

130  
MINUTES OF REGULAR MEETING OF CITY COUNCIL - August 27, 1974

All members present.

Mayor Blinder announced the following items to be added to the Agenda: k-6 Approval of City Attorney's budget. k-7 Painting the inside of the council chambers. o-3 Establishing a temporary position of Auto Mechanic

BUSINESS

c 1. Report of Planning Commission Chairman Duane Ragan reported that a second public hearing was held regarding the proposed creek reserve ordinance attended by approximately 200 people and after long discussion and a number of comments from the audience, it was decided that the proposed ordinance as it was worded was not the best one we could come up with. The Commission feels a need for an Ordinance and will hold another public hearing September 16th. Have not yet resolved the Ridge Top Zoning Ordinance. Another meeting will be held on that very shortly and they are awaiting the arrival of the new Advanced Planner.

P 2. Confirmation of Agreement with Advanced Planner The City Attorney announced that there were still a few details to be agreed upon before finalization and there was a meeting scheduled for this Thursday for the purpose of finalizing the agreement.

b. APPEAL FROM DENIAL BY PLANNING COMMISSION USE PERMIT U-360 TO CONSTRUCT DWELLING AT 31 TOMAHAWK DR. (TORLAKSON)

P M/S Colteaux, Anderson to deny the appeal by Mr. Torlakson of the Planning Commission's denial of a use permit U-360 to construct a dwelling at 31 Tomahawk Dr.

Ayes: Councilmen Anderson, Colteaux, Toal, Blinder  
Noes: Councilman Capurro

c. PUBLIC HEARING: RESOLUTION VACATING A PORTION OF ANCHO VISTA AVE.

P This matter was originally scheduled for a public hearing on September 10th and at the request of Mr. Barone it was advanced to the agenda of this meeting. Mr. Barone appeared and explained that he was being held up in the commencement of construction inasmuch as he could not obtain a permit until the subject strip of property was abandoned by the City. The City Attorney advised that inasmuch as a Public Hearing had been set for the September 10th date, it could not be advanced. Councilman Toal made a motion to direct the Department of Public Works to issue Mr. Barone a foundation permit conditioned on the resolution being passed at the next meeting. The motion failed for lack of a second.

d. RESOLUTION AUTHORIZING ACQUISITION OF A PORTION OF TOOLE PROPERTY (See pg 131)

c The City Attorney advised that the agreement for the easement had been worked out to the satisfaction of all of the parties with the exception of the vehicle access question and the hold-harmless agreement in connection therewith. Council expressed concern over the futurity effect of the vehicle access inclusion and agreed to hold a special meeting on Thursday night, August 29th to finally agree on the matter in order that the work on Creek Park will not be further held up.

e. REQUEST FOR RATE INCREASE, TELE-VUE SYSTEMS, INC.

c Mayor Blinder listed the options open to Council - grant or refuse the increase; grant increase in return for some specific services; form a citizens committee to study the situation and report to Council; or join with San Rafael to hire a consultant to make a study.

M/S Anderson, Toal to join San Rafael in a survey at the best price obtainable to the City, as per the City of San Rafael's letter of August 27th.

Ayes: Councilmen Anderson, Toal  
Noes: Councilmen Blinder, Capurro  
Abstain: Councilman Colteaux

motion failed

M/S Anderson, Capurro to appoint a Citizens Committee consisting of Paul Brand, Jim Reed and a third person to be chosen by them to represent the Council in a study of the Cable TV rate question.

Ayes: Councilmen Anderson, Toal, Capurro  
Noes: Councilman Blinder  
Abstain: Councilman Colteaux

d. (FURTHER HEARING) RESOLUTION AUTHORIZING ACQUISITION OF A PORTION OF TOOLE PROPERTY (See page 130)

Immediately after a Council recess, the City Attorney informed Council that Mr. and Mrs. Toole had agreed to withdraw their request for vehicle access to be included in the easement and, therefore, no point of disagreement now existed.

M/S Anderson, Blinder to pass Resolution No. 1536 accepting the Grant of Easement by John L. and Ruth A. Toole, conditioned upon it being executed by Mr. and Mrs. Toole. Passed unanimously.

f. PROPOSED COUNTY-WIDE DRUG ABUSE ENFORCEMENT UNIT

Chief Kelly of the San Rafael Police and Captain Howenstein of the San Anselmo Police Department presented arguments in favor of a proposed county-wide inter-city Drug Abuse Enforcement Unit and sought Council's support of the program. Councilman Colteaux said he thought federal and state agencies should enforce drug laws, and the general expression of opinion of the majority of the Council was not in favor of support. It was suggested that consideration of the matter be put over until the next meeting.

k-6 (ADDED ITEM) APPROVAL OF THE CITY ATTORNEY'S BUDGET

M/S Colteaux, Anderson to approve the City Attorney's Budget as revised, to be effective as of July 1, 1974. Passed unanimously.

g. COUNCIL'S PRELIMINARY INPUT FOR AGENDA ITEM SEPTEMBER 10: OPEN DISCUSSION OF EXISTING GARBAGE SERVICES AND POSSIBLE REVISIONS OF SERVICES AND RATES

Council indicated that there were still many outstanding questions to which the Garbage Company has not responded. The City Administrator suggested that each Councilman put their questions in writing to him and he would convey them to the Company to allow them time to prepare answers prior to the meeting.

h. RESOLUTION SUPPORTING MARIN COUNTY AMERICAN REVOLUTION BICENTINIAL COMMISSION

M/S Anderson, Toal to pass Resolution No. 1534 supporting the Marin County American Revolution Bicentennial Commission. Passed unanimously.

i. NOMINATIONS TO VACANCIES, PARKS & RECREATION COMMISSION

No nominations made.

j. REPORT ON LANDSCAPING MATERIAL WON IN STARK BROTHERS ARBOR DAY CONTEST (BLINDER)

Mayor Blinder announced that after much delay, he has finally been advised that the \$500.00 of nursery stock which was the prize won by him in the Stark Brothers Arbor Day Contest will be delivered this fall and he is donating it to the City.

k. BUDGET

1. a. Donation for educational television

M/S. Colteaux, Blinder to donate the sum of \$300 to KQED, Public Broadcasting Station, and that sum be added to the budget in account 411-20

AYES: Councilman Colteaux, Blinder, Capurro, Toal  
NOES: Councilman Anderson

b. Allotment for televising council meetings, Marin Community Video

M/S Toal, Anderson to donate the sum of \$50.00 to Marin Community Video for televising city council meetings. Passed unanimously.

2. Desk for City Clerk

M/S Capurro, Colteaux to add \$250.00 to the City Clerk's Budget for a new desk, a/c 413-40. Passed unanimously.

3. Additional animal control service

M/S Toal, Anderson to add \$900.00 to the budget a/c 430-420 to provide an additional dog catcher in San Anselmo one day a week for a three month period.

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Ayes: Councilman Toal, Blinder, Anderson, Capurro

Noes: Councilman Colteaux

4. Alternate sources of revenue (Blinder)

There was a brief discussion of alternate sources of revenue on the basis of communications, ordinances, etc. obtained from other communities. The City Administrator was directed to refer the material to the incoming City Administrator and the City Attorney for joint study.

5. Resolution fixing tax rate for 1974-75

There was strong feeling by the majority of the Council that the tax rate should not be raised to the 2.48 suggested by the City Administrator and explored ways and means to permit the rate to remain unchanged from last year.

M/S Capurro, Toal to reduce Budget a/c 481-44 to \$10,000.00

Ayes: Councilman Capurro, Colteaux, Toal, Blinder

Noes: Councilman Anderson

M/S Capurro, Colteaux instructing the City Administrator to use sufficient of the Federal Revenue Sharing funds for general purposes to permit a tax rate of 2.35.

Ayes: Councilman Capurro, Colteaux, Toal, Blinder

Noes: Councilman Anderson

M/S Toal, Blinder to pass Resolution No. 1532 fixing a total tax rate of 2.35 to be broken down between the individual funds as determined by the Administrator. Passed unanimously.

k-6 -See page 131. k-7 Painting Council Chambers - no action taken.

1. ANIMAL CONTROL

1. Proposed increase in dog license fees

M/S Anderson, Toal to raise the dog license fees from \$5.00 to \$7.50 per year and from \$2.50 to \$3.75 for spayed or neutered dogs.

Ayes: Councilman Toal, Blinder, Anderson

Noes: Councilman Capurro, Colteaux

2. Change in complaint procedure, S.A. Municipal Code Sec. 5-1.117 (Blinder)

M/S Toal, Blinder to instruct the City Attorney to prepare an amendment to Municipal Code Sec. 5-1.117 to provide that complaints may be rendered by one person rather than 3. Passed unanimously.

m. Award of bids for library restroom alterations

The City Administrator announced that the following bids had been received for remodeling the library restroom: Joseph Redmond- \$1,550.00, R. J. Hansen - \$1,290.00

M/S Toal, Blinder to approve the acceptance of R. J. Hansen's bid of \$1,290.00 Passed unanimously.

n. SENIOR CITIZENS PROGRAM:

1. Approval of Joint Powers Agreement with County

M/S Toal, Blinder to authorize the Mayor to execute the Joint Powers Agreement with the County for providing of recreational program for Senior Citizens. Passed unanimously.

2. Approval of contract with Senior Coordinating Council

M/S Anderson, Toal to approve Agreement for senior recreation for renewal between the City and the Marin Senior Coordinating Council. Passed unanimously.

o. 1. Resolution accepting Grant of Determinable Fee (Cowan)

M/S Capurro, Anderson to pass a resolution (No. 1537) accepting a "Grant of Determinable Fee" from Josephine F. Cowan for property in and on the banks of Arroyo de San Anselmo, said property being a portion of Creek Park. Passed unanimously.

2. Resolution accepting Grant Deed of Easement (Four Kays)

M/S Colteaux, Anderson to pass Resolution No. 1535 accepting Grant Deed of Easement by the Four Kays, a partnership. Passed unanimously.

3. (ADDED ITEM) Establishing temporary position of Mechanic in Department of Public Works

pw

Mr. Leitzell announced that Mr. Shepley, the City's Chief Mechanic was ill and would not be able to return to work for sometime. In the meantime, the work is being done by an automotive serviceman.

M/S Anderson, Colteaux to establish a temporary position of Mechanic in the Department of Public Works at a salary range of \$875 - \$1,064. Passed unanimously.

p. ORDINANCE ESTABLISHING AN ADVERTISING AND PUBLICITY FUND WITH CHAMBER OF COMMERCE AS ADMINISTRATIVE AGENCY

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Ordinance was not passed - put over to next agenda for rewording.

g. CONSENT AGENDA

M/S Toal, Blinder to approve consent agenda.

1. Approval of Minutes of August 13th meeting subject to following corrections: Further correction to Item i-3 on the July 23, 1974 agenda to indicate that the motion was seconded by Councilman Blinder and not Councilman Anderson. Under Item m - Discussion of Deletion of Private School or other institutional uses from Permits in R-1 Zones - add to motion to indicate subsection (b) also, thereby reading "Sec. 10-3.503(a)(b)"

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2. Approval of transfer of \$928.00 from reserve account to a/c 442-33-b.

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3. Denial of claim of Rick Galassi.

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4. Pass Resolution No. 1533 establishing pay schedule for miscellaneous employees.

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(ADDED ITEM) - PROBLEMS ON FERN LANE CREATED BY STUDENTS AT DRAKE HIGH SCHOOL

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M/S Anderson, Toal to direct the City Administrator to contact the Tamalpais High School District concerning plans for controlling the situation when school starts. Passed unanimously.

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Meeting Adjourned at 1:30 A.M.

Libby Hanson  
Secretary