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MINUTES OF REGULAR MEETING OF CITY COUNCIL - September 24, 1974

All members present

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Mayor Blinder announced that Item c on the Agenda - further consideration of garbage services and rates - would not be heard at this meeting as it was the unanimous opinion of Council that this matter should be the subject of a special council meeting. A special meeting was set for October 3rd at 8 o'clock.

Mayor Blinder announced that Al Kaepfel was attending his last council meeting in his capacity as Administrator of the City of San Anselmo and it was the desire of the Council to honor him for his many years of service to the City. Jan Fairchild, representing Senator Peter Behr, presented Mr. Kaepfel with a framed resolution from the Senator commemorating him for all he has done for the people of San Anselmo and the State of California. Mayor Blinder then read a proposed Resolution of Gratitude to Alfred C. Kaepfel expressing the City Council's appreciation and esteem for his service to the City

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M/S Colteaux, Toal to pass Resolution of Gratitude to Alfred C. Kaepfel (Resolution No. 1546) and have a copy thereof suitably prepared and framed for presentation to him. Passed unanimously.

OPEN TIME FOR PUBLIC DISCUSSION

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Mr. Andy Klapak appeared to inquire as to the progress being made on the City's inquiry into the drainage problem on Skyline Road. The City Attorney and the City Engineer advised that they were working on the matter and would have a report on it for the next agenda.

BUSINESS

a. GENERAL PLAN - REPORT OF PLANNING COMMISSION CHAIRMAN

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In the absence of Cynthia Barrows, the Planning Commission Chairman, Duane Ragan reported that the Planning Commission held a 3rd public hearing a week ago on the Creek Reserve proposed ordinance and it appeared they had come to a meeting of the minds and are ready to pass along to the City Attorney a proposed ordinance. They have held their first meeting with Mr. Solnit, the new Advance Planner, and they are quite pleased with his outline of his plans. Another workshop session is scheduled for September 30th on the open space program, the ridge top zoning and one other item. He announced that a mailing was being made to all property owners in San Anselmo advising of the hearings on the General Plan and inviting their participation.

b. YOUTH ADVOCATE "CRISIS HOUSE" AT #9 GROVE LANE

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Prior to hearing objections from the residents of Grove Lane for the use of #9 Grove Lane as a "Crisis House" under Youth Advocates, Inc., the City Attorney advised Council that they could not legally take any action to prevent this use inasmuch as the California Welfare and Institutions Code provides that this type of home shall be considered a residential use for the purpose of zoning. Although this section does provide that a city or county is not prohibited from requiring a conditional use permit, San Anselmo does not have a use permit procedure covering the situation. An oral presentation of the concerns of the residents of the neighborhood was made by Mr. B. K. Probert of 24 Grove Lane. Mr. Steven Liberman of Youth Advocates, Inc. advised Council that although he could understand the fears of the residents, in their experience with this type of facility in residential areas in other cities, they have not had the problems anticipated by the residents. Mayor Blinder apologized to the citizens of Grove Lane for the lack of ability on the part of Council to take any direct action on the matter at this time. However, he advised them to wait six months and if any problems develop in the meantime, they can bring the matter back before the Council for consideration of possible avenues of action.

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c. FURTHER CONSIDERATION OF GARBAGE SERVICE AND RATES

To be heard at special City Council meeting October 3, 1974.

d. PETITION FOR RESTRICTIONS ON USE OF AMERICAN LEGION LOG CABIN

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Mayor Blinder read to the Council a letter from the San Anselmo Post of the American Legion which advised that the Judge Advocate of this Post, under whose department this matter would require his representation, was out of the City and requesting a continuance be granted in order to permit his appearance. Since it is the policy of the Council to permit one continuance for convenience in this type of situation, it was agreed to put the matter over to the next agenda.

e. APPEAL FROM PLANNING COMMISSION APPROVAL OF USE PERMIT U-365, REAL ESTATE OFFICE AT 1554 SIR FRANCIS DRAKE BLVD.

Appeals from the granting of this use permit were made by Pieter Toal, A. Segale and Kenneth Anderson, all on the basis that considerable traffic problems would develop from the operation of a business at this location, particularly since the area is now under study by the Mayor's Committee on Streets and Traffic because of presently existing traffic problems.

M/S Colteaux, Anderson to reverse the action of the Planning Commission granting U-365 for D. Ralph McClurg to operate a real estate office at 1554 Sir Francis Drake Blvd. on the grounds that the Planning Commission did not have sufficient information to make sufficient findings to grant this approval.

AYES: Councilmen Anderson, Colteaux, Toal

NOES: Councilman Capurro

ABSTAIN: Councilman Blinder

f. DECRIMINALIZATION OF DRUG USE:

1. Proposed Resolution (Blinder)
2. Proposal to sponsor seminar "Drug addiction - Medical problem or felony?" (Toal)

Mayor Blinder presented to Council a proposed resolution that the San Anselmo City Council recommend to the State Legislature decriminalization of drug abuse. Councilman Toal expressed the opinion that public opinion should be sought and considered before a resolution of this nature should be passed and presented his proposal to sponsor a seminar on the Drug Addiction problem for this purpose.

M/S Toal, Anderson to postpone any action on this resolution until the end of this year or early next year and to endorse a seminar on Dependence on Drugs to be held on November 9, 1974 in the multi-purpose room of Isabel Cook School.

Councilman Colteaux and Councilman Capurro expressed opinions that this was an area in which the San Anselmo City Council should not become involved.

M/S Capurro, Colteaux to table any further discussion on the resolution.

AYES: Councilmen Colteaux, Capurro

NOES: Councilmen Toal, Blinder, Anderson

After hearing from members of the audience and further discussion by Council, the following vote was taken on the original motion made by Councilman Toal and seconded by Councilman Anderson to postpone action on the proposed resolution and endorse the Seminar.

AYES: Councilmen Anderson, Colteaux, Toal, Blinder

NOES: Councilman Colteaux

g. PROPOSAL FOR ORDINANCE TO REPLACE BUILDING "MORATORIUM" (Colteaux)

Councilman Colteaux expressed his concern over the interim handling of the issuance of use permits for building between the time of the expiration of the building moratorium on October 9th and the adoption of the general plan. The City Attorney suggested that the proper procedure would be to introduce a motion to ask the Planning Commission to agenda the matter for their meeting of October 7th. After serious consideration of the wording of a motion,

M/S Colteaux, Anderson that the City Council direct the Planning Commission to consider at their next meeting an interim ordinance to take the place of the Moratorium Ordinance which expires on October 9, 1974 prohibiting building in those areas of the city as suggested by the City Planning Staff and for the length of time as also suggested by the City Planning Staff with a use permit provision allowing development exceptions where it would appear to the Planning Commission that there is no probabilities or possibilities of conflict with the emerging General Plan and that the Planning Commission consider what standards would apply in granting the exemptions under the Use Permit procedure.

Ayes: Councilmen Anderson, Colteaux, Toal, Blinder

Noes: Councilman Capurro

h. COUNTY REQUEST FOR APPROVAL OF JOINT APPROACH TO IMPLEMENTATION OF "911" EMERGENCY TELEPHONE SERVICE

M/S Toal, Colteaux to concur and cooperate with the Marin County Communications

Department in the development and implementation of the "911" emergency telephone service plan. Passed unanimously.

i. APPOINTMENTS, PARKS & RECREATION COMMISSION:

NOMINEES: T. Shindelus, M. Grove, E. Beedle, D. Anderson

P Term to 7/15/76 - voting was as follows:

<u>Anderson</u>	<u>Beedle</u>	<u>Grove</u>
Councilman Anderson	Councilman Capurro	Councilman Colteaux
	Councilman Toal	
	Councilman Blinder	

Term to 7/15/77 - voting was as follows:

<u>Anderson</u>	<u>Shindelus</u>
Councilman Anderson	Councilman Capurro
Councilman Blinder	Councilman Colteaux
	Councilman Toal

Mrs. Beedle and Mr. Shindelus will be notified of their respective appointments.

j. SETTING OF SPECIAL MEETING OCTOBER 15TH WITH PLANNING COMMISSION AND MARIN COUNTY PLANNING STAFF RE: RESIDENTIAL DEVELOPMENT REVIEW

The October 15th meeting date was agreed to by all members of the Council.

k. PUBLIC WORKS

- 1. Ordinance Amending Code to provide for temporary signs.

No action taken

- 2. Warning signs, creek, contamination at times of high water

M/S Colteaux, Toal post warning signs in the creek reading: "Caution: The waters of this creek may be contaminated by sewage during periods of high water." Passed unanimously.

- 3. Trees
 - a. Tree Committee
 - b. Street tree planting program

Mayor Blinder suggested that the city embark upon a slow, but methodical tree planting program on appropriate streets, budgeting a small amount each year for this purpose.

M/S. Colteaux, Capurro to appoint a tree committee chaired by the Mayor with the Director of Public Works as an ex officio member. The number of people and selection to be decided by the Chairman, and that for the purpose of initiating the program the sum of \$500.00 be set aside from some appropriate place in the budget. Passed unanimously.

- 4. Reconsideration of Storm Drain Project Bids

M/S Anderson, Blinder to rescind the contract award to Ghilotti Bros. at the meeting of September 10, 1974 and further to award a contract for Storm Drain Construction 1974/1975 to Maggiora and Ghilotti, deleting Project A, and to authorize the City Engineer to authorize change orders in the amount of ten percent of the bid. Passed unanimously.

- 5. Time extension, Creek Park

M/S Anderson, Blinder to grant an extension of time to Tamal Construction Company for completion of Phase II of the Creek Park Improvements to October 11, 1974 because of the unavoidable delay due to acquisition of property by the City. Passed unanimously.

l. APPROVAL OF 1974-75 BUDGET

M/S Capurro, Toal to approve 1974-75 Budget as finalized by the City Administrator. Passed unanimously.

m. CONSENT AGENDA

M/S Toal, Capurro to pass consent agenda. Passed unanimously.

1. Approval of Minutes of September 10, 1974
2. Approval of Resolution No. 1543 Federal Aid Urban Program
3. Approval of Resolution No. 1545 naming street as "Alice Way."
4. Approval of Agreement with Water District for improvement of firelines.
5. Appointment of Thomas C. Burch, Police Clerk Dispatcher at Step A, \$629.00 per month, to be effective October 1, 1974.

6. Approval of transfer of funds from appropriate reserve accounts to expenditure accounts as follows:

<u>Detail</u>	<u>Account No.</u>	<u>Amount</u>
Transfer of deposit for fire hydrant, Jack Barone	432-43	\$970.00
County grant for participation in North Bay Cooperative Library System	471-20	1,275.00
San Anselmo Elementary School District grant for after-school programs	483-47-A13	2,000.00
	483-47-A6	1,000.00

Meeting adjourned at 12:08 P.M. to October 3rd.

Libby Hanson
Secretary

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