

Minutes of the regular meeting of San Anselmo City Council of July 31, 1973. All members present, Councilman Blinder arriving at 8:05 P.M.

OPEN TIME FOR PUBLIC DISCUSSION

Dr. Norman Carrigg addressed Council re San Anselmo Police Department participation in drug raid on an Oak Springs Drive residence. He felt it was dangerous, from the standpoint of civil liberties, to conduct a search without proper warrant. Mayor Stewart stated that Dr. Carrigg's letter to the Council had arrived late on Monday, leaving insufficient time for all Councilmen to study the matter and he asked that each Councilman pursue his own investigation. The City Attorney gave a report of his investigation of the matter up to meeting time and stated that Judge Baty had stated he had no complaint of San Anselmo Police Department.

Mrs. T. J. Donnelly addressed Council re appearance of older residential areas of City, particularly sidewalk areas and Robson Park, requesting that some action be instigated. Mayor Stewart stated that money has been appropriated in new budget for improvements at Robson Park.

Pieter Toal inquired of the status of proposal for campaign fund limitation ordinance and was informed it was anticipated it would appear on the agenda for next regular meeting of August 14, 1973.

BUSINESS

a. INTERVIEW WITH CONSULTANT FOR SERVICES AS ADVANCED PLANNER

George S. Gatter addressed Council re his qualifications for assisting in preparation of new General Plan and upon conclusion of interview, Council requested that Mr. Gatter and Mr. Martin (interviewed previously) submit proposals setting forth cost, time schedule, etc.

PUBLIC HEARINGS AND APPEALS

b. APPEAL BY MRS. EDNA MAGGI OF VARIANCE 545, REARYARD DECK AT 189 OAK SPRINGS

M/S Perry, Anderson with respect to the appeal of Edna Maggi on Variance No. 545 that the appeal be denied. Passed unanimously.

c. APPEAL BY CELLE CONSTRUCTION CO. OF DENIAL OF USE PERMITS U-242 THRU U-249 OAK SPRINGS (- Kissman)

M/S Perry, Capurro to grant approval of use permits to be issued to Kurt Kissman specified in Planning Commission action memo, dated July 16, 1973.

M/S Perry, Blinder to table previous motion until next meeting of August 14 and in the interim request City Attorney to get a report on rezoning the 8 lots. Passed unanimously.

d. REVIEW OF PROGRESS, ABATEMENT OF PUBLIC NUISANCE AT 89 ANGELA AVENUE

M/S Perry, Anderson to grant an extension of the action called for by Resolution No. 1469 until next regular meeting on August 14, 1973. Passed unanimously. (Res. 1469)

e. REQUESTS BY CHAMBER OF COMMERCE FOR COUNTRY FAIR DAYS

M/S Capurro, Anderson to grant request of San Anselmo Chamber of Commerce as set forth in their letter of July 6, 1973, with the exception of Item 1 in third paragraph relating to no parking on Bolinas Avenue. Passed unanimously.

City Administrator requested that any participants in Country Fair Days from outside San Anselmo be required to obtain a City group business license, under omnibus category of the Municipal Code Business License Section.

f. REQUEST BY CITY ATTORNEY RE PROVISIONS OF MUNICIPAL CODE PROHIBITING PALMISTRY

M/S Anderson, Blinder to remove Sect. 4-4.01 and 4-4.02 from Municipal Code as being of dubious legality and that City Attorney be instructed to prepare an ordinance to effect this repeal. Roll call vote, as follows:

AYES: Councilmen Blinder, Perry, Stewart, Anderson
NOES: Councilman Capurro

g. CITIZENS' COMMITTEE FOR GENERAL PLAN:

1. ADOPTION OF GOALS, CIRCULATION ELEMENT

M/S Perry, Blinder to adopt goals for the proposed Circulation Element. Passed unanimously.

2. ADOPTION OF CONSERVATION PLANNING APPROACH

Mayor Stewart, after discussion of Conservation Planning Approach, requested that Chairman Toal go back to Committee and report Council had no objection on approach but did not feel it appropriate to take formal action.

3. ADOPTION OF GOALS, CONSERVATION ELEMENT

M/S Blinder, Anderson to adopt General Plan Conservation Element goals. Passed unanimously.

h. REQUEST FOR SUPPORT OF AB 920, PARK & OPEN SPACE ACQUISITION

M/S Anderson, Capurro to request City Administrator to write letters of endorsement to appropriate legislators. Passed unanimously.

Councilman Anderson spoke regarding method of reminding residents to assist in proper maintenance of sidewalk areas. After discussion it was decided this might be included in Council's "Newsletter" which is distributed with Ross Valley Reporter and Councilman Blinder agreed to this suggestion.

i. REQUEST BY PLANNING COMMISSION TO BOARD OF SUPERVISORS TO BRING LAND USE ELEMENT OF COUNTYWIDE PLAN INTO CONFORMITY WITH TRANSPORTATION ELEMENT

M/S Anderson, Perry to send same or similar letter to Board of Supervisors from City Council. Passed unanimously.

j. APPOINTMENTS TO BOARDS & COMMISSIONS:

1. SCHOOL DISTRICT RECOMMENDATION FOR MEMBER OF PARKS & RECREATION COMMISSION

M/S Perry, Capurro to accept nomination of San Anselmo School District of Virginia Schweiger as new member of Parks & Recreation Commission. Passed unanimously.

2. NOMINATIONS FOR PLANNING COMMISSION, TERM TO 8/18/77

Councilman Perry nominated Incumbent Biesheuvel to new term on Planning Commission. To be voted on at next regular meeting August 14.

k. CAPITAL IMPROVEMENTS PROGRAM: ACQUISITION OF A/P 7-213-23

M/S Capurro, Anderson that City acquire A/P 7-213-23 with funds to come from Revenue Sharing monies.

M/S Perry, Capurro to modify that motion in the first words to direct City Attorney to proceed towards negotiations for the acquisition of property. Both motions passed unanimously.

l. PROPOSED AGREEMENT, STORM SEWER RIGHT-OF-WAY

M/S Perry, Capurro to approve agreement and authorize Mayor to execute it on behalf of City. Passed unanimous.

Attorney Bianchi, representing San Anselmo Shopping Center, wished their intention noted in minutes that they are not seeking approval of construction of retail building at this time and that redrafting of Paragraph 1. of agreement was done to clarify this intention.

m. RECOMMENDATION OF CIVIL SERVICE BOARD OF REVIEW FOR CHANGE IN RULES & REGULATIONS

After discussion, put over to next regular meeting of August 14. Staff to prepare reworded rule.

n. ADMINISTRATOR'S REQUEST FOR INSTRUCTIONS ON THE 1973-74 BUDGET

City Administrator reported on interpretation of SB 90 - impact on tax rate. Determined at meeting in Sacramento at State Finance Office that last year's tax of \$2.35 should be the maximum, plus that portion applicable to retirement. It was felt appropriate to resume budget sessions. Council set final budget session for August 7, 1973 at 7:30 P.M.

o. APPROVAL OF ANNUAL AGREEMENT WITH MARIN SENIOR COORDINATING COUNCIL

M/S Capurro, Blinder that Mayor be authorized to sign agreement. Passed unanimously.

p. ORDINANCE AMENDING CONTRACT WITH PUBLIC EMPLOYEES' RETIREMENT SYSTEM (2nd reading)

M/S Perry, Capurro that further readings be waived. Passed unanimously.

M/S Perry, Blinder that ordinance amending contract with Public Employees' Retirement System be passed. Passed unanimously. (Ord. 651)

q. CONSENT AGENDA:

1. APPROPRIATION FOR 1972-73 ENCUMBRANCES BROUGHT FORWARD
2. CHANGE FROM EEA POSITION TO REGULAR STAFF, PUBLIC WORKS STENO-CLERK
3. PROMULGATION OF ELIGIBLE LIST, FIRE CAPTAIN
4. APPOINTMENT OF FIRE CAPTAIN
5. MINUTES OF JULY 10, 1973

M/S Perry, Blinder to accept Consent Agenda as presented. Passed unanimously.

ADDED ITEMS:

Councilman Perry had received a letter from Mr. Skinner regarding the Litt fence that he felt should be brought to the attention of the Council. City Attorney reported he had sent proposed encroachment agreement to Boudette, Litt's attorney, for execution. Councilman Perry requested that Litt fence matter be placed on agenda for next regular meeting of August 14 and Council agreed.

EBB277

Regular City Council Meeting
July 31, 1973

Councilman Perry also brought up matter of Survival, Inc.'s failure to keep their area of Corporation Yard in proper condition and neglecting to lock gates on several occasions. Mayor Stewart reported that area has now been policed and is in proper condition.

City Administrator asked, with reference to the \$1,000.00 item in the 1973-74 budget, whether or not some written agreement might be necessary between Survival and City regarding responsibilities on both sides. City Attorney to work on this matter.

Council Blinder requested that Council be prepared with input for campaign fund limitation ordinance at the next regular meeting and Council agreed.

Meeting adjourned at 11:25 P.M.

Virginia Fogerty
Acting City Clerk

EEB277

Minutes of special City Council meeting of August 7, 1973 - all members present. A final budget review was conducted with no changes being made. Motion was made by Councilman Anderson and seconded by Councilman Perry to instruct the City Administrator to finalize the budget on the basis of the hearings. Passed unanimously.

A motion was made by Councilman Perry and seconded by Councilman Capurro to approve Resolution No. 1473, Resolution of Intention to Approve an amendment to contract between the Board of Administration of the Public Employees' Retirement System and the City Council of the City of San Anselmo. Passed unanimously.

A. C. Kaepfel
Administrator-Controller