

Minutes of the regular meeting of the City Council held April 22, 1969.

Present Councilmen: Reed, Capurro, Anderson, Scott, Ragan
Mayor Ragan, presiding

Mayor Ragan asked clerk to call roll for election of Mayor.
Councilman Scott asked to be heard and stated he felt would be wasting time with voting, it appears no one has changed their minds on who they would vote for.
M/S Councilman Scott-Reed this matter be tabled until such time as a councilman changes his mind. Passed unanimously

Mayor Ragan read following proclamations which council approved.

Proclaiming May 11 thru 17 as "Police Week"
May 1st "Law Day"
May 10 "National Fire Service Recognition Day"
May 22 "National Maritime Day"
Month of May "Senior Citizens Month"

BAY AREA AIR POLLUTION DISTRICT

Letter stating due to new provisions on open burning going into effect Jan.1, 1970, cities may wish to confer with the Scavenger Companies servicing the community to make sure that adequate service will be provided.

Councilman Reed feels we must support this change, will have to make changes in our garbage service. Would like to have a report from our City Attorney as to our rights with franchise.

Councilman Scott stated might try to let Pollution District enforce this themselves. Councilman Capurro have to support this, maybe our Street Dept. could help out, if going to have debris boxes thru out city, will have to have someone in charge so only clippings are put in.

Councilman Anderson feels very important to cooperate on this, asked City Attorney what are other cities going to do?

Councilman Capurro suggests having this put on agenda for May meeting of Mayors & Councilmen. City Administrator and City Attorney to get together on this also.

BIDS - ELM BEETLE - one bid received from Sohner's

M/S Councilman Anderson-Scott accept bid of Sohner in the amount of \$993.00. Passed unanimously

ANIMAL CONTROL ORDINANCE

Mr. Campanella, Asst. County Administrator stating they are not proposing any changes in other sections of present ordinance other than matter of dogs. There will be three trucks and three men rather than five.

Councilman Capurro was under the impression the Humane Society can only pick up one dog at a time, there being no hold capacity in truck. Also asked if there would be one standard fee. Mr. Campanella stated they have holding capacity in trucks and as for fee same will be throughout county.

Councilman Reed said should have mandatory language, section which now says animal control officer "may" impound dogs, should say "shall" be impounded.

Mr. Campanella don't see any problem with stronger language and he will take this back to City-County Services.

Councilman Anderson stated main point is we should have animal control that would be as self supporting as possible. He would go along on same if words were changed as suggested by Councilman Reed.

Mayor Ragan expressed appreciation to Mr. Campanella for coming to meeting and hopes he can attend public hearing on April 29th.

HEARING ON OCCUPANCY - 1525 & 1527 San Anselmo Ave. (Mrs. Ratliff owner)

City Engineer reported he had letter from attorney representing owner, occupants given notice to vacate if not brought up to city standards. Staff will watch and report back.

CORRECTED PAGE 256

REQUEST NO PARKING - Bert Oberg, 71 Berkeley Ave.

City Engineer stated checked same, there has to be a traffic hazard to restrict parking in front of one house, Chief of Police would not recommend red zone.

Mrs. Oberg spoke to council about condition of cars being parked in front of her property all day and noise in early hours by horn honking and asked council for relief. Councilman Capurro feels property owners should have some rights.

Councilman Reed believes we would be establishing a prescecent, homeowner has no vested right in street. We have noise ordinance that horn blowing would come under, is this a situation between private citizens?

Councilman Scott said maybe a loading zone or "no stopping" instead of red zone.

Councilman Anderson said difficult for city to step into private situation, suggests patrol car stopping by, recommends Chief schedule a patrol in early hours.

Councilman Scott moves to grant some form of no parking, same to be determined by Chief of Police and City Engineer. Motion failed for want of second.

CORRECTED PAGE 256

M/S Councilman Capurro-Scott establish no parking in front of 71 Berkeley Ave.
Motion passed on following vote:

Ayes Councilmen: Capurro, Scott, Ragan
Noes Councilmen: Reed, Anderson

BUSINESS LICENSE TAX

Chamber of Commerce letter stating their Board unanimously approved the submitted scale of rates for the business license tax, but with a ceiling of \$200.00. Jerry Sullivan, president stated majority of members were against \$350.00. Councilman Anderson thanked Chamber for taking time to go over this and same should be sent back to committee for study.

REPORT ON OFF STREET PARKING, 745 Sir Francis Drake -Mr. Alexander
City Engineer reported ramp is finished, Mr. Alexander is progressing slowly. Council approved 90 days for completion.

UNACCEPTED STREETS & REDWOOD ROAD

City Engineer reported on Redwood Road, \$15,000.00 to put in condition, if accepted street we can get Federal Funds. Councilman Scott asked City Attorney if 1911 Act is acceptable to set up. City Attorney stated we can't force a special district on people, have to see if owners of property are interested, City can initiate same to get started.

CORRECTED PAGE 256

Councilman Reed asked if we accept the street are we denying the right of property owners who have a suit against contractor for damage to the street.

Councilman Scott said if we could get some kind of bond from heavy truckers using street. City Administrator spoke on Indian Rock subdivision, has all the data if council is interested. City Attorney read article from Vehicle Code covering heavy trucks on streets.

Mayor asked City Attorney to come up with material on assesment districts.

RESOLUTION No. 1252" A resolution accepting various streets into the public street system of the City of San Anselmo and accepting same for maintenance."

M/S Councilman Reed-Anderson acceptance of resolution assuming that all gutter corrections are made and any other minor encroachments are corrected per City Engineer's specifications on the following streets as listed:

Ancha Vista	Loma Robles
Bank	Luna Lane
Bennitt	Rutherford
Bungalow	Suffield
Camino de Herrera	Valley
Kensington	

Motion and second withdrawn.

M/S Councilmen Reed-Scott accept streets already read into record and instruct City Engineer to have gutters and other encroachments removed as required by ordinance.

Motion passed on following vote:

Ayes Councilmen: Reed, Anderson, Scott, Ragan
Noes Councilman: Capurro

APPLICATION FOR DISASTER FUNDS PL 81-875

M/S Councilman Reed-Capurro approve -pplication No. 1 under Federal Disaster Act, Law 875. Passed unanimously

RIGHT OF WAY ACQUISITION FOR STREET PROJECTS

City Attorney reported he should have appraisal from Roy Jones on Landtbom property within a week.

City Engineer spoke on property acquisition at Mobil Station on Sir Francis Drake and presented two sketches explaining same, proposed new property line be back of sidewalk. City Engineer will discuss matter with Mobil Station owners.

Councilman Scott spoke on parcel at Bridge and requests a title search be made. City Attorney thinks we might have same already. No further action.

INTERIM IMPROVEMENT PLAN, DRAKE & BUTTERFIELD

Memo from City Engineer stated recommendation of Peat, Marwick & Livingston report was an interim improvement at Butterfield Road which would provide for a free flow of traffic by providing left lane storage lanes and elimination of pedestrian conflict during the period of time in which Butterfield Road traffic is turning left eastbound on Sir Francis Drake. It will be necessary to restrict parking for a distance of 190' west of the Center line of Oak Knoll.

M/S Councilman Capurro-Anderson approval as outlined in City Engineer's memo. Motion passed on following vote:

Ayes Councilmen: Reed, Capurro, Anderson, Ragan
Noes Councilman: Scott

VACANT BUILDING - 21 Loma Robles

City Attorney reported he contacted county appraiser to look at same, recommends put this over until next Tuesday's meeting. ✓

PROPOSED LEGISLATION: SB 35 taxing power of school district

There was a lengthy discussion on this matter and following same it was moved and seconded by Councilman Scott-Capurro to register protest and go on record repealing the following portion of SB 272 "full authority to fix tax rates which they deem necessary to support the educational programs of the district without a vote by the people on any proposed local school tax increase, effective July 1, 1971". Motion passed on following vote: ✓

Ayes Councilmen: Capurro, Scott, Ragan

Noes Councilmen: Reed, Anderson

LIMITATION BIDDING: SB 515

CORRECTED PAGE 256

City Engineer asked Council to reconsider their action in opposing SB 515. ✓

Councilman Reed feels any raise in limit of bidding tends to give certain cities or certain local jurisdictions an easy way of picking a favorite contractor and possibly not getting the greatest benefit of taxpayers money and this is reason he opposed same. Rather than repeal altogether, we might request Legislation to amend so that up to 5,000 or 10,000 we could use formal bidding procedure. ✓

Councilman Scott inclined to favor strict bidding, he has seen abuses, would oppose any change. Councilman Anderson stated he favors bidding. City Administrator stated he had written letters to Legislators that Council was oppose to the proposed increase in the \$2500.00 minimum requiring advertising for bids for public works project projects. It was felt however, that the present inhibition against use of force account for projects over \$2500.00 should be removed. No further official action taken at this time.

Meeting with Sleepy Hollow Fire District set for May 20th. ✓

Mayor directed City Administrator to write letter to Norman Shepley commending him for work he has done in building paint rig. ✓

City Attorney reported on Clear-Vu, agreement to be signed by Mayor.

Resolution No. 1250 "A resolution acknowledging receipt of certain documents pertaining to the transfer of capital stock of Clear View Cable Systems, Inc. to Columbia Broadcasting Co. M/S Councilman Scott-Capurro adoption of same. Motion passed on following vote: ✓

Ayes Councilmen: Capurro, Anderson, Scott, Ragan

Noes Councilman: Reed

City Attorney reported Union Oil Company are ready to start construction of Oil station, don't have deeds here, same in Los Angeles office, informed them if we got letter stating they have every intention of deeding to City 15' on Sir Francis Drake and 15' on Sonoma they could proceed with work, if deeds are not received when work is completed no Certificate of Occupancy will be issued. ✓

Councilman Reed would like put on agenda for next regular meeting, discussion to remove ourselves from the Ross Valley Control District. ✓

Meeting adjourned 11:55 p.m. until April 29th.

Anita Gannon, City Clerk

Councilman Reed referred to letter from Mr. Kaepfel to Thos. Campanella dated Feb. 3, 1969 item #4 "Vagueness of wording, which tends to foster dispirited enforcement, should be dispelled. Sec. IV, 8.04.175 should require action, in that either the dog is impounded or a citation issued."

Mr. Campanella's letter of Feb. 24, 1969 states "A leash law for the County of Marin is not proposed. The Animal Control Officer has sufficient authority according to Section 8.04.120 of the County Code to either impound a dog or to cite the owner." Councilman Reed stated we know they have the authority, but we want specific word placing the responsibility with the Humane Society and obligating them to do so. One of our great problems is we get many complaints people have called the Humane Society and they did not respond, we realize you have a limited number of trucks but what we would like to see is the Humane Society obligated in the same way as our Police Dept. or Fire Dept., to respond to every call. Councilman Reed asked Mr. Morse, if the County would require this of you, would you accept this responsibility? Mr. Morse stated under our agreement with the county we have already obligated ourselves to respond and enforce your local ordinances and we should respond as quickly as we possibly can. Mr. Morse stated he keeps coming back to the problem of responding and picking up animals and impounding, this does not always correct the problem. People come and pick up the animal and then turn it loose again. We must have more teeth to the ordinance so there is some deterrent; that is our big problem, there is no deterrent; a redemption fee of \$3.00 and the animal will beat you back. There are two things that could happen; 1. there is a citation to the owner, 2. if the owner is not available the animal is impounded. When it is impounded then something should happen and the owner realizes there is a problem. At the present time it does not create such a problem for the owner.

Councilman Reed feels the citation procedure should help and also the stiffer impound fees, but what he is attempting to get at is the specific complaints, "I called the Humane Society yesterday and nothing has happened yet", and we do have too many of these complaints.

Mr. Morse said he doubts if we would have many of these, as everything is checked out every day, we are limited, but there should be a response.

Councilman Reed asked Mr. Morse if he would have any objections to the joints power agreement if we entered into same with the County taking out the word "may" and putting in the word "shall". Mr. Morse stated they would have no objections.

Councilman Reed referred to item #5 in Mr. Kaepfel's letter and Mr. Campanella's answer. "The present procedure (in Sec. 5-1.117 of the San Anselmo code) for nuisance abatement should not be construed as requiring such a signed petition before the Animal Control Officer is required to act. He should act on a simple complaint if he finds the facts warrant action." Mr. Campanella's answer: "According to County Counsel's advise, the Animal Control Officer cannot, without written complaints from three or more persons, act to determine the existence of a nuisance and to serve notice on the owner that the nuisance must be abated."

Councilman Reed stated this is a big problem, what we want is virtually imposible, for someone who is having a problem with a dog to get 2 or 3 other neighbors to sign a complaint stating a dog is a nuisance, to abate same they have to have these signatures even with the Animal Control Officer standing right there and stating he can't do anything about it. Feels this law should be changed, maybe this is fine under certain circumstances but with one dog making a hit and run attack there should be a definite way for the control officer to take action without the signatures.

Mr. Morse stated there is confusion on this, when the City Managers and others determined the nuisance abatement thing, this is the clause they put in previously, for those people harassed by a problem that is not under the scrutiny of the police or anyone else, in other words, this is for a perennial thing, such as dogs barking, etc., they may have recourse that there is a problem presented, three people not of the same address as stated in our ordinance, may sign a complaint if its in the act of being a nuisance to anyone. While the animal Control Officer is in the area he can take effective measures. We have some legal rulings saying you cannot remove the animal from the area unless the person themselves had indicated a nuisance had been committed. Mr. Campanella is working with City Managers and Attorneys to tighten this up. Things need to be in this ordinance that are not, need to discuss this as there are some other problems that are created by State law. We will need the cooperation of the people who have animals.

Councilman Anderson asked Mr. Morse about licenses, fines, etc., what percent goes to county and what percent to Humane Society. Mr. Morse stated everything goes to County of Marin, Humane Society sits down and budgets like any other department. Mr. Campanella would have to give figures, such as differences in license fees.

Councilman Anderson feels animal control should be as nearly self-supporting as possible. Budget for 1968-69 was \$179,000. and revenue \$92,000. stated if reading correctly looks like revenue from animal license fees, fines, etc. we are only collecting about 50% of cost from animal owners themselves.

POLICY STATEMENT ON TRANSPORTATION IN SAN ANSELMO

The ever-increasing use of the automobile as the dominant mode of transportation in Marin County has become a major concern of this City Council. The continuance of the one-man one-car commute system will surely destroy the pleasant environment which San Anselmo offers today.

This Council dedicates itself to assisting in finding alternate solutions to the transit problem and has urged the Golden Gate Bridge and Highway District and the Marin County Transit District to provide a modern, efficient, well-scheduled, comfortable bus-transit system which will serve both our commuters and local residents. We request that scheduling and stop locations be such that many more people find it convenient to use other than automobiles to get to and from the bus stops.

While this Council expresses its desire to reduce our dependency on the automobile, it will be part of our balanced system and we must plan for it. Automobile transportation breaks into two distinctly separate categories in the Ross Valley: (1) local traffic - trips originating or ending within the Valley and, (2) through traffic - trips whose origin and destination are in other parts of Marin County, or out of the County altogether.

Today, all through traffic moving in the central portion of the County in an easterly or westerly direction must pass through the Ross Valley. This Council unalterably opposes any solution to the through-traffic problem which will continue the use of the Valley as a through-traffic corridor. The Ross Valley is almost completely built up and the destruction which would be wrought in passing a major automobile transportation corridor through the Valley is unacceptable. The State must construct a bypass highway for this traffic. This Council will work with any and all governmental jurisdictions and interested groups in Marin County to assist in finding a satisfactory solution and an acceptable right-of-way for the bypass. Only when the local jurisdictions in Marin have decided on mutually acceptable alignment and criteria for this bypass should the State be approached. Otherwise they will once again turn us against each other and nothing will be accomplished.

NOW THEREFORE BE IT RESOLVED THAT:

This Council accepts as its obligation, solutions to the local traffic half of the problem, but only under the condition that the State accepts the other half, viz., through traffic. Otherwise, we would destroy ourselves attempting to provide for our local traffic and always losing to the future growth of West Marin. Hence, it is the policy of this Council to undertake no widening projects on our major arterials with the exception of the realignment of the Hub intersection and necessary corrections at the intersection of Bridge Street and Center Boulevard until such time as the State has committed itself to a right-of-way for a satisfactory bypass and right-of-way acquisition has actually commenced.

Further, this Council believes that user acceptance of a transportation mode is in direct relationship to the investment made in each of the various modes. As

virtually all public expenditure in Marin has been made on highways, our residents have not been given a choice. Major widening of our arterials would perpetuate this imbalance. Hence, it is this Council's policy to make no substantial improvements on our major arterials, except as set forth above, until a modern, well-designed, well-scheduled bus system is in operation within San Anselmo, and sufficient time has elapsed so that a large number of our public has experienced regular exposure to the system.

Further, as major arterial widening projects often affect the land use in the area through which they pass, this Council will not embark on any such projects, other than as set forth above, until our General Plan is updated and professional planning consideration has been given to the effect the widening project would have on our residential neighborhoods.

Further, this Council hereby goes on record favoring, in concept, the construction, simultaneously, of at least two connecting traffic links between the Ross Valley and Terra Linda. As most of the possible routes are outside San Anselmo's jurisdiction, specific route alignment and budgeting for the project are not properly our decision. We will, however, give this project our careful study and will actively support those routes which we feel will provide the greatest service with the least property damage.

San Anselmo has grown in a helter-skelter way with little or no coordination between land use and transportation since its incorporation. This must be stopped. We must, and this Council pledges itself to, plan San Anselmo for its citizens. We must protect our environment and we must protect ourselves from the unbridled growth of the motor car. Let it serve us as one of our means of transportation, not control us.

Submitted for Council consideration by James F. Reed

March 11, 1969

Revised March 25, 1969

ADOPTED AS POLICY 3/25/69