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

TUESDAY, APRIL 21, 2009

CALL TO ORDER

The meeting was called to order by Mayor Leone at 6:00 p.m.

ROLL CALL

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

ABSENT: None

ANNOUNCEMENT OF CLOSED SESSION ITEMS

Mayor Leone announced, by title, that items D1 through D5 would be discussed in Closed Session.

Public Comment:

Chuck Donald spoke about the inequity between the Mayor's announcement of what was to be discussed in Closed Session and what was indicated on the agenda.

Mayor Leone explained that these were probably typographical errors on the agenda.

Council then adjourned to the Conference Room for their Closed Session at 6:08 pm.

The regular meeting reconvened at 7:13 p.m.

PLEDGE OF ALLEGIANCE

REPORT ON RESULTS OF CLOSED SESSION ITEMS

1. **CONFERENCE WITH LEGAL COUNSEL**– Anticipated Litigation CGC
§54956.9(c)
Initiation of litigation (One potential case)
Direction given
2. **CONFERENCE WITH REAL PROPERTY NEGOTIATOR** pursuant to CGC §
54956.8
Property: Tidelands adjacent to 40 Alexander Avenue
Negotiating Parties: Maurice and Elizabeth Meyers
City Negotiator: City Manager and City Attorney

1 Under Negotiation: Price and Terms

2 ***Direction given***

3
4 **3. CONFERENCE WITH REAL PROPERTY NEGOTIATOR** pursuant to CGC §
5 54956.8

6 Property: Heath Way

7 Negotiating Parties: Heath Ceramics, Industrial Center Building and Equity Office

8 City Negotiator: City Manager and City Attorney

9 Under Negotiation: Price and Terms

10 ***Direction given***

11
12 **4. CONFERENCE WITH REAL PROPERTY NEGOTIATOR** pursuant to CGC §
13 54956.8

14 Property: MLK Properties

15 Negotiating Parties: New Village School, David Sandberg

16 City Negotiator: City Manager and City Attorney

17 Under Negotiation: Price and Terms

18 ***Direction given***

19
20 **5. CONFERENCE WITH REAL PROPERTY NEGOTIATOR** pursuant to CGC §
21 54956.8

22 Property: Gene Hiller Menswear, 731 Bridgeway

23 Negotiating Parties: Gene Hiller

24 City Negotiator: City Manager and City Attorney

25 Under Negotiation: Price and Terms

26 ***Direction given***

27
28 **Public Comment on Closed Session Items:**

29
30 **Adam Krivatsy** spoke about the MLK properties and their current aesthetics.

31
32 **APPROVAL OF THE AGENDA**

33
34 **Councilmember Belser** moved, seconded by Vice Mayor Weiner, to approve the
35 agenda as submitted. The motion was unanimously approved by a voice vote.

36
37 **SPECIAL PRESENTATIONS / MAYOR'S ANNOUNCEMENTS**

38
39 **1A. Introduction of new employee: Susan Nichols, Human Resources Technician**

40
41 Mayor Leone explained that this would be rescheduled, as Ms Nichols was unable to attend
42 this evening.

43
44 **COMMUNICATIONS**

45
46 **Charlotte Bertram** asked the City Council to add discussion of a community garden to a
47 future agenda.

48
49 **ACTION MINUTES OF PREVIOUS MEETINGS**

1
2 **3A. Approval of minutes from the Regular City Council meeting of February 24,**
3 **2009**

4
5 **Mayor Leone moved, seconded by Councilmember Belser, to approve the minutes as**
6 **corrected. The motion was unanimously approved by a voice vote.**

7
8 **CONSENT CALENDAR**
9

10 Mayor Leone advised that Item 4B7 would be removed from the Consent Calendar for
11 further discussion under Business Items.

12
13 Councilmember Kelly noted a clarification regarding sewers associated with the lease of
14 New Village School, item 4B6.

15
16 **Public Comment:**

17
18 **Chuck** Donald requested that item 4B3 be removed for further discussions.

19
20 Mayor Leone agreed and moved that item for further discussion under Business Items.

21
22 **Councilmember Kelly moved, seconded by Vice Mayor Weiner, to approve Consent**
23 **Calendar items 4B1, 4B2, 4B4, 4B5, 4B6, 4B8 and 4B9, and that items 4B3 and 4B7**
24 **would be heard later under Business Items. The motion was unanimously approved**
25 **by a voice vote.**

26
27 Mayor Leone requested clarification to item 4B1 since Project Manager Loren Umbertis was
28 present. Mr. Umbertis then provided the information requested.

29
30 Consent Calendar items approved were as follows:

- 31
32 1) Received and filed monthly status report on the progress of the Public Safety
33 Facilities Project
34 2) Received and filed notes taken from the City Council/Management Strategic
35 Planning Session of April 10, 2009
36 3) *Adopt resolution accepting 2006 Street Rehab Project, including Spencer Avenue*
37 *Rehabilitation Federal Aid Project No STPL5098(008),and authorizing the City*
38 *Engineer to issue a notice of acceptance (moved to follow item 6c under Business*
39 *Items)*
40 4) Received and filed actions taken at the Planning Commission meeting of April 1,
41 2009
42 5) Received and filed minutes from the Sausalito Sustainability Commission, with
43 attached budget
44 6) Adopted Resolution No. 5019 approving the MLK leases for: New Village School,
45 David Sandberg
46 7) *Approve location for Farmer's Market (moved to follow 6D under Business Items)*
47 8) Adopted Resolution No. 5020 upholding the decision of the Planning Commission
48 and deny the appeal of Subway Restaurants (con't from 4/7)

1 9) Adopted Resolution No. 5021 upholding the appeal on the Planning Commission
2 decision at 660 Bridgeway (con't from 4/7)
3

4 **PUBLIC HEARINGS**

5
6 There were no Public Hearings.
7

8 **BUSINESS ITEMS**
9

10 **6A. Approval of designated bicycle parking areas (Chief Scott Paulin)**
11

12 Chief of Police Scott Paulin presented the staff report on this item, along with a PowerPoint
13 presentation. Chief Paulin noted that four parking zones were being established to provide
14 parking for the visitors arriving on bicycles. He noted that Zone A, located at the ferry
15 terminal, could accommodate 140 spaces; Zone B, located in the official parking spaces at
16 Lot #1, could accommodate 80 spaces; Zone C, located in front of the Bank of America,
17 could accommodate 140 spaces; and in Zone D, located at Gabrielson Park, could
18 accommodate 60 spaces. He also addressed signage issues.
19

20 **Public Comment:**
21

22 **Vicki Nichols** was glad to see that careful consideration had been taken into account when
23 trying to determine the best bicycle parking areas.
24

25 **Councilmember Kelly moved, seconded by Councilmember Belser, approve the**
26 **parking plan, putting it into place for the summer and returning at the end of the year**
27 **for an overall review. The motion was approved by a roll call vote:**

28 **AYES: Councilmembers: Weiner, Belser, Kelly and Mayor Leone**
29 **NOES: Councilmembers: Pfeifer**
30 **ABSTAIN: Councilmembers: None**
31 **ABSENT: Councilmembers: None**
32

33 At this time, Mayor Leone took the opportunity to commend the Police Department for a job
34 well done with the recent activities related to the homicide.
35

36 **6B. Quarter CDD report / Code Enforcement Update (Community Development**
37 **Director Jeremy Graves)**
38

39 Community Development Director Jeremy Graves presented the staff report on this item.
40 He presented the highlights of the department and gave a brief update on the Code
41 Enforcement Program.
42

43 Council questions followed.
44

45 Mayor Leone recommended agendaing, in the future, discussion on a code enforcement
46 policy.
47

48 **Public Comment:** There was no Public Comment on this item.
49

1 **6C. Accept report and adopt resolution approving amendment to the agreement with**
2 **Architerra for design revisions for ADA improvements at Vina del Mar Park, Yee**
3 **Tock Chee Park, and Lot #2 Bathrooms (City Engineer Todd Teachout)**
4

5 City Engineer Todd Teachout presented the staff report on this item. Following his
6 presentation on the Viña del Mar portion of the report, Mayor Leone suggested breaking out
7 each project and discussing them separately.
8

9 Council concerns arose about the use of Architerra, since two of their previous drawings had
10 been rejected.
11

12 **Public Comment:**

13
14 **Vicki Nichols** advised that the HLB meeting in which this had been presented was well
15 attended.
16

17 There was Council consensus on giving direction towards the scope of work.
18

19 Mr. Teachout then reported on the bathrooms at Lot #2. He advised that the men's facilities
20 required enlarging and that the current proposal would be to use the area in which is
21 currently the interior of the bus stop.
22

23 **Public Comment:** There was no Public Comment on this portion of the report.
24

25 Following Council discussions, it was the consensus of the group to remove this portion of
26 the project from the bid specs and rebid this portion to totally replace the Lot #2 bathroom
27 building.
28

29 Mr. Teachout also noted that within this portion of the project, there was a need to move one
30 of the handicapped parking spaces and to make sidewalk repairs due to ADA compliance
31 issues. Council agreed that these items should move forward as a part of the overall ADA
32 improvement project.
33

34 Mr. Teachout then reported on the improvements needed for Yee Tock Chee Park. He
35 advised that ramps would be required for access to the many levels and that some "rails"
36 may need to be installed in certain areas.
37

38 **Public Comment:** There was not Public Comment on this portion of the report.
39

40 It was the consensus of the Council to continue with this portion of the project as proposed.
41

42 **Councilmember Kelly moved, seconded by Councilmember Belser, to adopt**
43 **Resolution No. 5022 amending the contract with Architerra, by removing the Lot #2**
44 **bathroom component from the proposal, and that the total contract not exceed**
45 **\$4,000. The motion was unanimously approved by a roll call vote:**

46 **AYES: Councilmembers: Pfeifer, Weiner, Belser, Kelly and Mayor Leone**
47 **NOES: Councilmembers: None**
48 **ABSTAIN: Councilmembers: None**
49 **ABSENT: Councilmembers: None**

1
2 At 9:25 p.m., Mayor Leone adjourned the meeting for a five minute break.
3

4 At 9:35 p.m., Mayor Leone reconvened the meeting, announcing that Councilmember Belser
5 had left the meeting and was rejoining from a telephonic location.
6

7 **4B3. Adopt resolution accepting 2006 Street Rehab Project, including Spencer**
8 **Avenue Rehabilitation Federal Aid Project No. STPL5098(008), and authorizing**
9 **the City Engineer to issue a notice of acceptance (City Engineer Todd Teachout)**

10
11 City Engineer Todd Teachout presented the staff report on this item. He indicated that this
12 item was on the agenda for Council to formally accept the work that had been completed
13 and process the appropriate claims.
14

15 **Public Comment:**

16
17 **Chuck Donald** spoke on the quality of the work that had been done. He especially noted
18 the work on Spencer Avenue that was, in his opinion, poor quality.
19

20 **Councilmember Kelly moved, seconded by Vice Mayor Weiner, to adopt Resolution**
21 **No. 5023 accepting the 2006 Street Rehab Project including Spencer Avenue**
22 **Rehabilitation, STPL 5098 (008) and authorizing the City Engineer to issue a Notice of**
23 **Acceptance. The motion was unanimously approved by a roll call vote:**

24 **AYES: Councilmembers: Pfeifer, Weiner, Belser, Kelly and Mayor Leone**

25 **NOES: Councilmembers: None**

26 **ABSTAIN: Councilmembers: None**

27 **ABSENT: Councilmembers: None**
28

29 **6D. Priority schedule for park improvement program (Parks and Recreation Director**
30 **Mike Langford**

31
32 Parks and Recreation Director Mike Langford presented the staff report on this item.
33 Additionally, Mr. Langford used a PowerPoint presentation to show the prioritization for the
34 park improvement program. He noted the priority order as: Harrison Park; MLK Gym
35 windows; Robin Sweeny Park; Cloudview Park; Langendorf Park; Cazneau Avenue
36 Playground; Southview Park; MLK & Marinship tennis courts (including paths, gazebo at
37 MLK, fence repairs, resurfacing and windscreens).
38

39 Council discussion followed on the funding.
40

41 **Public Comment:** There was no Public Comment on this item.
42

43 Council comments then followed.
44

45 **Mayor Leone moved, seconded by Councilmember Kelly, to adopt the prioritization**
46 **list which included Harrison Park, Robin Sweeny Park, MLK gym windows, and the**
47 **tennis courts at MLK and Marinship Park (including fencing, resurfacing and**
48 **windscreens). The motion was unanimously approved by a roll call vote:**

49 **AYES: Councilmembers: Pfeifer, Weiner, Belser, Kelly and Mayor Leone**

1 NOES: Councilmembers: None
2 ABSTAIN: Councilmembers: None
3 ABSENT: Councilmembers: None
4
5
6

7 **4B7. Approve location for Farmer's Market (Parks and Recreation Director Mike**
8 **Langford)**
9

10 Parks and Recreation Director Mike Langford presented the staff report on this item. He
11 noted that the proposal was to move the Farmer's Market to Parking Lot #2, using only one
12 half of the lot with the balance remaining open for parking.
13

14 **Public Comment:** There was no Public Comment on this item.
15

16 Council questions followed.
17

18 **Councilmember Kelly moved, seconded by Vice Mayor Weiner, to move the Sausalito**
19 **Farmers Market to Parking Lot #2, as designated, beginning May 8 through October 2,**
20 **2009. The motion was unanimously approved by a roll call vote:**

21 **AYES: Councilmembers: Pfeifer, Weiner, Belser, Kelly and Mayor Leone**
22 **NOES: Councilmembers: None**
23 **ABSTAIN: Councilmembers: None**
24 **ABSENT: Councilmembers: None**
25

26 **6E. Update and discussion on the Construction Time Limits Ordinance (City Attorney**
27 **Mary Wagner)**
28

29 City Attorney Mary Wagner presented an update on this item. She described some of the
30 key components to the ordinance. Mayor Leone recommended adding some CEQA and
31 nuisance wording to the ordinance.
32

33 Council questions followed.
34

35 **Public Comment:**
36
37

38 **Chuck Donald** commented that he was for this kind of an ordinance and that he had
39 worked under one when he worked in Belvedere. He noted that it works, but not without
40 some problems.
41

42 **CITY MANAGER REPORTS, CITY COUNCIL APPOINTMENTS, COUNCIL**
43 **DISCUSSIONS AND COUNCILMEMBER REPORTS**
44

45
46 **7A. City Manager Reports**

47 **7A1. City Manager Information for Council**
48

49 City Manager Adam Politzer reported on: Strategic Plan Retreat; MCCMC meeting; Finance
50 Committee meeting.
51

1 **7A2. Future Agenda Items**

2
3 Councilmember Pfeifer asked that the Jack Crystal project be added to a future agenda item
4 for discussion. Council discussion followed on the topic.
5

6 **7B. City Council Reports**

7 **7B1. Appoint one member to the Citizen's Oversight Committee**

8
9 There was no appointment to be made.
10

11 **7B2. Other reports of significance**

12
13 There were no reports of significance.
14

15 **7B3. Councilmember Committee Reports**

16
17 Councilmember Kelly reported on: the Marin School; letter from Alice Merrill regarding the
18 donation of a window.
19

20 Councilmember Belser reported on: the legislative recap and whether Council would like to
21 have a speaker come in for further discussions; the Portuguese dinner.
22

23 Mayor Leone reported on: providing direction to WAM; BAC disconnect with the Chamber
24 and other advisory committee actions; need to replace and fill the new positions on the BAC.
25

26 **ADJOURNMENT**

27
28 There being no further business, the City Council meeting was adjourned at 11:20 pm. The
29 next regularly scheduled meeting will be held on May 5, 2009, with the open meeting due to
30 commence at approximately 7:00 pm.
31

32 Respectfully submitted,

33
34
35 Debbie Pagliaro
36 Deputy City Clerk
37

Approved on: