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Minutes of the regular San Anselmo City Council meeting of September 25, 1973. All members present.

OPEN TIME FOR PUBLIC DISCUSSION

pw Mr. Wayne J. Carson of 4 Oak Springs Drive stated he was assured that the property at 24 Timothy would be brought up at this City Council meeting but did not see it on the agenda. Mr. Leitzell stated he had expected another bid to come in for the work to be done there. There were two bids presented as follows: Grange Debris Box Rental for \$2,695.00 and Ghilotti Btos. for \$5,500. As Mr. Carson stated at the City Council meeting of 9/11/73, the owners of the property would not allow him to do any drainage work on the Timothy property to protect his own property nor would they allow him to place sandbags on the property to control run-off. He stated he would like to see, besides the removal of the house, some drainage on the slope. Mr. Leitzell reported that according to the ordinance, the city can only require the removal of the building which is a public nuisance and cannot require the owner to take care of the slide problem. This is a private matter. The Mayor asked the City Attorney if there was anything the city could do to expedite solving these problems and Mr. Roth answered that the first matter to take care of is the house. Mr. Leitzell said that would be taken care of on or immediately after October 1st. This date was being used because of the number of people involved and October 1st. gives time enough if there is to be a suit filed.

M/S Capurro, Perry to accept the bid of Grange Debris Rental for \$2,695.00 and work to commence on October 1st., 1973. Passed unanimously.

In the meantime, Mr. Leitzell was asked to assist Mr. Carson with the slide problems, when possible. Councilman Anderson pointed out that even though Mr. Carson is really worried about the drainage, he would have to get an attorney on this problem. Mr. Leitzell stated the city will keep the street drainage in proper order.

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pl a. PUBLIC HEARING: Z-143 REZONING OF LOT A, SUBDIVISION OF THE LANDS OF SUNNY HILLS A/P 6-061-23 PTN. OF THE RED HILL SHOPPING CENTER

pw Mr. Leitzell presented the item working from a map on the wall, stating that this property is zoned C-3, General Commercial and consists of the Red Hill Shopping Center. This rezoning will be to GPC, S-PD and stated the property now is developed to its potential. This rezoning means the property would be left with the exact development that now exists plus the pending bank and future shops between Safeway and Longs Drug Store. They would not be able to further develop the property without coming before the Planning Commission and Council for rezoning. In effect, it gives them what they already have plus what has already been approved. The reason for rezoning to S-PD is to preclude applications coming in for the development of the Plaza area or the parking area with additional shops. The Planning Commission feels nothing more should be considered - that the property is now developed to its potential. Mr. Albert Bianchi, Attorney for the Red Hill Shopping Center, stated they have no quarrel or opposition to the proposed rezoning. He stated he was present at this meeting to have a point clarified - a point touched on by Mr. Leitzell. His views are consistent with the view of the Planning Commission and the point is as follows: The proposed ordinance says that upon rezoning, the existing development and uses on the parcels are frozen. If it is related to the existing development that encompasses the approved development as it appears on the drawing, then there is no problem. He stated they just wanted to make sure for the record that there is concurrence with that interpretation.

M/S Perry, Anderson to instruct the City Attorney to prepare the appropriate documentation to amend the zoning ordinance to rezone this property from GPC/C-3 to Specified Planned Development (GPC, S-PD) in accordance with architect's drawing dated 6/27/72, Rev. 5/7/73. Passed unanimously. There were no further comments from the audience.

b. APPEAL OF MR. A. WESSELL ON JOHN SLATTERY PERMIT INVOLVING RIP-RAP IN THE CREEK

pw M/S Perry, Blinder that the City Council approve the proposed construction of Mr. Slattery as depicted by Balazs & Strandgaard, Civil Engineers, that such approval shall be conditional upon the limitation that the proposed sacked concrete bulkhead will be no higher than five feet above the floor level of the creek bottom, that no substantial trees or vegetation will be removed from the bank above the bulkhead and that coincidental with the construction of the bulkhead, the area above the bank will be planted with a groundcover to specification to be submitted to and approved by the City Engineer.

Ayes: Councilmen Anderson, Blinder,
Stewart, Perry

Noes: Councilman Capurro

Councilman Perry pointed out that it is not the intention of the City Council to do anything to endanger Mr. Wessel's property and that if this work is done as specified there will be no danger and it will be advantageous to the City. Councilman Capurro stated he hates to see concrete in the creek and objects to this type of wall - that water gets behind it and obstruction results. Councilman Stewart would prefer rock being used.

c. REQUEST FOR EXEMPTION FROM BUSINESS LICENSE, MARIN COMMUNITY WORKSHOP

M/S Anderson, Perry that it be resolved that based on the claim as submitted it does appear that Marin Community Workshop, Inc. is a charitable organization within the meaning of Sec. 6-1.07 of the Municipal Code, and therefore the City Council does order the Collector to issue a business license without payment of the license tax. Annual renewal of the license is to be made by the Collector without payment upon certification by the applicant that there has been no change in the status on which this exemption has been granted. Passed unanimously.

d. REQUEST FOR EXTENSION OF TIME, FINAL MAP (Wiederhoeft)

Mr. Kaepfel made the following comments about this request for extension of time. He said the only subject before the City Council is the extension for one year. This subdivision was considered by the Planning Commission and given tentative approval with some provisions on July 3, 1972. There was an appeal considered by the City Council on August 8, 1972. There was a subsequent reconsideration in November. The question of dates is one which the City Attorney will have to research a little and this has been discussed because it appears at this time that the date involved is August 8, 1972 from which the 18 months would normally run to February 8, 1974. Mrs. Wiederhoeft is leaving on a six months trip and will not be able to have sufficient opportunity to complete all of the requirements and this is her reason for asking for additional time.

M/S Capurro, Stewart that the request for an extension be granted. Councilman Anderson questioned Mr. Leitzell about the public improvements which were imposed upon the property owner previously and found none have been completed. The vote was as follows:

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

The ruling of the City Attorney was that the motion to grant the request failed.

e. USE OF CITY FACILITIES BY ORGANIZATIONS LIMITING PARTICIPATION ON THE BASIS OF SEX

Mayor Stewart explained that the question at hand is whether or not girls should be allowed to play ball on the Little League teams - if not, why not - and should the City be providing a baseball field maintained by taxpayers and used by a private organization. Gary Howell, Parks & Recreation Director, summarized the background of the action that has been taken by the Parks & Recreation Commission. Mrs. Hunt, a representative of the Marin "Now" organization (National Organization for Women) was present and requested that Little League be opened to all youth in all programs with a policy of having the use of city facilities without discrimination.

M/S Perry, Anderson that the policy of the City Council be not to deny the use of city facilities to organizations who select their competing teams with a limitation of the sex.

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

f. ANNOUNCEMENT OF VOLUNTEER CLEAN-UP PROJECT - Robson Park (Stewart)

Mayor Stewart announced there will be a clean-up project at Robson Park on October 14, 1973 at 9:00 a.m. (Sunday) and anyone who wishes to can take part in the project. The city will provide the necessary equipment.

h. CREEK CLEAN-UP (Capurro)

Mr. Kaepfel was asked to get a letter out regarding the creek clean-up project which would be for about four hours on Saturday, November 3rd. Mr. Leitzell will furnish a truck. The project will start at 9:00 A.M.

i. GENERAL PLAN PROGRAM

M/S Anderson, Perry to adopt Resolution No. 1477, A RESOLUTION AUTHORIZING THE MAYOR OF THE CITY OF SAN ANSELMO TO SUBMIT AN APPLICATION FOR COMPREHENSIVE PLANNING ASSISTANCE (701) FOR FISCAL YEAR 1974-75 as amended. Passed unanimously.

j. RED HILL SCHOOL ATHLETIC FIELD DEVELOPMENT PROGRAM - City Participation

M/S Perry, Capurro to authorize the Director of Public Works Dept. to provide such assistance as he deems appropriate to the San Anselmo Elementary School District from time to time for the proposed development of the recreation facilities. Passed unanimously.

k. REQUEST FOR SUBVENTION OF LEGAL EXPENSES, CITY OF PETALUMA (Plan for city growth)

M/S Anderson, Blinder to do whatever is necessary to appropriate \$250.00 for the City of Petaluma for legal expenses and transfer the amount from the Reserves to Account 416-20.

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

1. (1) NEW TEMPORARY BUS SHELTER AT PRESENT DEPOT AREA:

M/S Anderson, Blinder to approve the proposal of Marin County Transit District to locate

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a bus shelter in the depot area at a location specified by the City Engineer with the understanding that this is a temporary shelter which will probably be replaced by permanent shelters in the future subject to an encroachment permit to be issued by the city. Passed unanimously.

(2) PROPOSED CHANGES IN BUS TRANSFER AREA:

M/S Blinder, Capurro to approve the Bridge District's proposal to study the possibility of a revised bus transfer loading area at the western end of the Creek Park area, with the understanding that no plan will be approved which would be considered a detriment to present traffic flow in this area. Passed unanimously.

m. AGENDA OF MAYORS & COUNCILMEN - No action taken.

n. PROPOSED POLICIES AND CRITERIA, GEOLOGIC FAULT HAZARDS - No action taken

o. REQUEST FROM BAY AREA AIR POLLUTION CONTROL DISTRICT - No action taken

p. EXCLUSION OF CERTAIN PART-TIME POSITIONS FROM SOCIAL SECURITY COVERAGE

M/S Blinder, Anderson to instruct the City Administrator to make appropriate arrangements with the Public Employees' Retirement System to remove from Social Security coverage library pages working less than one-half time and recreation leaders working less than one-half time. Passed unanimously.

q. CONTRACT FOR LIBRARY ALTERATIONS

M/S Perry, Anderson to grant an extension of time on the contract for Alterations to City Library - 1973 - from August 4, 1973, to August 30, 1973, because of a change in the scope of work and a change by the City in the model of air conditioner required; to accept the work; and to authorize final payment, in accordance with the terms of the contract. Passed unanimously.

r. APPROVAL OF CHANGE ORDER, GAS TAX PROJECT 66

M/S Blinder, Perry to approve Change Order No. 1 on Gas Tax Project 66 and authorize the additional expenditure of \$10,684.88 transferring the above amount from the Gas Tax Fund to Account 443-45. Passed unanimously.

s. DESIGNATION OF VOTING DELEGATE, ANNUAL LEAGUE CONFERENCE

M/S Anderson, Perry to appoint Mr. Kaepfel as the voting delegate to the Annual League Conference in San Francisco on October 21 - 24, 1973. Passed unanimously.

t. RESOLUTION(No. 1480) FOR FIXING REGULATIONS FOR PUBLIC PARKS AND PLAYGROUNDS

M/S Anderson, Capurro to pass Resolution No. 1480. Passed unanimously.

u. ORDINANCES:

1. Imposing Sales and Use Tax (1st. reading) Introduced by Mr. Kaepfel.
2. Limiting the number of dogs (1st. reading) Introduced by Mr. Kaepfel.
3. An ordinance amending the Zoning Ordinance as to Parcel 3, etc.-Map of Bunker Hill (1st. reading) Changing property classification from GPC/G-3 and GPC/R-1 to GPC/R-1

v. CONSENT AGENDA

M/S Capurro, Blinder to have Item 7 (AUTHORIZATION TO OBTAIN BIDS FOR 1939 SEAGRAVE FIRE ENGINE) removed. Passed unanimously.

M/S Capurro, Blinder to pass the Consent Agenda minus Item 7. Passed unanimously.

At the suggestion by Mr. Kaepfel, the City Council, in view of the events of the last two months regarding the installation of the local sewer, asked Mr. Roth to work with Mr. Wright, Attorney in San Anselmo, who is working on behalf of the Chamber of Commerce on the contract for next year.

M/S Blinder, Capurro to support Assembly Concurrent Resolution No. 36- Relative to the appointment of women to boards, commissions, committees, and councils by increasing the numbers of women appointed to more nearly reflect the percentage of women in the population, and direct the Administrator to communicate support to the appropriate people.

Ayes: Councilmen Blinder, Capurro

Noes: Councilmen Perry, Stewart, Anderson

CONSENT AGENDA ITEMS PASSED BY THE CITY COUNCIL

1. Minutes of September 11, 1973 and September 18, 1973
2. Promulgating eligible list for Public Works Steno-Clerk (Ernest V. Sanders, Sharon G. Hewitt and Mary J. Ball)
3. Appointment of Public Works Steno-Clerk - Ernest Sanders as Steno-Clerk at \$637.00 per month beginning October 1, 1973.
4. Transfer Edward J. Fischer, Maintenance man, from the EEA position to one of the authorized, permanent maintenance man positions in the street division, effective October 1, 1973.
5. To reappoint David Strassman as Planning Commission representative to Design Review Committee.

CONSENT AGENDA - Con't.

6. Flood and Mudslide insurance:
 - a. Resolution 1478 TO ESTABLISH PROCEDURES REQUIRED BY THE FEDERAL INSURANCE ADMINISTRATION TO QUALIFY, AND REMAIN ELIGIBLE, FOR FEDERAL FLOOD AND MUDSLIDE INSURANCE
 - b. Resolution 1479 TO REGULATE CONSTRUCTION IN FLOOD AND/OR MUDSLIDE HAZARD AREAS
7. AUTHORIZATION TO OBTAIN BIDS FOR 1939 SEAGRAVE FIRE ENGINE-Removed
8. Purchase of two-wheeled motorcycle- To authorize the City Administrator to issue a warrant in amount of \$2,278.54 to Marin Motorsports, Inc., 1101 Francisco Blvd. in San Rafael, 93901 for the purchase of a two wheel motorcycle .

Helen Ragan
City Clerk

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