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

TUESDAY, July 15, 2008

CALL TO ORDER

The meeting was called to order at 5:32 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 that items D1 through D4 would be discussed in Closed Session.

Public Comment: There was no public comment on these items.

Council then adjourned to the Conference Room for their Closed Session at 5:34 p.m.

The regular meeting reconvened at 7:09 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
Provided guidance to the City Attorney
2. **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
Provided guidance to the City Attorney
3. **CONFERENCE WITH LEGAL COUNSEL** – Existing litigation pursuant to subdivision (b) of CGC § 54956.9
Northern California River Watch v. City of Sausalito
Provided guidance to the City Attorney
4. **CONFERENCE WITH REAL PROPERTY NEGOTIATOR** pursuant to CGC § 54956.8
Property: Sausalito Marine Properties; Foot of Locust Street

3C
9-2-08
1

1 Negotiating Parties: Zacks Inc. dba Sausalito Marine
2 City Negotiator: City Manager and City Attorney
3 Under Negotiation: Price and Terms
4 **No actions taken**

5
6 **APPROVAL OF THE AGENDA**

7
8 **Vice Mayor Albritton moved, seconded by Councilmember Weiner, to approve the**
9 **agenda as submitted. The motion was unanimously approved by a voice vote.**

10
11 **SPECIAL PRESENTATIONS**

12
13 **A. Introduction and swearing in of Parking Enforcement Officer Nicholas White**

14
15 Police Chief Scott Paulin introduced Nick White, the new Parking Enforcement Officer. Chief
16 Paulin then performed the ceremonial swearing-in. Mr. White introduced his family and friends
17 who were present.

18
19 **B. Presentation and updates from the Sonoma-Marin Area Rail Transit (SMART)**

20
21 **Lillian Hames**, representing SMART, began the presentation. She indicated that the SMART
22 Board of Directors would be meeting the following day to adopt an ordinance to place SMART
23 on the November ballot. Ms Hames reported that this transit system would be up and running in
24 2014 with fourteen stations and 28 trains per day going between Larkspur and Cloverdale. She
25 further noted that four new round trips had been added for the weekends, that there was a new
26 funding and expenditure plan, and that increased funding for the quiet zones had been
27 obtained.

28
29 **Dianne Steinhauser**, representing the SMART Working Group of TAM, also assisted in the
30 PowerPoint presentation.

31
32 **Public Comment:** There was no public comment on this item.

33
34 **COMMUNICATIONS**

35
36 There were no public communications.

37
38 **MINUTES OF THE PREVIOUS MEETINGS**

39
40 There were no minutes provided.

41
42 **CONSENT CALENDAR**

43
44 **Public Comment:** There was no public comment on these items.

45
46 Councilmember Kelly requested item 4B2 be removed and sent back to the Finance Committee
47 for further discussions.

30
2

1 **Vice Mayor Albritton moved, seconded by Councilmember Weiner, to approve the**
2 **Consent Calendar items 4B1 and 4B3-4B11. The motion was unanimously approved by a**
3 **voice vote.**

4
5 Consent Calendar items approved were as follows:

- 6 1) Approved two year term for membership on the Marin County commission on Aging.
- 7 2) *Adoption of the Investment Policy for FY2008-09 (removed from the Consent*
8 *Calendar and returned to the Finance Committee for further discussion)*
- 9 3) Approved printing services agreement by and between the City of Sausalito and with
10 Folger Graphics
- 11 4) Received and filed recommendations made at the Citizen's Oversight Committee
12 meetings of June 5 and June 19, 2008
- 13 5) Received and filed minutes from the Sausalito Sustainability Commission meeting of
14 May 1, 2008
- 15 6) Adopted Resolution No. 4965 authorizing certain City personnel to act in regards to
16 banking services with Bank of Marin and Union Bank
- 17 7) Adopted Resolution No. 4966 approving the Second Amendment to Lease
18 Agreement by and between the City of Sausalito and Lorna Newlin- MLK
- 19 8) Approved modification to Second Amendment to Lease Agreement by and between
20 the City and Jean Schulz to correct Effective Date to be August 1, 2008
- 21 9) Approved request from Michael Rex on behalf of the Sausalito Rotary Club for
22 reimbursement of building permit and related fees totalling \$510 for the renovation of
23 the bus shelter at Bridgeway and Turney
- 24 10) Approved License Agreement by and between the City and Radio Sausalito
- 25 11) Adopted Resolution No. 4967 establishing the compensation and employee benefits
26 for members of the Unrepresented Employee Group (Management and Confidential)
27 for Fiscal Year 2008-09

28 29 **PUBLIC HEARINGS**

30 31 **5A. Waive first reading, read by title only and introduce an ordinance of the City Council** 32 **of the City of Sausalito Amending Chapter 15.04 of the Sausalito Municipal Code** 33 **Addressing Traffic Regulations to Add a New Section 15.04.165 – Parking on Private** 34 **Property (Police Lieutenant Pat Armitage)**

35
36 Police Lieutenant Patrick Armitage presented the staff report on this item. He noted that this
37 was coming forward because of a request made by Bruce Huff, who has experienced parking
38 problems on private property that he manages. Lt. Armitage assured the Council that there
39 would be no cost to the City to enforce such regulations. It was noted that enforcement would
40 only come about at the request of property or business owners, and that Parking Enforcement
41 Officers would normally handle the calls. Lt. Armitage advised that the bail amount for the
42 citation would be \$53.

43 44 **Public Comment:**

45
46 **Bruce Huff** spoke highly of the program that is in force in the City of Novato. He noted that the
47 property/business owner requests for this type of assistance are usually triggered after noting
48 that a vehicle has not moved couple of days. Mr. Huff advised that Novato rarely gets

1 complaints from those cited. He noted that it is a win-win situation as the vehicle is only cited
2 and not towed, as "towing is draconian". Mr. Huff strongly urged adoption of this ordinance.

3
4 Council discussion followed.

5
6 **Councilmember Kelly moved, seconded by Councilmember Weiner, to waive the first**
7 **reading and read by title only the introduction of an ordinance of the City Council of the**
8 **City of Sausalito amending Chapter 15.04 of the Sausalito Municipal Code addressing**
9 **traffic regulations and to add a new section, 15.04.165, Parking on Private Property. The**
10 **motion was unanimously approved by a voice vote.**

11
12 **BUSINESS ITEMS**

13
14 **6A. Update on using Radio Sausalito for community emergency notification (Police**
15 **Lieutenant Pat Armitage)**

16
17 Police Lieutenant Patrick Armitage presented the update on this item. He noted that the City
18 would be purchasing the emergency alert system; however, Radio Sausalito would be the
19 operator. He also advised that all residents would be able to hear the broadcasts from
20 anywhere in Sausalito.

21
22 **Jonathan Westerling**, owner/operator of Radio Sausalito added that the system would be up
23 and running within a couple of months. He was extremely excited about the benefits this would
24 bring to all Sausalito residents.

25
26 Council discussion followed.

27
28 **Public Comment:** There was no public comment on this item.

29
30 Council concurred on full support of the program.

31
32 **6B. Utilization of Consultant Services to respond to EPA Compliance Order – Reports**
33 **due October 15, 2008 (City Engineer Todd Teachout)**

34
35 City Engineer Todd Teachout presented the staff report on this item. Mr. Teachout stressed the
36 need to work in concert with the Sausalito Marin City Sanitary District in preparing these
37 responses. He advised that there were several options available to the Council for responding
38 to the EPA Order, and basically any of the options would require the authorization for an
39 appropriation of \$65,000 to fund the first phase response to the EPA order. Mr. Teachout
40 advised that action was needed immediately.

41
42 City Attorney Mary Wagner further clarified the different options that had been presented by the
43 City Engineer.

44
45 Council discussion followed.

46
47 **Public Comment:** There was no public comment on this item.

1 Councilmember Kelly moved, seconded by Vice Mayor Albritton, to authorize an
2 appropriation not to exceed \$65,000 to fund the relationship with RMC. The motion was
3 unanimously approved by a voice vote.
4

5 Councilmember Kelly moved, seconded by Mayor Belser, to delegate to the sewer
6 subcommittee the authority to negotiate either an addendum or some other device which
7 gives the City the ability to join with the SMCS and, possible TAM, with the
8 understanding that the City have direct participation and review of the materials that will
9 be submitted for the various reports.
10

11 Councilmember Leone requested an amendment to the motion in order to clarify that
12 either the City enter into an addendum with the District's proposal or that the City enter
13 into something itself.
14

15 Councilmember Kelly and Mayor Belser accepted the amendment.
16

17 The motion was unanimously approved by a voice vote.
18

19 **6C. Approve revisions to the Planning and Building Fees (Community Development**
20 **Director Jeremy Graves)**

21
22 Community Development Director Jeremy Graves presented the staff report on this item. He
23 reported that staff had recently surveyed planning fees in Marin County. He further reported
24 that they were still in the process of evaluating the building fees and code enforcement fees.
25 Mr. Graves suggested setting September 2 as the date in which to review and accept comments
26 on a new fee structure.
27

28 Mr. Graves noted that following this meeting, his department would notify developers, architects
29 and builders regarding the proposed fee schedule and the ensuing public hearing date.
30

31 **Public Comment:** There was no public comment on this item.
32

33 **Vice Mayor Albritton moved, seconded by Councilmember Kelly, to direct staff to set a**
34 **public hearing on September 2, 2008 for amendment of the fee schedule for planning**
35 **fees, building fees, and code enforcement fines. The motion was unanimously approved**
36 **by a voice vote.**
37

38 Councilmember Leone voiced concern about the current code enforcement language.
39

40 **6D. Accept final accounting report from the 2008 Tour of California (Parks and Recreation**
41 **Director Mike Langford)**

42
43 Parks and Recreation Director Mike Langford, Jeff Scharousch and Cheryl Popp presented a
44 PowerPoint presentation along with a line-item final accounting report for the 2008 Tour of
45 California. Thanks to special donors, there was no cost incurred by the City for this event.
46

47 **Public Comment:** There was no public comment on this item.
48

30
5

1 Council thanked the group for the wonderful presentation. They also expressed their gratitude
2 for all the hard work of everyone involved in making the event so very successful.

3
4 **6E. Request of D.J. Puffert for an undergrounding variance at 739 Bridgeway, waiving**
5 **requirements of Municipal Code Section 18.08.020B requiring utility service laterals to be**
6 **undergrounded (City Engineer Todd Teachout)**

7
8 City Engineer Todd Teachout presented the staff report on this item. He noted that the
9 applicant, DJ Puffert was present to answer any questions specific to the project.

10
11 **DJ Puffert** explained that he was simply upgrading the electrical service for his new business.
12 He noted that completion of the project was about three weeks out. Mr. Puffert added that he
13 had replaced all of the electrical wiring inside, in addition to all of the plumbing.

14
15 **Public Comment:**

16
17 **Mike Monsef** gave an historical background on electrical issues in that area.

18
19 **Alice Merrill** stressed that the Council should follow the guidelines of the ordinance.

20
21 **Riley Hurd**, attorney for Mr. Puffert, presented his interpretation of the City's undergrounding
22 guidelines and ordinance.

23
24 **Councilmember Kelly** moved, seconded by Councilmember Weiner, to grant the
25 exception to the Underground Ordinance, and subject the property to the requirements
26 of the guidelines for future underground utility districts. The motion was unanimously
27 approved by a voice vote.

28
29 **CITY MANAGER REPORTS, CITY COUNCIL APPOINTMENTS, COUNCIL DISCUSSIONS**
30 **AND COUNCILMEMBER REPORTS**

31
32 **7A. City Council Appointments**

33 **7A1. Appointments to the Planning Commission**

- 34 a. One (1) position for an unexpired term to extend through May 2010
35 b. One (1) position for regular term to extend through May 2011

36
37 Due to the number of changes on the Planning Commission, Mayor Belser recommended that
38 Janelle Kellman remain on the Commission until the end of September, and make that
39 appointment after the summer break. Therefore, the appointment for the regular term expiring
40 in May 2011 would be continued.

41
42 Mayor Belser then nominated Dierdre Cox for the unexpired term extending through May, 2010.

43
44 **Vice Mayor Albritton** moved, seconded by Councilmember Kelly to appoint Dierdre Cox
45 by acclamation. The motion was unanimously approved by a voice vote.

46
47 **Public Comment:** There was no public comment on this item.

1 **7A2. Appointments to the Historic Landmarks Board**

2 **a. Appoint two (2) positions for unexpired terms to extend through July 2009**

3
4 **Nominations:**

5 Mayor Belser nominated Bradford Paul and Amy Chramosta.

6 Councilmember Leone nominated Tom Hoover.

7 Councilmember Weiner nominated Steve Willis.

8 Vice Mayor Albritton nominated Linda Pfeifer.

9
10 **Public Comment:**

11
12 **Vicki Nichols** wanted the Council to know that she supported the nomination of Bradford Paul.

13
14 Mayor Belser called for a vote:

15 Councilmember Weiner: Bradford Paul and Steve Willis

16 Councilmember Kelly: Bradford Paul and Amy Chramosta

17 Councilmember Leone: Bradford Paul and Tom Hoover

18 Vice Mayor Albritton: Bradford Paul and Amy Chramosta

19 Mayor Belser: Bradford Paul and Amy Chramosta

20
21 **Having received the most votes, Bradford Paul and Amy Chramosta were appointed to**
22 **the Historic Landmarks Board with terms that will expire in July, 2009.**

23
24 **7B. City Manager Reports**

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

26
27 City Manager Adam Politzer reported on the following: Fourth of July weekend events;
28 meetings with Jared Huffman; meeting with Steve Kasierski on shuttles; Tour of California
29 conference call – noting that Sausalito would be hosting Stage 3; Dale Vaughn in a part-time
30 status; Dale working on recruitments including Public Works Director, Associate and Assistant
31 Planners, Recreation Supervisor, and eventually moving into the Civil Engineer II recruitment;
32 announced that the Public Safety Facilities demolition had begun; scheduling special meetings;
33 attended the Sausalito Yacht Club national regatta for women's sailing; Saturday's Avon Walk.

34
35 **7B2. Future Agenda Items**

36
37 No discussion was held.

38
39 **7C. City Council Reports**

40 **7C1. Other reports of significance**

41
42 Mayor Belser reported on: Change of Command at the Bay Model; appointing a voting delegate
43 for the September annual conference; and noting the upcoming discussions to change GGNRA
44 to Golden Gate National Parks.

45
46 Councilmember Kelly reported on: eight contractors had pre-qualified for the PSF bid; noted
47 that one of the disqualified contractors was appealing; bid packages out on Monday with four
48 weeks to submit; bids were to be opened and reviewed, with ratification at the September 2
49 Council meeting.

1
2 Vice Mayor Albritton reported on: several sewer meetings that had taken place today.

3
4 Councilmember Leone reported on: moving some items on the Pending Agenda List; a need to
5 agendize website policies in September; report needed on the fireworks funding, preferably
6 sometime in September; Homeless Connect; appointments for Sustainability Commission in
7 September; Coastal Cleanup Day – September 20; and activating the Housing Element Ad Hoc
8 Committee. .

9
10 Councilmember Weiner reported on: Sister City student exchange; meeting with the Chamber
11 of Commerce Executive Board regarding shuttles; Disaster Committee; upcoming meeting with
12 Blazing Saddles; and the parking of busses on Humboldt.

13
14 **7C2. Other Reports**

15
16 There were no other reports.

17
18 **ADJOURNMENT**

19
20 The meeting adjourned at 11:00 pm. The next regularly scheduled City Council meeting is set
21 for September 2, 2008, with the open session due to commence at approximately 7:00 pm.

22
23
24 Respectfully submitted,

25
26 Debbie Pagliaro
27 Deputy City Clerk

28
29 Approved on:

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