



**SAUSALITO CITY COUNCIL
REGULAR MEETING
5:30 P.M. in the COUNCIL CHAMBERS at 420 LITHO STREET, SAUSALITO, CA
TUESDAY, NOVEMBER 17, 2009**

Note that the City Council may, at its discretion, consider agenda items out of the order in which they are listed. The public may comment on any item on the agenda that has not previously been subject to public comment. To give everyone an opportunity to be heard and to ensure the presentation of different points of view, Council requests that members of the audience who speak: 1) Always address the Chair; 2) State his/her name; 3) State views succinctly; and 4) Limit presentations to three (3) minutes.

**For information on how to obtain the City Council meeting agenda and agenda packets,
please see the last page of this agenda.**

**For information concerning reasonable accommodations under the
Americans with Disabilities Act, please see the last page of this agenda.**

5:30 PM CALL TO ORDER IN THE COUNCIL CHAMBERS AT CITY HALL, 420 LITHO STREET

- A. Mayor Leone calls the meeting to order and requests that Roll Call be taken
- B. Mayor Leone announces that items D1 through D6 will be discussed in Closed Session
- C. PUBLIC COMMENT on Closed Session items
- D. City Council adjourns to CLOSED SESSION to consider the following:
 - 1. **CONFERENCE WITH LEGAL COUNSEL**– Anticipated Litigation CGC §54956.9(c)
Initiation of litigation (One potential case)
 - 2. **PUBLIC EMPLOYMENT** pursuant to CGC § 54957
Title: Special legal counsel
 - 3. **CONFERENCE WITH REAL PROPERTY NEGOTIATOR** pursuant to CGC § 54956.8
Property: 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: Bridgeway Marine Corporation
City Negotiator: City Manager and City Attorney
Under Negotiation: Price and Terms
 - 4. **CONFERENCE WITH REAL PROPERTY NEGOTIATOR** pursuant to CGC § 54956.8
Property: MLK Properties, 100 Ebbitide Avenue
Negotiating Parties: Lynn Churchill; Donovan; Mortan; Scholz; Likas; Fischer; Bruce; Newlin; Sizemore; Cavanaugh; Murray; Sandberg; New Village School; Badell; Daniloff; The Marin School
City Negotiator: City Manager and City Attorney
Under Negotiation: Price and Terms
 - 5. **CONFERENCE WITH LEGAL COUNSEL**– Existing litigation CGC §54956.9(a)
Name of Case: Zacks v. Sausalito; MCSC Case No. CIV050995

6. **CONFERENCE WITH REAL PROPERTY NEGOTIATOR** pursuant to CGC § 54956.8
Property: Cass' Marina, portions of submerged and dry lands of Dunphy Park
Negotiating Parties: Cass' Rental Marina Inc.
City Negotiator: City Manager and City Attorney
Under Negotiation: Price and Terms

7:00 PM **COUNCIL WILL RECONVENE FOR REGULAR MEETING IN COUNCIL CHAMBERS**

BUSINESS MEETING BEGINS (Estimated time: 10 minutes)

- A. Roll Call
- B. Pledge of Allegiance
- C. Closed Session Announcements (if any)
- D. **PUBLIC COMMENT** on Closed Session Items
- E. Approval of Agenda

1. SPECIAL PRESENTATIONS / MAYOR'S ANNOUNCEMENTS (Estimated time: n/a)

2. COMMUNICATIONS (Estimated time: 10 minutes)

PUBLIC COMMUNICATIONS: This is the time for the City Council to hear from citizens regarding matters that are *not* on the agenda. Comments on matters that are *on* the agenda shall be made at the time the Council considers those matters. Except in very limited situations, state law precludes the Council from taking action on or engaging in discussions concerning items of business that are not on the agenda. However, the Council may refer matters not on the agenda to City staff or direct that the subject be agendaized for a future meeting. Speakers are limited to 3 minutes each.

3. ACTION MINUTES OF PREVIOUS MEETING (Estimated time: n/a)

4. CONSENT CALENDAR (Estimated time: 5 minutes)

REMOVAL OF ITEMS FROM THE CONSENT CALENDAR: Matters listed under the Consent Calendar are considered routine and non-controversial, require no discussion, are expected to have unanimous Council support, and may be enacted by the Council in one motion in the form listed below. There will be no separate discussion of Consent Calendar items. However, before the Council votes on a motion to adopt the Consent Calendar items, Councilmembers, City staff, or members of the public may request that specific items be removed from the Consent Calendar for separate action. Items will only be removed from the Consent Calendar by a vote of the Council. Items removed from the Consent Calendar will be discussed later on the agenda, when public comment will be heard on any item that was removed from the Consent Calendar.

4A. PUBLIC COMMENT: Requests to remove item(s) from the Consent Calendar

4B. Motion to approve the following actions:

- 1) Approval of Holiday Parking Meter Waiver
- 2) Adopt Resolution Accepting the \$100,000 SLEFS COPS Grant Funding
- 3) Approve Purchase of Police Patrol Vehicles and Authorize the Appropriation of \$46,571.40 from the Vehicle Replacement Fund
- 4) Adopt Resolution Authorizing the Submittal of an Application to the California Energy Commission's EECBG Program for Funds to Execute the Proposed City Hall Historically-Sensitive Exterior Windows and Doors Replacement Project

- 5) Approve Caltrans Temporary Construction Easement on Sacramento
- 6) Informational Item on the Bid Documents for Furniture for the Public Safety Facilities

5. PUBLIC HEARING *(Estimated time: 2 hours, 15 minutes)*

- A. Introduction and first reading, reading by title only, an ordinance amending Zoning Ordinance Table 10.24-1 (Land Uses Allowed in Commercial Districts) and Section 10.444.240.C (Formula Retail) to allow Formula Retail uses in the Commercial Waterfront (CW) Zoning District, subject to issuance of a conditional use permit. (related to the Peet's Coffee Application for 1250 Bridgeway)
(Associate Planner Heidi Burns)
 - Oral report and Council questions
 - **PUBLIC COMMENT – limited to 3 minutes/person**
 - Council discussion and direction, if any
- B. Introduction and first reading, reading by title only, an ordinance adding a new section in the Zoning Ordinance which establishes time limit regulations for construction projects; amending Zoning Ordinance Sections 10.54.040 and 10.54.050 and Chapter 10.62 regarding the expiration of certain permits; amending Zoning Ordinance Section 10.80.040 regarding responsibilities of the Zoning Administrator *(Community Development Director Jeremy Graves)*
 - Oral report and Council questions
 - **PUBLIC COMMENT – limited to 3 minutes/person**
 - Council discussion and direction, if any

6. BUSINESS ITEMS *(Estimated time: 2 hours, 35 minutes)*

- A. Bay Cities Refuse Rate Increase *(Administrative Services Director / Treasurer Charles Francis)*
 - Oral report and Council questions
 - **PUBLIC COMMENT – limited to 3 minutes/person**
 - Council discussion and direction, if any
- B. Adoption of plans, specs & working details for the NMTTP Bridgeway to Ferry Landing Project and authorize the invitation of bids *(City Engineer Todd Teachout)*
 - Oral report and Council questions
 - **PUBLIC COMMENT – limited to 3 minutes/person**
 - Council discussion and direction, if any
- C. Street Repair Program – Status Update and Authorization to Solicit Bids *(City Engineer Todd Teachout)*
 - Oral report and Council questions
 - **PUBLIC COMMENT – limited to 3 minutes/person**
 - Council discussion and direction, if any
- D. Council Discussion on Removing a Planning Commission from Office *(City Council)*
 - Oral report and Council questions
 - **PUBLIC COMMENT – limited to 3 minutes/person**
 - Council discussion and direction, if any
- E. Discussion and Direction on Proposed Amendment of Sausalito Municipal Code Section 18.12, Sewers *(Director of Public Works Jonathon Goldman)*
 - Oral report and Council questions
 - **PUBLIC COMMENT – limited to 3 minutes/person**
 - Council discussion and direction, if any

- F. Approve Closure of City Hall for the Period of December 21, 2009 through January 3, 2010 (*City Manager Adam Politzer*)
- Oral report and Council questions
 - **PUBLIC COMMENT – limited to 3 minutes/person**
 - Council discussion and direction, if any

7 - CITY MANAGER REPORTS, CITY COUNCIL APPOINTMENTS, COUNCIL DISCUSSIONS AND COUNCILMEMBER REPORTS (*Estimated time: 20 minutes*)

A. City Manager Reports

1. City Manager Information for Council

- Oral report and Council questions
- **PUBLIC COMMENT – limited to 3 minutes/person**
- Council discussion and direction, if any

2. Future Agenda Items

- City Council questions
- **PUBLIC COMMENT – limited to 3 minutes/person**
- Council discussion and direction, if any

B. City Council Reports

1. Other reports of significance

- City Council questions
- **PUBLIC COMMENT – limited to 3 minutes/person**
- Council discussion and direction, if any

2. Councilmember Committee Reports

Kelly: *Board of Library Trustees Liaison, Citizen's Oversight Committee, Community Development Block Grant Advisory Committee, Finance Committee, Fire Consolidation Committee, Hospitality Business Development Plan Advisory Committee, Marin Clean Energy (alt), OMIT, Police and Fire Buildings Ad Hoc Committee, SMEMPS*

Leone: *Business Advisory Committee, Legislative Review Committee, Disaster Preparedness Committee Liaison (alt), Finance Committee, Fire Consolidation Committee, Historic Landmarks Board Liaison, League of California Cities, Hospitality Business Development Plan Advisory Committee, Joint Powers Authority Oversight Committee, Marin Clean Energy, Marin Telecommunications Agency, MERA, OMIT, RBRA, Sewer Ad Hoc Committee, Sustainability Committee Liaison*

Pfeifer: *Art Commission Liaison, Board of Library Trustees Liaison (alt), CARB Liaison, Citizen's Oversight Committee, Housing Element Ad Hoc Committee, Police and Fire Buildings Ad Hoc Committee (alt), RBRA (alt), Sewer Ad Hoc Committee, Transportation Authority of Marin (alt)*

Weiner: *Arts Commission Liaison (alt), Business Advisory Committee, Disaster Preparedness Committee Liaison, Legislative Review Committee, Marin County Transit District, Marin Telecommunications Agency (alt), Parklands (GGNRA) Transportation Task Force, Parks and Recreation Commission Liaison, School District Liaison, Technical Advisory Committee, Transportation Authority of Marin, Trees and Views Committee Liaison (alt), Underground Committee Liaison*

- **PUBLIC COMMENT – limited to 3 minutes/person**

- Council discussion and direction, if any

8 - ADJOURNMENT

The next regularly scheduled City Council meeting will be held on December 8, 2009, with the open session due to commence at approximately 7:00 PM.

How to obtain City Council Agendas

Posted Agendas: Agendas are posted the Friday prior to the City Council meeting date at the entrance to the City Hall at 420 Litho Street.

View on the Internet: Click for the Link: <http://www.ci.sausalito.ca.us/business/council/index.htm>

E-mail subscription: Send a request to Dpagliaro@ci.sausalito.ca.us

Clerk's Office: Go to the Administration counter at the City Hall at 420 Litho Street, Sausalito.

Council Meetings: Agendas are available for the public at every City Council meeting.

How to obtain City Council Agenda Packet Materials

City Clerk's Office or the Library: A copy of the complete agenda packet is available for public review on the Friday prior to the City Council meeting at the Administration Office counter and at the Library, both located at 420 Litho Street, Sausalito. Materials related to an item on this agenda which are submitted to the Council after distribution of the agenda packet are available for public inspection in the City Clerk's Office at 420 Litho Street during normal business hours. Such documents are also available on the City's website, subject to Staff's ability to post the documents before the meeting.

View Staff Reports on the Internet: Follow the link:

<http://www.ci.sausalito.ca.us/business/council/index.htm>

Council Meetings: A complete agenda packet is available for review at each City Council meeting.

How to Stay "In The Loop"!

To subscribe to the City's e-mail distribution service for announcements about upcoming City events including Council and Planning Commission meetings, forums and a variety of special events, please request to have your name and e-mail address added to the distribution list. Either e-mail your request to InTheLoop@ci.sausalito.ca.us, or phone (415) 289-4130.

Special Needs

In compliance with the Americans with Disabilities Act (28 C.F.R. 35.102-35.104, ADA Title 11), if you need special assistance to participate in a City Council meeting, please call 289-4130 or 289-4106.

Notification 48 hours prior to the meeting will enable the City to make reasonable arrangements to ensure accessibility to this meeting.



City of Sausalito
420 Litho Street, Sausalito, CA 94965
(415) 289-4100 www.ci.sausalito.ca.us

CITY COUNCIL

Jonathan Leone, Mayor
Herb Weiner, Vice Mayor
Mike Kelly, Councilmember
Linda Pfeifer, Councilmember

MANAGEMENT TEAM

Adam Politzer, City Manager
Mary Wagner, City Attorney
Charlie Francis, Administrative Services Director/Treasurer
Debbie Pagliaro, Asst to the City Manager/City Clerk
Rhett Redelings-MacDermott, Technology Manager
Jeremy Graves, Community Development Director
Todd Teachout, City Engineer
Dan Zepponi, Public Works Maintenance Division Manager
Michael Langford, Parks & Recreation Director
Mary Richardson, City Librarian
Jonathon Goldman, Public Works Director
Scott Paulin, Chief of Police
Jim Irving, Fire Chief