said he had a copy of a similar ordinance adopted by the Sacramento area which he would like to submit for the Council's consideration during this 30 day period. A copy was given to the Council. Each Councilman present agreed, and the matter was held over to the August 24, 1965 meeting.

B. Appeal by Harold Sharrow to rezone from C-3 & R-1 to R-3, A/Ps 6-091-08, located at the rear of 528 Red Hill Avenue

A letter was read from Mr. Sharrow appealing the decision of the Planning Commission to deny the application for rezoning. The Vice Chairman of the Planning Commission, Mr. Warren Perry, said the main objection of the Planning Commission to this rezoning was the high density that would be allowed under R-3 zoning, and access to the two benches which would be through a rather steep, private roadway. The Planning Commission favored rather, A Planned Development, which would limit the density.

Mr. Sharrow presented a sketch by a Commercial Artist showing what could be done with the property. Mr. Thomas Schaal, Attorney for Mr. Weinger, owner of the adjoining apartments at 600 Red Hill Avenue, stated on behalf of his clients that he wished to object to the proposed rezoning because of the additional traffic hazard that would be created by 36 units, and the additional noise created by ingress and egress on the proposed private roadway. He stated he would like to see another access investigated. Mr. Sharrow agreed to having the matter put over for 30 days, and it will be considered on August 24, 1965.

C. Request by John Ongaro to address the Council relative to the condemnation property in Parking Lot "A"

A request for consideration from Mr. Ongaro was read. The City Administrator reported that a litigation report was requested which revealed the Title Insurance Company would not insure the property guaranteeing a 100 foot strip of frontage on Sir Francis Drake Boulevard. Mr. Ongaro said that when he deeded the property over to the City, he did not give up his frontage on Sir Francis Drake Boulevard, and at the time the City Council did not intend for him to do so.

Councilman Clute said he did not know why the City was even considering purchasing the property since they did not have the money to do so. The City Administrator felt the City could not afford not to consider it. Mr. Flautt said the City had been over this with Mr. Ongaro, and were at an impasse', and the only way it could be resolved would be through the courts. Mr. Ongaro agreed, and the matter was held over for 30 days until the August 24th meeting.

D. Request to address the Council by D. G. McClelland

A letter was read from Mr. and Mrs. McClelland requesting the City to move the fire hydrant that is in front of their house, and asking the Council to amend the Ordinance to allow street parking between 2 a.m. and 6 a.m.

The Fire Chief reported that the hydrant has been at this location for at least 30 years, and also that the City would have no funds with which to move the hydrant, it would cost approximately \$400.00. The Police Chief reported that he did not feel this was a particularly hazardous area, and that there has never been an accident at this corner. Mr. McClelland stated he had a garage, but could not use it because of the state of disrepair, and he would need to accumulate the time and money before he could make it safe to park in. Mrs. Helen Emmeck, 131 Humboldt stated she has seen surveyors from the Water District along the street, and wondered if the Water District has plans for a new water system in this area. Chief Sousa said there is nothing of this mentioned in their 10 year plan. Mr. Doggett of 250 Scenic Ave. spoke of the

parking situation on Humboldt and Scenic Avenue, and said that all of the residents of Deer Park Lane park on Humboldt overnight inasmuch as Deer Park Lane is not passable for cars. The City Attorney said the Council had no authority to expend public funds to move the fire hydrant. Mayor Capurro asked the matter be held over for two weeks, and asked the Fire Chief to check with the Water Company to see what their plans are for the area; and the City Engineer to make a survey of the streets in the area; and the Fire Chief and the Police Chief to look into the situation insofar as traffic is concerned, and each department to have a report for the next council meeting on August 10, 1965.

E. Request from Mr. Hugh Erwin of 238 Saunders Avenue for monetary assistance in replacing a damaged retaining wall.

Mr. Erwin said he felt the damage was done to his retaining wall because the City was negligent in keeping the creek free of debris so the water could flow freely, and was therefore requesting assistance from the City in repairing the wall. Mrs. Erwin said the area had been declared a disaster area, but because the City had not approved the Army Corps of Engineers' plan for flood control, she was unable to receive assistance in this manner.

The City Engineer said a program of notifying property owners of their obligation to keep the creeks clear of debris has been started and will be pursued by the Public Works Department. The Councilmen were sympathetic to the Erwin's problem, but were advised by the City Attorney that the City could not expend funds to repair private property.

F. Re-introduction of the County Master Plan for Parks and Recreation for City Council Approval

The Parks and Recreation Director said this was essentially the same plan approved by the Council previously; there were a few minor changes. The areas to be developed are Phoenix Lake and Deer Park; access to each would be through Deer Park in Fairfax. Of the 16,660 acres involved, plans are to develop only about 35 acres. Mr. Paul Brand, Chairman of the Parks and Recreation Commission said the Commission recommends adoption by the City Council. Councilman Smith moved we adopt a resolution expressing approval of the Plan of the County Agency, seconded by Councilman Clute, unanimously approved.

G. Request for approval of S-58, Final Map, Mrs. J. Williams

The Planning Commission reported they had approved the final map; all fees were paid and a cash bond posted for the street improvements, and recommended Council approval. Councilman Smith moved S-58, final map of subdivision on The Alameda, Mrs. J. Williams, be approved, seconded by Councilman Clute, unanimously approved.

H. Amendment to Dog Ordinance

The City attorney read the introduction to the amendment changing the delinquency date for dog licenses to August 31st rather than August 1st. He said he would still have to check with the County regarding the quaranteen period.

The City Attorney read a resolution to vacate a portion of Creek Road. A Public Hearing will be held August 24th, the City Engineer will see that at least three notices are posted on the street to be abandoned. Councilman Smith moved to adopt Resolution No. 1057 of Intention to Abandon a Portion of Creek Road, seconded by Councilman Clute, unanimously approved.

I. Permission to call for proposals for Engineering Design for Street Project from Tunstead Avenue to Bolinas Avenue

The City Engineer submitted a request to prepare a proposal for Engineering Design for the street project from Tunstead Avenue to Bolinas Avenue on three bases, percentage, cost plus, and lump sum. The City Administrator said that previously the Council had agreed to hire an outside Engineer for any future street development, and in this event, the City would be awarding a contract that would be paid for out of Gas Tax Funds. Councilman Clute felt we should have a general plan of what the City wanted before submitting a proposal. All of the parking along Sir Francis Drake will be eliminated when the project is started. Mayor Capurro requested a preliminary plan be presented at the next Council meeting.

Mr. Erwin asked the Mayor for permission to direct inquiries to the City Administrator regarding his residence. Mr. Flautt said that he had been granted permission by the City Council to reside elsewhere inasmuch as he was unable to find a house large enough to suit his needs. Councilman Smith said this has been brought to his attention several times, and as it is now, the City Administrator is actually contrary to the Ordinance, in where he lives. We have an ordinance which we do not follow, and Councilman Smith said he would like to see it on the Agenda for the next meeting at which time the Ordinance could be reviewed.

The City Administrator presented a request by Mr. V. Turkan, of the Center Market, to install a driveway less than 30 feet from the street corner on San Anselmo Avenue at Redwood Road. The Chief of Police has looked into this matter, and he finds the additional off-street parking would be beneficial to the traffic. Councilman Smith moved approval of Mr. Turkan's request, seconded by Councilman Clute, unanimously approved.

The City Administrator reported a difficult situation had been created, especially in the Police Department, in granting a 2 $\frac{1}{2}$ % salary increase to employees, excepting those on probationary period, in that a new employee hired, would actually be hired at a higher rate of pay than those having partially served their probationary period. Councilman Smith said it was his understanding that when the probationary period was ended, the employees would receive the 2 $\frac{1}{2}$ % salary increase. The City Administrator asked for clarification as to whether this included all probationary personnel, such as The Building Inspector, and the Parks and Recreation Director. It was decided to hold the discussion over until the meeting of August 10th, and the employee in question could receive retroactive pay if this was the consensus of opinion of the Council.

The City Administrator requested permission to take the first week of his vacation, from August 2 - 6, inclusive, and was so granted.

The Mayor's and Councilmen's Dinner will be held at the Alta Mira Hotel in Sausalito, and the Mayor asked if the Chief of Police could attend.

The City Engineer reported on the planting in Parking Lot "A", and said he had been working with the Parks and Recreation Director, and at the present, they are awaiting an irrigation plan for the area. They felt it would be unwise to grade or excavate before walkways were laid out, and the first thing would be the irrigation plan.

Councilman Smith asked about watering the Magnolia Trees along the sidewalks. The City Administrator said they were watered regularly by the street department.

The meeting adjourned at 10:35 p.m.

---

Thelma L. Foster  
Acting City Clerk