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

**TUESDAY, DECEMBER 2, 2008**

**CALL TO ORDER**

The meeting was called to order by Vice Mayor Albritton at 6:22 p.m.

**ROLL CALL**

**PRESENT:** Councilmember Weiner, Councilmember Kelly, Vice Mayor Albritton,  
Councilmember Leone, Mayor Belser (arriving late)

**ABSENT:** None

**ANNOUNCEMENT OF CLOSED SESSION ITEMS**

Vice Mayor Albritton announced that items D1 through D3 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 6:24 p.m.

**The regular meeting reconvened at 7:07 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 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  
***Direction given to staff***

1           **3. CONFERENCE WITH REAL PROPERTY NEGOTIATOR** pursuant to CGC §  
2           54956.8  
3           Property: Martin Luther King – 100 Ebbtide Avenue and 620 Coloma Street  
4           Negotiating Parties: John Lund; DKRB, Inc.; Sausalito Yacht Club; Lions Club;  
5           Rotary Club; and Firefighters' Association  
6           City Negotiator: City Manager and City Attorney  
7           Under Negotiation: Price and Terms  
8           ***Direction given to staff***

9  
10       **Public Comment on Closed Session Items:**           There was no public comment.

11  
12       **APPROVAL OF THE AGENDA**

13  
14       **Vice Mayor Albritton moved, seconded by Councilmember Kelly, to approve the**  
15       **agenda as presented. The motion was unanimously approved by a voice vote.**

16  
17       **SPECIAL PRESENTATIONS**

18  
19       There were no Special Presentations.

20  
21       **COMMUNICATIONS**

22  
23       **John Durvan** spoke to the Council about the hazards of wood smoke and that the  
24       restaurants continue to use wood burning fire pits. He noted that he will continue to  
25       return to Council, stressing this health problem, until appropriate action is taken.

26  
27       **ACTION MINUTES OF PREVIOUS MEETINGS**

28  
29       **A. Approval of minutes from the October 7, 2008 regular City Council meeting**  
30       *(con't from 11/25/08)*

31  
32       Councilmember Leone requested a correction to the motion on the item regarding the  
33       Fire Consolidation RFP.

34  
35       Vice Mayor Albritton noted that his motion regarding the contract with MuniServices  
36       should have incorporated the request for a proposal for TOT collections; noting that it  
37       was clarified in the following paragraph, but not a part of the motion.

38  
39       **Vice Mayor Albritton moved, seconded by Councilmember Kelly, to approve the**  
40       **minutes from the October 7, 2008 regular City Council meeting as corrected. The**  
41       **motion was unanimously approved by a voice vote.**

42  
43       **CONSENT CALENDAR**

44  
45       Councilmember Leone requested clarification on item 4B4 regarding an encroachment  
46       agreement at 4 Bulkley Avenue. Community Development Director Jeremy Graves  
47       presented drawings that noted what was being approved with the encroachment  
48       agreement.

1  
2 **Public Comment:** There was no public comment on this item.  
3

4 **Vice Mayor Albritton moved, seconded by Councilmember Kelly, to approve the**  
5 **Consent Calendar items 4B1 through 4B6. The motion was unanimously**  
6 **approved by a voice vote.**  
7

8 Consent Calendar items approved were as follows:  
9

- 10 1) Approved leases at the MLK properties as follows:  
11 a. First amendment to lease with BKRB, Inc., dba Bekke Bruce  
12 b. Third amendment to lease with John Lund  
13 c. Lease with Sausalito Yacht Club (continued from 11/18/08)  
14 d. Lease with Steve Sara  
15 e. Lease with Bob Mitchell  
16 f. Lease with David Fisher  
17 g. First Amendment to Lease with Rolando Rosler  
18 h. Third Amendment to Lease with Lorna Newlin  
19 i. Amendment to Lease with David Maisel  
20 j. Fourth Amendment to Lease with Pippa Murray  
21 2) Approved Temporary License Agreement at MLK for use by the Lions Club,  
22 Rotary Club and Firemen's Association (continued from 11/18/08)  
23 3) Adopted Resolution No. 4985, approving an encroachment agreement for three  
24 landscaping boulders at 156 Harrison Avenue to encroach into the Harrison  
25 Avenue public right-of-way fronting the subject property (DR/EA 08-008)  
26 4) Adopted Resolution No. 4986, approving an encroachment agreement to allow  
27 an existing below-grade encroachment of a parking structure and new safety  
28 balustrades to encroach into the public right-of-way at 4 Bulkley Avenue  
29 (DR/EA 06-039)  
30 5) Adopted Resolution No. 4987, Awarding the Negotiated Contract to W.R. Forde  
31 Associates for Budgeted STOP Immediate Needs Sewer Repairs  
32 6) Approved Memorandum of Understanding between City of Sausalito and  
33 Southern Marin Professional Firefighters, Sausalito Group, IAFF Local 1775;  
34 July 1, 2008 – June 30, 2009  
35

36 **PUBLIC HEARINGS**

37  
38 There were no Public Hearings.  
39

40 **BUSINESS ITEMS**

41  
42 **6A. Recognition of outgoing Vice Mayor Albritton**  
43

44 Mayor Belser introduced JR Roberts, a former City Councilmember, who presented a  
45 slide show and oral presentation on Paul Albritton's professional and personal life while  
46 on the Council.  
47

1 Other presentations came from: Supervisor Charles McGlashan who presented a  
2 Certificate of Appreciation; Dennis Scremin and Ron Albert provided their words of  
3 wisdom; Cheryl Popp, representing the Chamber of Commerce, read a letter from the  
4 Chamber; and Yoshi Tome acknowledged the commitment Paul had given to the City.

5  
6 **Public Comment:**

7  
8 **Joe Lemon** followed up with his acknowledgements and thanks.

9  
10 Vice Mayor Albritton responded with a gracious thank you to all.

11  
12 Mayor Belser also gave her thanks and appreciation to Paul.

13  
14 City Manager Adam Politzer then presented the Vice Mayor with his hallway portrait and  
15 an Appreciation Plaque.

16  
17 **6B. Adopt resolution ratifying the Marin County Elections Office Canvass of**  
18 **Returns of the General Municipal Election of November 4, 2008 and declaring**  
19 **elected the three persons receiving the largest number of votes for the office**

20  
21 **Vice Mayor Albritton moved, seconded by Councilmember Weiner, to adopt**  
22 **Resolution No 4988, Ratifying the County Elections Office Canvass of Returns of**  
23 **the General Municipal Election of November 4, 2008 and Declaring Elected the**  
24 **Two Persons Receiving the Largest Number of Votes for the Office. The motion**  
25 **was unanimously approved by a voice vote.**

26  
27 **6C. Swearing in of newly elected City Council Members: Amy Belser, Mike Kelly**  
28 **and Linda Pfeifer**

29  
30 City Manager Adam Politzer performed the swearing in activities and swore in Amy  
31 Belser, Mike Kelly and Linda Pfeifer as City Councilmembers for the ensuing four years.

32  
33 Mr. Politzer then recognized the accomplishments of Mayor Belser over the past year.

34  
35 **6D. City Council Election of Mayor**

36  
37 Mayor Belser nominated Councilmember Jonathan Leone for Mayor. There were no  
38 other nominations.

39  
40 **By acclamation, Jonathan Leone was elected Mayor.**

41  
42 **6E. City Council Election of Vice Mayor**

43  
44 Mayor Belser nominated Councilmember Herb Weiner for Vice Mayor. There were no  
45 other nominations.

46  
47 **By acclamation, Herb Weiner was elected Vice Mayor.**

48

3c

1 Mayor Leone voiced his thanks and appreciation in giving him the duties of Mayor.  
2

3 **F. Set first City Council meeting for January, 2009**  
4

5 Councilmember Belser moved, seconded by Mayor Leone, to set January 13, 2009  
6 for the next regularly scheduled City Council meeting. The motion was  
7 unanimously approved by a voice vote.  
8

9 **CITY MANAGER REPORTS, CITY COUNCIL APPOINTMENTS, COUNCIL**  
10 **DISCUSSIONS AND COUNCILMEMBER REPORTS**  
11

12  
13 **7A. City Manager Reports**

14 **7A1. City Manager Information for Council**  
15

16 City Manager Adam Politzer reported on the next MCCMC meeting.  
17

18 **7A2. Future Agenda Items**  
19

20 There was no discussion on future agenda items.  
21

22 **7B. City Council Reports**

23 **7B1. Other reports of significance**  
24

25 There were no Other reports of significance  
26

27 **7B2. Other Reports**  
28

29 There were Council Reports given.  
30

31 At this time, Councilmember Linda Pfeifer expressed her thanks to all that had help elect  
32 her to office.  
33

34 **ADJOURNMENT**  
35

36 There being no further business, the City Council meeting adjourned at 8:29 pm. The  
37 next regularly scheduled meeting will be held on January 13, 2009, with the open  
38 meeting due to commence at approximately 7:00 pm.  
39

40 Respectfully submitted,  
41

42  
43 Debbie Pagliaro  
44 Deputy City Clerk  
45

46 Approved on:

3c