

Minutes of the regular meeting of the San Anselmo City Council held April 27, 1971. All present - quorum declared.

OPEN TIME FOR PUBLIC DISCUSSION

Mr. Kaepfel read a letter received from the State Compensation Fund regarding dividend checks totaling over \$16,000 for the effective control of on-the-job injuries. The letter stated the dividends reflect the effectiveness of the administration and the staff in their efforts to reduce work-related injuries and according to the letter, this is an outstanding record. Mayor Anderson expressed gratitude for the good record and stated this should be expressed to the employees.

Mr. Kaepfel also brought up the matter of a letter from the Marin Ecology Center regarding the planned Earth Day II Celebration for Saturday, May 1st. from 9:00 a.m. to 5:00 p.m. at Isabel Cook School. Chief Buchignani stated the Police Department has been alerted about the celebration and will give it full attention. M/S Councilman Stewart-Reed to approve the program planned by the Marin Ecology Center 5/1/71 from 9:00 a.m. to 5:00 p.m. at Isabel Cook School. Passed unanimously

PUBLIC HEARING: Application of David Lewis and Sunny Hills Children's Services to rezone from Single Family Residence District (R-1) to Planned Development (PD) A/P 6-061-26 and a portion of A/P 6-024-04, Sunny Hills Drive (Z-124)

Mr. Leitzell introduced the second application for Planned Development on this property stating the first application was for a lower number of units but did not contain an open area. Mr. James McDonald, Designer, first spoke in reference to the site plan of 70 units - explained the site layout includes 36 two-bedroom units and 34 one-bedroom units. Total site area is 7.26 acres with 3.93 acres for open space. Mr. Philip Merriman, associate with Mr. Lewis in this project, spoke regarding the Planning Commission condition regarding leasing 5% of the units under the Marin Housing Authority for low cost housing. He pointed out that the costs for open space, lowering Sunnyhills Drive and the Sonoma Avenue improvements vs density precludes them from including low-income units in the project stating that 66 renters of the remaining units would end up paying for the four low-income housing units. Councilman Reed felt that the stipulation for the low-income units is improper because it placed the City in the position of imposing rent controls and is an arbitrary use of power. Councilman Stewart asked Mr. Merriman if the low-income units are not acceptable to the developer because of the principle of the whole matter or because of economics and Mr. Merriman Stated it was based primarily on principle. Mr. Perry stated that lo-cost housing is a good idea butbut the overall program is not designed for this particular type of development. Mr. Buresh advised the Council, that, with the application under consideration, any such condition will be unconstitutional and illegal and should not be considered. He further stated it is a form of duress on the property owner on property for which he has paid taxes - a form of legal blackmail. Several people from the audience spoke for and against the low-income apartment requirements. A letter from the League of Women Voters was read in favor of the leased housing condition for granting the proposal. Mayor Anderson directed a question to Mr. Hood, Marin HUD official, asking if the leased housing program can pay a subsidy and was told they could not. Mr. Heinecke, chairman of the Planning Commission, explained the Planning Commission viewpoints in more detail. Councilman Capurro brought out the fact that the traffic being generated on Sonome Avenue, the soil report and proper drainage is very important for this project. He also stated that the council should work on an ordinance regarding the low-cost housing problem after much study. Mr. Stewart observed that the Council is trying to balance one value against another - the units are going to be located near transportation and businesses, it would not introduce traffic into a residential neighborhood, is well designed, builder and designer have good reputations and the best idea is the designation of the open space property. He went on to say that the developer has gone far beyond what is expected of him, and he had hoped the plan would at least provide for two low-cost housing units if four are not possible. Mr. Reed stated that building "d" could be re-located away from the side of the hill since it does not create a view as was originally intended and Mr. McDonald agreed to this. M/S Councilman Reed-Capurro to rezone A/P 6-061-26 (Lot D, Subidivision of the Lands of "Sunny Hills") and a portion of A/P 6-024-04, as shown on the plans submitted with this application, subject to the following conditions:

1. That the location of the buildings as contained on the plan submitted to the Commission and received by the City of San Anselmo on March 30, 1971 be superimposed on an accurate topographic map certified to by a licensed land surveyor or Civil Engineer.

2. That Sunny Hills Drive be re-profiled in accordance with plans satisfactory to the City Engineer in a manner which meets standard engineering criteria for a safe stopping distance of 25 m.p.h.

3. That immediately following the rezoning a subdivision application be submitted which includes an offer of dedication of Sunny Hills Drive from Sonoma to and including the entrance driveway of the development and also including the subdivision and dedication of the Johnson property in accordance with the other provisions of this motion. The dedication of Sunny Hills Drive from Sonoma to and including the entrance driveway of this development may be waived on the concurrence of the City Engineer and the Chief of Police if it is determined that the city's purposes can be accomplished by a written agreement from the owners of said property establishing the city's right to control traffic and pedestrians on the roadway and the sidewalk.

4. Land other than the portion of approximately 110,000 sq. ft. of the Johnson property as shown on the proposal dated March 30, 1971 be dedicated to the City of San Anselmo for open space purposes.

5. The safety plan received by the city of San Anselmo April 6, 1971 entitled Parkside Safety Features, San Anselmo, California prepared by Wagstaff & McDonald on 23 November 1970, be referred to the Traffic Safety Committee and the Parks & Recreation Commission and that reports from these bodies be submitted to the Planning Commission at the same time that the Use Permit Application is submitted by Mr. Lewis.

6. A satisfactory soils and drainage plan shall be submitted and approved with the application for the Use Permit.

7. The Use Permit application shall conform to the standards established by the Design Review Committee for submission to that body.

8. The Planning Commission be empowered to re-locate Building "D" to the area directly adjacent to the central park but that the total number of units remain the same.

9. The fire hydrants and water supply to be approved by the Fire Chief.
Ayes Councilmen: Capurro, Reed, Stewart, Anderson
Abstaining Councilman: Perry

PUBLIC HEARING: Application of Sibanco Stations, et al, to rezone from Neighborhood Apartment District (R-3) to General Commercial District (C-3), A/P 6-081-05, 06, and 07 or 821 - 831 Sir Francis Drake Blvd. (Z-123).

Mr. Buresh stated the request for continuance of this matter came in rather late. M/S Councilman Stewart-Capurro to hold this matter over two weeks at the request of the applicant subject to the applicant paying the costs of re-advertising in the amount of \$20.00 to be paid in advance. Passed unanimously

PARKS AND RECREATION COMMISSION recommendation for HUD application.

Mr. Leitzell read the letter to be sent to HUD M/S Councilman Reed, Stewart that the project list submitted to the Council be sent with the Letter of Intent for Legacy of Parks Fund of the Dept. of Housing & Urban Development. Passed unanimously

RECOMMENDATION FOR BICYCLE RACKS (Mr. E. Farey)

Mr. Farey reported on the locations the committee wanted to try out and the feelings of some of the merchants. Sound Shop (in favor), San Anselmo Hardware (No objections- just so a parking space is not eliminated) Kaufman's (Mr. Kaufman was out of town) Discovery (will not object). The San Anselmo Chamber of Commerce endorsed the idea under a trial period.

M/S Councilman Stewart- Perry that the city authorize placement of three bicycle racks in downtown San Anselmo in locations specified by Mr. Farey and the sum of \$300.00 be appropriated in the General Fund for the construction and installation of said bicycle racks. Passed unanimously

REQUEST FOR USE OF CITY EQUIPMENT AND LABOR, landscaping at 89 Center Blvd.

Mr. Leitzell reported that the area in question is city property for the most part. M/S Councilman Stewart-Reed to authorize the use of such equipment and manpower as required to break up soil and concrete in the general area of and adjacent to the Greyhound terminal on Center Blvd., the work to be done at the discretion of the Director of Public Works. Passed unanimously

APPLICATION FOR ELIGIBILITY UNDER NATIONAL FLOOD INSURANCE ACT held over.

BIDS ON TREE SPRAYING FOR ELM LEAF BEETLE

Mayor Anderson read the following from the Council Action Memo where Staff stated "as of this, neither the staff, the Marin Ecology Center, now the University of California has found a suitable alternative to the pesticide now being used.

M/S Councilman Perry-Capurro to award the bid for elm leaf beetle spraying to Sohner Tree Service in the amount of \$983.00. Passed unanimously

REQUEST FOR CIVIL SERVICE EXAMINATION, POLICE OFFICER

M/S Councilman Reed-Perry to pass Resolution No. 1343 calling examination for eligible list for the position of Police Officer in the classified service of the City of San Anselmo, as provided for in Ordinance No. 244 of the City of San Anselmo. Passed unanimously

HUMAN RIGHTS MINI-BOARD, set length of terms, etc.

M/S Councilman Stewart -Reed that the term of office for the Mini-Board be set for one year term and if a member misses three consecutive meetings without prior excuse, it would be cause for dismissal. The board members is to be notified by the Chairman after missing two meetings. Motion unanimously passed

CRIMINAL JUSTICE COORDINATOR

M/S Councilman Reed - Stewart to support the concept of a Criminal Justice Coordinator. Passed unanimously

CORRECTED PAGE 116

PROPOSED REVISION OF ORDINANCES RELATING TO VEHICLES CORRECTED PAGE 116

Mr. Buresh stated this matter will be presented at the next city council meeting. M/S Councilman Perry-Reed to instruct the City Attorney to prepare an appropriate ordinance revising our Municipal Code to conform with the suggested ordinance after he has consulted with the Police Chief. Passed unanimously

REQUEST FOR OPEN DISCUSSION PERIOD FOR COUNCILMEN (Mr. Stewart)

Councilman Sreewart requested a "Show and Tell Time" to be held about 10:00 p.m. during each council meeting whereby a councilman could bring up anything he wanted to talk about. Councilman Capurro agreed and suggested putting this on the agenda and see how it goes. Councilman Reed and Anderson both favored having bi-monthly sessions for this purpose because it would take too much time away from regular business during City Council meetings. Councilman Perry favored a separate meeting because there would be no time for preparation of a subject for the regular council meeting.

M/S Councilman Reed-Stewart that the City Council try bi-monthly workshop sessions starting after the end of the budget sessions on the Tuesdays other than regular Council meeting for a period of six months entitled "Workshop Session." There will be no agenda and it will be a session to last no longer than two hours wherein the Councilmen can discuss ideas and the public can participate. There will be no formal business transacted. These will not be required meetings for members of the Staff - they can attend at their discretion. Passed unanimously

DISCUSSION OF USE PERMIT, premises known as The Lion's Share

Councilman Perry stated he has received phone calls and heard many complaints from people who are disturbed about the noise, parking problems, minor damage to property and littering as a result of the activities at The Lion's Share. He also heard that the Police Department was tying up a vehicle at night for this establishment. Chief Buchignani statea a vehicle is not tied up at the Lion's Share but they do patrol the area because of the crowds. Last week-end there was a very large crowd at The Lion's Share but the Police Department received no complaints. He feels nothing should be done for the next couple of months and the Council will be contacted if any changes should be made.

APPOINTMENT TO STREETS AND TRAFFIC COMMITTEE

No volunteer available at this time and it was announced that citizens are encouraged to apply.

SETTING DATE FOR REPORT FROM CITIZENS COMMITTEE ON ZONING

All Councilmen agreed that Dr. Lee, Chairman of the Committee, should turn in a preliminary report at the May 25th City Council meeting.

MAYOR'S REPORT ON CAPITAL IMPROVEMENTS PROGRAM CORRECTED PAGE 116

Mayor Anderson handed out a report to each of the Councilmen. This was in regard to the Isabel Cook School site and the City Hall area. No action taken. The item is to be placed on the next agenda.

MATTER OF PUBLICATION OF NAMES AND ADDRESSES of persons whose homes are burglarized.
A motion by Councilman Reed died for lack of a second.

CLAIM, Larsen VS City of San Anselmo
Item to be placed on the next agenda.

REMOVAL OF REAR STAIRWAY ,Robson-Harrington
Councilman Reed opposed the removal of the rear stairway because it is the only way out for anyone on the second floor if the main stairs were blocked by fire. Fire Chief, Frank Sousa stated it is better to keep the old rear stairway in than not have anything at all.
M/S Councilman Capurro-Reed not to remove the rear stairway at Robson-Harrington House. Passed unanimously

RECOMMENDATION FROM PARKS & RECREATION COMMISSION - new truck
M/S Councilman Capurro - Perry to put this over until budget time. Passed unanimously

RESOLUTION No.1339 , Mundialization:
Mr. Norman Leach gave presentation. After lengthy discussion by the councilmen and members of the audience, the following motion was made:
M/S Councilman Reed - Stewart that we support the Resolution for Mundialization as presented in a letter dated April 7, 1971 from Norman Leach, Executive Director of the World Federalist Youth, USA.

Ayes Councilmen: Reed, Stewart, Anderson
Noes Councilmen: Capurro, Perry

RESOLUTION No.1341, Revenue Sharing:
M/S Councilman Reed - Anderson to adopt the resolution as presented by the Californians for Revenue Sharing with the proper insertions made. Passed unanimously

RESOLUTION NO.1342, Golden Gate Bridge, Highway & Transportation District:
M/S Councilman Reed, Capurro that the last part of the resolution read:
That the City of San Anselmo supports continued existence of the Golden Gate Bridge and Highway District to provide for the transportation planning needs of the counties which it serves.

NOW THEREFORE, be it resolved that we request the State Legislature of the State of California to act favorably on this proposal. Passed unanimously

RESOLUTION NO. 1340 - San Quentin prison:
M/S Councilman Reed-Stewart to pass Resolution with following changes:
City of Novato to "City of San Anselmo". Demands changed to Requests in all instances.
Motion passed unanimously

CONSENT AGENDA

Minutes of meeting, April 13, 1971 and April 14, 1971.

ITEM: April 14, 1971 RECOMMENDATION BY PARKS & RECREATION COMMISSION -April 20th be corrected to April 30th.

AMENDMENT TO RESOLUTION No. 1240 - ad: old Item "4" should be changed to read item "3G". M/S Councilman Capurro-Perry to "insert" with Item 4.

M/S Councilman Reed-Stewart to approve the Consent Agenda. Passed unanimously

Meeting adjourned 1:00 A.M.

H. Ragan, Sec.