

Minutes of the regular San Anselmo City Council meeting of August 8, 1972.

Present: Councilmen Anderson, Stewart, Blinder and Mayor Perry

Absent: Councilman Stewart (on vacation)

2. OPEN TIME FOR PUBLIC DISCUSSION

Mr. Ragan pointed out an article that was in the Independent Journal which stated that San Anselmo issues permits for overnight parking on city streets and thought the press should make a correction. Mr. Kaepfel stated he had already handled the matter.

Mr. Leitzell requested another item (the item of John Gay, 275 Greenfield Avenue) be added to the agenda.

3. BUSINESS

Public Hearings & Appeals

a. PUBLIC HEARING, REZONING OF ASSESSOR'S PARCELS 5-224-16 and 17 from R-3 to R-1 (Cordone)

M/S Anderson, Blinder that the appeal be denied and the Planning Commission's decision be upheld.

Mr. Kaepfel suggested that there is a different motion called for in this instance. He explained that this item is not primarily an appeal from the action of the Planning Commission. He went on to say that this is primarily a Public Hearing to consider the recommendations of the Planning Commission that this property be rezoned. (The Planning Commission's motion by a 3 to 1 vote was that the entire property should be in Planned Development Status and there is no mechanism at this time to rezone the property to PD; therefore, it was the recommendation of the Planning Commission to the City Council that the property be rezoned to R-1 awaiting the adoption of the Planned Development Ordinance). Mr. Kaepfel suggested that the motion should call for instructions to the City Attorney to prepare an ordinance to rezone this property to R-1, Single Family Residential District, and both Councilman Anderson and Councilman Blinder agreed to the amended motion. Passed unanimously.

b. APPEAL OF ALMA WIEDERHOEFT FROM PLANNING COMMISSION'S CONDITIONS FOR A TWO-LOT SUBDIVISION, A/P 5-122-32

Mr. Leitzell presented the item by going through all of the four modifications listed in Realtor Cole Jackman's letter dated July 18, 1972 regarding the property. Mayor Perry announced he would disqualify himself from voting on the item because of a conflict of interest.

M/S Capurro, Blinder to waive the frontage requirements on Lot 1 to allow 21 ft. frontage on Bay Tree Lane.

Ayes: Councilmen Anderson, Capurro, Blinder

Noes: None

Abstain: Councilman Perry

Absent: Councilman Stewart

M/S Anderson, Blinder that the owner grant deed a small triangular portion of land fronting Bay Tree Lane to the adjacent property owner and that no public improvements be installed on the balance of the property fronting Bay Tree Lane except for the usual "dropped" curb and gutters which is required for access to the property.

Ayes: Councilmen Anderson, Capurro, Blinder

Noes: None

Abstain: Councilman Perry

Absent: Councilman Stewart

M/- Capurro that the lot line not be moved 20 feet to the east. There was no second to this motion. Councilman Capurro said he would restate his motion.

M/- Capurro that Lot line "A" remain the same. There was no second to this motion. The Planning Commission's recommendation that the proposed property line between lots 1 and 2 be moved 20 feet to the east stand as recorded in their minutes of 7/3/72.

There was no motion regarding the slurry seal requirement. Consequently the requirement that Bay Tree Lane be patched and provided with a slurry seal over the entire street stands as recorded in their minutes of 7/3/72.

M/S Anderson, Blinder that the requirements for sidewalks on Butterfield Rd. be waived but all other requirements of the Planning Commission be met.

Ayes: Councilmen Anderson, Blinder

Noes: Councilman Capurro

Abstain: Councilman Perry

Absent: Councilman Stewart

c. APPEAL OF BERNICE TRETEN FROM PLANNING COMMISSION'S DENIAL OF REZONING A/P 6-166-08, 20 SEQUOIA FROM R-1 to R-2

M/S Blinder, Capurro that the appeal of the Planning Commission's decision regarding the rezoning of Lot 4, Portion Lot 3, Block 5, Sequoia Park, A/P 6-166-08, 20 Sequoia, be denied. Passed unanimously.

P d. PUBLIC HEARING, AMENDMENT TO TITLE 10, ARTICLE 7, CHAPTER 2, MUNICIPAL CODE, SUBDIVISION OF LESS THAN FIVE LOTS.

Item was put over.

C e. COUNTRY DAYS' PARADE COMMITTEE (Mr. Brand)

Mr. Brand presented the final report for the Country Days Parade making a point to state that the street dance will be stopped at 9:00 P.M. He presented details of the committee plans including the closure of San Anselmo Avenue from 10:45 A.M. to 4:00 P.M. All arrangements are subject to the permission of the Police Dept., Fire Dept., and Public Works Department.
M/S Anderson Blinder to waive the business license fee for the person operating the poney ride. Passed unanimously.

C g. OFFER TO PURCHASE QUITCLAIM DEED, MOZART KAUFMAN

Item was put over until there is a firm proposal from Mr. Kaufman.

PW
music) ADDED ITEM: JOHN GAY (BOURBON SHOP), 275 Greenfield Avenue

M/S Capurro, Blinder to grant an encroachment to John Gay (Bourbon Shop), 275 Greenfield Avenue, to permit the construction of a new building which extends seven feet into the existing Greenfield Avenue right-of-way. Such encroachment shall be of a temporary nature and is contingent upon the owner executing an agreement with the City to exchange property at this location in order to allow construction of realigned roadway facilities at this location. The Mayor is authorized to sign such agreement on behalf of the city. Passed unanimously.

C f. HOUSING ELEMENT COMMITTEE REQUEST FOR CLERICAL HELP AND REPORTER (Mrs. Fischbein)

Mr. Kaepfel explained that the city does not have the staff to handle the work for this committee and a temporary secretary should be hired. Mr. Leitzell agreed and stated he will bring a format at the next City Council meeting showing what will be needed.

M/S Blinder, Capurro that Mr. Kaepfel should transfer money as necessary from the \$8,000 allowed for this committee for expenses to account 419-Citizens Committee on the General Plan. Passed unanimously.

C h. SOUND SYSTEM FOR COUNCIL CHAMBER

M/S Capurro, Anderson to approve the bid of Catania Sound for installation of a new sound system for the City Council Chambers and authorize the necessary transfer of funds from the General Reserve in the amount of \$370.00. Passed unanimously.

C i-1. APPROVAL OF BUDGET FOR 1972-73

Councilman Anderson requested reconsideration for putting back one or two of the items that were deleted at the budget sessions. Mr. Kaepfel is to advise the department heads that an adjourned meeting will be set for August 15th. for reconsideration of certain budget items.

C i-2. RESOLUTION SETTING TAX RATE FOR 1972-73 - No action.

C ADDED ITEM: REPORT OF NOISE ORDINANCE COMMITTEE

A report of the Noise Ordinance Committee was presented. The committee consists of Councilmen Anderson and Blinder and Robert Leitzell. Budgeting for this item will be considered at the City Council meeting of August 15, 1972.

C j. APPOINTMENTS:

1. CCPC Housing Committee (Nominees: Audrey Fatooh and Janice Fairchild)

M/- Capurro to nominate Audrey Fatooh and Janice Fairchild to the CCPC Housing Comm. There was no second to the motion and Councilman Capurro withdrew his motion. Appointment will be made at the next City Council meeting.

2. Design Review Committee (3) There were no new nominations.

M/S Capurro, Anderson to re-appoint the following three:

Keith Franc - Term expires 9/15/76
Joseph Chrest - Term expires 9/15/76
James Farnkopf - Term expires 9/15/76

Passed unanimously.

P k. AWARD OF UNIT PRICE CONTRACT FOR MISCELLANEOUS CONCRETE WORK FOR 1972-73

M/S Anderson, Blinder to approve the proposal of Ghilotti Brothers, Inc. of San Rafael for miscellaneous sidewalk and curb and gutter work for Fiscal Year 1972-73 as received by the City on July 31, 1972 and executed by Dino Ghilotti, president. Passed unanimously.

C 1. REQUEST FROM ABAG FOR COMMENT ON GRANT REQUEST

The City Council agreed to have the card returned marked "no comment".

m. ORDINANCES AND RESOLUTIONS:

1. Resolution setting holidays for employees: M/S Blinder, Capurro to pass Res. 1407 setting holidays for employees. Passed unanimously. R

2. Ordinance: National Electric Code 1971(2nd. reading) - Read by title only by Mr. Kaepfel: M/S Anderson, Blinder to waive reading in full. Passed unanimously. M/S Anderson, Capurro to adopt Ordinance No. 631. Passed unanimously. O

3. Resolution establishing schedule of electrical permit fees: M/S Capurro, Anderson to adopt Resolution No. 1408. Passed unanimously. R

4. Ordinance Changing License Tax on Vending Machines (2nd. Reading): Mr. Kaepfel read the ordinance by title only.

M/S Anderson, Blinder to waive reading in full. Passed unanimously. O

M/S Capurro, Anderson to adopt Ordinance No. 629. Passed unanimously. O

5. Ordinance Increasing Redemption Fees for Impounded Dogs or Other Animals (2nd. reading)

Mr. Kaepfel read Ordinance by title only. M/S Blinder, Anderson to waive reading in full. Passed unanimously. O

M/S Blinder, Capurro to adopt Ordinance No. 630. Passed unanimously. R

6. Resolution of Intention - Public Employees' Retirement System: Mr. Kaepfel read in full the 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. M/S Anderson, Capurro to pass Resolution No. 1409. Passed unanimously. R

n. CONSENT AGENDA:

1. Minutes of July 25, 1972.

2. Resolution 1406 -Claims & Demands, July

M/S Capurro, Blinder to approve the Consent Agenda. Passed unanimously. R

The City Council approved Mayor Perry's nomination of Robin Sweeney to the Comprehensive Health Planning Council. C

Mr. Kaepfel announced his vacation date of two weeks would be the weeks of August 21st. and 28th. P

Meeting adjourned at 12:00 midnight until Tuesday, August 15, 1972.

Helen Ragan
City Clerk