

Minutes of Executive Session of June 26, 1973, held to consider appointment of an employee to vacant position of Engineer-Planner. Meeting was called to order at 7:50 P.M. All members present.

M/S Capurro, Blinder to hire Talmadge J. Robbins upon recommendation of the City Engineer and City Administrator, with Civil Service status and six-month probationary period, at \$1,107.00 per month, effective July 1, 1973.

Minutes of the regular San Anselmo City Council meeting of June 26, 1973. All members present.

OPEN TIME FOR PUBLIC DISCUSSION

Councilman Perry stated now that warm weather is upon us, teenagers and younger children are accumulating in the evenings on Barber Avenue bridge and other bridges, lighting firecrackers, etc. and he feels the Police Department should be alerted. The Richfield service station at Barber and Sir Francis Drake Boulevard is also storing trucks containing dry clippings which constitute a considerable fire hazard and Police and Fire Departments should be alerted to this situation. City Administrator will notify these departments.

BUSINESS

a. PUBLIC HEARING: CONDEMNATION, 89 ANGELA AVENUE

John Walters, representing holder of deed of trust, appeared requesting a two-month continuance because they have not received a written soil engineers report and the difficulty of communication between the local office and Boston office of holder of deed of trust.

M/S Anderson, Blinder to pass a resolution declaring the structure at 89 Angela Avenue a public nuisance and directing the owner to abate said nuisance within thirty (30) days from the passage of this resolution by having said building properly reconstructed or repaired, or by having the same razed or removed. If said nuisance is not so abated, the building will be razed or removed by the Building Inspector and the expense thereof made a lien on the parcel of land from which it was removed. Because of the hazardous ground conditions on which this structure rests, repairs and reconstruction of the slide area will be required before any reconstruction of the dwelling is permitted. Passed unanimously. RESOLUTION NO. 1469.

M/S Perry, Capurro that matter be put on agenda one month hence for the purpose of considering at that time whether or not sufficient action has been undertaken by the lender or the owner to justify further stay of execution of the motion just passed. Passed unanimously.

b. CREEK PARK; APPROVAL OF DESIGN

Presentation by Dan Goltz and Ken Johnson of plans for this area, complete with slides.

M/S Perry, Blinder to approve the parking and park plan as proposed by Dan Goltz and Johnson, Leffingwell & Associates, as shown on the plan dated 5/30/73, and that final plans be prepared for Phase #1 construction. Consultant shall submit a proposal for preparation of construction plans, specifications and final estimates for approval of the Council. Passed unanimously.

c. 1. APPEAL FROM PLANNING COMMISSION DECISION U-271, A/P 5-062-73, 30 CARLSON AVENUE

Attorney Stanley Feingold appeared for owner.

M/S Perry, Blinder in contemplation of the fact that the applicant herein desires to secure a building permit on this property during a period when the City is considering the future use and density pattern for the City in general and this area specifically, and that in the future the action taken tonight might be reconsidered by a future Council to determine the equities and overall objectives of the City at the time, I would move that the Council direct the City Attorney to negotiate with the applicant for a scenic restriction in perpetuity. A building permit will be issued and the Planning Commission decision over-ruled providing the applicant shall convey to the City a scenic restriction as provided in Government Code 6950 in perpetuity in a manner satisfactory to the City Attorney, with the further condition that applicant submit plans and specifications to the City Engineer and that the location of the residence be satisfactory to the City Engineer. Passed unanimously.

The Council is most desirous that their intention be clearly understood and that there be agreement between the City and applicant that once the General Plan and its elements have been updated, if it then appears that it is inequitable to single out this property to require scenic restriction, then the applicant may inquire of the then sitting Council if they will consider a change.

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c. 2. SS-177 PUBLIC IMPROVEMENTS AT A/P 5-063-72 AND 73 NEAR CARLSON COURT AND RANCHO DRIVE

M/S Perry, Capurro to pass resolution in accordance with Section 10-2.901 of San Anselmo Municipal Code waiving curb and gutter, sidewalks and street improvements with the exception of those required by the public utilities. This exception is justified since there are special circumstances or conditions affecting said property in that only one (1) parcel is presently served by the roadway; the exception is necessary for the preservation and enjoyment of substantial property rights of the petitioner in that the installation of City improvements at this time would effectively deny the property owner the use of the property for the construction of a single family dwelling. The granting of the exception will not be detrimental to the public welfare nor injurious to other property in the territory in which said property is situated since the roadway does not serve other properties in the neighborhood as primary access. Roll call vote:

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

d. RECOMMENDATION OF GENERAL PLAN COMMITTEE FOR A PRESENTATION AT THE SAN FRANCISCO BOARD OF SUPERVISORS ENDORSING A COMPLETE FERRY SYSTEM

Mrs. Sarah Nome made presentation.

M/S Blinder, Perry to impart the Council's convictions to the Golden Gate Bridge Highway & Transit District as to the great value in developing an alternate transit means other than more highway lanes and increased usage of private automobiles and, therefore, that the Council endorses the efforts of the Golden Gate Bridge Highway & Transit District to bring a complete ferry system into being, including a central Marin terminal. We also resolve that the Street and Traffic Committee of the San Francisco Board of Supervisors be urged to table their resolution to restrict the Golden Gate Bridge Highway & Transit District to the building of one vessel and the continuation of the temporary terminal only. Passed unanimously. RESOLUTION NO. 1468.

Mrs. Nome asked if it would be in order to present this item to the Marin County Council of Mayors and Councilmen at their meeting tomorrow night. The Council felt this might not produce the desired results and it was agreed not to do so.

e. ACCEPTANCE OF IMPROVEMENTS, LINCOLN COURT

M/S Perry, Anderson to accept Lincoln Court into the city-maintained street system, said Court being a portion of Parcel "A" as shown on the map of Lincoln Park recorded in Book 5, Page 16 of Recorded Maps, Marin County Records. It is the intent of the City Council to accept the improved portion of the roadway only, including curbs, gutters and street pavement. Passed unanimously. RESOLUTION NO. 1470.

f. LEASH LAW

Councilman Blinder stated the draft he had prepared should be considered as two ordinances; one re limitation of number of dogs per dwelling and one re leashing or control of dogs. City Attorney had prepared draft of ordinance which was discussed together with draft prepared by Councilman Blinder. It was the general feeling of the Council that more work was needed to clarify the first ordinance and Councilman Blinder agreed to rework it and present it at a future Council meeting.

M/S Blinder, Anderson to direct the City Attorney to place Section 5-1.128 through 130 into a form that City Council can vote upon at the next meeting. Roll call vote:

Ayes: Councilmen Blinder, Perry, Stewart, Anderson  
Noes: None  
Abstaining: Councilman Capurro

g. SAN ANSELMO CAMPAIGN SPENDING LIMITATION ORDINANCE

After discussion and motion made and withdrawn, Councilman Blinder agreed to redraft this ordinance for presentation at a future Council meeting.

h. STREETS AND TRAFFIC COMMITTEE

1. FILLING OF VACANCY ON COMMITTEE

Mayor Stewart placed the name of Jim Kilty in nomination, with vote to be held at next Council meeting.

2. RECOMMENDATIONS RE SIDEWALK ON BUTTERFIELD ROAD, WEST SIDE, RUTHERFORD TO ROSEMONT

M/S Anderson, Perry to authorize Public Works Department to proceed with necessary preparations of resolutions, etc., to have property owners install sidewalks on the west side of Butterfield Road, between Rutherford and Rosemont. Roll call vote:

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

Councilman Capurro voted no because he goes along with recommendations of the Streets and Traffic Committee.

i. APPOINTMENTS TO BOARDS AND COMMISSIONS

1. LIBRARY BOARD

Nominations were called for and response was as follows:

- Councilman Blinder - Mrs. Robert Gicker  
Mrs. Sarah Nome
- Councilman Perry - Mrs. Robert Gicker  
Jo Feldman
- Councilman Anderson - Jo Feldman  
Mrs. Robert Gicker
- Councilman Stewart - Margaret Olson
- Councilman Capurro - Mrs. Robert Gicker  
Mrs. Sarah Nome

M/S Anderson, Blinder that nominations be closed with voting to be held at July 10 Council meeting. Passed unanimously.

2. PARKS & RECREATION COMMISSION

Councilman Perry nominated Bruce Barbera for the vacancy of Youth member. Councilman Anderson nominated Gerald DeVore and Councilman Capurro nominated Frank Quinn.

M/S Anderson, Blinder to close nominations, with voting to be held at July 10 Council meeting. Passed unanimously.

ADDITION TO AGENDA: PETITION FROM SPAR

Petition presented by Nancy Bennett from SPAR to support rezoning of area around Sorich Park, including ridge lands, and requesting a recommendation from Council to County Planning staff to rezone to RSP 0.5 residential (single unit per 2 acres).

M/S Blinder, Anderson to support petition. Councilman Perry abstained. Ayes: Councilmen Stewart and Capurro.

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k. ADDITIONAL ENGINEERING, GAS TAX PROJECT 77

M/S Capurro, Anderson to add \$4,050.00 to the agreement with Hoffman & Albritton, Engineers and Planners, San Rafael, for the preparation of plans, specifications and estimates for 1972-73 overlay projects to cover the additional work involved for the addition of the Sir Francis Drake Boulevard project. The payment of these fees to be made from Gas Tax Funds already authorized by the Council. Passed unanimously.

1. MARIN COUNTY COUNCIL OF MAYORS AND COUNCILMEN

1. COUNTYWIDE PLAN

Matter referred back to Marin County Council of Mayors and Councilmen.

2. CITY OF TIBURON RESOLUTION NO. 534

M/S Perry, Capurro to support the resolution of the City Council of the City of Tiburon urging the Marin Municipal Water District to coordinate the District's long-range plans with the cities and County of Marin.

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

3. SB 716, DISCLOSURE OF FINANCIAL INTERESTS

M/S Blinder, Anderson to support SB 716 requiring disclosure of assets in excess of \$1,000.00 and direct the City Administrator to so inform the appropriate legislators.

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

m. PROCEDURE FOR SELECTION OF FIRE CHIEF

M/S Capurro, Blinder that selection for position of fire chief be by oral board instead of written examination, the oral board to be composed of two fire chiefs and one city manager from outside area and City Administrator and City Attorney. Applicants to be considered to be limited to assistant fire chief and two senior captains. Passed unanimously.

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n. ORDINANCE: RESIDENTIAL HOMES FOR HANDICAPPED PERSONS (1st reading) (Ord. 650)  
M/S Perry, Blinder to waive complete reading of ordinance. Passed unanimously.

o. CONSENT AGENDA: MINUTES OF JUNE 12, 1973 MEETING  
M/S Perry, Blinder that minutes be accepted as presented. Passed unanimously.

The City Administrator announced salary negotiations have been substantially completed, only the assistant fire chief to be contacted.

City Administrator presented a letter from Marin Community Workshop Inc. for subvention of \$8,400.00. The Council refused to consider this request, stating this money should come from elsewhere, perhaps the state or federal government.

City Administrator presented letter from Mesdames Turner and Hall asking that a use permit be required for the American Legion Log Cabin. The Council had no comment except that the matter should be referred to American Legion and City Attorney.

Mayor Stewart announced that the next budget session would be held July 5, 1973 at 8 P.M.

Meeting adjourned at 12:10 A.M.

Virginia Fogerty  
Acting City Clerk