

Minutes of the regular San Anselmo City Council meeting of April 13, 1971
 All present - quorum declared

ELECTION OF MAYOR AND VICE MAYOR

M/S Councilman Capurro-Stewart for the nomination of Councilman Anderson for Mayor. M/S Councilman Perry-Stewart to close the nominations.
 Motion passed on following vote:

Ayes Councilmen Perry, Stewart, Capurro, Reed
 Abstaining Councilman Anderson

Mayor Anderson occupied the Mayor's chair and thanked Councilman Reed for his hard work during his term of office as Mayor, pointing out that the Mayor has spent more time working for the city of San Anselmo than for any other project.

Councilman Stewart nominated Councilman Perry for Vice Mayor. Councilman Reed moved the nominations be closed. Mayor Anderson called for the vote for Councilman Perry for Vice Mayor. Passed unanimously

OPEN TIME FOR PUBLIC DISCUSSION

Ross Perry, President, Redhill School Student Body, asked if the city would be interested in helping his group with the collection of debris in creek and planting areas around San Anselmo such as providing debris bags. They plan on handling the material on a recycling basis. This is tentatively planned for May 22nd. Mayor Anderson stated the city will be happy to cooperate and Ross Perry should work out details with Mr. Letizell. Mr. DeVore requested permission to have signs at the entrances to San Anselmo pertaining to the San Anselmo Town Meeting. He was instructed to contact the Chief of Police regarding this matter. Mr. Husband, of the Parks and Recreation Commission, brought up the matter of a letter of intent to file for federal assistance for park projects. He was asked not to go into this matter since it was on the agenda for the adjourned meeting the next night, April 14, 1971.

APPLICATION FOR USE PERMIT, U-183, Brunal and Mitchell

Mr. Leitzell read the motion for denial by the Planning Commission which was based on the lack of off-street parking and the traffic problems which would be aggravated if such a business is allowed on this particular site. Mr. Shapire and Mr. Silberstein represented the applicants. They described a parking plan which included permission for five spaces at a nearby service station, and also stated that there would be no take-out food service and this item was taken out of their application. Mr. Heinecke, Chairman of the Planning Commission stated that the commission, in viewing the item, was concerned with the parking situation and further stated this is already a tight area with regard to traffic problems on Redhill. The Chief of Police stated the Police Department could not enforce the law in regard to parking in the reserve area at the service station since this is on private property. Mr. Ragan, Planning Commissioner, brought out the fact that the commission was only concerned with parking and safety - that there could be serious problems in having cars backing out on a busy street. Councilman Reed stated he found the actions of the Planning Commission proper and would uphold them. Councilman Stewart stated he was interested in the legal question as to what the beer and wine have to do with the application being denied. Mr. Heineck felt that establishing another restaurant in the area dispensing alcoholic beverages is undesirable. He brought out that the reason for having Use Permits is the recognition there may be uses which can be applied in certain zones but not in all parts of the zone. Primary consideration is the safety and welfare of San Anselmo. If there were no other restaurants in the area serving alcoholic beverages, there would be no great concern but San Anselmo already has a bad situation traffic-wise and it is not unfair to the applicant to prevent him from compounding the problem. Councilman Capurro stated there are definitely two problems - traffic and off-street parking - unfortunately this property is located in an island - and he would go along with the Planning Commission. Councilman Perry said that the grounds for denial were appropriate because of the interest of public safety and welfare. The Chief of Police stated it is a bad situation and the problems have increased because of the Lions Share across the street.

M/S Councilman Reed-Perry that in regard to the application for Use Permit, U-183, Brunal and Mitchell, the decision of the Planning Commission be upheld and the appeal be denied.

Motion passed on following vote: Ayes Councilmen: Perry, Capurro, Reed, Anderson
 Noes Councilman: Stewart

VARIANCE 444, application of Andrew Stafford for 10' variance

Mr. Leitzell described the matter from a map pointing out difficulties with parking patterns because of the cottage at the rear of the property. The land area is sufficient according to the ordinance. Mr. Reed stated there are specific reasons for the city to grant variances such as a hardship demonstrated and/or advantages to the neighborhood. Mr. Stafford explained that his property is for an investment and he wants to get as many units on the property as possible. Mr. Perry felt that Mr. Stafford is trying to get too much on the lot and this is not a good reason for granting a variance.

Mayor Anderson pointed out that all requirements must be considered in order to obtain a variance, including set-backs and parking.
 M/S Councilman Perry-Stewart that the appeal of Ansew Stafford be denied.
 Passed unanimously

RECOMMENDATION FROM PARKS & RECREATION COMMISSION - Proposed playground changes at Isabel Cook School. This item to be considered at adjourned meeting April 14.

POLICE:

1. Promulgation of eligible list, Police Sergeant. M/S Councilman Stewart-Perry to promulgate eligible list, Police Sergeant. Passed unanimously
- 1a Appointment of Police Sergeant. M/S Councilman Reed-Stewart to appoint Officer Richard Schmidt to the position of sergeant effective April 16, 1971, Step D, Range 70, salary \$992.00 per month. Passed unanimously

OIL AND GASOLINE FIRE SCHOOL - M/S Councilman Perry-Stewart to authorize the contribution of 100 gallons of gasoline for less than \$25.00 for the Marin County Fire Chief's Assoc. training school. Passed unanimously

APPOINTMENTS:

1. Committee on Ecology: M/S Councilman Reed-Perry to appoint the following for the Committee on Ecology: Claudia Goldthwaite, 131 Surry Lane, Terra Linda, Michele Thunes, 70 Florence Ave. and John Doge, 91 Spring Grove Ave.
2. Traffic & Street Committee: M/S Councilman Reed-Perry to accept the resignation of R.G. Dufficy, III, from the committee. Passed unanimously A letter of appreciation to be sent out. There are no applicants for the position and Mayor Anderson stated that anyone interested should speak up. The appointment will be put over until there are applications for the vacancy.
3. Human Rights -Mini Board: M/S Councilman Stewart-Perry to accept the resignations of Mrs. Virna H. Chrest from the board. Passed unanimously Councilman Reed nominated Rev. Charles Gompertz, 13 Parkside Court. M/S Councilman Stewart-Perry that the nominations be closed. Passed unanimously
 M/S Councilman Reed-Capurro to appoint Rev. Charges Gompertz to the San Anselmo Mini Board. Passed unanimously

MARIN SENIOR COORDINATING COUNCIL -Nomination for Senior Citizen of the Year. Mr. Trehella reported that the San Anselmo Chamber of Commerce has nominated Mr. Von Rotz. M/S Councilman Capurro-Perry to nominate Mr. Von Rotz for Senior Citizen of the Year. Passed unanimously

AWARD OF BID, TREE SPRAYING

Benjamin Blades of the College of Marin Ecology Center voiced his concern about the substance to be used and stated that Berkeley used biological controls exclusively. It was decided that the matter would be held over until April 27, in order for Mr. Schaaf and his committee to have th time to get more detailed information.

AMENDMENT OF RESOLUTION 1240, Leased Housing Program. Mr. Leitzell gave history of Resolution. M/S Councilman Stewart-Reed that Resolution 1240 be amended as follows: Delete paragraph 8 and put the following wording in its place.

"Leased housing may be established in any structure meeting the requirements of paragraphs 1 through 7 above, providing that any dwelling unit proposed for participation in the program which is non-conforming per the Zoning Ordinance shall be shown by the owner to be legal non-conforming rather than illegal". Passed unanimously
 Councilman Capurro suggested that Item 4 be re-written by the City Attorney and passed at the meeting the following night, April 14. All agreed. Mr. Leitzell is to look at the two units under consideration before the meeting. Mr. Gerald J. Hood, Manager of Leased Housing Program, Housing Authority-County of Marin will be present.

AMENDMENT OF JOINT POWERS AGREEMENT, Corte Madera Creek Maintenance

Mr. Kaepfel explained that the request for an Amendment to Joint Powers Agreement is to enable the Marin County Flood Control and Water Conversation District to accumulate funds from year to year rather than have a larger tax rate one year and perhaps no tax rate the next year. Councilman Reed feels that San Anselmo should not participate in the maintenance of all of Corte Madera Creek because it is of little or no benefit to San Anselmo. The District keeps adding to the size of the ditch we have to maintain. He further states he is in favor of pulling out of the agreement completely. Councilman Perry was definitely not in favor of the addition to Paragraph 6, third line which reads in part: "and are not placed in a reserve for future maintenance". He stated the City of San Anselmo should refuse to modify the agreement which would allow the inclusion of this new phrase and should also send them a proposal allowing us to withdraw. M/S Councilman Perry-Reed that the city of San Anselmo declined to amend the Joint Powers Agreement with the Marin County Flood Control Water Conservation District. Passed unanimously

M/S Councilman Perry-Reed that the city attorney be directed to prepare an appropriate document indicating the City of San Anselmo's intention to withdraw from the Joint Powers Agreement dated November 23, 1965.

Ayes: Councilmen Perry, Reed, Stewart, Anderson

Noes: Councilman Capurro

Councilman Capurro felt that San Anselmo should not say we won't help maintain the creek because it belongs to all of us.

PUBLIC WORKS: Funding Resolution, TOPICS Program: Mr. Leitzell read the resolution by title only.

Resolution No. _____ Requesting allocation of funds from the California State Highway Commission for improvement of a portion of Sir Francis Drake Blvd. as a "TOPICS" project. Total allocation is for \$34,443.00. At the suggestion of Councilman Reed the remainder of the council concurring, Item 3 should read: "That the City has sufficient rights-of-way to assure completion of all stages of the Ultimate Facility." M/S Councilmen Reed, Perry that the resolution noted above be approved. Passed unanimously

Resolution No. _____ approving a "Local Agency-State Agreement" for Traffic Operations Program to Increase Capacity and Safety, "Topics", an authorizing the Mayor to sign the Agreement on behalf of the City" is to be considered at the City Council adjourned meeting of April 14, 1971.

Authorization for the Mayor to sign agreement for signalization design, Project 66 is to be considered at the adjourned meeting of the City Council, April 14, 1971.

SPRING CLEAN-UP: Set dates and time, appropriate funds for debris boxes
Hours for the spring clean-up will be from 6:00 a.m. to 2:00 p.m. Mr. Schaaf, Chairman of the Ecology Committee for spring clean-up read a letter giving the following recommendations for spring clean-up.

1. Endorse the recommendation of the Ecology Committee to re-cycle all possible material collected during the spring clean-up.
2. Establish the weekend of May 22-23 (Sat. & Sun) for the clean-up.
3. Authorize the expenditure of \$900 for rental of debris boxes. (NOTE the Ecology Committee intends to spend as little of this amount as possible, but is requesting it because of the experimental nature of the program. Actually, the hope is to make a profit.)
4. Authorize the use of the city's chipping machine, and an operator experienced in its use, for the above period. The following additions were added by the Council.
5. The spring clean-up and recycling drive be under the control of the Ecology Committee with the exception of the fact that the city-operated equipment will be under the direct responsibility of the Department Head.

M/S Councilman Reed-Perry that the council endorse the recommendations of the Ecology Committee and accept Paragraphs 1,2,3,4 plus paragraph 5 and insertions. Passed unanimously. Mr. Schaaf reported that the Town Meeting and Ecology Committees are going to send out information regarding the spring clean-up without cost to the city.

REQUEST FROM ABAG: Project application by Sanitary District #1. M/S Councilman Reed-Stewart to check the Project Notification Response Card under "General Support" and send it back. Passed unanimously

REQUESTS FOR PURCHASE OF OFFICE EQUIPMENT

1. Used desk for Public Works Dept. M/S Councilman Reed-Stewart to authorize the purchase of desk from Cosgrove Equip. Co. not to exceed the amount of \$195.00 plus tax, from the general reserve. Passed unanimously

2. M/S Councilman Stewart-Reed to transfer funds from General Reserve in the amount of \$124.00 to Account 421-40 for purchase of filing cabinet. Passed unanimously

RESOLUTION No. _____ Amendment to sick leave regulations, read in full by Mr. Buresh. M/S Councilman Reed-Capurro to approve resolution of Intent. Passed unanimously

CONSENT AGENDA

Approve minutes of March 23, 1971.

REQUEST BY MEMBER OF TRANSPORTATION SUBCOMMITTEE CCPC -last line after "for public transit" insert 'to recreational areas'. Additions by Mr. Reed: In answer to the request by Mrs. Roberta Michels representing the Mini-Board regarding the installation of additional bulletin boards in various parts of San Anselmo, the Council agreed that the present bulletin board at City Hall is adequate for the ordinary business of the City as required by law. It was suggested that the Mini-Board could contact the shopping center, banks, etc. for permission to use their bulletin boards if they feel there is a need.

Mr. Reed reported that several months ago, a citizen contacted Councilman Perry and offered some property to the city of San Anselmo which contained a large redwood tree. Later she contacted Mr. Reed who found she doesn't actually own the property now - that she and the Seminary were interested in the property at the same time and it now belongs to the Seminary. Mr. Reed discussed the matter with Don Duerr at the Seminary who stated that they had no desire to sell the property to the city or to anyone else. Mr. Reed wrote to Mrs. Stout stating that, in his conversation with Mr. Duerr, he found Mr. Duerr was interested in preserving the tree and suggested that she try to obtain some sort of guarantee from the Seminary for the preservation of the tree. Mr. Reed added his thanks for what Mrs. Stout was attempting to do.

Resolution No. _____ Claims and Demands for the month of March, passed unanimously by Council with Mr. Perry abstaining on Sunnyside Nursery item.
M/S Councilman Perry-Capurro to approve consent agenda. Passed unanimously

Requested items for the next agenda were:

- Lions Share
- Criminal Justice Co-ordinator
- Burglary reports in the I-J

Councilman Stewart wants an item on the next agenda regarding setting aside a short period of time at the half-way point of the council meeting for discussion of items not on the agenda whereby anything can be discussed. Mayor Anderson suggested that a separate meeting for this purpose be called periodically and not use the regular City Council meetings.

Meeting adjourned at 11:45 p.m. until April 14, 1971 at 8:00 p.m.

H. Ragan, Secty.

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Minutes of the San Anselmo City Council adjourned meeting of April 14, 1971.
All present - quorum declared

RECOMMENDATION BY PARKS & RECREATION COMMISSION for application for Federal Grant for park development and other park purposes.

Mr. Husband, Chairman of the Parks & Recreation Commission expressed the desire to approach the Council regarding the subject matter. However, the Mayor suggested that he withhold his recommendations until Mr. Joel Nemschoff, Area Manager of the Department of Housing and Urban Development had an opportunity to describe the program. In response to inquiries by members of the staff, City Council and Park & Recreation Commission, Mr. Nemschoff offered the following information to the City Council:

The President wants to develop open space for everyone. Under the July 1st law, his department (HUD) can use funds to develop any lands owned by the city - even lands that are leased. This is called the Legacy of Parks under the Bureau of Outdoor Reclamation or Rural Water-oriented parks. San Anselmo would be urban development. The Cities write to the bureau and tell them what they want to do:

1. What does the city to acquire?
2. What does the city want to develop?

All letters are reviewed and a letter of assurance is returned to the city and the details will be worked out later. The Bureau will eliminate some applications - depending on what the demand is - and this is why they are asking for a Letter of Intent. The open space program, Title 7 of the new law was passed effective July 1st. Regarding school land, there must be an agreement that the city would help to improve the land, state who will maintain it, and make certain it is usable by the public in general when not used by the school. List everything under the open space that the city might want to acquire - any open space to develop. - Because this is a 50% grant, nothing should be put in more than the budget can allow. There have been some changes in the program - now swimming pools can be built - and the \$25,000 limit on structures is off. For instance, if the city wants to plant a large quantity of trees, a work order can be issued and they can be counted as a contribution. The time involved in setting up a Letter of Intent is worth the effort. The letter should not be specific - the details come later. The program includes beautification items but not construction of curbs, gutters, etc. in the case of Hub intersection work and similar projects. Mr. Nemschoff said to forget Sorich Ranch because it is not a neighborhood park. He stated that his department views the overall picture to include housing and they are interested in the community using all of the programs and want the community to take an interest in housing. The Letter of Intent is due in on April 20th and the time to nail down the priorities can be changed. San Anselmo should have a Capital Improvement Program showing what the City can do within the next five years. Mr. Numschoff stated there are are no HUD funds for constructing or improving a Civic Center but there are funds for storm drain improvement.