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

FRIDAY, FEBRUARY 6, 2009

CALL TO ORDER

The meeting was called to order by Mayor Leone at 4:05 p.m.

ROLL CALL

PRESENT: Councilmember Pfeifer, Vice Mayor Weiner, Mayor Leone,
Councilmember Kelly

(Councilmember Belser participated from a telephonic location as noted)

ABSENT: None

ANNOUNCEMENT OF CLOSED SESSION ITEMS

Mayor Leone announced, by title, that items D1 through D3 would be discussed in Closed Session.

As the room was filled to capacity, Mayor Leone gave the ground rules for the public comment session.

Public Comment:

Albert Corners, a resident of Sausalito Marine, stressed how he enjoys the waterfront and it was in the best interest of the community for the City to purchase this property. He also noted that the boats in this marina are their homes.

Jacques Ullman stressed how this is the opportunity to purchase the property and retain an open waterfront and preserve the wetlands. He also noted that this was area was a good Audubon habitat. Mr. Ullman advised that The Friends of Dunphy Park would be willing to help raise funds for the purchase of the property.

Jessica Lord, a resident of Sausalito Marine, indicated that she has spoken with others who are interested in the purchase of the property and leaving the area, especially the marina, as is.

Carolyn Ford urged the Council to move ahead and purchase the property now. Ms Ford then presented a list of names of other supporters who were unable to attend the meeting. She also had a list of suggested names who might be able to help with

1 donations for purchasing the property. Ms Ford stressed that this property would be a
2 great addition to Dunphy Park.

3
4 **Bob Geary** supported the purchase of the property and reminded the Council that
5 Sausalito Marine qualifies for low income housing. Mr. Geary then read an excerpt from
6 a letter from Don Presson who also supported the purchase of the property.

7
8 **Chuck Donald** reminded the group that the value of the property is based on what can
9 be "developed" on the property. Mr. Donald was concerned that others may be willing to
10 make a larger bid.

11
12 **Bob Mitchell** indicated that about twenty years ago, the City tried to pass Measure E.
13 Unfortunately, it only received 55% of the vote and needed a two-thirds vote to pass. On
14 the positive side, Mr. Mitchell noted to the Council that that meant 55% of the voters in
15 Sausalito were, in fact, supportive of the purchase of this property.

16
17 **Mary Ann Sears**, also speaking on behalf of Robin Sweeny, said "Buy it!" Ms Sears
18 also indicated that the City needs to purchase and all open space on the waterfront in
19 order to maintain the open feeling along entire waterfront.

20
21 **Diane Alper** voiced her agreement with Mary Ann Sears.

22
23 **Sam Cavalla** appealed to Council to purchase the property. She noted that she does
24 not want to see the area become "glass and concrete".

25
26 **Bea Seidler** noted that the Sausalito Foundation would also be in favor of this purchase
27 in order to keep the waterfront open. She also noted that the Foundation would be
28 willing to help raise funds for this purchase.

29
30 **Barbara Salzman** of the Marin Audubon Society hoped that the City Council would
31 move ahead and purchase this property. She noted that she would also be willing to
32 assist in raising funds for the purchase. Ms Salzman stressed the importance of this
33 area being a habitat to the eel grass and that this would be an excellent opportunity for
34 the restoration of these wetlands.

35
36 **Kayla Kahn** also agreed with others before her and asked the Council to "please buy it!"

37
38 **Carol Peltz** also echoed the support of the others before her. She noted that she and
39 other groups out there would be willing to help support fund raising activities.

40
41 Mayor Leone stepped in and reiterated the facts involved with the purchase of this
42 property.

43
44 **Nate Berkowitz** noted that he has followed the history on this property since the late
45 50's and early 60's. He noted that although others have owned this property, the City
46 still has control over its "development". Mr. Berkowitz asked if the City had considered
47 the future costs if the City were to purchase this property. He further asked if the city
48 was prepared to carry out a proper development of the area.

1
2 **Vicki Nichols** noted that The Friends of Dunphy Park have had concerns about this
3 area in the past. Ms Nichols voiced her support and indicated that she would be willing
4 to work on any committee in order to help out. She stressed to the Council to legalize
5 the berths in the marina in order to support low income housing.

6
7 **Barbara Bolten** of Sausalito Marine noted how this marina has given her family the
8 opportunity to live in Sausalito. She thanked and encouraged the City for considering
9 the purchase of the property.

10
11 **Pat Zuch** also supported and endorsed those that had spoken ahead of her. She
12 encouraged the Council to continue discussions on the purchase of the property. She
13 concluded her statements to Council by stressing "Buy it!"

14
15 **Richard Herd** of Sausalito Marine expressed concern about the infrastructure of the
16 property and how it has been mismanaged in the past. However, he was confident that
17 the City could take control and proceed with modernization should they purchase the
18 property.

19
20 **Julie Warren** noted that now is the time to purchase the property. She added that she
21 would be willing to put up \$5,000 for others to match accordingly.

22
23 **Sue Bollen** noted that she would be unable to contribute monetarily towards the
24 purchase of the property, but was willing to provide music for any fund raising events.
25 She stressed that she is looking forward to the hopes that the City can purchase the
26 property.

27
28 **Susan Roegier** noted that this was the opportunity of a lifetime to be able to purchase
29 the property; she added "go for it!"

30
31 **Nancy Osborn** noted that the purchase of this property would fulfill the dreams of
32 Charlie Merrill. She asked the Council to keep him in mind and move ahead with the
33 purchase.

34
35 **Chuck Donald** returned to the podium to remind Council that the time to organize was
36 short. He noted that the details in one of the lot descriptions was incorrect and could be
37 noted so to the title company if there was a need to delay the auction date.

38
39 Mayor Leone concluded the public comment period and advised the group that the City
40 does have the ability to set aside a special fund in which to accumulate donated monies.
41 He further advised that with such a special fund, the City could return any monies should
42 the City fail to purchase the property.

43
44 Council then adjourned to the Conference Room for their Closed Session at 4:53 pm.

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46 **Following their deliberations in Closed Session, the following results were**
47 **reported:**

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- 1. **CONFERENCE WITH REAL PROPERTY NEGOTIATOR** pursuant to CGC § 54956.8
 Property: Sausalito Marine Properties; Foot of Locust Street
 AP#: 064-086-01, 064-034-01, 065-033-02, 065-013-02, 065-031-01, 065-012-01, 064-031-01, 065-011-01
 Negotiating Parties: Zacks Inc. and Standard Trust Deed Service Company
 City Negotiator: City Manager and City Attorney
 Under Negotiation: Price and Terms
Direction given to the negotiating team

- 2. **CONFERENCE WITH LEGAL COUNSEL** – Existing litigation pursuant to subdivision (b) of CGC § 54956.9
 Sausalito v. Alta Mira Treatment Program
Direction given to legal counsel

- 3. **PUBLIC EMPLOYMENT** pursuant to CGC § 54957
 Title: Special legal counsel
Voted 5-0 to hire Cox, Castle

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

ADJOURNMENT

There being no further business, the meeting adjourned to the next regularly scheduled meeting to be held on February 10, 2009, with the open meeting due to commence at approximately 7:00 pm.

Respectfully submitted,

Debbie Pagliaro
Deputy City Clerk

Approved on:

3A
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