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

**TUESDAY, APRIL 22, 2008**

**CALL TO ORDER**

The meeting was called to order at 5:30 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 then adjourned to the Conference Room for their Closed Session at 5:32 p.m.

The regular meeting reconvened at 7:15 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  
***Guidance given to the City Attorney***
2. **CONFERENCE WITH LEGAL COUNSEL** – Existing litigation pursuant to subdivision (b) of CGC § 54956.9  
Notice of Intent to Sue from Northern California River Watch  
***Guidance given to the City Attorney***
3. **CONFERENCE WITH LEGAL COUNSEL** – Existing litigation pursuant to subdivision (b) of CGC § 54956.9  
US EPA Findings of Violation and Order for Compliance, dated April 10, 2008  
***Guidance given to the City Attorney***
4. **CONFERENCE WITH REAL PROPERTY NEGOTIATOR** pursuant to CGC § 54956.8  
Property: 100 Ebbtide Avenue – MLK Property

**DRAFT**

Item #: 3A  
Meeting Date: 5-20-08  
Page No. 1

1 Negotiating Parties: Pippa Murray  
2 City Negotiator: City Manager and City Attorney  
3 Under Negotiation: Price and Terms

4 **Guidance given to the City Attorney**  
5

6 **5. CONFERENCE WITH REAL PROPERTY NEGOTIATOR** pursuant to CGC § 54956.8

7 Property: 40 Alexander Avenue  
8 Negotiating Parties: Maurice and Elizabeth Myers  
9 City Negotiator: City Manager and City Attorney  
10 Under Negotiation: Price and Terms

11 **Guidance given to the City Attorney**  
12

13 **6. CONFERENCE WITH REAL PROPERTY NEGOTIATOR** pursuant to CGC § 54956.8

14 Property: 257 San Carlos Avenue  
15 Negotiating Party: Sam Hock  
16 City Negotiator: City Manager and City Attorney  
17 Under Negotiation: Price and Terms

18 **Guidance given to the City Attorney**  
19

20 **7. CONFERENCE WITH LEGAL COUNSEL** – Potential litigation pursuant to subdivision  
21 (b) of CGC § 54956.9 (Threat of one potential case)

22 **Guidance given to the City Attorney**  
23

24 **8. CONFERENCE WITH REAL PROPERTY NEGOTIATOR** pursuant to CGG § 54957.8

25 Property: Sausalito Marine Properties; Foot of Locust Street  
26 Negotiating Parties: Zacks Inc. dba Sausalito Marine  
27 City Negotiator: City Manager and City Attorney  
28 Under Negotiation: Price and Terms

29 **Guidance given to the City Attorney**  
30

31 **9. CONFERENCE WITH LABOR NEGOTIATOR** pursuant to CGC § 54957.6

32 Agency Negotiator: City Manager  
33 Employee Organization: Firefighters, IAFF Local 1775

34 **Guidance given to the City Attorney**  
35

36 **APPROVAL OF THE AGENDA**  
37

38 **Vice Mayor Albritton moved, seconded by Councilmember Weiner, to approve the**  
39 **agenda as submitted. The motion was unanimously approved by a voice vote.**  
40

41 **SPECIAL PRESENTATIONS**  
42

43 **1A. Introduction of new employees: Community Development Director Jeremy Graves**  
44 **and Accounting Technician Cindy Kim**  
45

46 Finance Director Louise Ho introduced the new Accounting Technician, Cindy Kim, to the City  
47 Council.  
48

3A  
2

1 City Manager Adam Politzer introduced the new Community Development Director, Jeremy  
2 Graves, to the City Council.

3  
4 **1B. Waterfront presentation by the UC Berkeley Landscape Architecture students and**  
5 **Jennifer Brooke, partner at Landscape Office Ltd in Sausalito and Adjunct Faculty**  
6 **at UC Berkeley's Department of Landscape Architecture and Environmental**  
7 **Planning**  
8

9 Associate Planner Sierra Russell introduced Jennifer Brooke, a partner at Landscape Office Ltd  
10 in Sausalito and Adjunct Faculty at UC Berkeley's Department of Landscape Architecture and  
11 Environmental Planning. Ms Brooke noted that she was a ten year resident of Sausalito and  
12 was excited about having the opportunity to participate in this landscape design project which  
13 affected her own city. Ms Brooke described the process involved in the project, indicating that  
14 the students took the entire Sausalito waterfront and divided it into seventeen separate projects.  
15 She explained that each student researched their specific area, looking into what existed now  
16 and the past history of the properties involved. Four of the seventeen students then presented  
17 their designs on their assigned properties.  
18

19 **Nick Glase** presented his project which involved the end of Harbor Drive.

20 **Nick Curtis** presented his project which involved the adjacent property to the south.

21 **Rachael Edmonds** presented her project which involved the property off of Marinship Way.

22 **Adrine Arakelian** presented her project which involved the property behind North Point Coffee  
23 Shop.  
24

25 Ms Brooke concluded the presentation by announcing that the full project would be presented at  
26 the Bay Model on May 16 from 5:30 pm to 9:30 pm.  
27

28 **1C. Presentation of the Strategic Plan of the Library Board of Trustees by City Librarian**  
29 **Mary Richardson and members of the Library Board**  
30

31 City Librarian Mary Richardson introduced Patricia DeLuca of the Library Board of Trustees. Ms  
32 Richardson and Ms DeLuca presented the highlights of the Library's Strategic Plan. Following  
33 the conclusion of their presentation, Ms Richardson and Ms DeLuca honored Barbara Geisler  
34 for her outstanding work on the strategic plan.  
35

36 **COMMUNICATIONS**  
37

38 **Jeff Scharosch** of the Spinnaker Restaurant spoke about the recent power outage. He  
39 indicated that between all of the local restaurants, there was at least a \$50,000 loss of revenue  
40 when they all had to turn away customers due to the power failure. Mr. Scharosch pleaded with  
41 Council to help find a resolve to the ongoing power failures.  
42

43 **MINUTES OF THE PREVIOUS MEETINGS**  
44

45 **3A. Approval of minutes from the March 25, 2008 Regular City Council meeting**  
46

47 **Vice Mayor Albritton** moved, seconded by Councilmember Weiner, to approve the  
48 minutes of March 25, 2008 as corrected. The motion was unanimously approved by a  
49 voice vote.

1  
2 **3B. Approval of minutes from the April 1, 2008 Regular City Council meeting**

3  
4 Councilmember Leone moved, seconded by Vice Mayor Albritton to approve the minutes  
5 of the April 1, 2008 as corrected. The motion was unanimously approved by a voice vote.  
6

7 **CONSENT CALENDAR**

8  
9 **Public Comment:** There was no public comment on this item.

10  
11 **Vice Mayor Albritton moved, seconded by Councilmember Weiner, to approve the**  
12 **Consent Calendar as presented. The motion was unanimously approved by a voice vote.**

13  
14 Consent Calendar items approved were as follows:

- 15 1) Received and filed minutes from the Sustainability Committee meeting of March 6,  
16 2008  
17 2) Received and filed minutes from the Sausalito Citizen's Advisory Review Board  
18 meeting of February 11, 2008  
19 3) Received and filed notes taken at the OMIT Committee meeting of April 2, 2008  
20 4) Waived further reading and adopted Ordinance No. 1190, an ordinance of the City  
21 Council of the City of Sausalito Amending Chapters 6.04 and 6.24 of the Sausalito  
22 Municipal Code Addressing Animals  
23 5) Adopted Resolution No. 4949 approving the second amendment to lease agreement  
24 by and between the City and Pippa Murray – MLK

25  
26 **PUBLIC HEARINGS**

27  
28 There were no public hearings.

29  
30 **BUSINESS ITEMS**

31  
32 **6A. Presentation by Dawn Weisz Brown from the County of Marin Sustainability and**  
33 **Community Development Team on Community Choice Aggregation (CCA) (Associate**  
34 **Planner Sierra Russell)**

35  
36 Associate Planner Sierra Russell began the presentation by describing the CCA (Community  
37 Choice Aggregation) project. She noted that the project entailed forming a group to purchase  
38 green energy on behalf of the citizens of Sausalito and Marin County. Ms Russell explained  
39 that there would be a need to educate the citizens of Sausalito on what CCA was, as well as the  
40 costs and/or benefits. Ms Russell then introduced Dawn Weisz Brown from the County of Marin  
41 Sustainability and Community Development Team.

42  
43 **Dawn Weisz Brown** first noted that CCA was also using the term "Marin Clean Energy" as it  
44 better described the project. Ms Weisz Brown then went on to describe the process that was  
45 anticipated so that residents would be able to participate in the purchase/use of green energy.  
46 She then went on to note the process required before this could happen. She advised that a  
47 JPA would need to be approved in early 2009 and then an energy service provider would be  
48 selected. Ms Weisz Brown explained that PG&E would still be responsible for the transmission

1 and distribution of the electricity/gas. She went on to describe the financial and environmental  
2 advantages.

3  
4 **David Orrick** of the San Joaquin Valley Power Authority further explained the process of a  
5 Community Choice Aggregation Program.

6  
7 **David Grooden** of PG&E then spoke, rebutting the project. He noted that PG&E is committed  
8 to minimizing greenhouse emission and to educate their customers on the ways to reduce the  
9 greenhouse effects.

10  
11 **Richard Fortmann** of the Sausalito Sustainability Commission spoke on behalf of the  
12 Commission. He noted that it was the recommendation of the Commission to assist the City  
13 Council in providing an appropriate outreach program for the citizens of Sausalito.

14  
15 **Public Comment:**

16  
17 **Chuck Donald** agreed that the City and County should pursue such a JPA. He felt that PG&E  
18 was being poorly run.

19  
20 **Peter Van Meter** recommended that a thorough analysis of all proposals take place.

21  
22 **Joe Lemon** suggested that the City look into Palo Alto's program for further guidance. He  
23 noted that their program has been running quite well.

24  
25 Council discussion followed.

26  
27 **Councilmember Leone moved, seconded by Vice Mayor Albritton, to direct the**  
28 **Sustainability Commission to come up with a draft plan for the educational process and**  
29 **submit that back to Council for approval (and that the plan is to include education**  
30 **involving both sides of the issues) and to work with City Staff, ie: Associate Planner**  
31 **Sierra Russell, to implement a budget for such an outreach program. The motion was**  
32 **unanimously approved by a voice vote.**

33  
34 **6B. Accept and approve the actuarial valuation of postemployment health care benefits**  
35 **(GASB 45) report (Finance Director Louise Ho)**

36  
37 Finance Director Louise Ho presented the staff report on this item. She then presented Douglas  
38 Tokerud of Nicolay Consulting Group.

39  
40 Mr. Tokerud and Ms Ho presented the results of the actuarial valuation of the health care  
41 benefits for the City's retirees. Mr. Tokerud noted that \$5.9 million had been estimated as the  
42 future costs of the retiree benefits. Ms Ho then offered several options to the funding approach.

43  
44 **Public Comment:** There was no public comment on this item.

45  
46 Council discussion followed.

47  
48 Based on a communication received from SEIU, Council suggested that if any of the City's  
49 unions had suggestions/solutions, they should bring their recommendations forward to staff.

1  
2 **Vice Mayor Albritton moved, seconded by Councilmember Weiner to accept the actuarial**  
3 **report presented. The motion was unanimously approved by a voice vote.**

4  
5 **6C. Receive update and provide direction on City Hall Improvements (City Librarian Mary**  
6 **Richardson)**

7  
8 City Library Mary Richardson presented the staff report on this item. She highlighted several  
9 proposals that the City Hall Improvements Committee had come up with for making City Hall a  
10 more welcoming place. Ms Richardson requested direction from the Council on how to  
11 proceed.

12  
13 Council discussion followed.

14  
15 Vice Mayor Albritton suggested following through with the coffee cart, comfortable chairs for the  
16 lobby and extending the wireless internet connection in the building. He felt that these items  
17 were the least costly.

18  
19 Councilmember Kelly suggested going with the third scenario and try and find the money.

20  
21 Mayor Belser also agreed with what had been suggested. She urged the committee to start  
22 with that which costs the least and proceed from there.

23  
24 **6D. Oral report on Rotary's performance of maintenance at Gabrielson Park (City Attorney Mary**  
25 **Wagner)**

26  
27 City Attorney Mary Wagner presented the report on this item. She noted that the Rotary Club  
28 had brought forward concerns about the insurance requirements that were required in the  
29 agreement that had been previously approved by the City Council. The City Attorney  
30 recommended that the sod and irrigation work could be accomplished without the more formal  
31 construction-type agreement; indicating that it was simply volunteers who were performing the  
32 work.

33  
34 Vice Mayor Albritton suggested that individual releases be obtained from those who were doing  
35 this volunteer work.

36  
37 **Public Comment:**

38  
39 **Chuck Donald** agreed that the City should make it easier for the people to get the work done.

40  
41 **Lonner Ralston**, unfamiliar with this project, asked if this project had any correlation to the  
42 Waterfront and Downtown Committee proposals.

43  
44 **Councilmember Kelly moved, seconded by Vice Mayor Albritton, to not enter into a**  
45 **formal agreement with the Rotary Club for the proposed maintenance work at Gabrielson**  
46 **Park and that individual releases should be obtained from those volunteering. The**  
47 **motion was unanimously approved by a voice vote.**  
48

1 **CITY MANAGER REPORTS, CITY COUNCIL APPOINTMENTS, COUNCIL DISCUSSIONS**  
2 **AND COUNCILMEMBER REPORTS**

3  
4  
5 **7A. City Council Appointments to various Boards, Commissions and Committees**

6  
7 **7A1. Appointments to the Waterfront and Marinship Steering Committee (15 seats)**

8  
9 Mayor Belser announced that over forty outstanding people had applied for the fifteen seats on  
10 the Waterfront and Marinship Steering Committee. Because of the quality of the applicants,  
11 Mayor Belser recommended that an additional five applicants be appointed as alternates.

12  
13 Mayor Belser then nominated Tony Badger, Bob Boye, Cyno Connolly, Judy deReus-Orsini,  
14 Paul Dines, Chris Gallagher, Bruce Huff, Joe Lemon, Jr., Michael Linder, Alice Merrill, Vicki  
15 Nichols, Ken Pedersen, Barry Peterson, Robin Petravic, Lewis Shireman, Michael Wiener, and  
16 Bill Werner. Mayor Belser then nominated Steven Johnson, Tim Rempel, Jordan Rodgers, Eric  
17 Stout, and JT Wick as alternates.

18  
19 **Public Comment:** There was no public comment on this item.

20  
21 Based on the seventeen applicants nominated to the committee, **Councilmember Kelly**  
22 **moved, seconded by Councilmember Weiner, to increase the committee to seventeen**  
23 **members. The motion was unanimously approved by a voice vote.**

24  
25 Mayor Belser then opened nominations to the Council. Councilmember Leone nominated David  
26 Lay.

27  
28 The vote on the nominations then followed:

29  
30 Councilmember Weiner: voted for the slate as presented by the Mayor  
31 Councilmember Kelly: voted for the slate as presented by the Mayor  
32 Councilmember Albritton: voted for the slate as presented by the Mayor  
33 Councilmember Leone: voted for the slate, absent Michael Linder and added David Lay  
34 Mayor Belser: voted for the slate as she presented.

35  
36 The members appointed were: Tony Badger, Bob Boye, Cyno Connolly, Judy deReus-Orsini,  
37 Paul Dines, Chris Gallagher, Bruce Huff, Joe Lemon, Jr., Michael Linder, Alice Merrill, Vicki  
38 Nichols, Ken Pedersen, Barry Peterson, Robin Petravic, Lewis Shireman, Michael Wiener, and  
39 Bill Werner.

40  
41 Voting on the alternates then followed:

42  
43 Councilmember Leone: voted for the slate, absent Time Rempel and added David Lay  
44 Vice Mayor Albritton: voted for the slate as presented by the Mayor and also added David Lay  
45 (making it a six member alternate slate)  
46 Councilmember Weiner: voted for the slate with the addition of David Lay  
47 Councilmember Kelly: voted for the slate with the addition of David Lay  
48 Mayor Belser: accepted the addition of the sixth member for the alternates and voted for the  
49 slate as she presented with the addition of David Lay.

1  
2 The alternate members appointed were: Steven Johnson, Tim Rempel, Jordan Rodgers, Eric  
3 Stout, JT Wick, and David Lay.

4  
5 Mayor Belser recommended that Chris Gallagher be appointed as the chair to begin the first  
6 meeting. During that meeting, the committee could then select the chair.

7  
8 Vicki Nichols suggested that the Council define the "waterfront" boundaries for this committee.  
9 Mayor Belser responded, indicating that the waterfront is the entire waterfront; however, the  
10 focus would be on the Marinship.

11  
12 Joe Lemon asked to have a high-level staff member assist this committee.

13  
14 **7A2. Discussion of whether to re-interview pending applicants for the Historic**  
15 **Landmarks Board**

16  
17 Councilmember Leone noted that three of the applicants for the Historic Landmarks Board had  
18 been interviewed over one year ago.

19  
20 Mayor Belser suggested that staff ask the prior applicants if they felt there was a need to be re-  
21 interviewed.

22  
23 **7B. City Manager Reports**

24  
25 **7B1. City Manager Information for Council**

26  
27 City Manager Adam Politzer reported on: the PG&E outage; high speed chase and auto  
28 burglaries; the Sausalito-Marin City School District being recognized as a Distinguished School;  
29 budget – and adding a special meeting of the budget hearing; Parks and Recreation  
30 Commission hearing regarding a new bike race; and the Strategic Planning Session scheduled  
31 for Friday.

32  
33 **7B2. Future Agenda Items**

34  
35 Councilmember Leone noted that the Condo Conversion Ordinance is on the "no date" list and  
36 needs to be acted on.

37  
38 **7C. City Council Reports**

39  
40 **7C1. Councilmember Reports**

41  
42 **7C1a. Receive report from Southern Marin/Sausalito Fire Coordinating Committee**  
43 **representatives**

44  
45 City Attorney Mary Wagner reported that this meeting had been well attended by the firefighters  
46 and union representatives.

47  
48 Councilmember Kelly advised that the proposal that had been put forward was to hire a  
49 consultant to assist in the budget and management.



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**7C1b. Receive report regarding Sister City visit and upcoming visit from Sakaide, Japan delegation**

Vice Mayor Albritton reported on the recent trip to Sakaide, Japan. He was noted that it was a great trip! He also reminded the group that their delegation would be coming to Sausalito on May 9.

**7C1c. Other Reports**

Vice Mayor Albritton reported on: Hospitality Business Development Plan Advisory Committee meeting, and that they had committed \$1,500 for the visiting Sister City Delegation; ABAG; RBRA; and the Business Advisory Committee.

Councilmember Kelly also offered to donate \$1,500 from his Council salary for the upcoming Sister City events.

Councilmember Leone reported on: Arts Commission; Sustainability Commission; and the Marin Telecommunications Agency.

Councilmember Weiner presented some stats on the participation at the Block Parties held earlier in the month.

Mayor Belser reported on: Balanced Budget for California meeting, and the MCCMC Legislative Committee.

**Adjournment**

The meeting adjourned at 12:03 am. The next regularly scheduled City Council meeting is set for May 6, 2008, with the open session due to commence at approximately 7:00 pm.

Respectfully submitted,

Debbie Pagliaro  
Deputy City Clerk

Approved on:

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