

Minutes of the regular meeting of the San Anselmo City Council held July 8, 1969

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

APPROVAL OF MINUTES

June 10, 1969 - Councilman Reed requested that on page 2 the words "Board member" be deleted after Mrs. Walden's name, as she is an interested citizen, not a board member.

June 24, 1969 - Councilman Reed requested the following changes: On page 3, under "Forest Avenue," three lines down, the word "engineer" be substituted for "architect"; on page 4, under "Animal Control," three lines down, the words "get together prior to" be deleted and wording inserted so that the sentence will read "... all Cities to meet with the Board of Supervisors during their budget session"; and in the same paragraph, before "Mayor Capurro stated," the following sentence be inserted: "Cities will pay 100% of their share plus 60% of the unincorporated County's share." And on page 5, under "Ordinance No. 584," adopting the Uniform Plumbing Code, "Yes Councilmen: Reed" be changed to "Noes Councilmen: Reed" to correct a type-

Councilman Scott asked to hear the tape of the June 10 meeting.

M/S Councilmen Reed-Scott that approval of the minutes of the June 10 meeting be put over until after Councilman Scott has heard the tape, at his convenience; and that the minutes of the June 24 meeting be approved as corrected. Motion passed unanimously.

CORTE MADERA CREEK PROJECT

CORRECTED PAGE 297

Councilman Reed reported on the hearing of the Board of Supervisors held that day and commended the Board on the compromise reached to proceed as planned by the Corps of Engineers in Phase 3 to a point approximately 700 feet below the Lagunitas Street Bridge in Ross. He requested that the staff be instructed to work with the Corps of Engineers, the Citizens Committee and others to develop alternate plans and have finances ready for the 1971 construction season. He felt that the compromise was a victory both for the conservationists and for flood control. Plans for the alternates were handed to the Councilmen. He would like to proceed with the public hearing as soon as possible, as San Anselmo will benefit from the upper stages of Stage 3. A storm drain, in an alternate channel, would be in natural state of the creek but still be adequate to carry off the volume of water.

CONDEMNATIONS

16 Ramoga Way - The City Administrator gave the Building Inspector's report that the building had been boarded up and that the new owner would convert the dwelling to a single-family residence, which would be rehabilitated to conform with the Building Code.

Councilman Reed asked that a time limit be set for the work to be done, The City Engineer said that boarding up is not a permanent solution, and recommended that sixty days be given as the limit for this type of abatement, at the end of which time further action would be taken if the building were not renovated or torn down. He reported that the property line dispute had been resolved. M/S Councilmen Ragan-Reed that the matter be on the agenda of the second meeting in September. Councilman Anderson asked that the motion include the contingency that the matter be placed on the agenda contingent upon its not having been satisfactorily pursued by that time. With this amendment, the motion passed unanimously.

200 Red Hill Avenue- The City Engineer gave the Building Inspector's Report that no health hazard exists in this dwelling; and although the building is in bad disrepair, it presented no nuisance problem since it is occupied. Councilman Ragan wanted to inspect the property before making any decision, and also wanted to know how much work needed to be done. The City Engineer said that the property was occupied on a month-to-month basis but was up for sale. Councilman Ragan suggested that the matter be put over to the next agenda. Councilman Anderson didn't like for matters to be put over, and said he would like for people to attend Council meetings at which their problems were being considered. Mayor Capurro instructed the City Engineer to check out the matter and report before the next regular meeting.

PARKING PROBLEM - HUMBOLDT & FOOTHILL AVENUES

City Administrator read letter dated June 30, 1969, from Jean L. Atnip and Mrs. Donald Asker, requesting enforcement of laws which would rid their neighborhood of undesirable transient tenants who create parking problems in that area; further requesting that 'No parking between signs' be removed upon request of the Streets and Traffic Committee and the taxpayers petition.

Mrs. Atnip, from the floor, commended Councilman Anderson, Ragan and Reed for their cooperation with the property owners in this matter. She requested discussion on the recommendation that the City improve City property to provide parking space which the citizens would pay for.

Mr. Ragnvald Bernt pointed out that parking problems were merely a symptom of a much larger problem-that of multiple use of single-family residences in an R-1 zone, which had resulted in increased deterioration of and danger in the neighborhood. He called for a search to be made to ascertain which units were legal and which could be abated, and for the passing of ordinances to cover the situation if none exist.

Mrs. Helen Amick thanked Councilman Ragan for attending the property owners' meeting the previous evening and asked if there were some temporary thing that could be done to help Mrs. Atnip and Mrs. Asker with their parking problems. Mayor Capurro replied that this would be discussed at this meeting and called for comments.

Councilman Reed asked the City Engineer regarding the painting of white striping. The City Engineer said that the "no parking between these signs" had been discussed at previous meeting; they had been placed for the benefit of one property owner in order to make it possible for him to get out of his driveway, but it eliminated at least two parking spaces, and the Committee felt that these could be removed since it is possible-although inconvenient-for the owner to get out by going up and turning around. He reported that he had checked the area from the bottom of the hill up to Scenic, where it would be possible to get 12 feet clear from the bank and still allow 12 feet of pavement area which could be parked on, and possibly the shoulder could be widened a bit. He pointed out the need for proper clearance for emergency vehicles- particularly at night. A long-range solution would be for the City to provide a parking deck on City right of way, but it would have to be open to the public; further, the City is not in the business of providing parking space for citizens. the major problem, he felt, is not the lack of enforcement or lack of ordinances but in the lack of ability to prove to the courts whether buildings were truly illegal, the expense of which time and money would be tremendous; but this could be done if witnesses were willing to testify; further, the premises could be abated under existing ordinance if not occupied for six months. He pointed out that the ordinance provides that as many as five unrelated persons may reside in one dwelling - but if each of the five had a car, and each had a guest who had a car, this would mean that ten cars would be parked from one residence. He said that the burden of proof of illegal use is on the City, not the home owner. M/S Councilman Reed-Scott that the City Engineer be instructed to proceed with the recommendations made, in toto, by the Streets and Traffic Committee in their memorandum of June 24, 1969, and that the ultimate responsibility of locating the white striping be under the Director of Public Works. The City Engineer said that a couple of strips could be painted at 109 Foothill. Motion passed unanimously.

NONCONFORMING RESIDENTIAL USES AND DEFICIENCIES IN ON-SITE IMPROVEMENTS IN CERTAIN RESIDENTIAL AREAS

CORRECTED PAGE 297

Discussion followed with regard to illegally performed improvements and conversions of single-family residences, with Charles Turner and Gene Lynch inquiring about the laws governing multiple use in R-1 zoning. Councilman Reed explained that the homes built prior to 1926 were permitted, under a "grandfather clause," to retain nonconforming uses existing prior to that time. City Engineer explained that any recent changes or improvements - made, in most instances without benefit of building permits - could easily be proved, as they would have been performed within the memory of the neighbors, provided the neighbors would be willing to testify.

Mr. Lynch asked if laws could not be passed to exclude nonconforming uses, and the City Attorney explained that property owners have a vested right to realize their investment from their property. He pointed out that a home unoccupied for six months could be abated, but this was very difficult to prove, since the owners could possibly be in the Army or on an extended trip. If an ordinance were passed to discontinue nonconforming uses it would have to provide an amortization period wherein the property owners could realize their investment; further, anything done along these lines would be challenged by the courts - and if the ordinance were declared invalid, nothing further could be done and nothing would have been gained. He recommended that neighbors inform the City regarding which homes are being used as multiple-family dwellings in recent years. Mr. Lynch emphasized that something would have to be done to curb the deterioration of the neighborhood - and also of downtown San Anselmo - even if expensive investigative measures had to be taken to keep out those people who were causing the problems.

At Councilman Anderson's request, Councilman Reed read his memorandum to Council dated July 8, requesting that Council appoint a committee to take steps to correct the deficiencies - the committee to consist of two Councilmen, two Planning Commissioners, at least one member of the Streets and Traffic Committee, the City Administrator, the City Engineer and the City Attorney, to study an ordinance requiring off-street parking for existing dwellings by some certain future date, in-lieu parking, the night parking ordinance, streets assessment districts, and the ordinance discontinuing nonconforming multiple-residential uses. Councilman Anderson felt that the proper way to attack the over-all problem would be in all its aspects, since the main problems might continue long after any parking problems were solved; and that he would be willing to wait five or six years, if necessary, before this could be accomplished, but it should be started now. Following discussion, Mayor Capurro appointed Councilmen Reed and Anderson to the committee, and instructed that letters be written by the City Administrator to the chairman of the Planning Commission and of the Streets and Traffic Committee, requesting that they make their appointments immediately. Mrs. Helen Amick requested that someone from their area be appointed, and Mr. Bernt was so appointed. She asked how long the study would take. Councilman Reed wanted to discuss the matter privately with the City Attorney, but he felt if it were begun immediately it would be accomplished in sixty days.

Mr. Bernt cited an instance wherein an illegal use could be testified to at any time, where an intolerable situation had arisen after the home at 16 Foothill had been converted and sold to some unmarried women. This situation has been referred to the Chief

of Police. Councilman Reed said that this was the type of thing that was needed in order to prove illegal use. Councilman Scott suggested that the evidence be given to the City Attorney and the Police Chief and that the matter be pursued immediately, and Mayor Capurro requested that Mr. Bernt act upon this suggestion.

Councilman Anderson thanked the people who had come to the meeting to participate in the solution of their problems. Councilman Scott suggested that if any citizens had further clues, their anonymity would be protected if they would report them. The City Attorney concurred.

Councilman Ragan asked whether a dwelling could be abated if it could be proven that it had been built after 1926, and what would be the first year to go back to. The City Attorney replied that nonconforming uses at this time may be continued, but possibly could check back to 1940. Councilman Ragan emphasized the importance of acting quickly and referred to the problem of Mrs. Atnip and Mrs. Asker. Councilman Scott asked if it were possible for those people troubled with parking problems to meet some evening to set up a series of cooperative, privately owned places on which they could park - with the Engineering Staff suggesting the design and the citizens themselves providing materials and labor.

Mrs. Amick asked if some kind of sticker could not be placed on Mrs. Asker's car so that she won't continue to receive parking tickets. Councilman Reed said that Mrs. Asker parks in an area which would be made legal by white striping but this would not make it an area for private parking - it would be open to anyone who wanted to park there.

Councilman Scott's solution was for property owners to acquire property, put in improvements to provide in-lieu parking. It would have to be esthetic, and a community improvement association could proceed along these lines.

A resident of Ross suggested that San Anselmo Check to see what Ross had done in an amortization and phase-out program on multiple-use dwellings. Mr. Lynch suggested that an amortization period be set up immediately.

The City Attorney said that the City was aware of many illegal uses but new ones keep appearing and there is not sufficient staff to follow up or keep the City up to date on the list of offenders. He emphasized that it is the use of property with which the City is concerned-not individuals of one type or another, so long as they live within the ordinances; and in response to Mr. Lynch's inquiry, he explained that a house may not be inspected for reasons of suspected health hazards unless there be good reason, and in any case a warrant would be required if the occupants refuse admittance to inspectors. In reply to Mrs. Amick's inquiry, he said that the presence of rats and scattered garbage would be good reason indeed. Mr. Bernt suggested a letter from a previous owner serve as evidence of previous use. The City Attorney said that an affidavit would be only as good as it could be backed up. Mr. Bernt then suggested checking utilities records to see the date of hook-up of utilities. He further stated that he had not requested the signs in front of his home and didn't care if they were removed, but he would like a sign saying "no parking on the pavement."

With further reference to the Ross ordinance, Councilman Anderson said that an ordinance passed January 10, 1962, for a five-year abatement period, gave six months from passage of the ordinance in which to apply for a variance. This part of the ordinance will be considered by the Committee.

The City Engineer said that the elimination of nonconforming uses and upgrading of property in Ross had not eliminated the presence of "undesirable people." The Mayor asked for recommendations from Councilman Reed and the Committee to report to the Council within sixty days.

Councilman Ragan urged all citizens residing in this problem area to attend Council meetings.

Mayor Capurro called for a five-minute recess at 9:30 p.m.

SITE FOR SAFETY BUILDING

CORRECTED PAGE ~~297~~ 297

The City Administrator referred Councilmen to information furnished them on three potential sites. Mayor Capurro listed the following possibilities: (1) Parking Lot A would be a perfect site - not a large building, but a slow one, with landscaping and lots of parking area; (2) the Tanner Building and the real estate building next door; (3) a brand new site; or (4) remodeling the present Fire House, with another story added to provide living quarters. The firemen have a new kitchen and will soon have a new bathroom, he pointed out. He urged that steps be taken to push this project as soon as possible.

Councilman Scott pointed out that \$17,000 had been invested in electronics in the present Fire House and suggested paying an architect to study present buildings to see

whether footings, etc., were adequate and to determine the cost of adding another story - possibly providing a rear exit for emergency vehicles. Use of present facilities, expanded, might save \$50- \$60,000 in cost of land and \$17,000 in the cost of wiring.

Councilman Anderson pointed out that like most expensive problems, this was a long-range problem and all the departments needed more space. He suggested using the Tanner Building for the Library, which would provide the present Library space for expansion of City offices. He didn't feel that remodeling present space would solve the problem.

Councilman Ragan agreed that present facilities with a second floor could be explored and added that the building could be built over the parking lot in back. He also liked the idea of the Library moving to the Tanner Building to provide additional space for Police or other departments; he felt that the problem should not be an additional burden on the taxpayers.

Councilman Anderson asked if the Sanitary Building were a total loss. The City Engineer replied that this would not be a suitable area for a Corporation Yard and the cost of remodeling this building would be extensive. Councilman Anderson said that ceilings and office partitions could be put in.

Councilman Reed totally disagreed with the use of Parking Lot A, which he felt a valuable asset to the City as a front door. He wanted it landscaped and made one of the keys to the downtown area. He felt that building a second story to present facilities, or building over the parking lot, or both, presented major drawbacks. Location of the site would better serve the community if not on the busy main street, where the situation would get worse. He would like to see estimates by the Fire and Police chiefs of their needs for the next twenty years to meet modern requirements for room and facilities. He felt there was merit in the Tanner Building for the Library, but they might not want to move; further, it is a Carnegie Library and he didn't know whether it could be put to any other use. He pointed out on the map a triangle bounded by Center Boulevard, San Anselmo and Hazel Avenues, containing an area of 18,975 sq. ft., which would give good ingress and egress and would be close enough to downtown; however, he thought it might not be large enough for a fire station. He said that more and more cities find it more economical in the long run to locate away from the expensive downtown center.

Mayor Capurro said that (1) possibly the Police Department and Public Works Department could occupy the Tanner Building, with very little construction necessary; (2) the present Fire House could be remodeled; (3) the Children's Library could be moved to the Robson-Harrington estate.

Councilman Scott suggested hiring someone to review the feasibility of adding to present Fire facilities. Councilman Anderson suggested that each department head give an estimate of the square footage needs for his department for the next twenty years, as this would help in engineering plans. Councilman Reed suggested that square footage also be obtained of present available area and of the Library and parking lot.

Mr. James McDonald said that the Tanner Building, if considered for the Library, would be the least expensive, but it would seem smaller than present facilities. Least expensive safety facilities would be the remodeling of present facilities. A lot would depend on the feeling of Council regarding a new building, and remodeling the present Fire House for temporary use while proceeding with plans for acquiring a new location. He felt that the Hub Intersection would have great bearing with regard to ingress and egress of emergency vehicles.

The Library is one facility most unrelated to other City functions, so there is no need for the Library to be adjacent to City offices if Council decided relocation of the Library the best solution. The least-expensive solution, however, might not be the best one, and the first thought would be to ascertain existing areas, the next step being for Council to decide generally the wishes and priorities of the respective departments.

Mayor Capurro instructed the City Administrator to write to all department heads to request the the projected square footage for twenty-year plans, present square footage, and to put the matter on the agenda of the next regular meeting.

Councilman Reed had no objection to adding to present facilities, but would like to see present location maintained as the City Center and felt that the economics should be looked into on that basis.

Mayor Capurro requested that square footage also be obtained from the Sanitary District on their building, and that the Library Board members get this same information regarding the Library building.

Councilman Scott felt that the ceilings were not high enough in the Tanner Building, which was broken up into small rooms. He would prefer to see the Fire Department taken care of first. The City Administrator pointed out that other departments were also badly in need of space. Councilman Scott felt that the location of the Fire Department was more important than that of the Library. The Mayor replied that moving the Library would provide more space for other City departments, and he would like to see the project get started.

Councilman Anderson said that the low ceilings would not be an important factor, inasmuch as air conditioning could be installed and the partitions could be removed.

Mayor Capurro said that the Police Chief had said that the present Library would be a good location for them. Mr. Lewis Yates, Library Board member, said that some spare room should be retained for Library expansion, and he felt it unfair to put the Library on the spot because other departments are crowded, and that the City should look elsewhere for space. He felt that the opus for providing the space should not be on the Library.

Councilman Anderson said that the needs of all departments must be considered - not just those of the Library.

BULLETIN BOARD

Council referred to the plans for a Bulletin Board proposed to replace the present one at the entrance to the City Administrator's office. Mr. McDonald reported that it would be essentially 5' wide x 2½' high for the board itself, the structure to be of redwood, and the detailing in keeping with the general feeling of the present architecture. There would be visual access, probably from the rear, to a tack-board panel, which would be waterproof and have some sort of illumination from the interior portion so as to be visible in the evening - displaying agenda and other City notices. Councilman Reed suggested using unbreakable glass. Mr. McDonald replied that acrylic or tempered glass would be used - acrylic probably being the better. Mayor Capurro suggested locating the board to the right, rather than at the present location. The City Administrator said that the present board location did not interfere.

Councilman Ragan wanted to publicly thank and commend Mr. McDonald for his work on the plans.

M/S Councilmen Ragan-Reed that Mr. McDonald be authorized to continue with this project. Motion passed unanimously. Mr. McDonald is to report at the next regular meeting.

TRAFFIC SIGNAL POSTS AT SAN ANSELMO & TUNSTEAD AVENUES

The City Engineer reported that he had discussed this matter with the Police and Fire chiefs, the City Administrator and the Traffic Consultant - all of whom urged that the posts not be removed. Delays were experienced because of lack of traffic control, and the situation will become more critical for the emergency vehicles. He suggested placing flashing lights - yellow on San Anselmo and red on Tunstead - connected with the fire alarm system so that the lights would go into operation as needed. Councilman Reed preferred to have the poles removed and suggested that extension arms be attached to the poles. The City Engineer said the light poles belonged to PG&E and he wasn't certain they would do this.

M/S Councilmen Ragan-Scott that the removal of traffic signal posts at San Anselmo and Tunstead Avenues be left as they are, at the discretion of the City Council. Motion passed, with the following vote:

AYES Councilmen: Anderson, Ragan, Scott and Mayor Capurro
NOES Councilmen: Reed

PENDING LEGISLATION ON TAX-EXEMPT MUNICIPAL BONDS

The City Administrator reported that he had received a request from the Office of the County Tax Collector of Marin to support efforts to prevent the removal of tax-exempt features from municipal bonds, and read from a copy of a letter from the City of Larkspur to Senator Cranston along the same lines.

M/S Councilmen Reed-Scott that a letter be sent to Senators Cranston and Murphy explaining opposition to any move to change the status of tax-exempt bonds. Motion passed unanimously.

AUTHORIZATION TO HAVE COUNTY AUCTION OLD POLICE CARS

The City Administrator requested authorization to turn over the City's old police cars as they are replaced by new cars, as a better return could be obtained on old cars auctioned by the County.

M/S Councilmen Scott-Ragan that authorization be so granted, with no more than three vehicles offered at each auction. City Attorney suggested amending the motion to read "not to exceed three vehicles to be surplus to present or future needs of the City." The motion, as amended, passed unanimously.

RESOLUTION AUTHORIZING CONDUCTION
COMPETITIVE EXAMINATION FOR
POSITION OF FIREMAN

Upon request of the City Administrator, M/S Councilmen Scott-Ragan that a resolution be adopted authorizing Fire Chief Sousa to conduct a competitive examination and create and eligibility list for the position of Fireman to fill the vacancy created by the resignation of Fireman Peter Elfers. Motion passed unanimously.

APPOINTMENT OF STREET FOREMAN

M/S Councilmen Scott-Ragan to appoint Mr. Lesley Madsen as Street Foreman, to succeed Mr. Vern Ingraham by confirming action taken by Council at Executive Session on June 26, 1969. Motion passed unanimously.

UNIFORM CONSTRUCTION STANDARDS

Councilman Reed pointed out that the City Engineer and the Director of Public Works would pass on each standard as the situation arose, and suggested that Council authorize the Director of Public Works to pass on standards at his discretion. Councilman Scott disagreed, saying that we were dealing with legislation. The City Engineer said that there would be changes and additions from time to time, and asked if he should bring in changes indicated on previous drawings, or bring in new drawings for standards.

Councilman Scott said he was afraid of the matter's getting out of hand in setting up additional legislative agencies. The City Engineer said that he would like to standardize as much as possible, so that each contractor and each engineer could be furnished with a copy of the standards and thus know how to proceed. He anticipated that everyone would adopt it. The City Attorney concurred that this was a legislative determination.

M/S Councilmen Reed-Scott to adopt the Uniform Construction Standards as presented. Motion passed unanimously.

LANDSCAPE PROPOSAL - MR. WM. KAPRANOS

The City Engineer reported on work proposed to be done at the Hub Intersection and Sequoia Drive. Preliminary work has been done by Mr. Kapranos in connection with Whitlow, Hoffman and Albritton, which is reflected on present highway plans. He asked permission for Mr. Kapranos to complete the landscaping plans for the Hub and Sequoia Drive, with Parking Lot A developed on a single level. He cited the following figures quoted by Mr. Kapranos:

Redesigning and landscaping of parking lot at the Hub	\$ 350
Landscaping specifications, plans and supervision by Mr. Kapranos	2,000
Total	\$ 2,350

M/S Councilman Reed-Scott to retain Mr. Kapranos to prepare proposal for landscape design for proposed reconstruction of intersection, including all items set forth in his memorandum to the City dated June 9, 1969, and not to exceed \$2,350.

In reply to a question from a woman in the audience, the City Engineer said that it would be necessary to remove only one tree - the first elm; and that construction would be completed, within allowable funds, in relation to the bids which would be opened on July 22.

Councilman Scott said that he favored retaining Mr. Kapranos as the architect, but since he had voted against the Hub plans as a matter of expense, he would abstain.

The motion passed with the following vote:

- AYES Councilmen: Anderson, Ragan and Reed
- ABSTENTIONS Councilmen: Scott and Mayor Capurro

APPOINTMENTS

Library Board - Mayor Capurro proposed appointing incumbents Dorothy Linderman and Jacquelan Perazzo to terms of three years, to June 30, 1972. The Councilmen expressed a preference to vote upon them individually. The vote on Mrs. Linderman was

- AYES Councilmen: Ragan, Scott and Mayor Capurro
- NOES Councilmen: Anderson and Reed

M/S Councilmen Reed-Anderson that Mrs. Linderman be appointed by acclamation. Motion passed unanimously. Mayor Capurro instructed the City Administrator to write a letter to Mrs. Linderman to inform her of her appointment.

A vote was taken on Mrs. Perazzo, whom the Council unanimously recommended, and the Mayor requested that she also be informed by letter.

Parks & Recreation Commission - Councilman Reed recommended that Mayor Capurro appoint Mr. Larry Husband. Following brief discussion, the Mayor said he preferred to put the matter over for two weeks in order for him to have the opportunity of talking with Mr. Husband. Councilman Reed then recommended Mrs. David Leach, and Councilman Scott recommended Mrs. Elberta Crebassa. Councilman Ragan said he felt both were well qualified, and Councilman Anderson cited Mrs. Crebassa's services to youth activities - particularly with respect to the Tennis Club. Mr. Donald Long, from the floor, stressed the importance of the appointment with regard to aspects other than sports.

CORRECTED PAGE ~~297~~

Councilman Reed preferred the appointment of Mrs. Leach but was afraid the appointments would be made on the basis of personal friendship - pointing out that San Anselmo had often been accused of running a "closed club." Following discussion along this line, Mayor Capurro requested that the matter of filling these two vacancies be put over to 7:30 p.m. prior to the convening of the next regular meeting.

Planning Commission

Councilman Ragan recommended that Mr. Ragnvald Bernt, Jr., be appointed to serve the unexpired term of Joseph Gue, to April 18, 1971. Upon unanimous recommendation by Council, the Mayor so appointed him.

COMPENSATORY TIME - CITY CLERK

The City Administrator recommended that the City Clerk be granted compensatory time for time spent taking Council minutes, and that this be effective as of March 1, 1969.

M/S Councilmen Reed-Scott that compensatory overtime be so granted to Mrs. Gannon. The motion passed unanimously.

CORRECTED PAGE ~~297~~

ORDINANCE: ANIMAL CONTROL

The City Administrator pointed out that the County Animal Control Ordinance would not become effective until August 1 and cited the proposed new rates. He asked the City Attorney what information he needed in order to revise the City's present ordinance. The City Attorney felt that the new rates could be ignored until the ordinance is passed. He pointed out that a decision would have to be made whether an attempt would be made to adopt all the changes the County has made in their ordinance. He proposed that a future change be made to include "certain prohibitive practices" of dogs not presently covered by the ordinance.

Councilman Scott outlined a situation where a number of dogs come over from the County to serenade on San Francisco Boulevard at late hours, thereby disturbing the sleep of many residents, and he recommended that this be treated as an emergency problem. He suggested that volunteers from the Fire or Police department come out to drug the dogs so that they can be held until such time as the Humane Society can pick them up. Councilman Reed said that the City doesn't want to get into the dog control business. He further pointed out that with the increase in fees and the increase in taxes, all citizens would have to bear the burden of increased taxation and he felt that this was improper. "Taxation without representation," added the City Attorney. We are being "bamboozled" and "swindled," commented Councilman Reed. The City Attorney said that the proper person to follow up on this would be a taxpayer to test the ordinance. Councilman Reed said he would be glad to be the plaintiff.

Councilman Scott moved that the City Administrator be authorized to obtain volunteers to entrap dogs making noise and trouble on San Francisco Boulevard. Councilman Anderson said that such a setup could not be provided for one street only. The motion failed for lack of a second.

Mayor Capurro suggested that the City Attorney write to Mr. Jackson, Administrative Analyst, County of Marin, outlining the City's objections to the increased County tax rate. The City Attorney replied by suggesting that a letter be sent to the County Board of Supervisors, instead, saying that the situation was unfair and illegal; and that unless some remedy were forthcoming some taxpayer would initiate suit to test the ordinance.

M/S Councilmen Ragan-Reed that such a letter be written to the County Board of Supervisors. The motion passed unanimously.

RESOLUTIONS

Pay Schedule ¹²⁵⁷ - M/S Councilmen Ragan-Scott that resolution be adopted setting forth the schedule as presented, effective July 1, 1969. Motion passed unanimously.

Claims and Demands ¹²⁵⁸ - M/S Councilmen Scott-Ragan that the resolution be adopted covering claims and demands (June 1969) as presented. Motion Unanimously passed.

Progress Payment, Project 63 (Change Order No. 1) - M/S Councilmen Scott-Ragan that resolution approving payment as of June 30, 1960, of Change Order No. 1 in the amount of \$221.80, and of \$7,340.03 payment to the contractor, be adopted as requested by the City Administrator. Motion passed unanimously.

CITY ENGINEER AUTHORIZED TO EXECUTE CHANGE ORDERS WITHOUT COUNCIL APPROVAL

The City Administrator requested that approval be granted to the City Engineer to authorize change orders, if kept within the 10% Contingency Fund, without prior approval of Council.

M/S Councilmen Scott-Anderson that such approval be granted. The motion passed unanimously.

Geddes,

MYERS BENEFITS, STATE EMPLOYEES MEDICAL AND HOSPITAL CARE ACT

Resol # 1260

The City Administrator asked approval of a resolution electing to be subject to the Meyers-Geddes, State Employees Medical and Hospital Care Act, as recommended by budget session.

M/S Councilmen Ragan-Scott that approval be granted. The motion passed unanimously.

WALKING BLUE CHIP SIGN

The City Engineer said that an Indian maiden has been walking around the streets of San Anselmo with a sign reading "Ten times Blue Chip Stamps," and asked the City Attorney whether this would be considered a moving or free-standing sign. The City Attorney said that unless there were a law to prevent it, it was undoubtedly permissible. The City Engineer felt that it could perhaps be considered a moving sign.

LANDTBOM PROPERTY

The City Attorney reported that the status of the right-of-way acquisition at Red Hill and Sequoia has reached the point where Mr. Landtbom would apparently prefer to negotiate than have condemnation proceedings initiated.

The meeting adjourned at 11:15 o'clock p.m. until 8:00 o'clock p.m. on Thursday, July 10, 1969.

Respectfully submitted,

Dell Blodgett