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

TUESDAY, FEBRUARY 12, 2008

CALL TO ORDER

The meeting was called to order at 5:31 p.m.

ROLL CALL

PRESENT: Councilmember Weiner, Councilmember Kelly, Mayor Belser, Vice Mayor 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 5:32 p.m.

The regular meeting reconvened at 7:04 p.m.

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/directions 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/directions were given to the City Attorney

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- 1 **3. CONFERENCE WITH LEGAL COUNSEL** – Anticipated litigation pursuant to
2 subdivision (b) of CGC § 54956.9 (one potential case)
3 ***Instructions/directions were given to the City Attorney***
4
5 **4. CONFERENCE WITH LEGAL COUNSEL** – Existing litigation pursuant to subdivision
6 (b) of CGC § 54956.9
7 Notice of Intent to Sue from Northern California River Watch
8 ***Instructions/directions were given to the City Attorney***
9

10 **APPROVAL OF AGENDA**

11
12 Mayor Belser announced that she would like to have the City Manager's report on the sewer
13 spill moved up and presented following the swearing in of the new Police Officers.

14
15 **Vice Mayor Albritton moved, seconded by Councilmember Kelly, to approve the agenda**
16 **as amended. The motion was unanimously approved by a voice vote.**

17
18 **SPECIAL PRESENTATIONS**

19
20 **1A. Introduction and swearing in of new Police Officers, Michael Davis and Brian Mather**

21
22 Police Chief Scott Paulin introduced the new Police Officers, Mike Davis and Brian Mather. The
23 Chief performed the ceremonial swearing in of the officers. Mike Davis and Brian Mather then
24 introduced their family and friends.

25
26 **City Manager Report on Sewerage Spill** *(formerly listed as item 7A1)*

27
28 City Manager Adam Politzer gave a brief overview of the spill that had occurred on January 24.
29 He noted that Sausalito had continued to take appropriate actions even on Saturday and
30 Sunday. He also noted that employees worked through their weekends to make sure that the
31 public was safe and informed.

32
33 The City Manager then introduced Bob Simmons, General Manager of the Sausalito-Marin City
34 Sanitary District. Mr. Simmons described the emergency infrastructure that his district has in
35 place should such occurrences happen; although, he noted that no plan is ever fail safe.

36
37 Councilmembers asked questions, to which Mr. Simmons responded. Mr. Simmons did note
38 that the Sausalito-Marin City Sanitary District has someone at the facility 24/7 and that their
39 emergency backup system does not allow for a phone call to go unanswered. Mr. Simmons
40 also noted that due to the high rain totals, the District did experience a spill along Marinship
41 Way. Although they had contacted everyone that they were required to, he admitted that there
42 is room for improvements in communicating with the City of Sausalito.

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1 **1B. Presentation by Senator Migden on Legislative Updates**

2
3 Senator Carole Migden acknowledged the hard work of the City Councilmembers and presented
4 some of the various legislative updates that she has been involved with. Noteworthy legislation
5 included:

- 6 • Looking at oversight legislation to assist in establishing a notification system or
- 7 chain of command procedure that must be followed during times of emergencies
- 8 • Continuing to work on legislation involving rehab facilities and their
- 9 licensing/locations
- 10 • Brought back \$25 million in excess ERAF monies
- 11 • Continues to work on legislation for sudden oak death tree removal
- 12 • Discussed Doyle Drive funding issues
- 13 • Admitted that the fiscal outlook is grim
- 14 • Briefly discussed issues regarding San Quentin

15
16 The City Council also thanked Senator Migden for the hard work that she has done.

17
18 **COMMUNICATIONS**

19
20 There were no public communications.

21
22 **MINUTES OF THE PREVIOUS MEETING**

23
24 **Vice Mayor Albritton moved, seconded by Councilmember Weiner, to approve the**
25 **minutes of the January 29, 2008 Regular City Council Meeting as corrected. The motion**
26 **was unanimously approved by a voice vote.**

27
28 **CONSENT CALENDAR**

29
30 **Public Comment:** There was no public comment on this item.

31
32 Councilmember Leone requested a quick clarification with regard to the new police vehicle
33 purchase. Police Chief Scott Paulin advised that the old vehicle would be sold at auction, as it
34 had over 100,000 miles on it.

35
36 **Vice Mayor Albritton moved, seconded by Councilmember Weiner, to approve the**
37 **Consent Calendar. The motion was unanimously approved by a voice vote.**

38
39 Consent Calendar items approved were as follows:

- 40 1) Acknowledged actions taken at the Planning Commission meeting of January 23, 2008
- 41 2) Received and filed notes from the Sustainability Commission meeting of January 3,
- 42 2008
- 43 3) Appropriated and approved expenditure of funds for the purchase of a Police patrol
- 44 vehicle
- 45 4) Adopted Resolution No. 4934 adopting a revised and restated master fee schedule to
- 46 include a convenience fee in the Police Department Fees (*con't from 1/29/08*)
- 47 5) Adopted a proclamation declaring April as Fair Housing Month

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2 **PUBLIC HEARINGS**

3
4 **5A. Introduction and first reading, by title only, of an Ordinance of the City of Sausalito**
5 **amending Title 13 of the Sausalito Municipal Code by adding Chapter 13.32, Social**
6 **Host Accountability**
7

8 Captain Don MacQuarrie presented the staff report on this item. He briefly explained how these
9 laws have been coming into fruition throughout the County. Captain MacQuarrie also explained
10 what the "multiple response" item was that had been introduced in this ordinance.

11
12 Council questions followed.

13
14 **PUBLIC COMMENT:**

15
16 **Babette McDougal** requested clarification on the criminal component of the ordinance. She
17 expressed concern that Sausalito may be too zealous, noting that Sausalito is known for their
18 DUI arrests.

19
20 **Councilmember Leone** moved, seconded by **Councilmember Weiner**, to introduce and
21 read, by title only, an Ordinance of the City Council of the City of Sausalito amending
22 Title 13 of the Sausalito Municipal Code by Adding Chapter 13.32, Social Host
23 Accountability. The motion was unanimously approved by a voice vote.

24
25 **BUSINESS ITEMS**

26
27 **6B. Council discussion regarding content of a Construction Time Limits Ordinance** (*item*
28 *heard out of order*)
29

30 Interim Community Development Director Diane Henderson presented information that she had
31 acquired regarding a Construction Time Limits Ordinance. She commended the City of
32 Belvedere for their ordinance and felt that this was a good base for designing one for Sausalito.
33 Ms Henderson, noted several of the key points in the ordinance.

34
35 Council questions and comments followed. Ms Henderson answered questions from Vice
36 Mayor Albritton and Councilmember Leone.

37
38 **PUBLIC COMMENT:**

39
40 **Michael Rex** agreed that there was a need to put limits on construction projects. He also noted
41 that the County of Sonoma has an excellent ordinance. He described several points in their
42 ordinance, differing from that of Belvedere's. He questioned the penalty aspects of the
43 proposed ordinance, commenting that it needs to be kept simple and allow for unexpected
44 problems.

45
46 City Council discussion followed. It was the consensus that time limits need to be contained
47 and that penalties need to be meaningful.

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2 Ms Henderson also noted that the Planning Commission was very interested in this ordinance
3 and wanted to be able to give input. She explained that she would take the initial ordinance
4 draft to the Planning Commission before bringing it forward to Council.
5

6 **6A. Receive and file fourth quarter Police Department Statistical Report for October**
7 **through December 2007**
8

9 Police Chief Scott Paulin presented the Department's fourth quarter crime statistics through a
10 PowerPoint display. The Chief also presented Council with the Department's new crime
11 pamphlet.
12

13 **PUBLIC COMMENT:**

14
15 **Margot Gergus** asked about the R-U-Ok Program that had been noted in the Chief's
16 presentation. The Chief explained that this was a database of residents with special needs. He
17 further explained how officers have been known to intervene and assist residents by contacting
18 family members and providing special resources.
19

20 **6C. Council discussion on appointment process for the Waterfront and Marinship**
21 **Steering Committee AND set date(s) for special meeting to conduct interviews for at**
22 **least 22 applicants for this committee**
23

24 Councilmember Albritton began the discussion by noting the desires that had been derived from
25 a Community meeting that was held in November. He further suggested that Council continue
26 with the routine interview process and then allow the Mayor to come up with nominations.
27

28 Mayor Belser also added that this Steering Committee must be advisory to Council.
29

30 **PUBLIC COMMENT:**

31
32 **David Lay** noted that people are hesitant to step forward and volunteer for this group. He
33 advised that he has a list of names that really should be a part of the Committee, and yet they
34 have not applied. He suggested that Council might want to try contacting some of these people.
35

36 **Michael Rex** noted that this committee needs to continue in the theme provided by Imagine
37 Sausalito. He stated that there needs to be a proactive approach to keeping a working
38 waterfront and suggested changing the name to the Waterfront and Marinship Action
39 Committee. He also suggested that there needs to be environmental people and artists
40 represented on this committee.
41

42 **Vicki Nichols** inquired into how the advertising had taken place for this committee.
43

44 **Babette McDougal** also commented on membership and voiced concern over non-residents
45 being on the committee.
46

47 **David Lay** returned to comment on the need for non-resident representation.

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2 Council discussions followed. It was the consensus to extend the deadline for applications one
3 more time. They also discussed the need for versatility on the committee.
4

5 Mayor Belser declared that the application deadline would be extended until March 14, and that
6 Council would begin the first round of interviews on March 3 at 6:00 pm.
7

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

10
11 **7A. City Manager Reports**

- 12
13 1. **City Manager Report on Sewerage Spill** (*heard earlier in the evening – see Special*
14 *Presentations above*)
15
16 2. **Public Safety Facilities: Council direction and next steps for RFP**
17

18 Councilmember Kelly advised that pre-qualification for contractors would begin the following
19 Monday. He explained to the Council that the Department of Industrial Relations has a
20 criteria/procedure for pre-qualifying contractors. Following the pre-qualifications,
21 Councilmember Kelly advised that from that list of contractors obtained, contractors would then
22 be asked if they would like to submit a bid on the project.
23

24 **PUBLIC COMMENT:** There was no public comment on this item
25

26 3. **City Manager Information for Council**
27

28 City Manager Adam Politzer spoke on the City Manager Conference he had attended, the
29 Amgen Tour of California, the Lions Club crab feed, the February 26 mid-year budget review,
30 and on the upcoming six month Council/Management retreat.
31

32 4. **Future Agenda Items**
33

34 Mayor Belser noted that she would like to see an item on Vegetation Management added to the
35 list of pending agenda items.
36

37 **7B. City Council appointments to various City Boards and Commissions**
38

- 39 1. **Appointment to as many vacancies on the Sustainability Commission as**
40 **possible at this time:**
41 • one (1) unexpired term to run through February 2009
42 • two (2) full terms to run through February 2011
43

44 Mayor Belser nominated Catherine Carpenter for the term ending February 2009 and Dane
45 Faber for the term ending February 2011. There being no other nominations, the above listed
46 persons were appointed, by acclamation, to the Sustainability Commission, with their respective
47 terms also noted above.

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C. City Council Reports

1. Councilmember Reports

Mayor Belser reported on the following meetings: Legislative Day on April 16 in which she would not be able to attend; a Parks Service meeting to be held February 26 at the Bay Model (which would include an update on Ft. Baker); the Doyle Drive hearing; a celebration for Phil Frank at the Bay Model on March 29 from 2-4 pm; and the Legislative Meeting.

Vice Mayor Albritton reported on the following meetings: Business Advisory Committee meeting; noted that he had been elected Chair for the JPA Oversight Committee; RBRA; and, Harbor & Downtown Action Committee.

Councilmember Kelly reported that he had met with Jim Madden regarding the bulkhead. He also reported on SMEMPS.

Councilmember Weiner advised Council that he would be holding his block parties for emergency preparedness on April 5 from 10-2. He also reported on a list of dates for a joint dinner with the Council and Bayside School. Council chose April 3 for this joint meeting. Councilmember Weiner also reported on the Willow Creek Academy Fundraiser.

Adjournment

The meeting adjourned at 10:45 pm in memory of David Robinson. The next City Council Regular meeting is scheduled for February 26, 2008, with the open session due to commence at 7:00 pm.

Respectfully submitted:

Debbie Pagliaro
Deputy City Clerk

Approved on:

