

MINUTES OF REGULAR MEETING OF CITY COUNCIL - October 8, 1974

Present: Councilmen Anderson, Capurro, Blinder, Toal

Absent: Councilman Colteaux

OPEN TIME FOR PUBLIC DISCUSSION

Mr. Larry McDermott appeared before Council to complain of violations of pedestrians' rights-of-way in San Anselmo. He submitted a list of suggestions and Mayor Blinder advised that a copy would be submitted to the Chief of Police and to the Streets and Traffic Committee.

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BUSINESS:

a. GENERAL PLAN

1. Report of Planning Commission Chairman

2. Resolution regarding building permits pending interim ordinance

Duane Ragan of the Planning Commission reported that the workshop session held a week ago in regard to the Ridge Top Zoning Ordinance resulted in the meeting of minds in several areas, but not all, and there is another session scheduled for next week. Last night a Public Hearing was held in regard to extending the moratorium ordinance, which expires tomorrow. The Commission had a proposed ordinance drafted by the legal staff and made only one minor change. The big change between the proposed ordinance and the one that is expiring is that now the burden of proof no longer lies with the applicant - it lies with the commission. It is up to the commission to prove that there are extenuating circumstances that will prevent this person from building. The word 'moratorium' is a misnomer. You can still build in this community on single family lots under certain circumstances. We have worked for two years to try and get a General Plan off the ground. It would be foolhardy for us to drop the Ordinance completely at this point. All of the work we have tried to do will be down the drain. The Commission unanimously recommends that the proposed ordinance be adopted for a period of one year, or until the general plan is adopted.

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Pending adoption of the proposed ordinance, an interim resolution was proposed.

M/S Anderson, Toal to adopt Interim Resolution (Resolution No. 1548) directing the Director of Public Works not to issue any permits, certificates, licenses or other entitlements for any improvement or other change in the use of land.

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

It is anticipated that a first reading of the proposed ordinance will be made at the next meeting, the second reading at the meeting of November 12, which would mean that the Ordinance would go into effect on December 12th.

Mayor Blinder announced that inasmuch as there were people in the audience interested in Items c and d, Item d would be heard next, then Item c, and then back to Item b.

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

A petition signed by 71 residents of the neighborhood in which the American Legion Log Cabin is located was presented to Council requesting that it take steps to restrict the use of the Log Cabin to prevent such noisy brawls that have taken place there. Mr. Don Wood, the Custodian of the Log Cabin, appeared and reported that they have tried to screen the rental applicants, but unfortunately the rentals on the occasions complained of were secured by deliberate misrepresentation. He is going to propose to the Board that they restrict all public dances except those sponsored by established organizations of the community and he requested that any council action be held up until the Legion could present their proposals for self-policing. Police Chief Buchignani said that he was anxious to hear their proposals and suggested that there should be included a requirement for renters to hire one off-duty police officer for every 50 people attending an event. The matter was put over to next Agenda, at which time the American Legion proposals will be heard.

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c. PETITION REGARDING DRAINAGE PROBLEM AT END OF SKYLINE ROAD. STAFF REPORT

The City Engineer reported that this matter has been considered by the Council on previous occasions at which time it was determined that the City had no responsibility in the matter. Research indicates no easements for storm drains

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have been accepted by the City. It was the opinion of the City Attorney that since the drainage was established as part of Hawthorn Hills Subdivision Unit 3 on Lot 25 and downstream lots, that these property owners have the obligation to maintain the drainage way so as not to damage other properties. The owner of one of the affected properties claimed that the problem was being caused by drainage from Skyline Road. The City Engineer admitted that some of the property involved from which the excess water flow originates is city-owned. The City Attorney suggested that perhaps he did not have enough factual information in giving the quoted opinion and would like to visit the site with the City Engineer before rendering a final legal opinion. The matter was put over to next agenda for City Attorney's report.

b. CITY-COUNTY PLANNING COUNCIL REQUEST FOR SUPPORT OF EXCLUSIVE BUS LANE, HIGHWAY 101 FROM GREENBRAE INTERCHANGE TO RICHARDSON BAY BRIDGE

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m M/S Anderson, Capurro to support City-County Planning Council Resolution #74-8-1 "Reaffirmation of City-County Planning Council's Position regarding designation of exclusive bus lanes in all Highway 101 Widening Projects."

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

Councilman Toal stated that he did not vote to support the Resolution as he did not believe that it was specific enough in its designation of use of the lane by carpools.

c. & d. - See page 143

e. ORDINANCES: (Introduce)

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pw ADOPTING 1973 EDITIONS OF THE UNIFORM BUILDING CODE, UNIFORM HOUSING CODE, UNIFORM MECHANICAL CODE, AND UNIFORM PLUMBING CODE AND MATERIAL AND PROPERTY STANDARDS

The Ordinances were introduced by title - to be read at next meeting.

f. PUBLIC WORKS

1. Request for funds for typewriter for federally-funded clerical position supporting enforcement programs.

pw M/S Anderson, Blinder to approve purchase of a typewriter at a cost not to exceed \$700.00 and to transfer that amount from the General Reserve to Account 441-40.

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

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2. Progress Payment: Creek Park 4. Acceptance of Work: Creek Park

M/S Toal, Blinder to accept the work completed by Tamal Construction Company on Creek Park Contract and that final payment in the sum of \$12,130.15 be made in accordance with the terms of the contract.

- Ayes: Councilmen Anderson, Toal, Blinder, Capurro
- Absent: Councilman Colteaux

3. Progress Payment: Storm damage repair

pw M/S Anderson, Toal to authorize progress payment to Cal-Western Retaining Walls in the amount of \$39,540.18.

- Ayes: Councilmen Anderson, Toal, Blinder, Capurro
- Absent: Councilman Colteaux

5. Acceptance of work: Gas Tax Project 77 (Also Time Extension)

pw M/S Anderson, Capurro to accept the work on Gas Tax Project 77 by W. R. Forde Construction Company, granting an extension of time sufficient for the completion of the project based on delays due to weather conditions and that the work was completed except for minor items on April 15th and to authorize final payment in accordance with the terms of the contract.

- Ayes: Councilmen Anderson, Toal, Blinder, Capurro
- Absent: Councilman Colteaux

6. (Added Item) Request by Roy Peterson, Inc. for a blasting permit at 32 Knoll Road

pw M/S Toal, Blinder to authorize the Department of Public Works to issue a

blasting permit to Roy Peterson, Inc. for blasting work at 32 Knoll Road, San Anselmo under the direction of the City Engineer.

Ayes: Councilmen Anderson, Toal, Blinder, Capurro

Absent: Councilman Colteaux

(ADDED ITEM) REQUEST BY SAN ANSELMO CHAMBER OF COMMERCE FOR APPROVAL OF INSTALLATION OF HOLIDAY DECORATIONS IN CREEK PARK

M/S Capurro, Anderson to approve the installation of Holiday Decorations in Creek Park as described in San Anselmo Chamber of Commerce letter of October 7, 1974.

In discussion, it developed that council members objected to the use of an artificial tree in the Park and suggested that the Chamber of Commerce give consideration to using a cut tree and/or planting a live tree to be decorated during each holiday season. Councilman Capurro withdrew his motion and no action was taken.

g. CONSENT AGENDA

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

1. Approval of Minutes of September 24th, subject to correction on Item f. to indicate that Councilman Capurro, instead of Councilman Colteaux, voted No on the motion of Councilman Toal to postpone action on proposed resolution to recommend decriminalization of drug abuse, etc.

2. Approval of Claims and Demands for September, 1974 Resolution No. 1547

3. Approval of increase in cleaning deposit fee, Robson-Harrington House from \$25.00 to \$50.00.

4. Approval of program for Creek Park dedication - 3:00 P.M., Saturday, October 12th.

5. Approval of business license exemption - St. Anselm's Parish Salvage Shop.

6. Approval of waiver of sign review fee, Volunteer Bureau.

7. Denial of claim, Roberta Robinson.

8. Denial of claim, Juanita Gilbert.

Meeting adjourned at 10:35 P.M. to October 15th for a joint meeting with the Planning Commission regarding Residential Development Review.

Libby Hanson
Secretary

(At 9:45 P.M. the City Council went into a brief Executive session regarding instruction of the City's negotiating team. Reconvened at regular session at 10:00 P.M.)

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