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

TUESDAY, MARCH 25, 2008

10 **CALL TO ORDER**

11
12 The meeting was called to order at 5:35 p.m.

13
14 **ROLL CALL**

15
16 **PRESENT:** Councilmember Weiner, Councilmember Kelly, Mayor Belser, Vice Mayor
17 Albritton, Councilmember Leone

18
19 **ABSENT:** None

20
21 **ANNOUNCEMENT OF CLOSED SESSION ITEMS**

22
23 Mayor Belser announced the items that would be discussed in Closed Session.

24
25 **Public Comment:** There was no public comment on Closed Session items.

26
27 Council then adjourned to the Conference Room for their Closed Session at 5:37 p.m.

28
29 **The regular meeting reconvened at 7:08 p.m.**

30
31 **PLEDGE OF ALLEGIANCE**

32
33 **REPORT ON RESULTS OF CLOSED SESSION ITEMS**

- 34
35 1. **CONFERENCE WITH LEGAL COUNSEL** – Existing litigation pursuant to subdivision
36 (b) of CGC § 54956.9
37 Sausalito v. Alta Mira Treatment Program
38 ***Direction given to the City Attorney***
39
40 2. **CONFERENCE WITH REAL PROPERTY NEGOTIATOR** pursuant to CGC § 54956.8
41 Property: Sausalito Marine Properties; Foot of Locust Street
42 Negotiating Parties: Zacks Inc. dba Sausalito Marine
43 City Negotiator: City Manager and City Attorney
44 Under Negotiation: Price and Terms
45 ***Direction given to the negotiating team***
46

- 1 **3. CONFERENCE WITH LEGAL COUNSEL** – Existing litigation pursuant to subdivision
 2 (b) of CGC § 54956.9
 3 Notice of Intent to Sue from Northern California River Watch
 4 ***Direction given to the City Attorney***
 5
- 6 **4. CONFERENCE WITH REAL PROPERTY NEGOTIATOR** pursuant to CGC § 54956.8
 7 Property: Tidelands adjacent to 40 Alexander Avenue
 8 Negotiating Parties: Maurice & Elizabeth Myers
 9 City Negotiator: City Manager and City Attorney
 10 Under Negotiation: Price and Terms
 11 ***Direction given to the negotiating team***
 12
- 13 **5 CONFERENCE WITH LABOR NEGOTIATOR** pursuant to CGC § 54957.6
 14 Agency Negotiator: City Manager
 15 Employee Organization: SEIU 1021
 16 ***Direction given to the negoatiator***
 17
- 18 **6. CONFERENCE WITH REAL PROPERTY NEGOTIATOR** pursuant to CGC § 54956.8
 19 Property: 257 San Carlos Avenue
 20 Negotiating Parties: Jones/Hock
 21 City Negotiator: City Manager and City Attorney
 22 Under Negotiation: Price and Terms
 23 ***Direction given to the negotiating team***
 24

25 **APPROVAL OF AGENDA**

26
 27 **Vice Mayor Albritton moved, seconded by Councilmember Weiner, to approve the**
 28 **agenda as submitted. The motion was unanimously approved by a voice vote.**
 29

30 **SPECIAL PRESENTATIONS**

31
 32 **1A. Introduction and swearing in of Police Lieutenant Patrick Armitage, Police Sergeant Steven**
 33 **Veveiros and Detective Matthew Shoup, and other personnel announcements by Chief of**
 34 **Police Scott Paulin**
 35

36 Police Chief Scott Paulin announced the recipients of the Police Department annual awards.
 37 He acknowledged Susan Barnes as the recipient of the Mark Thomas Award and Detective
 38 Mike Striek as the Employee of the Year.
 39

40 Chief Paulin then introduced Lt. Pat Armitage, Sgt. Steve Veveiros and Det. Matt Shoup. A
 41 ceremonial badge pinning and swearing in followed.
 42

43 **COMMUNICATIONS**

44
 45 **Kayla Kahn**, voiced concern about SHIP and requested that Council agendize this project so
 46 that the public could have input on what this project involves.
 47

1 **Chuck Donald** spoke about undergrounding of power utilities on Bridgeway.

2
3 **Muriel Ullman** spoke about the 70/80 bus. She requested Council approach Golden Gate
4 Transit to have one of these busses come through Sausalito so that there would be access for
5 Sausalitans to go to San Francisco via Lombarbard/Van Ness.

6
7 **Mike Monsef** simply wanted to thank the Planning Department. He noted how hard they work
8 to help resolve problems and not make them. Mr. Monsef also complimented the City Manager
9 for the fine job he is doing.

10
11 **David Lay** spoke about the Citizen's Oversight Committee and the interaction with the Public
12 Safety Facilities project. He voiced concern that the Committee is made up of new
13 Councilmembers, the new City Manager, and others that were not previously involved in the.
14 He voiced concerned that something could go amiss on the project with all these new people
15 coming in so late.

16
17 **Clay Bell** wanted to publicly complain about the Police Department.

18
19 **MINUTES OF THE PREVIOUS MEETING**

20
21 **3A. Approval of minutes from the February 26, 2008 Regular City Council meeting**

22
23 **Vice Mayor Albritton moved, seconded by Councilmember Kelly to approve the minutes**
24 **of February 26, 2008 as corrected. The motion was unanimously approved by a voice**
25 **vote.**

26
27 **3B. Approval of minutes from the March 4 2008 Regular City Council meeting**

28
29 **Vice Mayor Albritton moved, seconded by Mayor Belser to approve the minutes of March**
30 **4, 2008 as corrected. The motion was unanimously approved by a voice vote.**

31
32 **CONSENT CALENDAR**

33
34 **Public Comment:** There was no public comment on this item.

35
36 It was requested that items 4B4 and 4B5 be removed for further discussion. Mayor Belser
37 announced that they would become business items 6E and 6F respectively.

38
39 **Vice Mayor Albritton moved, seconded by Councilmember Kelly, to approve Consent**
40 **Calendar items #1, #2, #3 and #6. The motion was unanimously approved by a voice**
41 **vote.**

42
43 Consent Calendar items approved were as follows:

- 44 1) Received and filed notes taken from the Sausalito Arts Commission meeting of March
45 5, 2008
46 2) Received and filed notes taken at from the Citizen's Oversight Committee meeting of
47 February 27, 2008 (*notation made that a quorum was not present*)

- 1 3) Adopted Resolution No. 4942 approving adoption of California Public Employees'
2 Deferred Compensation Plan for the benefit of City employees, and authorized the City
3 Manager to sign the CalPERS Employer Adoption Agreement and Loan Program
4 Employer Enrollment
5 4) *Approve list of Finance and Human Resources documents slated for destruction –*
6 *(moved to item 7B1)*
7 5) *Adopt resolution supporting the Corridors Plan and request that it be considered in the*
8 *Transportation Authority of Marin's proposed Southern Marin Transit Study – (moved to*
9 *item 7B2)*
10 6) Adopted Resolution No. 4943 approving the Encroachment Agreement for
11 improvements conducted in the public right-of-way as part of an approved Design
12 Review and Encroachment Permit (application No. DR/EP00-63) for construction of a
13 new single-family home with an attached garage located at 178 Santa Rosa Avenue
14 (APN 065-142-30)
15

16 **PUBLIC HEARINGS**

17
18 **5A. On the appeal filed by Michael Rex, on behalf of Matsuno Patrick of an approval for**
19 **a Design Review Application (DR07-027) submitted by David Kalb on behalf of**
20 **Pierre and Cecilia Vacherand to remodel an existing single-family house located at**
21 **75 Cloud View Road (APN 065-191-25) to add 640 sq.ft of additional floor area to the**
22 **existing home and relocation and minor reduction of existing building coverage and**
23 **impervious surface (Interim Community Development Director Diane Henderson) (con't**
24 **from 1/29/08)**
25

26 Interim Community Development Director Diane Henderson presented the staff report on this
27 item. She noted that this appeal had been continued from January 29, 2008 when Council gave
28 direction to the applicant and the appellant.
29

30 Ms Henderson noted that the applicants had advised the Planning Department that they did not
31 want to continue at this time. However, Ms Henderson stressed that they had not said that they
32 were pulling the application
33

34 Mayor Belser reminded those present that the public hearing had been closed at the January 29
35 meeting; however, she offered the appellant and the applicants the opportunity to offer any new
36 information that may have come forward since the last hearing.
37

38 **Michael Rex**, speaking on behalf of appellant, quoted from the January 29, 2008 City Council
39 minutes where Council requested that the two parties meet to try to come to a resolve. Mr. Rex
40 felt that this directive had been ignored. He admitted that he and his client had hoped for a win-
41 win situation, but that the applicants had made no contact with him. Mr. Rex asked the Council
42 to uphold the appeal.
43

44 **David Kalb**, commended the Planning Department and the Planning Commission for their work
45 on the approval of the project. Mr. Kalb continued on to discuss the primary view vs. secondary
46 view issues associated with the project. He felt that based on the definitions alone regarding
47 primary and secondary views, Council should deny the appeal.

1
2 Council discussion followed on heights.

3
4 Vice Mayor Albritton recommended denial of the appeal and suggested adding a condition
5 regarding the total height of the project.

6
7 Based on the discussions being held by Council, staff presented a new condition which read:
8 "Condition No. 24. Plans submitted for building permit shall show the maximum height of the
9 roofline to be no higher than the main ridge over the master bedroom (elevation 105'3") as
10 shown on sheet A4.2 on plans dated November 19, 2007."

11
12 Council did voice concern that a meeting had never taken place following the January 29 City
13 Council meeting; however, they did feel that they needed to move on and take appropriate
14 action.

15
16 **Vice Mayor Albritton moved, seconded by Mayor Belser, to adopt Resolution No. 4944**
17 **denying the appeal filed by Michael Rex, on behalf of Matsuno Patrick, and upholding the**
18 **Planning Commission's approval of Design Review and Non-Conformity Permit**
19 **Application No. DR/NC 07-027 for the remodel of a single-family home at 75 Cloudview**
20 **Road; and adding Condition No. 24 to the list of Planning Commission Conditions of**
21 **Approval. The motion was unanimously approved by a roll call vote.**

22
23 **BUSINESS ITEMS**

24
25 **6A. Adopt resolution opposing the California Department of Food and Agriculture aerial**
26 **spray program to eradicate the Light Brown Apple Moth in Marin County (Associate**
27 **Planner Brent Schroeder)**

28
29 Associate Planner Brent Schroeder began the presentation by informing the Council and those
30 present on the intended spraying program to eradicate the Light Brown Apple Moth. He also
31 gave a synopsis of the hearing that had taken place in the Marin County Board of Supervisors
32 Chambers earlier. Mr. Schroeder then introduced Frank Egger.

33
34 Frank Egger advised that he had been working on the project over the last four months. He
35 noted that Sausalito will be fully sprayed, should the State proceed as currently proposed under
36 the eradication program. Mr. Egger advised that the spraying efforts were scheduled to begin in
37 the Monterey/Santa Cruz areas around June 1st. He also reported that Senator Migden is
38 asking for a moratorium on the spraying until full testing is completed.

39
40 **PUBLIC COMMENT:**

41
42 **Bob Zadeck** noted that this pest is originally from New Zealand and that it has been able to co-
43 exist alongside native vegetation there with no problem. He stressed that it was the Council's
44 duty to protect the residents of Sausalito, and therefore, fully supported the ban on spraying.

45
46 **Leslie Kahn** also supported no spraying. She stressed that she may be forced to move if the
47 spraying were to take place in Sausalito. Ms Kahn thanked the Council for taking action.

1
2 **Joanie Greggains** noted that she has been around for some time. She voiced concern about
3 breathing in this pesticide. Ms Greggains elaborated her points by asking, what effect would
4 this have on our tourism.

5
6 **Grace Sieverson** impressed to the Council that she does not want to be a guinea pig. She
7 agreed that not all of the questions that have been raised have been appropriately answered
8 yet. Ms Sierverson questioned whether this was safe, was it necessary, and will it work.

9
10 **Vicki Nichols** also thanked the Council for taking action, and agreed with all the previous
11 speakers.

12
13 **Linda Pfeifer** also asked, rhetorically, about the impact of spraying on the salmon, which due to
14 unrelated problems are already at risk. She also appreciated the Council's action.

15
16 **Bonnie MacGregor** voiced concern about the lack of proof which is requiring the spraying.

17
18 **Councilmember Leone moved, seconded by Councilmember Weiner to adopt Resolution**
19 **No. 4945 opposing the California Department of Food and Agriculture aerial spray**
20 **program to eradicate the Light Brown Apple Moth in Marin County. The motion was**
21 **unanimously approved by a voice vote.**

22
23 **6B. Report on Business Advisory Committee Business Visioning Process and Action**
24 **Committee recommendations for funding Imagine Sausalito implementation**
25 **programs (Associate Planner Sierra Russell)**

26
27 Associate Planner Sierra Russell presented the staff report on this item. Vice Mayor Albritton
28 also gave a brief background on the start up of the Business Advisory Committee. Ms Russell
29 then introduced the committee chairs who gave their presentations.

30
31 David Hodgson presented the report on behalf of the Telecommunications Committee. He
32 noted that this committee had formed in October and that they had held five meetings to date.
33 During that time, the committee had installed a free Wi-Fi hot-spot in the downtown area, and
34 had met with one vendor for consideration of a micro cellular phone site, also in the downtown
35 area.

36
37 Mr. Hodgson noted that some of the goals for the next year included: possible recommendation
38 to change the Telecommunications Ordinance to include micro cell sites; expand the Wi-Fi in
39 the downtown area, and possible throughout all of Sausalito; and assist Community
40 Development with the audit of telecommunication services and facilities.

41
42 Bonnie MacGregor presented the report on behalf of the Transportation Committee. Her update
43 included information on streetcars, shuttles, water taxis, and stairs and pathways on the
44 shoreline. Ms MacGregor reported on their highlights: persuaded TAM to include streetcars in
45 their transit study; working to re-establish shuttles in Sausalito; identifying those steps/paths
46 that need repairs and/or establish new ones, and ultimately establish a shoreline trail; and have
47 determined eleven stops for water taxi service.

1
2 Michael Rex presented the report on behalf of the Harbor and Downtown Committee. His
3 updates included determining the study area, assessment of property lines, coordination with
4 the Golden Gate Bridge District, coordination with SHIP, evaluation of the bulkhead, and
5 assessment of the current parking. Mr. Rex noted that they had held one of three scheduled
6 workshops in which they hope to obtain community input and feedback. Mr. Rex concluded his
7 presentation by presenting their goals for the next year, which included: provide an active
8 waterfront with more guest tie-ups; provide a place for people to gather; provide a continuous
9 shoreline trail along the length of Sausalito's waterfront; provide resident-serving uses and
10 activities; consider alternative parking, circulation and transportation options; and improve
11 Sausalito's local economy.

12
13 Adam Kravatsy presented a very brief report on behalf of the Economic Development
14 Committee. He noted that they had no programs in place at this time, since they are charged
15 with the economic side of the projects presented by the other visioning committees. However,
16 they were currently pursuing an economic consultant to aid in their part of the overall plan.

17
18 **PUBLIC COMMENT:**

19
20 **David Lay** noted how great Michael Rex was with coming up with unique ideas. He also voiced
21 concern about the influence of SHIP.

22
23 **Carolyn Ford** commented on the disconnect with the Business Visioning process and the
24 residents' knowledge base. She was also concerned about the weight of business intervention
25 on some of the ideas being presented. Ms Ford also stressed that some of the ideas are too
26 grandiose and, therefore, should not be funded by the City. Ms Ford noted that the residents of
27 Sausalito do not want to be developed; they want the old time character to remain untouched.

28
29 **Peter Supino** agreed that the residents do not know what is happening. He felt that Council
30 needed to put more emphasis on resident awareness. Mr. Supino also thought that the scale of
31 the projects was too large.

32
33 **Chuck Donald** also agreed with the two previous speakers. He added that there are still
34 people who are ill-informed, and those who think too large.

35
36 **Bonnie MacGregor** noted her disappointment in the number of people participating in the
37 process, and yet they complain about the proposals.

38
39 **Bill Hale** suggested to Council that the next mailers should also include post office boxes and
40 absentee owners.

41
42 **Adam Kravatsy** was impressed with all the creative thoughts. He noted that this is a great
43 opportunity to make this community more livable.

44
45 Vice Mayor Albritton noted that business "vitality" is the intent behind these projects. He
46 indicated that he was in favor of budgeting the \$10,000 in order to continue the dialog.

47

1 Councilmember Leone expressed concern, and felt a need to be cautious. He asked how the
2 projects could be separated into those that are workable and those that are not. However,
3 Councilmember Leone felt that the process should go forward, and later put constraints on if
4 needed.

5
6 Councilmember Kelly agreed that vitality is needed. He reminded the group that there is always
7 a protection plan in place if something is not liked --- voter initiative. Councilmember Kelly felt
8 that the City had earnestly tried to get a dialog going and to get everyone involved. He also
9 wanted to see the process move on.

10
11 Councilmember Weiner suggested to everyone that they keep an open mind during this whole
12 process.

13
14 Mayor Belser admitted that not a lot of people have heard about this. She was not sure how to
15 reach more people to get them involved. Mayor Belser also added that not all of these
16 proposals are bad.

17
18 **Mayor Belser moved, seconded by Vice Mayor Albritton, to consider approving the**
19 **annual funding of \$10,000 during the budget discussions for the next two years. The**
20 **motion was unanimously approved by a voice vote.**

21
22 **6C. Change Order Authorizations for basketball court project (City Engineer Todd**
23 **Teachout)**

24
25 City Engineer Todd Teachout presented the staff report on this item.

26
27 **PUBLIC COMMENT:** There was no public comment on this item.

28
29 **Councilmember Kelly moved, seconded by Councilmember Weiner to approve the**
30 **change order payment to Saviano Company in the amount of \$11,162 in accordance with**
31 **the City of Sausalito Change Order Policy; and accepted the project as complete. The**
32 **motion was unanimously approved by a voice vote.**

33
34 **6D. Sausalito Yacht Harbor Bulkhead – Authorization to amend agreement with Noble**
35 **Consultants to enable plan revision (City Engineer Todd Teachout)**

36
37 City Engineer Todd Teachout presented the staff report on this item.

38
39 Council discussion followed on the design of the bulkhead.

40
41 **PUBLIC COMMENT:**

42
43 **Michael Rex** commented on the high quality the City was getting with Noble Consultants.

44
45 **Councilmember Kelly moved, seconded by Councilmember Weiner to adopt Resolution**
46 **No. 4946 approving Change Order #2 to fund engineering services with Noble**

1 **Consultants to revise the Sausalito Yacht Harbor Bulkhead, and in an amount not to**
2 **exceed \$20,800. The motion was unanimously approved by a voice vote.**

3
4 **6E. Approve list of Finance and Human Resources documents slated for destruction**
5 **(formerly Consent Calendar Item 4B4)**

6
7 Councilmember Leone explained that he had had this item pulled in order to have Timesheets
8 and Terminated Employee Personnel Files removed from the Records Verification Destruction
9 List and retained until scanned.

10
11 **PUBLIC COMMENT:** There was no public comment.

12
13 **Councilmember Leone moved, seconded by Councilmember Weiner, to approve the**
14 **Records Verification Destruction List with the exception of Timesheets and Terminated**
15 **Employee Personnel Files. The motion was unanimously approved by a voice vote.**

16
17 It was also the direction of the Council to continue bringing the Records Verification Destruction
18 Lists to Council until the ability to scan documents was in place.

19
20 **6F. Adopt resolution supporting the Corridors Plan and request that it be considered in**
21 **the Transportation Authority of Marin's proposed Southern Marin Transit Study**
22 **(formerly Consent Calendar Item 4B5)**

23
24 Vice Mayor Albritton requested that an additional "Whereas" paragraph be added to the
25 beginning of the resolution. Vice Mayor Albritton read into the record, his recommended
26 addition: "Whereas, the Imagine Sausalito process has identified trolleys as a potential goal of
27 the community to enhance business vitality and quality of life in Sausalito; and". This additional
28 wording was accepted by Council.

29
30 **Vice Mayor Albritton moved, seconded by Mayor Belser, to adopt Resolution No. 4947,**
31 **with the additional introductory paragraph, supporting the Corridors Plan and request**
32 **that it be considered in the Transportation Authority of Marin's proposed Southern Marin**
33 **Transit Study. The motion was unanimously approved by a voice vote.**

34
35 **PUBLIC COMMENT:**

36
37 **Chuck Donald** expressed concern regarding the term *streetcar/trolley*, as trolleys require
38 overhead wires and that would be contrary to the General Plan.

39
40 **CITY MANAGER REPORTS, CITY COUNCIL APPOINTMENTS, COUNCIL DISCUSSIONS**
41 **AND COUNCILMEMBER REPORTS**

42
43 **7B. City Manager Reports**

44
45 **1. City Manager Information for Council**

1 City Manager Adam Politzer reported on the accomplishments that have happened over the last
2 six and a half months: he noted that the Future Agenda list shows many of these
3 accomplishments; the Police Department is fulfilling their succession plan; two quarterly All
4 Hands meetings had been held; and the second strategic planning session is coming up.
5 Additionally, he reported that he would be attending a luncheon with the Sausalito Marin City
6 School District; the Sausalito Marin City Sanitary District held their joint workshop; and he and
7 Councilmember Weiner had attended a presentation by the UC Berkeley landscape architect
8 students, and they would be bringing a scaled-down version of this presentation to a future
9 Council meeting.

10 11 **2. Future Agenda Items**

12
13 Discussion followed on: follow-up on the Historic District discussions; housing element needs to
14 move up; historic district guidelines needs to move up; Oversight Committee interview needs to
15 take place; HLB interviews and re-interviews need to take place; Planning Commission
16 interviews need to be held; there is a need for a public update on the Covello shuttle; and
17 discussion is needed on a possible treatment center ordinance.

18 19 **C. City Council Reports**

20 21 **1. Councilmember Reports**

22
23 Councilmember Leone reported on the Marin Telecommunications Agency.

24
25 Vice Mayor Albritton reported on the Hospitality Business Development Plan Advisory
26 Committee; JPA Oversight; and Marin County Transit District.

27
28 Mayor Belser reported on the upcoming Phil Frank celebration and on the MCCMC Legislative
29 Committee.

30
31 Councilmember Kelly reported on the Finance Committee and the Public Safety Facilities
32 meeting.

33
34 Councilmember Weiner reported on the April 5 emergency preparedness event.

35 36 **Adjournment**

37
38 The meeting adjourned at 11:45 pm. The next City Council Regular meeting is scheduled for
39 April 1, 2008, with the open session due to commence at approximately 7:00 pm.

40
41
42 Respectfully submitted:

43
44 Debbie Pagliaro
45 Deputy City Clerk

46
47 Approved on: