

58  
Minutes of the regular San Anselmo City Council meeting of October 9, 1973.

Present: Councilmen Anderson, Capurro, Perry, Stewart

Absent: Councilman Blinder

c  
P a. PUBLIC HEARING: AN ORDINANCE EXTENDING ART. 27, CH. 3, TITLE 10, MUNICIPAL CODE AND AMENDMENTS (ORD. 630, 640, 647) GENERAL PLAN CONFLICT ZONES (URGENCY MEASURE)

Mr. Kaepfel explained that the ordinance was passed one year ago, that it expires on October 9, 1973 and it is necessary to pass the ordinance at this meeting by a 4/5 vote.

M/S Capurro, Perry to dispense reading the ordinance in full. Passed unanimously.

M/S Anderson, Perry to adopt Ordinance 658. Passed unanimously.

P b. APPEAL: DENIAL OF USE PERMIT 297, REAR PORTION OF A/P 6-091-08 (Cardinaux)

Mr. Leitzell explained that this is regarding a Use Permit under the Ordinance that was just extended in Item "a". He pointed out that the Planning Commission, at their meeting, was considering an application for re-zoning of the property.

Councilman Blinder arrived.

Mr. Hal Fenton of Albert Realty, represented Mr. Sharrow. Mr. Rene' Cardinaux, architect, presented the drawings showing 12 units for the property (Nine 2-bedroom units and three 1-bedroom units.) Councilman Perry stated that when the City Council considered this property in discussing the Kentucky Fried Chicken, they concluded that they were willing to make a decision on the lower property but were concerned about the upper property because it is a critical area. He also stated they had to consider the Loma Robles Subdivision when that property slid which leads him to feel that 12 units is simply more than should <sup>be</sup> considered—that perhaps 3 or 4 could be considered. Councilman Capurro stated he was worried about the density, traffic and the fact that the hill could slide and that this area should be Planned Development in order for the City to have some control. Councilman Anderson pointed out that this property is at the worst intersection in town and there have been slide problems. M/S Anderson, Blinder to deny the appeal for Use Permit 297, rear portion of A/P 6-091-08 (Cardinaux) Passed unanimously.

c  
c. RECOMMENDATION FOR PUBLIC HEARING ON OCT. 23, 1973 ON RESOLUTION TO GRANT JURISDICTION TO CITY OF SAN RAFAEL FOR ALL PURPOSES IN CONNECTION WITH FORMATION OF RAFAEL RAQUET CLUB ESTATES UTILITY UNDERGROUNDING ASSESSMENT DISTRICT

At the request of Mr. Kaepfel, Mayor Stewart announced that there will be a Public Hearing on October 23, 1973 on resolution.

c  
d. REVISION AND APPROVAL OF QUESTIONS TO BE USED BY CITY ENGINEER IN OBTAINING PROPOSALS BY ARCHITECTS FOR PRELIMINARY PLANS AND COST ESTIMATES - CAPITAL IMPROVEMENT PROGRAM

M/S Perry, Capurro to accept the list of questions for Consultant and direct Mr. Leitzell to proceed with getting proposals for preliminary plans and cost estimates. Passed unanimously.

PW  
e. FLOOD DAMAGE REPAIR

1. Flood Damage Application, 1973 floods

- a. Letter from Robert Lago
- b. Letter to Congressman Mailliard

M/S Perry, Anderson to formally protest the reduction of San Anselmo's claim for Federal Disaster Assistance and the lack of response to our appeal dated July 20, 1973 by letter to Congressman Mailliard and to our Senators. Passed unanimously.

PW  
2. Proposal from Hoffman & Albritton for plans & specifications: M/S Perry, Capurro that we accept the proposal of Hoffman & Albritton as set forth in their letter of October 2, 1973 under File #2964 with a fee not to exceed 10% of the construction of the items designated. Passed unanimously.

PW  
3. Discussion of funding: Mr. Kaepfel asked for permission to borrow from the Storm Drain Budget in the hopes it will be reimbursed by the Federal Government. This would involved the following three projects:

Red Hill-Sequoia ditch	\$29,000
Ash Avenue	6,000
Sir Francis Drake Culvert	<u>50,000</u>
Total	\$85,000

M/S Capurro, Blinder to borrow storm drain funds from these projects:

Red Hill-Sequoia ditch	\$29,000
Ash Avenue	6,000
Sir Francis Drake Culvert	<u>50,000</u>
	\$85,000

Passed unanimously.

f. ACQUISITION OF TAX-DEEDED PROPERTY

1. A/P 6-091-02
2. A/P 7-093-04
3. A/P 7-012-38

M/S Perry, Blinder to instruct the City Administrator to proceed with the acquisition of the following parcels: A/P 6-091-02, A/P 7-093-04, A/P7-012-38. Passed unanimously.

g. DISPOSAL ACTION, 1939 SEAGRAVE FIRE ENGINE

The Fire Chief will be asked to see what he can do about storing the engine & send a report to the City Council.

h. ABAG GRANT APPLICATION

Attached card to be send back marked "No Comment!"

i. ORDINANCES

1. IMPOSING SALES AND USE TAX (2nd. Reading): M/S Perry, Capurro to dispense with the reading of the ordinance in full. Passed unanimously. (Res. 1482)

M/S Anderson, Blinder to approve of Ordinance No. 659 and instruct the Mayor to sign the necessary papers involved. Passed unanimously.

2. Limiting the number of dogs: M/S Perry, Blinder to waive further reading. Passed unanimously. — Second Reading.

M/S Blinder, Anderson to pass Ordinance No. 660 by the following vote:

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

3. Amending the Zoning Ordinance as to Parcel 3, etc.-Map of Bunker Hill Tract 2nd. reading - M/S Anderson, Blinder to waive further reading. Passed unanimously. M/S Anderson, Perry to pass ordinance No.661. Pass unanimously.

4. Amending the zoning ordinance as to A/P 6-061-23 (1st. reading by Mr. Kaepfel)  
(Red Hill Shopping Center)

j. CONSENT AGENDA

1. Minutes of September 25, 1973
2. Claims & Demands - Res. 1481

M/S Blinder, Capurro to approve the Consent Agenda with the following correction and deletions of the Minutes of September 25, 1973:

Under OPEN TIME FOR PUBLIC DISCUSSION: Councilman Anderson requested that the following sentence be deleted: "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."

Under Item a, PUBLIC HEARING: Z-143 - The third line should read "This rezoning will be to GPC, S-PD and stated the property now is designed not "developed".

Passed unanimously.

Mayor Stewart stated he would like to see ads placed in the local newspapers regarding the dog ordinances.

Councilman Capurro stated he hopes that the clean-up projects for the creek and clean-up at Robson Park have been publicized.

Meeting adjourned at 10:00 P.M.

Helen Ragan  
City Clerk

EEB277