



STAFF REPORT

CITY COUNCIL OF THE CITY OF SAUSALITO

AGENDA TITLE:

Discussion and Direction for Planter/Art Space at PSF Police Station, Caledonia Frontage

RECOMMENDED MOTION:

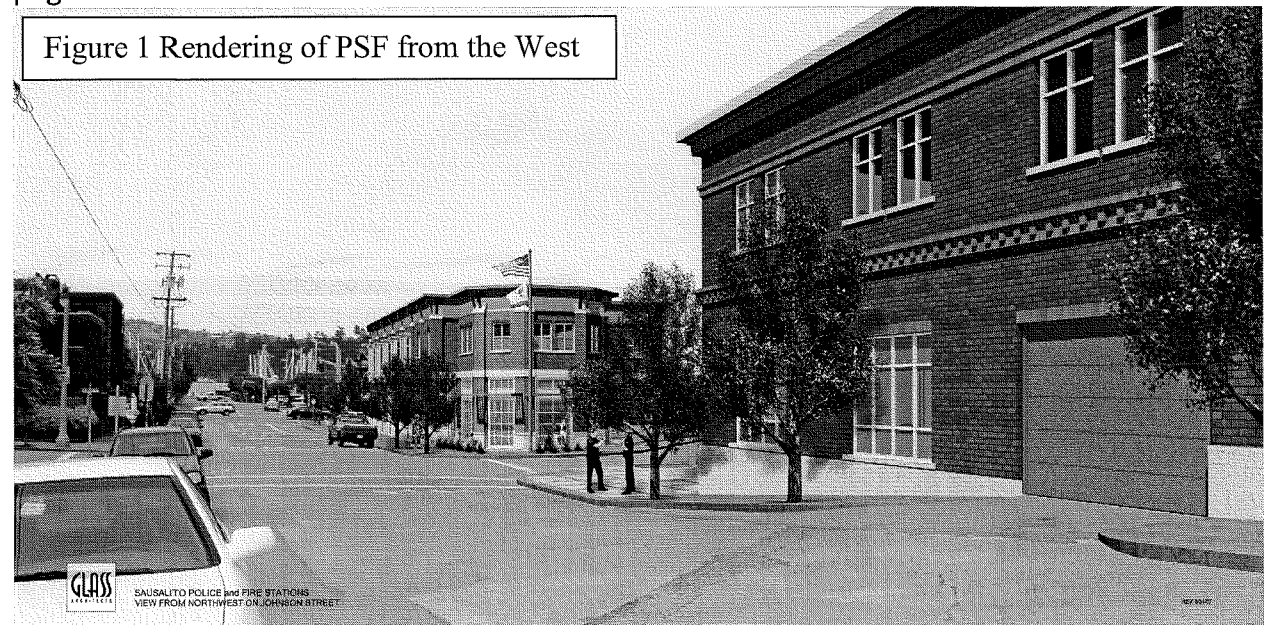
Direct Staff to Prepare Plans and Request Pricing to Accommodate Temporary Planter/Future Art Space at PSF Police Station, Caledonia Frontage

SUMMARY

The approved construction plans for the Public Safety Facilities Project do not include certain features that would allow for future installation of landscaping or art in an area with the space for such a feature on the Caledonia Street frontage of the Police Station. Staff is seeking Council direction on whether to amend the existing plans to accommodate such potential future uses as contemplated in both certain renderings of the project when considered by the Planning Commission and community input during the project development phase.

BACKGROUND

Figure 1 below is a rendering of the Project that includes a raised planter in a wide section of the sidewalk at the front of the Police Station. A close-up is shown on Figure 2 on the following page.



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Meeting Date: October 6, 2009
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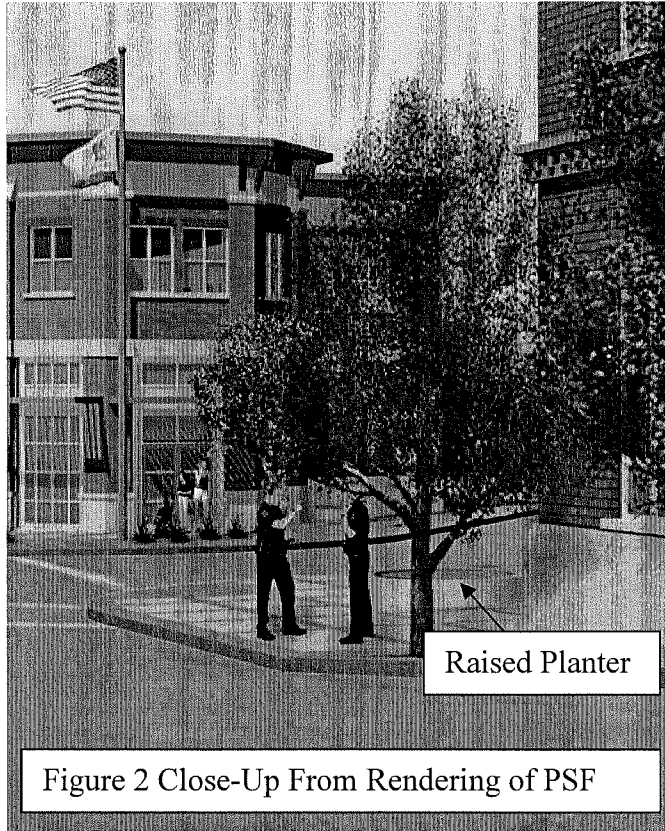


Figure 2 Close-Up From Rendering of PSF

In order to accommodate a raised platform or planter in that location, certain infrastructure to facilitate, irrigation, drainage, and lighting (were the space to be used for an art installation) is warranted. Because the site work is poised to be completed, Staff is requesting direction from Council to direct the City's designers and contractors to make reasonable accommodations for those potential future uses of the space before the underground construction is complete and sidewalks poured.

ISSUES

No issues have been identified with the contemplated action with the exception of the urgency of scheduling.

FISCAL IMPACT

Staff anticipates that the design and construction costs to make provisions for irrigation, drainage and future lighting at the subject location can be accomplished for less than the \$50,000 allowance for pavers included in the overall contract budget. Once the design and construction pricing are completed, Staff will return to Council for approval of change orders or agreement amendments as warranted.

STAFF RECOMMENDATIONS

City Staff recommends that the City Council direct the preparation of design and pricing documents for reasonable accommodation of a raised platform or planter in the subject location, including that infrastructure necessary to facilitate, irrigation, drainage, and lighting (were the space to be used for an art installation).

ATTACHMENTS

Verbatim transcription from the City Council meeting of September 1 re: Public Safety Facilities discussions.

PREPARED BY:



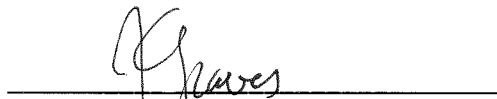
Loren Umbertis
Swinerton Management & Consulting

REVIEWED BY:



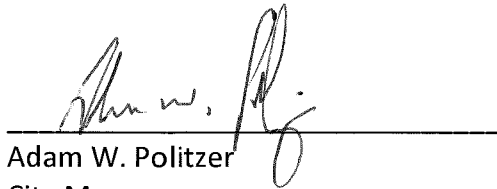
Jonathon Goldman
Director of Public Works

REVIEWED BY:



Jeremy Graves
Community Development Director

SUBMITTED BY:



Adam W. Politzer
City Manager

Verbatim Transcript from 9/1/09
Public Safety Facilities

(begins at second part of this particular agenda item)

LU – So the next item that I have, you will notice up on the screen is a picture of sidewalk pavers. I want to give a little history. There was a previous design that was submitted the Planning Commission that included sidewalk pavers in front of the police station. This is a condition that was approved by the Planning Commission and was a condition of approval; but during the course of the design drawings review phase of the project, the building committee that was working with Glass Architects and included Jonathan Leone and also Mike Kelly, went through a value engineering exercise because the first estimates came out and showed the building over budget. A number of items were reviewed and a number of pieces were removed, one of these was a green roof at the PD. We are still getting our LEED points and we'll still get that, but that was an expensive item that was removed. That's one example. Another example was the brick pavers. I was not part of the project at time, so you may be able to add some information on it; but my understanding was that originally the pavers were removed for three reasons: 1) because of their cost, and in order to save money for the project; 2) was their appearance – there are no other areas in Sausalito that have brick pavers such as this; and then the third thing was maintenance concerns and possible of ... and that also ties into replacement concerns that there is an added cost to doing this type of work vs doing concrete sidewalks. So, we as a group, inserted an alternate into the construction .. into our budget of \$50,000 to pay .. or as an allowance if we had to go forward with putting in the pavers. We have since talked with Alten Construction and had them review a detail with the specific type of paver that we want to use. They have returned back and said that the cost for putting in the pavers in that area will be at least \$75K, give or take a few for doing that work. I would like to ask the Council because this reviewed as part of the building committee and was taken out, I would like to ask the Council what kind of direction that they would like for Swinerton Management Consulting and for the project on what we should do about this aspect of the construction, because currently the Planning Commission is leaning towards having us put these brick pavers into the condition.

JL: My question so some of this I have participated in and some not. So the value engineering process I did not participate in, no fault to those running the value engineering process, but in my memory of that sort of set-aside amount was that there were some things that we took right out of the value that Council agreed to take right out of the value engineering findings, and those were removed from the project like the green roof and that kind of thing. And then there were some that we sort of left on the fence and set aside a certain amount of money and will more or less figure that out later. So my understanding is there were a number of things that in addition to the pavers that were brought to the Planning Commission for re-assessment I guess or removal of conditions of approval, besides just the pavers.

LU: Correct

JL: What are those?

LU: Off the top of my head, there were some requests for some additional trees, which we have no conflict with. There was a request for putting some screening in front of the generator, which we have talked to the Planning Commission and they understand the difficulties of trying to do that and we are going to end up painting the generator so that it is not so obtrusive. There was the paver, yes, there was this pavers area and also in this area at the Police Station is a large planter which was intended to be an art piece, but in lieu of having an Art Commission and not having a public piece of art, it is currently a planter.

JL: Don't blame the Art Commission on this one, that's an easy scapegoat if there is nobody on it. But don't blame them!

LU: So right now, it is a planter until a public art piece can be found to be placed at that point. It's kind of a place holder for what was termed an art piece.

HW: Question, how many, approximately do you know how many bricks

LU: I don't, but if you turn to the next slide, the location is the Police Department .. where you see where these cross-hatched pieces are, basically that is the entire area of this plaza area. So the number of bricks I don't know.

HW: Why I brought that out was making a monument of bricks, in other words with names of the face.

MK: These are, the tiles that we are looking at ... if you remember there were three conditions, one was for aesthetics, one was cost, and another was serviceability. And we solved the serviceability problem by increasing the thickness and strength of the ... finding a commercial grade paver that will withstand fire trucks running over them. So we solved that problem. To change these and do something different like put names in them probably isn't possible just because of the manufacturing process.

JL: So it goes both in front of the Police and Fire.

LU: I believe that there is a small little section just in front of the EOC office, right in here that has some, but the .. predominantly this is the area and this is the plaza. The planter would go up in the upper area over there where the handicapped ramp more or less is, somewhere in that spot.

LP: I just .. to a point of clarity, that the pavers are on the sidewalk, they are not on the road right? They're not cutting across there.

LU: Correct. The reason why this

LP: There's a clear .. the road goes

LU: Yes, they will be .. they're not on the road at all. They are on the sidewalk. What happens is that the .. in order to place this, you are essentially placing the sidewalk at a depth below and then you are placing the pavers on top of that. So that's why there is this significant expense because you are basically putting in a whole sidewalk and then you are placing bricks on top of that .. pavers on top of that. These pavers are then set and as Mike pointed out they have a higher PSI that they can withstand so that if trucks have to go on them or you set down braces for trucks, like fire trucks sometimes do, they won't crush the brick and damage it.

LP: And just in looking at this diagram, where is .. this is the fire house .. where is .. which one, I'm a little bit

LU: This is the Police Station and that little stairway area is kind of at the corner of Caledonia and Johnson, and this is the Fire Station, this is the EOC and that's Johnson that runs up and wraps around and becomes Caledonia here. They will basically be on opposite sides of Caledonia.

MK: A clarification that the \$75,000 is an add.

LU: It's money that will have to be added to

MK: It's not in the budget

LU: Yeah, I mean we have a line item, but it's \$75,000 that will have to be

MK: It's a placeholder

LU: The \$50,000 is actually in the overall budget. So when you take a look at what the project cost is, the whole thing, we had a placeholder in there. But we don't have .. that's not currently in Alten's scope, and so I would be coming in front of you with a change order for \$75,000.

MK: So it would be a \$75,000 change order to the construction contract.

JL: It's not in their contract, but the \$50,000 was in the soft costs number outside of their contract, or something like that – it was something like that, somewhere in those numbers. But it was not in their contract.

LU: Correct.

LP: I'm sorry, I just need to get this right. On the left, the Police building, where is Johnson Street? Where is Caledonia?

LU: Johnson Street is at the very top. So Johnson Street runs .. basically, if you look at this, this is exactly what it would look like from a bird's eye view. You would take Johnson, it would go straight across the street at the very top and this is Caledonia right here. So if you take this line out of the middle, that's basically the Caledonia coming right through here.

LP: Ok, you refer to a plaza. I don't recall a plaza in the needs assessment. Can you show me where that .. I don't understand that concept.

LU: The plaza would be this area is what we are calling it, because there is ... otherwise, it would be normally little sidewalk that would kind of come down and tie into this sidewalk, but creating these spots and continuing to keep Caledonia as a one-way, this piece is kind of being pushed out into the road and this is what we kind of considering is the plaza.

JL: That's Loren's .. do you have anything else Loren in general.

LU: No, not on this, just that

JL: You need some direction

LU: We need some direction because we are going to go back to the Planning Commission and the Planning Commission has been pretty clear about their desire to have this and the City is the owner

JL: Right – ok. Is there any member of the public, or Jeremy, did you have a comment that you wanted to make?

JG: These modifications are in front of the Planning Commission and they have been discussing this. But the direction the Planning Commission gave to Loren was certainly to explore the pavers, but also look at possibly using staining, coloring or texturing concrete. There are fall back positions here that the Commission was interested in that I think would be good for you to be aware of that.

JL: Ok – alright. Mary do you have .. the .. what is the legality of all of this – as far as the City being its own permittee. What are the .. set aside being a good citizen of the public, what is the .. is the City required to appeal its own planning conditions of approval? This is essentially what we are doing in a sense. We are asking for amendments to the .. what are we asking for then.

MW: Let me answer that by saying that when this all started, the construction and believe it or not, the City did not necessarily have to go through its own process and there are cases on this because the law would be “well, you change your process to fit your own”, to put it in a nutshell. The City Council

JL: I'm not suggesting that because the City learned its lesson the first time that you actually do need to listen to the public, so

MW: The City Council directed that this go through the process the same as any other project would, which is where I was going to. So that means that the Planning Commission has imposed conditions on this project. If the Planning Commission doesn't want to modify them, it could be appealed to the City Council and the City Council can then take action on that modification.

JL: Yes, Jeremy, go ahead, just clarify what the City is asking.

JG: I don't have the condition number, but there was one of the conditions of the design review permit, is that .. listed several aspects that should return to the Planning Commission for additional review, and one of them was this. And so,

JL: the exterior

JG: The painting material and the landscaping. And so the Commission's review of this .. is a continuing dialog and so, it's not .. this is not an appeal

JL: That's good clarification, it's been long enough that that escapes my memory

LP: And Jeremy, I just have one more clarification. Is the Planning Commission recommending these pavers?

MK: Yes

LP: If they are recommending

(four speaking at once - ??????)

JG: If it were up to the Planning Commission, I think that their preference is for this

JL: So Mary, you want to clarify that.

MW: This is in front of the Planning Commission for their further review and discussion and action. So the question before you, as the property owner, is I think we are looking for some direction from the Council on maybe you are ok with pavers, maybe you're not, maybe you want to weigh in and just be made aware of this issue. That was the _____ we bring it to you tonight.

MK: I actually attended the last Planning Commission meeting, and I spoke before them. I made an appeal to them to allow us to use concrete, and I did it on three counts; 1) at the time I believed concrete was the strongest thing and we wouldn't be able to match that strength with this commercial area, this industrial area where trucks _____, I was afraid we would end up having broken pavers all the time. I also appealed the aesthetics because I said that there was no place else in Sausalito where there is public land that has this kind of stuff on it. So we're setting a precedent here, deciding to make something out of this that's not. And I also remembered the hearings when it was talked about that they didn't want these buildings to stand out, they wanted them to be part of the fabric of the neighborhood. And the third appeal was, I thought it was \$60 grand and now it's \$75, I said \$60 grand and I just would rather spend that \$60 grand on something else or give it back to the tax payers which is what we would do with it. So they were fairly adamant about wanting the pavers. And they really didn't, and I think that they gave me a

bit of a sob by saying that I could come back with colored concrete, but I think that at the end of the day, they would not like that either – they really wanted pavers. We didn't vote on it. I left it unvoted, because I said let me go back and see what we can do because I wanted to test the issue of the strength of the pavers. We subsequently found that we can find a commercial grade of paver that's used in, in fact we have a picture of a fire department using it as their apron, so we felt comfortable that .. we still have to put down all the concrete we would otherwise put down and this goes over the top of it. So, but nonetheless, we could do that. So that took that issue off the table, but it still leaves the aesthetic issue in the cost. So what we are here to talk about tonight is what's the Council's preference – do we want to go with it, say no, send it back and have them vote on it and then decide what to do with it after that. They still need to vote on it probably, but I'm pretty sure that their vote will be for the pavers. So that's where we're at.

JL: Ok. Are there any members of the public who would like to speak to this particular item?

Vicki Nichols: I would just like to comment that I do remember having been at most of these meetings that the landscaping, etc., was spun off so that the project wouldn't stall. I would be curious, I missed that Planning Commission meeting when this was discussed again; but with all due respect to the Planning Commissioners, I don't believe that any of them _____ in any of these meetings. So I would like to know how much of the public was represented when they made these strong suggestions. My recall on this is that we didn't want to distinguish these buildings and for \$75,000, personally, I would rather omit them and be able to use it somewhere else and I really think that when this comes up again the next time, there are members of the community they don't have any recall that this had to be paved. And vis-a-vis the art installation down there was also controversial. So the planter, there are people that were dying to get a piece of art down there, and there were people that were saying no. So either way, that's another reason why this was spun off so it would stall. But I would urge the Planning Commission to make sure that they have good representation of the public, that they know they are talking about this because otherwise it sounds like five people recommending something for a public building that they think sounds good and I don't think it represents what the community wants.

Bonnie MacGregor: I have a couple of comments about, as a resident, regarding the pavers. I realize that not as many women wear high heeled shoes anymore as they used to, but if you have any kind of a heel on walking on pavers is not easy. It is difficult and I find it rather dangerous. I think that's a lot of money to spend on a small area like that. I don't have an objection to the appearance of them, but I think some very attractive things could be done with concrete – even to the point of making a grid or something in the concrete to give it a surface and a texture. So I agree with Vicki that the public, the residents, have not had perhaps enough input into this.

LU: I would like to comment on that last comment. If you notice on the site plan for the Police Station, you will notice that there is a double grid line; the design team did actually install that area and did put in those double grid lines in order to differentiate that area to a slight degree from regular sidewalk. So there is an architectural detail that is in that plaza, if you will, at this time. It's just not made of brick.

Buddy DeBruyn: You know, the Embarcadero Center has stamped concrete, it looks great. There is different designs for stamped concrete. Bricks, or pavers, whatever they called, I've seen them all over the place and they do break, they do cause problems as Bonnie brought up with high heels walking in them (although I don't wear high heels), but you can color concrete, you can put designs in, you can do it .. and the comment that this gentleman just made that differential some was patterned and some was brick – that's just bizarre, why would you do that. You wouldn't paint a house one wall one color and another part of it another color – it doesn't make any sense to do something like that.

LU: If I can clarify, it is actually all concrete, it's just that there are going to be some additional score lines that are added in the pavement. Instead of having a single pad with a single line in it, there will actually be a double line creating a scored look in the concrete. But it will all be concrete. No brick.

Buddy DeBruyn: With the exception of the pavers

MK: yes

LU: This is design right here is in lieu of the pavers.

Bea Seidler: I just want to say that I agree with Buddy, Vicki and Bonnie. I don't think it's worth the money. It is also introducing another element of design that you don't really need.

JL: Thank you Bea. Is there anyone else who would like to speak to this? Ok, seeing that, let's bring it back up here if anyone wants to comment.

HW: no just my comment would be that I would rather see the \$75,000 go back to the residents and the only other way that .. bricks, unless you can put names in it to be able to come up with any kind of close money on that, I would say, stay the course and use concrete.

LP: My comment is that I agree with what I heard from the public. I think that we just had to increase sewer fees and to spend \$75,000 outside of budget on cosmetic just doesn't make any sense. Plus, aesthetically I think we want it to be more blended in with part of the neighborhood, so I would not support the pavers or the cost.

JL: Mike, did you have anything more to add from what you were saying before.

MK: No, I agree. I've argued all I can to keep it concrete and I just think that the pavers are inappropriate for this site.

JL: So either you or Mary can correct my memory, but my memory is that the pavers came out of BSA's original concept, which included actually crossing the street with pavers and creating this kinda .. even though as members of the public had pointed out that the public is very clear or 2/3 of the public is pretty clear that they wanted to sort of create this separately defined area. BSA never the less came back with this sort of plaza concept with using the pavers to accent

that. And as Vicki pointed out, being on the Planning Commission at the time, one of the reasons that this was let go at that time in 2005/6, whatever it was, was so that the project could keep moving forward.

MK: Because there was a lot of controversy about it; landscaping, art and pavers.

JL: And in order to get a bond issue out there and do it while the times right and luckily, all things considered, we did. Given what has happened in the credit markets. But, so .. But then again, I do respect Planning Commissions as they're trying to do their best. So I am a little

MK: Let me tell you what the Planning Commission said, and Jeremy and Mary can correct me if I am wrong, but .. As I recall, when they were sort of deciding that there was a consensus for the pavers, although they didn't vote on it, but there was clear consensus. They said something, well just let the City Council do what it wants to do, but we're going to vote .. hang in there for pavers. So there is a sort of .. am I correct .. do you remember them saying that. You don't remember that. They obviously want to preserve _____, but there is a nod that they know that we have the right to do what we want to.

JL: I don't really necessarily look at it that way, though I understand what you are saying – it's that .. but I do .. my personal opinion, and I said this when we talked about the pavers at the Planning Commission level many years ago, is that generally by and large it's debatable success, the use of pavers as creating .. it simply using brick and throwing brick on a street. We saw in the 80's attempts to revitalize areas by throwing brick down and .. I don't know if it really achieves the success that people think that it will. But also it doesn't fit in with the rest of .. what the current streetscape of Sausalito is. So I am willing to, although I do not relish the idea of debating the issue with the Planning Commission, I do think that it's an unnecessary addition here. I think if you really want to do a treatment that would do a plaza like justice, brick isn't the way to go. You really have to invest time and design if you want to create some sort of a dynamic plaza. We don't have the money for that, nor do we have the time to really invest in designing something to create a real use and artistically creative streetscape there. But to me the art piece foundation, and I've said this consistently, it was sort of a brokered compromise with a lot of people. It doesn't necessarily please everyone, but it's a bench, the form of it I don't really know what it looks like. But that to me I think some people did come out and speak for that through the Planning Commission hearing. That I would like, in my personal preference and remembering the hearings on this, that was something that the Art Committee was asking for and lent their support to the project by gaining another place to show public art. And not necessarily one piece, but to have it be something that later can be converted so that you can rotate pieces through there. But the pavers, I am more than happy see replaced and something else .. and was that the only two things that .. the generator is a different issue, you've solved that. That was a safety issue.

LU: Yes this is the only issue that was

JL: and is the landscaping plan now complete

LU: correct

JL: with these tree additions, because that was also an outstanding

LU: landscaping and we added a few other plants in a few other areas and all that's fine. They requested a few additional chairs; that's completely acceptable and fine and everyone's going forward on that. This is really the only issue. They understood that the generator cannot have a screen because it has to have clearance issues and it juts into their driveway and they agreed that if we painted it a neutral color or matching to the existing buildings that they would be fine with that.

JL: and the conduit for electrical charged vehicles, has that been rectified.

LU: We actually, if you take a look at the upper left hand corner

JL: I'll take your word for it; you don't need to go into that

LU: But we do have a box, a utility box for the installation of a charger.

JL: and the adequate conduit to the roof for, since we have our SolarCity representative patiently back for panels is designed correctly, or are we going to have a

LU: I'll tell you, it would be beneficial to see exactly what they are doing sooner than later, but that's always been anticipated in the program.

JL: And just for your information, the County will review that for free, if we want their .. Dawn and her team that for free to make sure that it is adequately

LU: County of Marin?

JL: so I'll get you the then

LU: We still use the enforcement agency of Contra Costa County for doing that and they will want to see, depending on when this goes in or how we want to do this, they may have some questions as well. But it goes in afterwards then obviously

JL: right – ok. Ok so the action on the change order .. So there's just those two, pavers and the pedestal bench/art piece. Right?

LU: yes

JL: so I'll make a motion, no pavers and art piece foundation. Is there a second to the motion.

HW: I'll second that.

MK: Well, I'm just thinking the

JL: I think it's a good compromise perhaps.

MK: The art pedestal is set, there is no controversy about that, so why don't we just do the pavers.

JL: Well I thought that that was actually something that was brought up to the Planning Commission to review.

LU: What is currently in the design is a large planter

JL: right, which is all it is meant to be, because there is no plan for what .. you know you have to have the engineering and all that other stuff

LU: that's right, the planter you have the water, you have to have all of that. So right now, that's what it is, but it was always intended, my understanding is that it was always intended to be replaced in some way or dirt removed and graded into

MK: Just leave that alone for the moment, just go for the pavers.

JL: Yeah, alright, alright as long as it is still in there

MK: So the motion is pavers out, concrete in

HW: yes

LP: me too

JL: So Debbie, would you .. was there a second to that

LP: I second

JL: Debbie would you call the roll; do you need a formal vote, is that what you are saying Mary.

MK: Well, the question is, where does this go from here, back to Planning, .. yeah so ..

JL: Wasn't it your meeting date with a special meeting tomorrow night or something like that

MK: can't get on the agenda

JL: I thought that was what this meeting tomorrow night .. someone told me that's what this was for.

MW: No, this isn't on the agenda for the meeting on the second, and I don't .. is it on the agenda for the meeting on the 9th .. ok

LU: I spoke with Lilly about that and she asked I think that there's one on the 15th. I did talk to her and I told her that we weren't going to be able to get on this tomorrow because of this discussion.

MK: So this goes back as the owner would like to appeal once more to the Planning Commission to let us put concrete there. That's really what the question is, and they will vote on that.

JL: How about if you apply the \$50,000 to something else

MK: It's not an appeal, it's a request. Well

(three people talking at once)

MK: So we're going to send back a recommendation in a request to the Planning Commission that they let us put concrete there.

HW: yep

JL: and regular concrete. I think colored concrete has mixed success

MK: I say we _____. We have a pattern or we examine the pattern but it will be simple and again fit in .. with the neighborhood. And so that's what we want. So you let us know how it goes.

HW: Mike, and also for your information, we do have, the City does have a brick area that is owned by the City and it's in front of Bank of America.

MK: oh, that's true; you're right. Is that the City's area.

HW: yeah, that's the City's property – between the sidewalk and where the cement walk is from Bank of America – that is the City's property there and it is brick. Is that right Jonathon?

JG: yes

HW: thank you

MK: ok, leave that off the table

JL: That's an unusual element, let's put it that way. Ok, thanks

MK: We need to vote on the change order

LU: Change order too

JL: There was a motion and we second it.

DP: Ok, I am going to clarify because you went through several reiterations of this motion

JL: just do

DP: You (JL) moved to request that the Planning Commission consider no pavers and use concrete.

JL: Mike made the motion and Herb second it

DP: Oh you (MK) ended up with the motion

MK: yep

DP: That's why I said I needed to clarify. Councilmember Pfeifer: yes; Vice Mayor Weiner: yes; Councilmember Kelly: yes; and Mayor Leone: yes

JL: Thank you Loren

LU: Thank you very much, was that last vote for the change order?

MK and DP: No

MK: Now we

JL: Oh, now the Change Order, ok. Now the Change Order's totally

MK: I move to approve Change Order #5 as represented

JL: Is there a second

DP: Adopt a resolution

MK: oh, I'm sorry, adopt

JL: Why don't re-read the whole thing. JL reads: Adopt a resolution of the City Council of the City of Sausalito approving and authorizing the City Manager to execute Change Order #5 to the contract with Alten Construction, Inc. for Sausalito Public Safety Facilities Project New Construction dated October 9, 2008.

LP: second

JL: all in favor

Four at once: aye

LU: Thank you very much.