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

**TUESDAY, NOVEMBER 18, 2008**

**CALL TO ORDER**

The meeting was called to order by Vice Mayor Albritton at 5:30 p.m.

**ROLL CALL**

**PRESENT:** Councilmember Weiner, Councilmember Kelly, Vice Mayor Albritton,  
Councilmember Leone

**ABSENT:** Mayor Belser

**ANNOUNCEMENT OF CLOSED SESSION ITEMS**

Vice Mayor Albritton announced that items D1 through D9 would be discussed in Closed Session.

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

Council then adjourned to the Conference Room for their Closed Session at 5:32 p.m.

The regular meeting reconvened at 7:10 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  
*Direction given to the attorney*
2. **CONFERENCE WITH LEGAL COUNSEL** – Existing litigation pursuant to subdivision (b) of CGC § 54956.9  
Northern California River Watch v. City of Sausalito  
*Direction given to the 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  
*Direction given to the attorney*

- 1       **4. CONFERENCE WITH LABOR NEGOTIATORS** pursuant to CGC § 54957.6  
2       Agency Negotiator: City Manager  
3       Employee Organization: Sausalito Firefighters IAFF Local 1775  
4       ***Direction given to the negotiating team***  
5  
6       **5. CONFERENCE WITH LEGAL COUNSEL** – Anticipated litigation/initiation of  
7       litigation pursuant to subdivision (c) of CGC § 54956.9 (one potential case)  
8       ***Direction given to the attorney***  
9  
10       **6. CONFERENCE WITH REAL PROPERTY NEGOTIATOR** pursuant to CGC §  
11       54956.8  
12       Property: Sausalito Marine Properties; Foot of Locust Street  
13       Negotiating Parties: Zacks Inc. dba Sausalito Marine  
14       City Negotiator: City Manager and City Attorney  
15       Under Negotiation: Price and Terms  
16       ***Direction given to the negotiating team***  
17  
18       **7. CONFERENCE WITH LEGAL COUNSEL** – Existing litigation pursuant to  
19       subdivision (b) of CGC § 54956.9  
20       Zacks Inc. v. Sausalito  
21       ***Direction given to the attorney***  
22  
23       **8. CONFERENCE WITH LEGAL COUNSEL** – Existing litigation pursuant to  
24       subdivision (b) of CGC § 54956.9  
25       Styger v. City of Sausalito  
26       ***Direction given to the attorney***  
27  
28       **9. CONFERENCE WITH REAL PROPERTY NEGOTIATOR** pursuant to CGC §  
29       54956.8  
30       Property: Martin Luther King – 100 Ebbtide Avenue and 620 Coloma Street  
31       Negotiating Parties: John Lund; DKRB, Inc.; Sausalito Yacht Club; Lions Club;  
32       Rotary Club; and Firefighters' Association  
33       City Negotiator: City Manager and City Attorney  
34       Under Negotiation: Price and Terms  
35       ***Direction given to the negotiating team***  
36

37       **Public Comment on Closed Session Items:**

38  
39       **Ulla Davis**, a resident of Sausalito Marine, urged the Council to support their unique and  
40       diversified “community”, and do whatever they can to help them remain.  
41

42       **Dia Rabottini**, a resident of Sausalito Marine, also urged the Council to help maintain  
43       and support their diverse lifestyle.  
44

45       **Michelle Darr**, a resident of Sausalito Marine, voiced the concerns they all have in  
46       losing their homes and asked Council to do whatever it would take to preserve their  
47       homes.  
48

1 **APPROVAL OF THE AGENDA**

2  
3 Vice Mayor Albritton noted that the approval of the October 7 minutes would be  
4 continued to November 25, 2008.

5  
6 **Councilmember Leone moved, seconded by Councilmember Weiner, to approve**  
7 **the agenda as amended, with the minutes being continued. The motion was**  
8 **unanimously approved by a voice vote (Mayor Belser absent).**

9  
10 **SPECIAL PRESENTATIONS**

11  
12 **A. Introduction of Recreation Supervisor Jeffrey Dybdal and Director of Public**  
13 **Works Jonathon Goldman**

14  
15 Parks and Recreation Director Mike Langford introduced Jeffrey Dybdall, the new  
16 Recreation Supervisor, and gave a brief synopsis of his background.

17  
18 City Manager Adam Politzer introduced Jonathon Goldman, the new Public Works  
19 Director, giving a lengthy background on Mr. Goldman.

20  
21 **B. Introduction and recognition of Sausalito-Marin City School District students**  
22 **who achieved accomplishments in the "900 Club"**

23  
24 City Manager Adam Politzer briefly described the program and recognized the eleven  
25 students from the Sausalito-Marin City School District who had qualified for the "900  
26 Club".

27  
28 City Manager Adam Politzer then introduced School Superintendant Debra Bradley who  
29 then described the accomplishments of these students.

30  
31 All students were personally recognized and received Certificates of Award from both  
32 Supervisor McGlashan and Vice Mayor Albritton.

33  
34 **COMMUNICATIONS**

35  
36 There were no Communications.

37  
38 **ACTION MINUTES OF PREVIOUS MEETINGS**

39  
40 **A. Approval of minutes from the October 7, 2008 regular City Council meeting**

41  
42 The minutes were continued to November 25, when the Mayor would be present.

43  
44 **CONSENT CALENDAR**

45  
46 **Councilmember Leone moved, seconded by Councilmember Weiner, to continue**  
47 **items 4B8 and 4B9 to November 25, 2008. The motion was unanimously approved**  
48 **by a voice vote (Mayor Belser absent).**

1  
2 **Public Comment:** There was no public comment on this item.

3  
4 **Councilmember Kelly moved, seconded by Councilmember Weiner, to approve**  
5 **the Consent Calendar items 4B1 through 4B7. The motion was unanimously**  
6 **approved by a voice vote.**

7  
8 Consent Calendar items approved were as follows:

- 9  
10 1) Adopted Resolution No. 4980 approving an encroachment agreement for carpark  
11 expansion and new gate at 316-318 Sausalito Boulevard (DR/EA 08-006) as  
12 recommended by the Planning Commission at its September 10, 2008 meeting  
13 (APN 065-252-40)
- 14 2) Adopted Resolution No.4981 approving an encroachment agreement to allow  
15 encroachment of an existing carport at 68-74 Edwards Avenue into the Edwards  
16 Avenue public right-of-way fronting the subject properties (APN 065-293-29 /  
17 065-293-30)
- 18 3) (a) Adopted Resolution No. 4982 authorizing execution of an agreement with the  
19 County of Marin for NMTTP funding for intersection improvements to install bike  
20 detectors at Bridgeway/Spring Street and Bridgeway/Ebbtide/Gate 5; and  
21 (b) Adopted Resolution No. 4983 authorizing City Engineer to execute Program  
22 Supplement (Grant Funding Agreement) for NMTTP Funds for stair projects at  
23 202 Cazneau Avenue and 595 Sausalito Boulevard
- 24 4) Accepted resignation of Perry Biestman from the Trees and Views Committee
- 25 5) Accepted resignation of Keith Snyder from the Historic Landmarks Board
- 26 6) Received and filed Planning Commission Actions Taken from their meetings of  
27 October 29, 2008 and November 5, 2008
- 28 7) Approved Professional Services Agreement with LIA & Associates
- 29 8) *Approve: (a) First Amendment to Lease with BKRB, Inc. dba Bekke Bruce; (b)*  
30 *Third Amendment to Lease with John Lund; and (c) Lease with Sausalito Yacht*  
31 *Club (MLK) (con't to November 25, 2008)*
- 32 9) *Approve Temporary License Agreements at MLK for use by the Lions Club,*  
33 *Rotary Club and Firemen's Association (con't to November 25, 2008)*

34  
35 **PUBLIC HEARINGS**

36  
37 **5A. Marin Clean Energy Update; Introduction and first reading by title only of an**  
38 **ordinance to approve the Joint Powers Agreement forming Marin Energy**  
39 **Authority**

40  
41 Rich Fortmann of the Sausalito Sustainability Commission presented the staff report on  
42 this item. He also introduced key representatives who have been involved with Marin  
43 Clean Energy.

44  
45 Mr. Fortmann reported that the Marin County Board of Supervisors had approved the  
46 second reading of the Joint Powers Agreement Ordinance with Marin Clean Energy just  
47 this morning.

1 Mr. Fortmann further noted that the staff report had indicated that a member of the  
2 Sausalito Sustainability Commission would be able to sit on the JPA Board; however, he  
3 noted that the Board can only be made up of elected officials.  
4

5 Mr. Fortmann reminded the Council that should the Council opt to not approve the  
6 forming of the Joint Powers Agreement (JPA) through adoption of the proposed  
7 ordinance, the residents of Sausalito will not be able to join in on the Community Choice  
8 Aggregation (CCA).  
9

10 Supervisor Charles McGlashan also noted adoption of the JPA Ordinance by the Board  
11 of Supervisors. He also presented some additional information on the CCA Program.  
12

13 Dawn Weiss of the County gave an update on the status of the other communities  
14

15 William Monsen of MRW & Associates presented a PowerPoint presentation on their  
16 involvement with the Community Choice Aggregation (CCA) Program. He also  
17 presented the Business Plan for Marin.  
18

19 Council questions followed.  
20

21 Mr. Monsen responded to questions regarding the Business Plan and Ms Weiss  
22 responded to questions regarding the agreement/contract.  
23

24 **Vice Mayor Albritton opened the public hearing.**  
25

26 **Peter Van Meter** voiced concern about long range goals such as facilities being placed  
27 in neighborhood areas.  
28

29 **Brian Sharp** noted that Sausalito might be able to tap into water energy, being a  
30 waterfront community.  
31

32 **Barbara George** of Woman's Energy Matters, voiced concern that PG&E may be  
33 spending the "tax-payers" dollars in advertising against such projects as CCA.  
34

35 **Vicki Nichols** appreciated Rich Fortmann's analysis. She noted that the community  
36 does need to know more about this project; even she felt the need for more facts before  
37 being able to make a personal decision.  
38

39 **Vice Mayor Albritton closed the public hearing.**  
40

41 Council comments included:

- 42 • Councilmember Leone noting that there were risks involved, but the City needed  
43 to move forward.
- 44 • Councilmember Weiner noted that when "independents" are involved in trade  
45 issues, prices go down.
- 46 • Councilmember Kelly noted that future competition for green energy would cause  
47 costs to go down. He further noted that there are land use issues, and that  
48 public outreach in Sausalito is essential.

- 1           • Vice Mayor Albritton concurred with the previous comments; stressing that  
2 everyone needs to be fully aware of this project and its outcome.  
3

4 **Councilmember Leone moved, seconded by Vice Mayor Albritton, to waive further**  
5 **reading, reading by title only Ordinance No. 1193, an Ordinance of the City**  
6 **Council of the City of Sausalito approving the Joint Powers Agreement forming**  
7 **Marin Energy Authority. The motion was unanimously approved by a voice vote**  
8 **(Mayor Belser absent).**  
9

10 **BUSINESS ITEMS**  
11

12 **6A. Receive report from Golden Gate Transit District on route changes**  
13

14 Ron Downing of the Golden Gate Transit District described the bus services that were  
15 available in the area. Mr. Downing explained that the District is attempting to provide  
16 better service in our area, especially since increases in ridership had been seen since  
17 the summer. Mr. Downing further described specific changes proposed in Routes 80, 10  
18 and 60. He noted that a new Route 92 would be implemented in March, 2009.  
19

20 Mr. Downing explained that the District is currently in an outreach mode and that public  
21 hearings would be heard on the specific changes. He further noted that the District  
22 Board would be considering the final proposal, possibly on December 19, 2008.  
23

24 **Public Comment:** There was no public comment on this item.  
25

26 Council questions and comments then followed.  
27

28 **6B. Accept Police Department Crime and Traffic Report for Third Quarter 2008**  
29

30 Police Chief Scott Paulin presented the staff report on this item, along with a PowerPoint  
31 presentation. Chief Paulin noted that the majority of the stats for the third quarter had  
32 remained relatively steady; however, the DUI arrests showed a notable increase, along  
33 with arrests in general.  
34

35 Council questions and comments followed.  
36

37 **Public Comment:** There was no public comment on this item.  
38

39 **6C. Award contract for the fire consolidation study**  
40

41 Acting Fire Chief Jim Irving presented the staff report on this item. He noted that four  
42 consulting firms had responded to the RFP (Request for Proposals) for the fire  
43 consolidation study. He noted that the Fire Consolidation Committee had chosen  
44 Citygate Associates, and that the Southern Marin Fire Board had approved the award of  
45 contract for Citygate at their meeting the previous night.  
46

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

1 Council questions followed.

2  
3 **Councilmember Kelly moved, seconded by Councilmember Weiner, to authorize**  
4 **the City Manager and Fire Chief to negotiate with Citygate Associates for a**  
5 **contract not to exceed \$62,900 (shared costs with SMFPD) for a fire service**  
6 **consolidation study. The motion was unanimously approved by a voice vote**  
7 **(Mayor Belser absent).**

8  
9 **6D. Receive and file annual report on the development impact fees**

10  
11 City Engineer Todd Teachout presented the staff report on this item. He noted that in  
12 2007-08, \$208,207.86 had been taken in for these development impact fees.  
13 Additionally there was interest earned on the fees and only \$220,356.22 was expended  
14 for the year. With the beginning fund balance and the 2007-08 balance, the ending fund  
15 balance was \$696,388.31, Mr. Teachout advised that four projects were earmarked to  
16 use this funding. Those projects are: 2006 Street Repair Program, Spencer Avenue  
17 Rehab, Nevada Street Bus Shelter, and Road Base Repair/Patching.

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

20  
21 **Councilmember Kelly moved, seconded by Councilmember Weiner to accept the**  
22 **report and approve the Development Impact Fee Annual Report. The motion was**  
23 **unanimously approved by a voice vote (Mayor Belser absent).**

24  
25 **6E. Consider closure of City Hall during the period of December 22, 2008 through**  
26 **January 2, 2009**

27  
28 City Manager Adam Politzer presented the staff report on this item. He noted that after  
29 reviewing the calendar, the Library has would be closed a few more days than the  
30 previous year. Mr. Politzer further noted that there would be a skeletal crew of  
31 maintenance workers and that all Public Safety would be operational.

32  
33 There was no Council discussion.

34  
35 **Public Comment:**

36  
37 **Jeanne Fiedler** was concerned that this is a community center, or a place where people  
38 can come in case of power outages or bad weather, and that people would be arriving to  
39 find the building closed.

40  
41 Ms Fiedler was advised that if the weather turned bad, or there was an emergency, staff  
42 would be available to open the building.

43  
44 **Councilmember Kelly moved, seconded by Councilmember Weiner, to approve**  
45 **the City Hall Holiday Closure proposal to close City Hall during the weeks of**  
46 **December 22, 2008 through January 2, 2009. The motion was unanimously**  
47 **approved by a voice vote (Mayor Belser absent).**

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

3  
4  
5 **7A. City Manager Reports**

6 **7A1. City Manager Information for Council**

7  
8 City Manager Adam Politzer reported on the following: reminder for the strategic  
9 planning retreat; Homeless Connect Program; MCCMC meeting on December 9; and  
10 Team Building Workshop on December 8.

11  
12 **7A2. Future Agenda Items**

13  
14 There was no discussion on future agenda items.

15  
16 **7B. City Council Reports**

17 **7B1. Other reports of significance**

18  
19 There were no Other reports of significance

20  
21 **7B2. Other Reports**

22  
23 Councilmember Leone reported on: Homeless Connect Program (with accolades to all);  
24 resignation on HLB; and time for an update on the Arts Commission.

25  
26 Vice Mayor Albritton reported on: Marin Transit meeting; Harbor & Downtown Action  
27 Committee meeting; JPA Oversight Committee; RBRA; Transit Authority of Marin; and  
28 the Code Committee.

29  
30 Councilmember Kelly reported on: the Public Safety Facilities project and tank removal  
31 update.

32  
33 Councilmember Weiner reported on: the boat launching; and a meeting with the TOC  
34 group.

35  
36 **ADJOURNMENT**

37  
38 **Vice Mayor Albritton moved, seconded by Councilmember Kelly, to adjourn the**  
39 **meeting to November 25. The motion was unanimously approved with a voice**  
40 **vote (Mayor Belser absent). The meeting adjourned at 11:03 p.m.**

41  
42 Respectfully submitted,

43  
44  
45 Debbie Pagliaro  
46 Deputy City Clerk

47 Approved on:  
48