

## Minutes of Regular Meeting of City Council - March 25, 1975

All Members Present

The Mayor announced changes in the Agenda, as incorporated below.

OPEN TIME FOR PUBLIC DISCUSSION

Mr. Edwin B. Erbentraut of 131 Oak Springs Drive appeared and requested that the Council consider revoking a variance granted his nextdoor neighbor on July 11, 1972 to retain a deck. The City Attorney advised Council that in granting the variance it had exhausted its jurisdiction and the Council is legally barred from reopening and reversing this 1972 action.

BUSINESS

f. (out of order) STAFF REPORT ON PROPOSAL FOR REGULATION OF FORTUNE TELLING

After studying staff report indicating that the City has had no problems to date related to the subject, and hearing from JoAnne Fabian, Esq., representing Mr. & Mrs. James Adams, requesting a regulatory Ordinance, Council determined to take no action at this time.

a. GENERAL PLAN PROGRESS REPORT

Dan Goltz, Planning Commission Chairman reported that at a workshop session the draft General Plan was worked over and the Commission now is satisfied that the document contains everything that the Planning Commission has suggested and approved. The Commission plans another workshop session to include representatives of the Sleepy Hollow community planning group before the public hearing on the Plan set for May 12th.

n. (out of order) PERMISSION FOR TEMPORARY USE OF CREEKSIDE PARK SITE BY SANITARY DISTRICT CONTRACTOR

The City Engineer advised that the Sanitary District requests permission for its contractor to use the Creekside Park site for storage of equipment for the trunk sewer project. He advised that the Parks Director has no objection as it will not be possible to commence park development until the spring of 1976. As compensation, the Sanitary District has agreed to donate to the City suitable concrete pipe for playground equipment.

M/S Anderson, Blinder to grant the Sanitary District a temporary encroachment for a period of 10 months beginning May 1st, 1975 permitting its contractor to use the Creekside Park site for storage of equipment. Passed unanimously.

b. APPEAL BY VARIOUS RESIDENTS OF INDIAN ROCK COURT OF PLANNING COMMISSION GRANT OF CONDITIONAL USE PERMIT U-376 TO GEOFF AND LAURA JOHNSON, 43 INDIAN ROCK CT.

After hearing from appellants and Geoff Johnson,

M/S Blinder, Anderson to deny the appeal of the grant of Use Permit U-376 to Geoff and Laura Johnson to construct a house at 43 Indian Rock Ct. provided that 1) soils report acceptable to the City Engineer be provided by the applicant, 2) the applicant's plans be approved by the Design Review Committee, and 3) the applicant is restricted to building in a location that does not conflict with the proposed Ridge Top Ordinance. Passed unanimously.

c. APPEAL BY EDWARD & JANET POSER OF PLANNING COMMISSION GRANT OF CONDITIONAL USE PERMIT U-392 TO JAMES REED-SUSAN YORK, 49 INDIAN ROCK CT.

After hearing from appellant and James Reed,

M/S Anderson, Capurro to deny the appeal of the grant of Use Permit U-392 to James Reed-Susan York to construct a house at 49 Indian Rock Ct. and direct that the Design Review Committee make a part of their consideration the location of the building on the lot. Passed unanimously.

d. APPEAL BY ROGER DOMER OF PLANNING COMMISSION GRANT OF LATE-HOURS CONDITIONAL USE PERMIT U-398 TO STOP 'N GO MARKET

At the request of the attorney for Stop 'n Go Market, this matter was continued to the next regular meeting.

e. THREE APPEALS FROM CENTER BLVD. FENCE ENCROACHMENT RULINGS BY DIRECTOR OF PUBLIC WORKS

After hearing from appellants, Beverly Crocker, 27 Florence Avenue (encroachment 5 feet into public right-of-way); Doris M. Jackson, 37 Florence Avenue (encroach-

ment 5 feet into public right-of-way); and William H. Jelinek, 53 Florence Avenue (encroachment approximately 1 foot into public right-of-way)

M/S Anderson, Blinder to grant a 1 foot encroachment into Center Blvd. to William H. Jelinek, 53 Florence Avenue on the basis that the encroachment is of minor nature and to grant a variance encroachment to Doris M. Jackson, 37 Florence Avenue and Beverly Crocker, 27 Florence Avenue for a period not to exceed one year or until such property changes ownership, whichever first occurs.

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

g. PROPOSALS TO EXPEDITE COUNCIL MEETINGS AND ASSURE FAIRNESS IN HANDLING AUDIENCE PARTICIPATION

Council reviewed and approved Mayor Colteaux's proposals as contained in his memorandum dated March 20, 1975.

h. ORDINANCE RENAMING SAN ANSELMO AS "TOWN" RATHER THAN "CITY"

M/S Blinder, Anderson to waive reading of Ordinance. Passed unanimously.

M/S Blinder, Anderson to adopt Ordinance No. 690 Eliminating the word "City" from the Corporate Name and Substituting in its Place the word "Town." Passed unanimously.

i. ORDINANCE PROVIDING NON-SMOKING AREAS IN PLACES OF PUBLIC COMMERCE

M/S Blinder, Toal to waive reading of Ordinance. Passed unanimously.

M/S Blinder, Toal to adopt Ordinance No. 691 Amending Chapter 15 of Title IV of the San Anselmo Municipal Code Regarding Smoking in Places of Public Assembly.

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

i. APPOINTMENTS

1. Library Board - Jacquelyn R. Mollenkopf was elected to the term to 6-30-77, with Councilman Blinder voting for Sara Nome.

2. Grand Jury nominations - proposed nominees: Nancy Bennett and Tony Shindelus.

3. Bicentennial Commission requesting appointment of Committee to assist City Representative Claudia Goldthwaite

Agreed that the City seek volunteers.

ADDED ITEM - SUGGESTION FOR SPECIAL COUNCIL MEETINGS

Mayor Colteaux suggested that prior to budget hearings the Council hold a series of special meetings in neighborhoods throughout San Anselmo, giving residents an opportunity to appear before Council and voice problems and suggestions relating to their respective neighborhoods. Council was agreeable and suggested meetings be scheduled for alternate Tuesday nights.

k. NOTICE OF DESIGNATION OF CREEK SETBACK AS MEASURE A, CITY CLERK APPOINTIVE AS MEASURE B, MAY 27 BALLOT

Council was informed of County Clerk's designations.

l. RATIFICATION OF ENGAGEMENT OF APPRAISERS FOR FIREHOUSE SITE ACQUISITION, AND TRANSFER OF FUNDS

M/S Anderson, Toal to authorize acceptance of the Semple-Nowicki proposal for fire house site acquisition services, and to appropriate \$3,600 from revenue sharing to account 491-44.

Ayes: Councilmen Anderson, Blinder, Toal, Colteaux  
(Councilman Capurro was not present in Council Chambers during discussion and voting)

m. AUTHORIZATION TO RENT OUT #15 MAGNOLIA PENDING CITY HALL RECONSTRUCTION

M/S Anderson, Toal to authorize rental of #15 Magnolia on the following terms:

\$150 month, as is, month-to-month, 30 days notice. Rental to be made to a family on Leased Housing waiting list making a strong showing of economic need for interim low-cost housing, coupled with ability to pay. Passed unanimously.

o. RATIFICATION OF OBJECTION TO PROPOSED DIVERSION OF SOUTHERN MARIN RECREATIONAL TRAFFIC TO SIR FRANCIS DRAKE BLVD.

M/S Toal, Capurro to ratify the Director of Public Works' response as to non-feasibility of Golden Gate Recreation Travel Study Group's proposal to shift traffic to Sir Francis Drake Blvd., and to direct that appropriate authorities in neighboring communities and the County of Marin be advised of the Council's concern, and to direct staff to continue to monitor closely. Passed unanimously.

ADDED ITEM - SUPPORT OF AB-1037 TO PROHIBIT POP-TOP CANS

M/S Anderson, Blinder to direct the City Administrator to advise appropriate legislators of the City's support of AB-1037. Passed unanimously.

p. RESOLUTION URGING CONGRESS TO STRENGTHEN CONTROLS ON AUTO EMISSIONS

M/S Blinder, Toal to adopt Resolution No. 1580 Urging Congress to Strengthen Direct Controls on Automobile Emissions. Passed unanimously.

q. CONSIDERATION OF SB 175 - BROWN ACT EXPANSION

No action taken, on advice of City Administrator that bill appears to be dead.

CONSENT AGENDA

M/S Capurro, Toal to pass Consent Agenda. Passed unanimously.

r. Approved Minutes of March 11, 1975 meeting.

s. Approved and authorized Mayor to sign HUD-mandated modifications of Cooperation Agreement, Housing & Community Development Act of 1974.

t. Adopted Resolution No. 1581 requesting performance of May 27 election services by County Clerk.

u. Adopted Resolution No. 1582 superceding Resolution No. 1509 passed March 12, 1974, a resolution reflecting amendments dated December 26, 1974 to the guidelines for implementation of the California Environmental Quality Act of 1970.

v. Approved the substitution of Crescent Road paving for Mariposa Avenue paving in the 1974/75 fiscal year street maintenance program.

M/S Blinder, Toal to adjourn meeting. Passed unanimously.

Meeting adjourned at 11:10 P.M. to April 8, 1975.

Libby Hanson  
Deputy City Clerk