

Minutes of the regular meeting of the San Anselmo City Council held June 10, 1969  
 Present Councilmen: Reed, Ragan, Anderson, Scott, Capurro  
 Mayor Capurro, presiding

Mayor Capurro asked all present to stand and observe one minute of silence in memory of Hans Fischel.

Councilman Reed suggests to council and all citizens we do something in memory of Hans Fischel, contributions could be made toward the purchase of a bench for senior citizens or play equipment for children in one of the city's parks.

M/S Councilman Reed-Ragan to open an account with the City that we can request memorial donations to be used for something that would be useful to the City. City Administrator said contributions could be made to City of San Anselmo as a Hans Fischel Memorial. Motion unanimously passed.

APPROVAL OF MINUTES OF MAY 13,20,27th.

M/S Councilman Reed-Ragan and unanimously passed to approve minutes with the following corrections:

May 13, 1969: Legality of use at 25 Spring Grove. Change following "turn over same to City Attorney, find out once and for all whether it is a non-conforming use or not". Same to read "turn over to City Attorney, find out once and for all whether or not it is an illegal non-conforming use or not".

Robson-Harrington Park Women's Auxiliary. After appropriations of \$100.00 to be used for food and supplies, add the following "from a special fund donated by individuals to City for Robson-Harrington Park".

Ross Valley Flood Control District. Add the following: Councilman Reed stated his reason for requesting we pull out of district is not based on aesthetics, not based on a vote of no confidence in Corp of Engineers, but on a legal technicality. We signed joint powers agreement for maintenance in 1965. Ross voted to become part of the district increasing the project by 2 miles in 1967. Board of Supervisors accepted Ross into district in 1967 sixteen months after we agreed to maintain the channel, without our consent or giving us official notice that our maximum 5¢ now covered about two miles more than we anticipated. This changed project without our permission and he feels this gives us legal grounds to question this, feels legally Board of Supervisors overstepped their bounds and this gives us perfect right to cancel our powers agreement until such time as we are presented with a Flood Control Project that we like and can afford to maintain, then we will entertain going back into it.

APPEAL-DENIAL OF VARIANCE, E. dePrado

Mr. dePrado appealing decision of Planning Commission who denied a 20 ft. variance in frontyard setback and a 8 ft to 0 variance in sideyard setback to construct an approach ramp at 243 Redwood Road.

John West stated in best interest of City, two owners should work out their problem, in looking at this council should consider an eventual development of other property and consider future problem that will arise, bad solution to ask City to settle matter that is up to two property owners.

Councilman Reed felt building ramp down as suggested by member of Planning Commission would create a traffic hazard.

Councilman Scott stated he see's no reason for not giving some relief to Mr. dePrado if he were to vote he would say let him have it.

Mr. dePrado said he has tried to work something out with Mr. Scalapino but he has shown no interest in this.

Mayor Capurro would like to see both property owners get together and work out problem. Councilman Anderson said he would like to go back and talk to Mr. Scalapino and ask him if he knows he cannot building on property, and suggests put same over until next meeting with idea Mr. Scalapino & Mr. dePrado get together, he would also like to go there again. Council asked City Engineer to write letter to Mr. Scalapino explaining council action and will be on June 24 agenda.

APPEAL, WM. RAUDIO, DENIAL OF VARIANCE

Mr. Raudio application for a 5 foot variance in frontyard setback and a 3 foot variance in sideyard setback to construct a second story above the carport at 50 Florence Avenue. Planning Commission denied variance because no hardship has been demonstrated.

M/S Councilman Anderson-Reed to uphold the decision of Planning Commission and deny appeal. Motion passed on following vote:

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

PARKS-RECREATION: Tot lot, Memorial Park

Memo listing cost of equipment for Tot Lot in the amount of \$976.90.

M/S Councilman Ragan-Anderson approval to proceed and order equipment in the amount of \$976.90. Passed unanimously ✓

Discussion on installation of redwood fence, approx cost \$350.00. City Administrator asked council to accept the entire project in the amount of \$1834.00, \$200.00 of same to come from 1969-70 budget.

M/S Councilman Ragan-Reed authorize the amount of \$1834.00 with \$200.00 to come out of next years budget.

Motion passed on following vote:

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

LETTER FROM THE ATHENEUM ARTS FOUNDATION

Letter stating it is necessary for them to find a location in which to house this Arts Foundation and its voluntary staff. Their feeling Robson property would be an ideal location in which to continue this function. It would be suitable for small workshop, they would in no way interfere with the aims and purposes of the Parks & Recreation Department or the Robson Auxiliary plans for the park. Their aim would be to work in complete harmony and agreement, do everything possible to fashion a beautiful, lively and worthwhile addition to the resources of the City.

Councilman Reed stated he is on the Board of Atheneum Foundation and will not vote but would like to enter into the discussion.

Mrs. Walden, Board member spoke on this organization and introduced other members present. CORRECTED PAGE 273

City Attorney stated he don't think we can even consider this, the estate was given to the City for a park with the intent that it would be used primarily for older people and children. Mrs. Moore, Mrs. West spoke in favor of Atheneum Foundation using property. John West also was in favor of same but felt group should be under Parks & Recreation and the Atheneum people should meet with Parks & Recreation Commission and explore this matter. After lengthy discussion Councilman Anderson moves to refer to Parks & Recreation Commission with following points to be considered: ✓

1. Space requirements of Atheneum and space requirements of San Anselmo Recreation program. Consider both house and Carriage house.
2. Problem of allocating time for house and grounds use.
3. Legality of Atheneum using house or grounds to raise funds for Atheneum.
4. Basic question of ultimate control, and final say.

Parks & Recreation Commission to consult with members of Atheneum Foundation Board, their findings be turned over to City Attorney. Councilman Ragan seconds same.

Motion passed on following vote:

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

FALL FESTIVAL CONTRACT

City Administrator presented revised contract with Foley & Burk for council approval. Councilman Reed stated he don't think its proper to discuss contract until we have decided whether we want to have a Fall Festival again, said he has expressed his reservations about this, maybe people in audience would like to make statement either for or against same, and would like to direct first portion to that before we discuss the actual contract.

Mrs. Joyce Rosenberg and Mrs. West spoke again<sup>st</sup> the type of festival held last year, the games of skill and the prizes. Frank Quinn stated he would hate to see this discontinued already has names of organizations and service clubs who are interested in same again. Councilman Anderson stated he has no affinity for carnivals and if we can find something better than this type of carnival he would be all for it.

Councilman Scott said maybe we can divide functions, machines seem to be no objection, opposed to gambling, if something is crooked eliminate same. Question is can we have some booths that would operate in a manner that would not be objectionable, such as food, drinks, etc. have organizations operate these. Frank Quinn said could not have seven booths just serving food. Feeling of council if Foley & Burk brought in booths, let organizations get own prizes, would this be satisfactory. Frank felt Foley & Burk would go for this. ✓

M/S Councilman Ragan-Scott to adopt contract as presented by City Administrator, specify option be given civic organizations of taking booths without taking prizes. Councilman Reed suggests the following: Control of locally rented booths should vest in the groups renting them. Prizes can either be furnished by the group from other sources or from Fun Fair Show and Fun Fairs only involvement in these booths is to furnish them, provide utilities and to act in an asvisory capacity if the renting group desire the advise, exercising control only to the degree necessary for their insurance to cover the operation of the booths. A maximum rental rate should be set and a minimum number of booths which they are prepared to furnish if the city desires them. Also, Fun Fair should be excluded from operating any concessions other than set forth in Sec.9 of the contract.

Motion passed on following vote:

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

AMENDMENT TO DOG CONTROL ORDINANCE

City Administrator suggests council adopt same. Majority of other cities have adopted same. Councilman Reed stated this ordinance gives us nothing and suggests City Attorney re-write ordinance, same to county and copies to city council.

JOHN HOLM, City's representative on Economic Opportunity Council gave a short oral report on current activities of this agency.

FOREST AVENUE SLIDE

~~Letter from City of~~ Fairfax stating land-slide occurred and portion of Forest Avenue was damaged, part of slide area is within city limits of San Anselmo and asking city to participate in cost of repairs to Forest Avenue. Memo from City Engineer stating San Anselmo share would be approximately \$9,000.00 but he has no recommendation at this time. Councilman Reed said he would like to see cooperation of both cities in cleaning up mess of house that was burnt. M/S Councilman Reed-Ragan that Mr. Leitzell meet with Mr. Albritton to enter into negotiations concerning this slide.

LIBRARY QUESTIONNAIRE

M/S Councilman Reed-Ragan to request Library Board to prepare questionnaire on lines of draft and include more or less functions Library Board are interested in, pass these out and return by certain date, tabulate and forward to City Council. Councilman Scott stated questionnaire is phased- should San Anselmo turn over a plant and Library to those paying nothing for its use, feels people voting for this should be from San Anselmo. Councilman Anderson said he is content to let Library Board re-write this questionnaire. Motion passed on following vote:  
Ayes Councilmen: Reed, Ragan, Anderson, Capurro  
Noes Councilman: Scott

REQUEST BY MR. & MRS. BLAIRE POST FOR ENCROACHMENT PERMIT AT 119 REDWOOD ROAD

City Engineer's memo stating Mr. Blair was asking permission to keep three redwood planters and add a fourth in the sidewalk area fronting his property. Council had checked same and approved. M/S Councilman Anderson-Scott approval that planters remain and grant permission for a fourth. - Passed unanimously

PROPOSED LEGISLATION, RECORDING OF MEETINGS SB495

Legislation proposes all meetings be recorded and requiring tapes be retained for a 10 year period. City Administrator stated tapes are kept for 2 years, keeping same for 10 years would impose an unnecessary burden, problem of storage and would serve no useful purpose. M/S Councilman Reed-Scott City Administrator write letter opposing 10 year period. Passed unanimously

SARA NOME LETTER

City Administrator read letter from Sara Nome charging town meeting was planned and conducted by a closed group of approximately 20 citizens, the recommendations made are not a mandate of the people of San Anselmo but appear to be that of a controlled opinion-forming group. Everett Farey, chairman of the meeting, Mrs. West, Dan Goltz, Paul Brand, Louis Stuart, Dave Bacigulpi, Joseph Wallen, Mr. Francheschi, Mr. Trowbridge, Mary Stuart, Herman Hein, Dan Lennon, Norman Leach, John Palunga, Wm. Trehwella and Mr. Blair Post all spoke on the town meeting, it was the opinion of the majority present that the town meeting was beneficial. Mrs. Nome spoke and asked that a tape recording be played of Mr. Kettenhofen's program on which Mr. Farey was guest. Councilman Ragan and Anderson felt Mrs. Nome's letter was unwarranted, vicious and petty. After hearing both sides Mayor Capurro declared the matter closed.

RESOLUTION NO. <sup>1254</sup> Calling for examination for position of police officer. M/S Councilman Reed-Ragan adoption of same. Passed unanimously

MODIFICATION OF SIGNAL SYSTEM-ROSS AVENUE, BARBER & SIR FRANCIS DRAKE

City Engineers memo recommending that the work on signals be deleted from contract for present time. M/S Councilman-Reed-Ragan to delete same from contract per recommendation of City Engineer. Passed unanimously

ORDINANCE NO. \_\_\_\_\_ Authority of Traffic Engineer. First reading ✓  
ORDINANCE NO. \_\_\_\_\_ Plumbing Code. First reading ✓

CLAIM Claim of Horst Hanf against city. Unanimously passed by City Council this claim be denied.

RESOLUTION NO. 125<sup>b</sup> Claims and Demands for May. M/S Councilman Scott-Ragan  
adoption of same. Passed unanimously

M/S Councilman Ragan-Scott approval to request of Library to purchase 2-drawer file  
cabinet in the amount of \$52.50. Passed unanimously.

Meeting adjourned at 12:45 a.m. in memory of Hans Fischel.

Anita Gannon, City Clerk