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Minutes of the regular San Anselmo City Council meeting of January 23, 1973. All members were present.

Mr. Kaepfel added the award of bids on trucks to the Agenda. Councilman Stewart added a letter written by the members of the General Plan Committee. Mr. Kaepfel announced that Item B, APPEAL: PLANNING COMMISSION DECISION RE: U-229 and Var. A/P 6-191-16, 28 Sir Francis Drake Blvd. (Cook) was to be removed from the agenda at the request of attorney, Wallace Meyers.

c Mayor Perry announced that the city offices would be closed on Thursday, January 25, 1973, since this is the day set aside by President Nixon as a national day of mourning for the late Ex-president Lyndon B. Johnson.

BUSINESS

pw a. REQUEST OF KAREN HARVEY-37 Carlson Ct.

Mayor Perry announced he was contacted about Mrs. Harvey's drainage problems and had the item placed on the agenda. He had talked to members of the staff regarding the current status. Mr. Leitzell described the history of the water problems in this area going back to about 1966 when a former property owner had the same problems regarding flooding during periods of heavy rain. Mrs. Harvey states that no one admits owning a drainage pipe which cannot handle the water during storms and something must be done because the water comes very fast and floods her area. Mayor Perry requested Mr. Roth to look into the matter and report his findings to Mr. Leitzell or Mr. Kaepfel.

pl b. APPEAL: PLANNING COMMISSION DECISION RE: U-229 and Var. 514, A/P 6-191-16, 28 Sir Francis Drake (Cook) - Item removed from the agenda of the request of Mr. Wallace Meyers, Attorney.

pl c. APPEAL: PLANNING COMMISSION DENIAL RE: Var. 520, A/P 6-241-48, 56 Lincoln Ave. (Waters)

Mr. Leitzell presented this item. Several neighbors were present, all strongly defending the work that Mr. Waters had done to his property. They stated that the Building Inspector was notified of the progress being made on the property and was invited several times to check the work. It was noted that the granting of the variance was denied by the Planning Commission with a tie vote. Councilmen Capurro and Stewart spoke of the tremendous improvement of the property by Mr. Waters. Councilman Anderson stated he would vote in favor of the appeal. Mayor Perry stated he would go along with the structure noting that it provided a screening for Lincoln Park from the commercial area across the creek and further stated that it did not bother him that the construction goes to within four feet of the rear property line. M/S Stewart, Capurro, in the matter of William Waters, Owner of 56 Lincoln Avenue (A/P 6-241-48) to grant a 16 ft. Variance in the rear yard set-back and a 12 ft. Variance in the side yard set-back in order to complete construction of a carport and tool shop & breezeway inasmuch as the denial of the variance causes results inconsistent with the intent of the ordinance. Passed unanimously.

h d. PROPOSAL FOR A CONTRACT WITH THE COUNTY OF MARIN FOR HEALTH SERVICES

m Mr. Kaepfel has talked to Mr. Desmond, Director of Division of Environmental Control of the County Department of Health Services, who said he would be glad to attend the next City Council meeting regarding this subject. The agreement will be referred to the City Attorney for study and the item will be on the next City Council agenda.

c Added item: Councilman Stewart presented a letter from the General Plan Committee regarding a recent announcement by the Secretary of Housing and Urban Development that virtually all new federal housing assistance money, as well as funds designated for water and sewer improvements, public facility loans, and open space acquisition has been halted.

M/S Stewart, Blinder to adopt a Resolution embodying the views in the first two paragraphs of the letter from the General Plan Committee dated January 18, 1973 and forward it to President Nixon, the Secretary of Housing and Urban Development, Senator Cranston, Senator Tunney and Congressman Mailliard. Passed unanimously. (Res. No. 1442)

pw Added item: M/S Capurro, Blinder that the bid for the 1/2 Ton and 3/4 Ton pick-up trucks be awarded to Stan Wisnes, Pontiac-GMC-Honda dealer at 4th. & "E" Streets, San Rafael, for a total of \$6,272.00. Passed unanimously.

i g. FLOOD AND MUDSLIDE INSURANCE

Item to be placed on the next agenda. Old minutes and all information from previous council meetings will be forwarded to members of the Council.

p e. USES AND POLICIES RELATING TO R-H PARK

Mr. Capurro had this item placed on the agenda because he is concerned about the operation of Robson-Harrington Park as to the areas of responsibilities and involvement of Gary Howell, Mr. Kaepfel, Parks & Recreation Commission and Robson-Harrington Association, adding that as far as the renting of the property is concerned, he has had no information. He stated the Council is responsible and he wants to know what is going on at the park, wants closer supervision and also wants to know who has the authority to sell any items at the park, adding that anything sold from the property

should be listed by bid. Gary Howell reported that as far as the selling of some of the property at Robson-Harrington Park, this was the result of his department trying to clean the basement of the Carriage House and wanting to sell the junk that was collected. He added that Mr. Kaepfel advised him he could not do this-- consequently the items are being stored. Councilman Blinder said the trust restrictions are brief and specific and those are the only ones we should have--that the city should refrain from getting in the position of policing events at the park unless the Trust requires it. Mr. Roth stated there are some questions about the use of the property and went on to say there were three possible ways to handle the situation--one, is to go back and forth and ask for specific instructions for certain questions to the Probate Judge,--two, operate as if the attorney for the Trust is the supervisor and do what he says or--three, the Council do what they want to do and see what happens. Councilman Perry asked if it would make sense to draft up a list of specific questions from the department heads and submit them to Mr. Roth and get a commitment from the attorney, and Mr. Roth said this would be the legal way of handling the problem. Mayor Perry asked Mr. Howell to confer with the appropriate people and draft a number of questionable uses of policy decisions and ask Mr. Kaepfel to go over them before submitting the items to Mr. Roth. Mrs. Frauns asked about selling items belonging to the city and inquired about the inventory list. Mr. Kaepfel informed her there was not a listing of little things but the large items are on the inventory sheet in the office and she can look it over. He further stated that if there is anything to be sold, he should be notified.

At this point, Mayor Perry had to leave the meeting and Vice Mayor Stewart conducted for the remainder of the evening.

h. STREET PROJECTS:

1. Drake signalization, TOPICS Pr. #1: Mr. Leitzell presented this item, working from the map and stated there were many advantages to the project from a safety standpoint. However, since there was no co-operation from the school district, the city cannot proceed with the project. The design for the project had to be completed by February 1, 1973. Consequently, the project will be as originally planned by changing the control at the intersections, signalizing the High School area and leaving the signals where they are. Councilman Anderson stated it should be made clear this was brought up by the Streets & Traffic Committee originally and that it should be on the record that the people who are most concerned do not want traffic lights at the intersections.

M/S Blinder, Capurro to confirm the engineer's decision to stop final design on the Alternate Design for TOPICS Project No. 1 and to submit the original project for State and Federal approval. Passed unanimously.

2. Safety markers, TOPICS Pr. #2: This item is for the installation of raised buttons and reflectors on major highways (Sir Francis Drake Blvd., Red Hill Ave., Butterfield Rd. and Center Blvd.) He read the two appropriate Resolutions necessary for this project.

M/S Anderson, Blinder to pass Resolutions, No. 1438, DECLARING INTENT TO ASSIGN TOPICS ALLOCATIONS TO COUNTY OF MARIN and No. 1439 DECLARING INTENT TO COMMIT CITY MATCHING as read. Passed unanimously.

3. Requesting Urban Thoroughfare Funds, Phase II, Sequoia Drive signals, property acquisition: Mr. Capurro expressed his concern about the streets being dug up for the installation of utility poles after the city's work is all done. Mr. Leitzell stated that a pole may have to be moved over but hoped that the next underground project will extend through Greenfield Avenue.

M/S Capurro, Blinder to pass Resolution No. 1437 requesting County Urban Thoroughfare funds for the second phase improvement to the Greenfield-Red Hill Avenue-Sequoia Avenue intersection. Passed unanimously.

i. APPOINTMENT OF JUNIOR LIBRARIAN

M/S Anderson, Capurro to appoint Faith Merian to the position of Junior Librarian, Range 27, Step E, at \$682.00 effective 2/1/73. Passed unanimously

j. AWARD OF BID FOR CARPETING, FIRE STATION NO. 1

Mr. Kaepfel state this item was put over from the last meeting since there was some question as to whether or not this was in the budget. He reported that it is in the budget listed under Account No. 432-23 in the amount of \$1,100.00

M/S Anderson, Blinder to award the contract to install carpet in the Fire Department Dormitory, Captains' Room, Locker Rooms, Day Roo, Watch Room and Chief's office as specified in the top part of the quotation dated December 28, 1972 from Rafael Carpets in an amount not to exceed \$1,100.00. Passed unanimously.

k. PROPOSAL FOR A BIMONTHLY NEWSLETTER (Dr. Blinder)

Councilman Blinder wanted to propose to the City Council about having a newsletter showing their accomplishments and also list what might be coming up before them in the future. He felt it would increase people's interest and maybe increase attendance to the City Council meetings. In general, the members of the City Council were in favor of the idea. Mr. Kaepfel reported that Peter Edwards of the Ross Valley Reporter stated an arrangement could be made to use an information sheet as a stuffer in his newspaper when it is delivered.

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Mr. Roth warned the City Council that this could present some problems and it must be done carefully. Councilman Stewart asked Mr. Roth to give the Council some advice regarding the matter at the next City Council meeting as to what the Council can and cannot do.

f. AGREEMENT WITH SCHOOL DISTRICT FOR TENNIS COURTS

After lengthy discussion between Mr. Frank Elliott, Superintendent of San Anselmo School District, the City Council and the City Attorney, it was agreed that Mr. Elliott would convey the ideas presented at this meeting to the school board and work with the City Attorney for alternatives and solutions and then return with the material at the next City Council meeting of February 13, 1973, if possible.

l. PROPOSAL FOR PURCHASE OF TOMPKINS PROPERTY (Dr. Blinder)

Councilman Blinder reported that this property included the oldest house in San Anselmo (built in 1856) covering about three acres and was thinking in terms of consideration by the Open Space Element to the General Plan. After lengthy discussion, this matter was turned over to the General Plan Committee.

m. LETTER FROM CITY OF BALDWIN PARK

At the recommendation of the City Attorney, no action was taken.

n. REPORT ON COST OF AERIAL SURVEY (Dr. Blinder)

Mr. Ragan offered to look into the matter of obtaining the use of a helicopter from The Presidio of San Francisco for the aerial survey which should be a lot cheaper than renting one through a regular agency.

o. RESOLUTIONS

- 1. Accepting deed for five parcels of tax-deeded land: M/S Anderson, Capurro to pass Resolution No. 1436. Passed unanimously.
- 2. Setting fee for filing parcel maps: Turned over to the City Attorney for preparation of Resolution.
- 3. Setting filing fee for municipal elections: 1st. reading. (City Attorney prepared this item as an ordinance instead of a Resolution. (Ord. No. 643) Read by title. M/S Blinder, Anderson to waive further reading. Passed unanimously.

p. ORDINANCES:

- 1. Rezoning portion of A/P 5-231-17, 1249 Sir Francis Drake, from R-3 to R-1, 1st. reading: Mr. Kaepfel read by title only-1st. reading. (Chiapari) (Ord. 644)
 - 2. Rezoning certain lots in A/P 5-224-16 and 17, 1330 Sir Francis Drake, from R-1 to Preliminary Planned Development (R-1 and R-3): Mr. Kaepfel read ordinance by title only. 1st. reading (Cordone) (Ord. 645)
 - 3. Calling and ordering special bond election and providing for the giving of notice thereof (second reading): M/S Anderson, Blinder to waive further reading. Passed unanimously.
- M/S Capurro, Blinder to approve the passage of Ordinance No. 642. Passed unanimously.

CONSENT AGENDA:

- 1. Minutes of January 9, 1973. M/S Blinder, Anderson to approve consent agenda with following corrections. Passed unanimously.
- Item h-EASEMENT AND INDEMNITY, FOUR KAYS: Councilman Anderson abstained.
- Item j- APPOINTMENTS-PLANNING COMMISSION: Mr. Harley was not nominated.

Meeting adjourned at 11:20 P.M.

Helen Ragan, City Clerk