

Minutes of regular meeting of the San Anselmo City Council of June 11, 1974.

Present: Councilmen Anderson, Capurro, Toal, Blinder  
Absent: Councilman Colteaux

The following changes and additions to the agenda were made:

Item M-6 - Progress payment on the remodeling of the upstairs of Robson House

Item N-3 - Consent Agenda - Final appropriation adjustment for the year

OPEN TIME FOR PUBLIC DISCUSSION

Sara Nome suggested that a Citizens Committee be appointed to participate in the screening of applicants for the position of City Administrator. She feels that the job description for the position is obsolete and does not call for qualifications required to deal with City problems in current time. She feels that the citizens of San Anselmo should have a voice in the final decision. Mayor Blinder advised her that this suggestion would be considered by the Council, and if one of the Councilmen wishes, it will be on the agenda for the next meeting.

Mrs. Syble Peoples complained to the Council of harrassment directed at her by the San Anselmo Police Department. Mayor Blinder will investigate her complaints.

BUSINESS

a. REPORT ON THE GENERAL PLAN (Planning Commission Chairman)

Cynthia Barrows, Chairman of the Planning Commission, reported that the Planning Commission held a second session last night on the Circulation Element presented by the Citizens Committee. It remains to put this in final form, but they need additional information. They will continue study sessions, but feel that they will need professional help to proceed with any final form of plan. Request Council to advise as soon as possible what the next step will be in view of Mr. Gatter's removal. Mr. Kaeppl stated that consideration was being given as to whether to finalize the plan with in-house personnel, or hire another consultant. This question is tied in with the budget and will be included in an executive session of Council. However, Councilman Capurro requested that an item regarding the planning consultant be placed on the next agenda.

At this point, the Mayor recognized Mr. Brian Pierce who asked if the question of competitive bidding would be considered when the Garbage Ordinance comes up in August or September. He stated that Councilman Toal in a letter to him advised that he was in favor. Mayor Blinder stated that it was his opinion that a majority of the Council did not consider competitive bidding in this instance would be helpful.

b. REQUEST FOR RATE INCREASE, YELLOW CAB COMPANY

Mr. Robert Jennings, owner of the Yellow Cab Company, stated that rates had not increased since 1971 whereas operating costs have increased steadily since that date.

M/S Anderson, Capurro approve change in rate charges to: 70 cents first 1/7 mile, 10 cents each additional 1/7 mile, to be effective when other cities act. Passed unanimously.

c. PETITION TO RESTRICT ACCESS TO HIGH SCHOOL VIA FERN LANE

A letter from Bill Sachs, a resident of Fern Lane, was read and several residents of and visitors to the area appeared, complaining of property damage, garbage litter and unpleasant and hazardous situations created by the conduct of students at Sir Francis Drake High School on Fern Lane. Councilman Toal stated that he had met with the Principal of the High School and asked him to come to the meeting. The Principal told him he was aware of the situation and very concerned about it, but would not be able to attend the meeting. He is considering closing the exits to Fern Lane. He will post a teacher in the area during the early morning hours and afternoon hours and hopes to be able to get assistance from the City in policing the area. He will take this up with the Administrator. Councilman Capurro suggested that since the current school session is almost over, this matter should be placed on the agenda for the second meeting in October, at which time a report will be made on the situation existing in the early weeks of the new school session. Council unanimously agreed.

d. COMPLAINT AGAINST "STOP & GO MARKET", SAN ANSELMO AT SAN RAFAEL AVENUE (REIS)

Complaints by Mr. and Mrs. Gerald Reis and other residents of the area were made concerning trash and debris constituting a fire and safety hazard, traffic and noise problems and the unsightly condition of the premises. Austin Thomas, manager of the Market as of June 1st, appeared and stated that he was very aware of the problems

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and was exerting efforts to correct them. He has authority from the owner-corporation to proceed with landscaping. He has requested the Police Department to patrol the parking lot and concerted efforts are being made to keep the premises free of debris. A suggestion was made that hours should be limited to 7 - 11. Councilman Capurro suggested that Mr. Leitzell research the original zoning change to see if there were any restrictions placed on hours of operation. Council agreed that the matter be put over for four weeks for researching original application and to give the new manager an opportunity to correct the situation. Mayor Blinder requested the City Attorney to explore legal vehicles open to the City in situations of this type.

pl e. APPEAL FROM DENIAL BY PLANNING COMMISSION, U-348, APPLICATION TO CONSTRUCT DWELLING ON A/P 6-212-03, GREENFIELD AVE. (GERVANG)

M/S Capurro, Toal to deny the appeal by Mr. Gervang of the Planning Commission's action on U-348. Passed unanimously. The applicant was told that this item can be resubmitted in October after moratorium expires.

pl f. APPEAL FROM DENIAL BY PLANNING COMMISSION, VAR.-577, SIDEYARD VARIANCE 54 RUTHERFORD AVE. (JAMES F. BARRETT)

M/S Toal, Capurro to grant the appeal by Mr. Barrett of the Planning Commission's action on Var-577 on the grounds that impracticalities are involved in carrying out the property owner's lawful execution of his property rights and that the execution of the property rights would not be possible without undue hardship unless a variance is granted.

AYES: Councilmen Blinder, Toal, Capurro

NOES: Councilman Anderson

Councilman Anderson stated that he was in favor of maintaining set-backs. However, in this instance in order to preserve trees and shrubbery, he would be willing to vote for a 2' variance, but would not approve the 4' requested.

pl g. APPEAL FROM DENIAL BY PLANNING COMMISSION, U-349 and VAR-574, CONSTRUCT DWELLING AT 222 BUTTERFIELD ROAD (A/P 5-052-44) (McKinney)

M/S Toal, Anderson to deny the appeal of Mrs. McKinney of the Planning Commission's action on U-349 and Var-574 on the basis of possible conflict with creek conservation considerations of the future General Plan. Passed unanimously. Applicant was told that this matter can be considered again in October when the situation concerning creek conservation has been resolved.

f h. PERMISSION TO SELL 1937 SEAGRAVE FIRE ENGINE

M/S Anderson, Toal to give the Fire Chief permission to sell the 1937 Seagrave Fire Engine by inviting sealed bids. Passed unanimously

i. PUBLIC WORKS DEPARTMENT ITEMS

pw 1. Plans and specifications, Sais Ave. footbridge

M/S Anderson, Toal to put this matter over until budget hearing. Passed unanimously

c(Cap. Imp.) 2. Proposal for site planning, Wagstaff & McDonald

M/S Anderson, Capurro to authorize the Mayor to enter into an agreement with Wagstaff and McDonald for site planning studies in accordance with their proposal letter of 30 May 1974. Passed unanimously

3. Request for funds for weed removal

pw M/S Toal, Capurro to authorize the Public Works Department to spend up to \$500.00 to cut and remove weed growth on the Miracle Mile and Center Boulevard island areas. Passed unanimously.

pw 4. Temporary employee, Street Department

M/S Toal, Anderson to authorize the Public Works Department to hire a temporary maintenanceman to replace Edward Fischer during the period of his illness. Passed unanimously.

ADDED ITEM - SETTLEMENT OF CLAIM OF GEORGE GATTER

c City Attorney Roth stated that Mr. George Gatter had made a demand for work accomplished under his contract with the City of \$19,600.00. He has been paid to date \$12,401. An offer was made on behalf of the City to settle the matter for a total of \$15,550.00, or an additional \$3,149.00, which offer has been accepted by Mr. Gatter.

M/S Anderson, Capurro to approve the settlement with Mr. Gatter and to authorize the City Administrator to draw a check for the sum mentioned upon receipt of the proper releases from Mr. Gatter.

AYES: Blinder, Anderson, Capurro  
NOES: Toal

Mr. Roth suggested that the record should show that Mr. Gatter thought he had completed the work for which he was contracted, but the Council did not agree.

j. APPOINTMENT OF SCHOOL DISTRICT REPRESENTATIVE, PARKS & RECREATION COMMISSION (TERM to 7/15/78)

M/S Anderson, Toal to reappoint Mr. Tom Peacock as the San Anselmo School District's nominee to the Parks and Recreation Commission for a term to expire 7/15/78. Passed unanimously.

k. ABAG COMMENT REQUESTS

1. Community Mental Health Centers (HEW)
2. Capacity Building Partnership Grants (HEW)

No Action Taken

1.-1 RESOLUTION ACCEPTING DEED TO A/P 7-012-38 and 7-093-04

M/S Anderson, Capurro to pass Resolution No. 1520 accepting deed to real property being Parcel No. 7-093-04-Sale 02160 of 1966 and Parcel No. 7-012-38-Sale 03300 of 1967. Passed unanimously.

1.-2 RESOLUTION AUTHORIZING MAYOR TO EXECUTE GRANT DEED FOR TRANSFER OF PROPERTY TO TED SMITH

M/S Capurro, Toal to pass Resolution No. 1521 authorizing conveyance of real property on the condition that the deed will be corrected to indicate that tax statements and the deed will be mailed to Ted Smith instead of the City of San Anselmo and that the deed from Ted Smith to the City of San Anselmo will be executed, notarized and delivered to the City. Passed unanimously.

1.-3 RESOLUTION ACCEPTING GRANT DEED FOR TRANSFER OF PROPERTY FROM TED SMITH

M/S Toal, Capurro to pass Resolution No. 1522 accepting real property. Passed unanimously.

m. PROGRESS PAYMENTS

M/S Anderson, Capurro to make progress payments indicated and appropriated for the following:

1. Creek Park - \$47,453.85
2. Project 66 (signals) - 1,545.66
4. Project 77 (street overlays) - \$901.15
5. Storm damage repair - \$13,427.54
6. (added item) Remodeling of upstairs of Robson House - \$4,170.60

Passed unanimously

3. Acceptance of Project 66 M/S Toal, Capurro to accept work on Gas Tax Project 66 TOPICS Project No. 1 subject to the conditions outlined in the letter to Leonardi Electric Construction Co. dated May 14, 1974 and to make the final payment in accordance with the terms of the contract. Passed unanimously

n. CONSENT AGENDA

M/S Anderson, Capurro to approve Consent Agenda. Passed unanimously

1. Approval of minutes of May 28, 1974 meeting
2. Approval of Claims & Demands (Resolution No. 1519)
3. (Added item) Final appropriation adjustment to authorize transfers from reserve accounts for individual accounts and amounts as listed below:

<u>-Account</u>	<u>Items</u>	<u>Amounts</u>
421-19	Xerox rental (extremely heavy use in connection with General Plan revision)	\$ 2,400.00
30	Stationery and office supplies (paper purchases, multi-year form purchases)	1,500.00
46	Appraisal of A/P 7-213-23	450.00
430-11(a)	Police - gasoline	2,750.00
11(c)	" vehicle parts and repairs	2,200.00
432-11(a)	Fire - gasoline	400.00
11(c)	" vehicle parts & repairs	900.00
20	" Civil Service exams	525.00
441-20	Engineering - Civil Service exams	200.00
442-20(b)	Reimbursable street work	575.00
447-11	Building Dept. - vehicle overhaul	350.00

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<u>Account</u>	<u>Items</u>	<u>Amount</u>
447-20	Building Dept. - demolish 24 Timothy	2,700.00
449-20	Creek Park - design	600.00
45	" " construction (gas tax funds)	21,037.00
481-46	Faude' Park - appraisal	323.00
53	" " taxes	1,370.00
482-44	Robson House, remodel (architect fee - to be derived from Fed. Rev. Sharing)	750.00

Meeting adjourned at 11:10 P.M. to executive session with City's negotiators on June 17th.

Libby Hanson  
Libby Hanson, Secretary