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**ACTION MINUTES OF THE**  
**SAUSALITO CITY COUNCIL**  
**REGULAR MEETING**

TUESDAY, JANUARY 8, 2008

**CALL TO ORDER**

The meeting was called to order at 5:35 pm.

**ROLL CALL**

**PRESENT:** Councilmember Weiner, Councilmember Kelly, Mayor Belser, Councilmember Albritton, Councilmember Leone.

**ABSENT:** none

**ANNOUNCEMENT OF CLOSED SESSION ITEMS**

Mayor Belser announced the items that would be discussed in Closed Session.

**Public Comment:** There was no public comment on Closed Session items.

Council adjourned to the Conference Room for their Closed Session at 5:38 pm.

The regular meeting reconvened at 7:02 pm.

**PLEDGE OF ALLEGIANCE**

**REPORT ON RESULTS OF CLOSED SESSION ITEMS**

1. **CONFERENCE WITH LEGAL COUNSEL** – Existing litigation pursuant to subdivision (b) of CGC § 54956.9  
Sausalito v. Alta Mira Treatment Program  
*Instructions were given to the City Attorney*
2. **CONFERENCE WITH REAL PROPERTY NEGOTIATOR** pursuant to CGC § 54956.8  
Property: Sausalito Marine Properties; Foot of Locust Street  
Negotiating Parties: Zacks Inc. dba Sausalito Marine  
City Negotiator: City Manager and City Attorney  
Under Negotiation: Price and Terms  
*Instructions and directions were given to the City Attorney*

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1 **3. CONFERENCE WITH LEGAL COUNSEL** – Anticipated litigation pursuant to subdivision  
2 (b) of CGC § 54956.9 (one potential case)  
3 *Directions were given to the City Attorney*  
4

5 **APPROVAL OF AGENDA**  
6

7 Mayor Belser requested that item 7B1 – Council Committee Assignments be continued to the  
8 next regular meeting on January 29, 2008. She suggested that the City Manager Report be  
9 moved up so that the audience could hear the update on the storm activities.

10  
11 **Vice Mayor Albritton moved, seconded by Councilmember Kelly to approve the agenda  
12 as amended. The motion was unanimously approved by a voice vote.**  
13

14 **CITY MANAGER REPORT**  
15

16 City Manager Adam Politzer gave his report on the update from the storm that hit on Friday,  
17 January 4, 2008. He noted the major issues that had affected the area: ten trees down, eight  
18 power lines down, several utility poles had cracked or come down, and that there were five  
19 major street closures (noting that Spencer Avenue had finally opened on Tuesday afternoon).  
20 He also described how City Hall had been used as a refuge for residents on Friday, Saturday  
21 and Sunday.  
22

23 Mayor Belser indicated how proud she was of the City Staff and how long and diligently they  
24 had worked. She felt that those who worked throughout the storm had delivered above and  
25 beyond their calls for duty.  
26

27 **SPECIAL PRESENTATIONS**  
28

29 **A. Introduction of new Parks and Recreation Director Michael Langford**  
30

31 City Manager Adam Politzer introduced the new Parks and Recreation Director Michael  
32 Langford. The City Manager expressed his enthusiasm about this most recent hire. Mr.  
33 Langford also expressed how excited he was to be working for the City of Sausalito and then  
34 introduced his wife.  
35

36 **B. Presentation of Proclamation to Captain Bouchard, FF/Engineer Blount, FF Frazier  
37 and PM Moran for outstanding service at the Witch Fire**  
38

39 City Manager Adam Politzer and Fire Chief Denis Walsh introduced Captain Bouchard,  
40 FF/Engineer Blount, FF Frazer, and PM Moran. He then described some of the activities these  
41 firefighters had participated in during the fires in Southern California. Captain Bouchard  
42 expounded with more detail on what they had gone through, and praised his crew. Mayor  
43 Belser read the proclamation and presented each firefighter with their own proclamation.  
44

45 **COMMUNICATIONS**  
46

47 Chuck Donald spoke about the Spencer Avenue road closure. He felt that this was a prime  
48 opportunity for the City to hold discussions with PG&E regarding undergrounding in order to  
49 avoid such situations in the future.

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1  
2 John Dervin spoke about the smoke being produced by Fish Restaurant. He noted that Fish  
3 was using wood for a fireplace and for cooking. Mr. Dervin explained that this is creating  
4 pollutants and health issues. Mr. Dervin requested that the City Council take action to ban  
5 commercial woodburning stoves. He expressed concern that this could become a liability on  
6 the part of the City if the Council takes no action.

7  
8 **ACTION MINUTES OF THE PREVIOUS MEETING**

9  
10 **A. Approval of Action Minutes from the December 11, 2007 Regular City Council Meeting**

11  
12 Vice Mayor Albritton moved, seconded by Councilmember Weiner, to approve the Action  
13 Minutes of the December 11, 2007 Regular City Council Meeting as corrected. The  
14 motion was unanimously approved by a voice vote.

15  
16 **B. Approval of Action Minutes from the December 18, 2007 Special City Council Meeting**

17  
18 Vice Mayor Albritton moved, seconded by Councilmember Kelly, to approve the Action  
19 Minutes of the December 18, 2007 Special City Council Meeting as submitted. The  
20 motion was unanimously approved by a voice vote.

21  
22 **CONSENT CALENDAR**

23  
24 **Public comment:** There was no public comment regarding the Consent Calendar.

25  
26 **Councilmember Leone moved, seconded by Vice Mayor Albritton, to remove item B2 –**  
27 **Notes from the Finance Committee Meeting from the Consent Calendar and make it item**  
28 **6c, a Business Item in order to hold further discussion. The motion was unanimously**  
29 **approved by a voice vote.**

30  
31 **Vice Mayor Albritton moved, seconded by Mayor Belser, to approve Consent Calendar**  
32 **items #1, and #3-6. The motion was unanimously approved by a voice vote.**

33  
34 Consent Calendar items approved were as follows:

- 35  
36 1) Received and filed notes taken at the OMIT Committee meeting of December 19, 2007  
37 2) *Receive and file notes taken at the Finance Committee meeting of December 17,*  
38 *2007- removed from Consent to Business Item 6c*  
39 3) Received and filed notes taken at the Sausalito Public Safety Facilities meeting of  
40 November 12, 2007 and November 26, 2007  
41 4) Received and filed notes taken at the Sustainability Commission meeting of December  
42 6, 2007  
43 5) Adopted Resolution No. 4929 accepting the public improvements associated with the  
44 16 Gordon Subdivision, and authorizing the release of performance securities in  
45 accordance with terms of the Subdivision Agreement and provisions of the Subdivision  
46 Map Act  
47 6) Transportation Authority of Marin – Sausalito Bike Plan Update; appointed Dorothy  
48 Gibson, Alan Nichole, and Michael Fabian as volunteer members to the Sausalito  
49 Pedestrian and Bicycle Task Force

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1  
2 **PUBLIC HEARINGS**  
3

4 **A. On the appeal filed by Gary T. Ragghianti on behalf of Robert W. Simpson and Valerie**  
5 **S. Fox, contesting the Planning Commission denial of a condo conversion application**  
6 **including conditional use permit and tentative map, and conditional use permit and**  
7 **encroachment permit to allow tandem parking to encroach into the public right-of-**  
8 **way at 108-110 Edwards Avenue (AP # 065-293-23)**  
9

10 Because Vice Mayor Albritton lives on Edwards Avenue, he recused himself and left the Council  
11 Chambers.

12  
13 Because Councilmember Leone had voted on this item when it was before the Planning  
14 Commission, he recused himself and left the Council Chambers.

15  
16 Contract Planner Lorraine Weiss presented the staff report on this project. Following her  
17 presentation of what was before the Council in the staff report, Councilmember Kelly requested  
18 clarification on the timelines and the zoning code changes. Ms Weiss noted that the appeal had  
19 been filed timely, and that the new zoning ordinance does not specify when a hearing must be  
20 held following the filing of an appeal.

21  
22 **Gary Ragghianti** presented the applicants side and described the project. He noted that the  
23 owners of the property had had ongoing interaction with Planning and Building staff members  
24 throughout the entire project. Mr. Ragghianti noted that this project had begun in 2001. He  
25 advised how staff never indicated that the encroachment permits would be required until the  
26 Planning Commission hearing was held in 2007. He further stressed that this was not a  
27 precedent setting project, and noted several of the encroachments all over Sausalito, including  
28 in this same neighborhood.

29  
30 **Linda Carruthers**, the land surveyor for the project, noted that she had prepared tentative  
31 maps for two other condo conversions on the same street. She stressed that as a land  
32 surveyor, she needed to know why this project was being treated differently.

33  
34 **Valerie Fox**, the applicant/property owner, explained that she had worked diligently with the  
35 Community Development Staff, and it was staff who advised how to proceed with a condo  
36 conversion. Ms Fox also noted that they had spent over \$200,000 on this property to date.

37  
38 Mayor Belser opened the hearing up for public comment.

39  
40 **Fred Krauss**, a neighbor, noted that there has never been a problem with the parking at the  
41 108-110 Edwards. He also reiterated that condo conversions have been allowed in this area  
42 and that have less parking than is being proposed with this project.

43  
44 **Tom Smith** also noted some of the approved encroachments in the area.

45  
46 **Carolyn Roskowski**, a property owner on Sausalito Blvd. and working on a similar project,  
47 noted that staff advised her that because she had tandem parking, she would not need a  
48 variance.

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1 Mayor Belser closed the public hearing.

2  
3 Council discussion followed on encroachment permits and the approval process. Additionally,  
4 discussion followed on the difference between encroachments vs variances for such projects.

5  
6 **Councilmember Kelly moved, seconded by Councilmember Weiner, to direct staff to**  
7 **return with a resolution granting the conditional use permit, tentative map and the**  
8 **encroachment permit for a condo conversion at 108-110 Edwards Avenue. The motion**  
9 **was unanimously approved by a voice vote.**

10  
11 Vice Mayor Albritton and Councilmember Leone returned to the dais.

12  
13 **B. On the appeal filed by Don Olsen, on behalf of Michael Staninec, contesting the**  
14 **denial, without prejudice, of a variance application requesting a design review permit**  
15 **and variance for a proposed stairway and addition within a required side yard setback**  
16 **and an existing garage located within a required side and rear yard setback at 103**  
17 **Bonita Street (AP # 065-082-04)**

18  
19 Interim Community Development Director Diane Henderson briefly presented the staff report on  
20 this project.

21  
22 **Donald Olsen** spoke on behalf of the property owner. He showed different options that could  
23 have been presented; however, he noted that the design before Council was the one that best  
24 suited the property configuration and proposed improvements.

25  
26 **Michael Staninec**, the property owner, also spoke on the design issues. He indicated that he  
27 had gone through several thousands of dollars and two architects before reaching the design  
28 presented.

29  
30 Mayor Belser opened the public hearing.

31  
32 **Sam Chase**, a neighbor, noted that he fully supported the project

33  
34 There being no further public comments, Mayor Belser closed the public hearing.

35  
36 Council discussion followed.

37  
38 **Councilmember Leone moved, seconded by Councilmember Kelly, to remand the project**  
39 **back to the Planning Commission with instructions to not increase the encroachment**  
40 **into the sideyard setback. The motion was approved by a 4-1 vote; Councilmember**  
41 **Albritton voting "No".**

42  
43 **BUSINESS ITEMS**

44  
45 **A. Update on the Amgen Tour of California bike race including: 1) Approve agreement**  
46 **by and between the City of Sausalito and the Sausalito Chamber of Commerce**  
47 **regarding the 2008 Amgen Tour of California; 2) Approve contract for catering of the**  
48 **Amgen Tour of California gala event; 3) Approve contract for tent productions at the**  
49 **Amgen Tour of California events**

1  
2 Special Events Coordinator Jeanne Friedel presented the staff report requesting approval of the  
3 contracts for the catering and the tent productions for the Amgen Tour of California events.

4  
5 **Public Comment:** There was no public comment on this item.

6  
7 **Mayor Belser moved, seconded by Vice Mayor Albritton, to approve the contracts for the**  
8 **catering events and the tent productions associated with the Amgen Tour of California**  
9 **and authorizing the City Manager to sign contracts with McCall Associates and TOP**  
10 **Productions. The motion was unanimously approved by a voice vote.**

11  
12 City Attorney Mary Wagner presented the staff report on the approval of an agreement with the  
13 Sausalito Chamber of Commerce regarding the 2008 Amgen Tour of California.

14  
15 **Public Comment:** There was no public comment on this item.

16  
17 Council discussion followed on wording changes that had been proposed by Councilmember  
18 Leone. Following discussions/clarifications, the City Attorney indicated that she would be able  
19 to incorporate the changes into the agreement.

20  
21 **Vice Mayor Albritton moved, seconded by Councilmember Kelly, to approve the**  
22 **agreement subject to the changes as suggested by Councilmember Leone. The motion**  
23 **was unanimously approved by a voice vote.**

24  
25 At the conclusion of the required action items, members of the Amgen LOC gave a brief  
26 presentation. Susan Rowe introduced those members who were present. Jeff Scharousch  
27 described some of the background on the tour and showed a presentation that captured last  
28 year's tour and the great PR that the tour had produced for Sausalito.

29  
30 **B. Set date for special meeting to conduct interviews for ten to twelve applicants for**  
31 **positions on the Arts Commission, Sustainability Commission, Historic Landmarks**  
32 **Board and Library Board**

33  
34 Administrative Services Manager Dale Vaughn briefly presented the issues before the Council  
35 and recommended that Council hold a special meeting so that several interviews could take  
36 place in one evening.

37  
38 **Public Comment:** Joshua Goldstein requested that the Arts Commission to able to weigh in  
39 on the decision making of the applicants who had applied for the Arts Commission.

40  
41 It was the consensus of the Council to hold a special meeting on January 22, 2008 from 7:30-  
42 9:30 pm for the purposes of conducting interviews for the various Boards, Commissions, and  
43 Committees.

44  
45 **C. Receive and file notes taken at the Finance Committee meeting of December 17, 2007**  
46 **(item previously on Consent as item #B2)**

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1 Councilmember Leone requested clarification on the topic of discussion that took place  
2 regarding the City's Investment Portfolio. Councilmember Leone accepted a the clarification  
3 from Finance Director Louise Ho.

4  
5 **Councilmember Leone moved, seconded by Councilmember Leone, to receive and file**  
6 **the notes taken at the Finance Committee meeting of December 17, 2007. The motion**  
7 **was unanimously approved by a voice vote.**

8  
9 **CITY MANAGER REPORTS, CITY COUNCIL APPOINTMENTS, COUNCIL DISCUSSIONS**  
10 **AND COUNCILMEMBER REPORTS**

11  
12 **A1. City Manager Reports - City Manager Information for Council**

13  
14 City Manager Adam Politzer reported on the Community Development Director interview  
15 process; advised Council that the Public Works Director had accepted a position with another  
16 agency and would be leaving at the end of the week; reported that Deputy Planning Director  
17 Kevin Bryant had also accepted a position with another agency and would be leaving in three  
18 weeks; and finally, that the new Associate Planner would be starting next week.

19  
20 **A2. Future Agenda Items**

21  
22 City Manager Adam Politzer introduced the Future Agenda Follow-up Log. Suggestions from  
23 the Council included: 1) link the future agendas to the website calendar so that others may  
24 know what may be coming up, and 2) if/when sending this log out in "In the Loop", make sure  
25 that it is just a link to the log.

26  
27 Mayor Belser requested that an item on vegetation management be placed on the future  
28 agenda list.

29  
30 It was also noted that the issue with the cellular antennas on Fire Station #2 needed to be  
31 moved along as the station is currently being renovated for use when the Public Safety  
32 Buildings begin construction.

33  
34 **B1. City Council Reports - Council Committee Assignments**

35  
36 (Continued to January 29, 2008)

37  
38 **B2. Councilmember Reports**

39  
40 Councilmember Kelly reported on the value engineering meetings that had taken place. He  
41 reported that they had found \$1.5 million in savings and that, to date, there were no eliminations  
42 being considered.

43  
44 Councilmember Weiner reported on the New Year's Shuttle Service, noting that about 95-100  
45 people had been transported and that there were no DUI arrests in Sausalito that evening.

46  
47 Councilmember Belser reported on the Merchant's Meeting and the Legislative Committee  
48 Meeting.

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Sausalito City Council Minutes

Meeting of January 8, 2008

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1 Councilmember Albritton reported that the Transit Summit had been rescheduled. He also  
2 spoke about RBRA issues and the storm.

3  
4 Councilmember Leone inquired into the viability of a Social Host Ordinance.

5  
6 Councilmember Weiner thanked the City Manager for all his work during the storm.

7  
8 Councilmember Albritton also noted that for \$5,000, Radio Sausalito would be able to purchase  
9 the necessary equipment to enable their operation to provide public service announcements  
10 during emergencies, such as during the storm.

11  
12 **ADJOURNMENT**

13  
14 The meeting adjourned at 11:30 pm in memory of John Ford and Pat Churton. The next  
15 regularly scheduled City Council meeting is scheduled for January 29, 2008.

16  
17  
18 Respectfully submitted,

19  
20 Debbie Pagliaro  
21 Deputy City Clerk

22  
23 Approved on: