

Minutes of the regular San Anselmo City Council of November 28, 1972. All members were present.

OPEN TIME FOR PUBLIC DISCUSSION

Mr. Earl Powis, 303 Butterfield Rd., complained about the overnight parking restrictions in his area. He was referred to Mr. Leitzell who will confer with Chief Buchignani regarding this matter.

a. REQUEST FOR DEANNEXATION (R. Hamilton)

M/S Stewart, Blinder to instruct the City Attorney to prepare the appropriate Resolution calling for de-annexation of the property of Robert B. Hamilton's, AP 6-201-22, for the adjacent property owned by Mr. & Mrs. Harry Kupbens, AP 6-201-23 and the adjacent parcel on Alexander Avenue as indicated in Council Action Memo dated November 20, 1972. Passed unanimously.

b. APPEAL FROM PLANNING COMMISSION DECISION REQUESTING DESIGN REVIEW OF IMPROVEMENTS AT 60 HILLSIDE AVENUE (D. Blake)

Mr. Leitzell stated there was a discrepancy between the original plan submitted and a more recent one and the matter was referred back to the applicant for a change in the plans. At the time this was before the Planning Commission, Mr. Blake was requested to have the design be reviewed by Design Review Committee. Instead, he preferred to bring the matter to the Council. Mayor Perry asked the applicant to go to the Design Review Committee as he had been originally requested to do, and then if he was unhappy with their decision, he could approach the City Council. Councilman Anderson pointed out that the Planning Commission referred him to the Design Review Committee and he felt that Mr. Blake would get better advice from them. The applicant stated he did not want to go before the Design Review Committee and requested Mr. Leitzell to advise him on what he should do. Councilman Blinder resolved the matter by suggesting to continue this matter for two weeks until the applicant contacts Mr. Leitzell.

c. REQUEST OF C. JACKMAN FOR REHEARING OF APPEAL OF ALMA WIEDERHOEFT FROM PLANNING COMMISSION'S CONDITIONS FOR A TWO-LOT SUBDIVISION, SS-163, A/P 5-122-32

M/S Stewart, Capurro to grant the appeal of Alma R. Wiederhoeft, 327 Butterfield Rd. from requirement No. 2 of the Planning Commission pertaining to her property AP 5-122-32 as outlined in the Planning Commission minutes of July 3, 1972, namely "The proposed property line between lots 1 and 2 be moved 20 feet to the east".

- Ayes: Councilmen Anderson, Capurro, Stewart
- Noes: Councilman Blinder
- Abstain: Mayor Perry

d. APPEAL OF PLANNING COMMISSION'S DENIAL OF REZONING Z-135, A/P 7-284-03, 71 Ross Avenue (H. and C. Martens)

Mr. Leitzell presented this item to the City Council and Mr. Martens explained the details of his plans. After lengthy discussion, Mr. Martens withdrew his application.

e. APPEAL BY PLANNING COMMISSION OF DESIGN REVIEW COMMITTEE'S APPROVAL OF SIGN AT UNITED MARKET

The major objections to the sign related to the massiveness of the support column. Councilman Capurro stated the City has a Design Review Committee and it is now being overruled by the Planning Commission and he was in favor of upholding the Design Review Committee.

M/S Anderson, Stewart that we agree the upright is too large. This should go back to the Design Review Committee for a reduction in width of the supporting leg and any other modifications necessary to make the sign more esthetically pleasing. There was no vote and Councilman Anderson withdrew his motion.

M/S Anderson, Stewart that the item be referred to the Design Review Committee specifically for the discussion of proportion of the sign, with particular attention to the width of the upright.

- Ayes: Councilmen Anderson, Blinder Stewart
- Noes: Councilmen Capurro, Perry

f. TENTATIVE MAP OF OPEN SPACE STUDY AREAS: STATUS REPORT OF OPEN SPACE SUBCOMMITTEE

M/S Anderson, Blinder to accept the Open Space Map as prepared by the Citizen's Committee on Preparation of the General Plan, Sub-committee on Open Space, and to direct the Planning Commission, until further notice, to use this map as a guide in determining whether or not use permits shall be issued for development. It is also agreed that other parcels may be added or deleted as a result of further study, and that this map does not in any way constitute a commitment on the part of the City Council toward acquisition of these parcels. Passed unanimously.

Councilman Stewart stated that a bond issue must be prepared for April and the City Council has not approved the bond issue as yet. Mr. Kaepfel will inform the Council at the next meeting about the necessary steps to be taken so a decision can be made.

g. RESUME OF ECOLOGY COMMITTEE'S ACTIVITIES (V. SCHAAF)

Mr. Schaaf announced that he is resigning as chairman of the Ecology Committee and proceeded to sum up what has happened since he has been chairman, noting the accomplishments of the committee. Mr. Schaaf recommended Mr. Coburn as the new chairman and the Council approved. Mr. Schaaf also added the names of three new people to the committee who have been working with him, namely Mr. Holgar Peters, Vivian Peck and Ms. Valice. Mr. Schaaf will remain on the committee as a member. M/S Anderson, Blinder to appoint Mr. Holgar Peters, Vivian Peck and Ms. Valice to the Ecology Committee. Passed unanimously.

h. PRESENTATION BY SURVIVAL, INC.

A member of Survival, Inc. gave a complete run-down on the work of the organization further stating they need financial help in order to keep going. Mr. Schaaf reported that the organization is running a deficit of \$5,500 throughout the entire county-further stating that San Anselmo's share in a breakdown would be about \$2,000. After being questioned by members of the Council regarding the Reserve Account, Mr. Kaepfel stated this account is for emergency use only. Councilman Stewart stated that if, because of the fact that Survival, Inc. is having a bad time financially, the organization finds it must curb their services, it will reduce the number of people recycling. He wants to appropriate a modest amount of money from the reserves. Councilman Capurro stated this was supposed to be a presentation by this group and if they are asking for funds, this should be in the form of a letter. He asked Mr. Buresh if the Council can do this and he said he would have to study the situation. Councilman Capurro suggested that the organization put all the pertinent information in a letter and let the city attorney check it. Mayor Perry does not want to go into the Reserve Account - felt this matter should be considered at budget time. Councilman Stewart stated he thought it would be proper to have a specific proposal before the Council at the next regular meeting and asked Mr. Cockburn to have the Ecology Committee meet with members of Survival, Inc. and consider again the proposal and in the meantime, because of the other information that has been presented tonight, ask the Ecology Committee to seek out Mr. Leitzell and Mr. Howell to see if anything could be spared as far as equipment is concerned to help Survival. The proposal will be considered and a recommendation will be forthcoming at the next meeting. Mr. Kaepfel stated he is sympathetic to this matter but at budget time a lot of good requests for things the city needed just as much as this were eliminated in the budget.

M/S Stewart, Blinder to request a recommendation of the Ecology Committee that would encompass the needs of Survival, Inc. as they relate to the services and/or financial support the City of San Anselmo can provide and further that the City Attorney be requested to provide a legal opinion as to the legality of the city providing any such services, financial or otherwise. Passed unanimously.

i. APPOINTMENT TO COUNTY SOLID WASTE MANAGEMENT COMMITTEE

(nominee: Mr. Holger Peters)

M/S Stewart, Anderson to appoint Mr. Holger Peters to the County Solid Waste Management Committee. Passed unanimously.

j. REQUEST FOR FIRE HYDRANTS

M/S Anderson, Capurro to appropriate \$880.00 for two 6" underground hydrant connections to new 6" water main being installed on Humboldt. Passed unanimously.

k. AGREEMENT WITH SCHOOL DISTRICT ON TENNIS COURTS

Mr. Leitzell and Mr. Buresh will get together and work on the agreement and present it to the Council at the next meeting.

l. AWARD OF BID FOR AIR COMPRESSOR

M/S Capurro, Blinder to award a contract to furnish one GYRO-FLO 85 cfm portable compressor to I-R Equipment Corporation in accordance with the proposal dated 11/14/72, total cost of \$3,061.80. Passed unanimously.

m. ACCEPTANCE OF IMPROVEMENTS, PORTION OF LAUREL AVENUE

M/S Stewart, Blinder to accept curb, gutter and asphalt paving on the southerly half of Laurel Avenue fronting the full length of Lot 183, Ross Valley Park Villa Lots for maintenance. Passed unanimously.

n. RESOLUTION, STRONG-MOTION INSTRUMENTATION PROGRAM

M/S Stewart, Blinder to adopt Section 2705(a) of the Public Resources Code as the city's policy for collecting fees under the Strong-Motion Instrumentation Program. Passed unanimously.

o. AMENDMENT OF MUNICIPAL CODE RELATING TO TREES

Councilman Anderson stated this matter is not ready to give to the City Attorney. Mr. Buresh stated, among other things, that this is a real sticky area-telling someone what they can do on their own property. Councilman Blinder then stated that a number of cities in California have not found this to be a problem-that there are a number of heritage tree ordinances. M/S Capurro, Stewart to refer this matter back to the Planning Commission for more details with the comments by the City Attorney attached. Passed unanimously.

p. ORDINANCES

1. Exclusions from General Plan Conflict Zone (First Reading) Mr. Leitzell stated that Item (d), sixth line "as possible mini or-miniature parks" be taken out and "because of some definite General Plan consideration" be put in its place.

2. Design & Sign Review fees (first reading) by Mr. Kaepfel.

q. CONSENT AGENDA:

1. Minutes of November 14, 1972: M/S Blinder, Stewart to approve the minutes of November 14, 1972. Passed unanimously.

Mayor Perry announced that Mr. Creighton resigned from the Planning Commission and hoped there would be nominations for the next regular City Council meeting. In this regard, Councilman Capurro stated he would like to give some thought at the next City Council meeting to have five members on the Planning Commission instead of seven.

Mayor Perry announced that the next evening at the Mayors & Councilmen's meeting, it may be that there would be some action taken on the appointment to the North Central Coast Regional Commission of the California Coastal Zone Conservation Commission. The Mayor was contacted by Mr. Carlisle Becker who expressed interest in this matter. He stated the appointment must be made by the end of the year. Councilman Anderson said Frank Egger had called him expressing his interest in the appointment too.

Mr. Kaepfel requested the Council to reject the bids on the pick-up trucks and re-advertise.

M/S Stewart, Capurro to reject the bids on the pick-up trucks and re-advertise. Passed unanimously.

Meeting adjourned at 12:20 A.M.

Helen Ragan
City Clerk

City Council meeting of December 6, 1972:

An Executive Session was held for the purpose of discussing a replacement for the present City Attorney. All Councilmen were present. M/S Anderson, Stewart to appoint Mr. Hadden Roth to be City Attorney effective Jan. 1, 1973 at the existing salary of \$964.00 per month. Passed unanimously.

Helen Ragan
City Clerk