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

TUESDAY, DECEMBER 8, 2009

CALL TO ORDER

The meeting was called to order by Mayor Leone at 6:30 p.m.

ROLL CALL

PRESENT: Councilmember Pfeifer, Vice Mayor Weiner, 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: There was no Public Comment on these items.

Council then adjourned to the Conference Room for their Closed Session at 6:32 pm.

The regular meeting reconvened at 7:12 p.m.

PLEDGE OF ALLEGIANCE

REPORT ON RESULTS OF CLOSED SESSION ITEMS

1. **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
No action taken
2. **CONFERENCE WITH REAL PROPERTY NEGOTIATOR** pursuant to CGC § 54956.8
Property: MLK Properties, 100 Ebbtide Avenue

1 Negotiating Parties: Lynn Churchill; Donovan; Mortan; Scholz; Likas; Fischer;
2 Bruce; Newlin; Sizemore; Cavanaugh; Murray; Sandberg; New
3 Village School; Badell; Daniloff; The Marin School
4 City Negotiator: City Manager and City Attorney
5 Under Negotiation: Price and Terms
6 **Direction given – see items 4B7 and 4B11**

- 7
8 3. **CONFERENCE WITH REAL PROPERTY NEGOTIATOR** pursuant to CGC §
9 54956.8
10 Property: Cass' Marina, portions of submerged and dry lands of Dunphy Park
11 Negotiating Parties: Cass' Rental Marina Inc.
12 City Negotiator: City Manager and City Attorney
13 Under Negotiation: Price and Terms
14 **No action taken**

- 15
16 4. **CONFERENCE WITH REAL PROPERTY NEGOTIATOR** pursuant to CGC §
17 54956.8
18 Property: Old City Hall Properties, 731 Bridgeway
19 Negotiating Parties: Gene Hiller Inc.
20 City Negotiator: City Manager and City Attorney
21 Under Negotiation: Price and Terms
22 **No action taken**

- 23
24 5. **CONFERENCE WITH LABOR NEGOTIATORS** pursuant to CGC § 54957.6
25 Agency Negotiator: City Manager
26 Employee Organizations: Sausalito Police Association
27 **Direction given – see item 4B12 below**

28
29 **Public Comment on Closed Session Items:** There was no Public Comment on this item.

30
31 **APPROVAL OF THE AGENDA**

32
33 **Councilmember Pfeifer requested that the appointments to the Planning Commission**
34 **(Business Item 6A) be continued to January 12, 2010. Mayor Leone suggested that**
35 **this item be moved to the second to last business item for further discussions.**

36
37 **Councilmember Pfeifer moved, seconded by Councilmember Kelly, to approve the**
38 **agenda as changed above. The motion was unanimously approved by a voice vote.**

39
40 **1. SPECIAL PRESENTATIONS / MAYOR'S ANNOUNCEMENTS**

41
42 There were no Special Presentations.

43
44 **COMMUNICATIONS**

45
46 **Brad Johnson** of the local Sierra Club presented a letter to the Council regarding the Marin
47 Clean Energy movement.

1
2 **ACTION MINUTES OF PREVIOUS MEETINGS**
3

4 **3A. Approve minutes from the regular City Council meeting of November 10, 2009**
5

6 Councilmember Kelly moved, seconded by Vice Mayor Weiner, to approve the
7 minutes of the Regular City Council meeting of November 10, 2009 as submitted. The
8 motion was unanimously approved by a voice vote.
9

10 **CONSENT CALENDAR**
11

12 **Public Comment:** There was no Public Comment on this item.
13

14 City Attorney Mary Wagner noted that staff had been directed to modify the lease with New
15 Village School, item 4B7, regarding the termination of one of their spaces.
16

17 Councilmember Kelly moved, seconded by Councilmember Pfeifer, to approve
18 Consent Calendar Items 4B1 through 4B12, with the recommended changes
19 regarding 4B7(as noted above). The motion was unanimously approved by a voice
20 vote.
21

22 Consent Calendar item approved was:
23

- 24 1) Adopted Resolution No. 5090 clarifying Business Advisory Committee membership
25 and terms
26 2) Received and filed Business Advisory Committee minutes from October 15, 2009
27 3) Received and filed Sustainability Commission minutes from October 7, 2009
28 4) Adopted Resolution No. 5091 rejecting the bids for PARCS Equipment and
29 directing staff to revise bid documents and re-bid
30 5) Noted and filed information regarding issuance of invitations to bid for installation of
31 photovoltaic panels at the new Fire Station building
32 6) Received and filed construction impact fee annual report
33 7) Adopted Resolution No. 5092 approving the second amendment to lease with New
34 Village School at the MLK properties
35 8) Waived further reading and adopted Ordinance No. 1200, an ordinance amending
36 Title 10 of the Sausalito Municipal Code regarding Construction Time Limits
37 9) Adopted Resolution No. 5093 approving the industrial disability retirement of
38 Lieutenant Patrick Armitage
39 10) Adopted Resolution No. 5094 approving an Encroachment Agreement to allow
40 construction of three terraced retaining walls, planters and stairs on grade within
41 the Toyon Court public right-of-way fronting 8 Toyon Ct (ADR-EA 09-161)
42 11) Approved a stay on implementation of rent increases at MLK
43 12) Adopted Resolution No. 5095 approving an amendment to the Sausalito Police
44 Association MOU for a salary increase effective January 1, 2010
45

46 **PUBLIC HEARINGS**
47

48 There were no Public Hearings.
49

3B
B

1 **BUSINESS ITEMS**

2
3 **6A. Appointments to Sustainability Commission and Planning Commission**

4
5 *(moved to second to last business item)*

6
7 **6B. Adopt resolution ratifying the Marin County Elections Office Canvass of Returns**
8 **of the Special Municipal Election of November 3, 2009 and declaring elected the**
9 **person receiving the largest number of votes for the office** *(Assistant to the City*
10 *Manager/City Clerk Debbie Pagliaro)*

11
12 Assistant to the City Manager/City Clerk Debbie Pagliaro presented the staff report on this
13 item. She highlighted the number of votes cast along with the turnout percentages.

14
15 **Councilmember Pfeifer moved, seconded by Mayor Leone, to adopt Resolution No.**
16 **5096 ratifying the Marin County Registrar of Voters canvass of returns of the Special**
17 **Municipal Election of November 3, 2009 and declaring elected the person receiving**
18 **the largest number of votes for the office. The motion was unanimously approved by**
19 **a roll call vote:**

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

25 **6C. Swearing in of newly elected City Councilmember Carolyn Ford** *(Assistant to the*
26 *City Manager/City Clerk Debbie Pagliaro)*

27
28 Assistant to the City Manager/City Clerk Debbie Pagliaro performed the swearing in
29 ceremony for newly elected City Councilmember Carolyn Ford. Ms Ford then thanked the
30 public for supporting her and affording her the opportunity to work with the Council in
31 attaining their goals.

32
33 Councilmember Ford then took her seat at the dais.

34
35 **6D. Presentation to outgoing Mayor Leone** *(City Manager Adam Politzer)*

36
37 City Manager Adam Politzer began his presentation to outgoing Mayor Jonathan Leone by
38 highlighting the many accomplishments of the City Council that had taken place during the
39 past year. Mr. Politzer then presented the Mayor with a plaque, acknowledging his service
40 to the City.

41
42 Mayor Leone then thanked the public, staff and Council for all their support during the year.

43
44 **6E. City Council Election of Mayor**

45
46 Mayor Leone opened the floor to nominations for Mayor.

47
48 Councilmember Pfeifer nominated Jonathan Leone for Mayor.

49 Councilmember Kelly nominated Herb Weiner for Mayor.

1
2 There being no further nominations, the vote for a new Mayor was as follows:

3 Councilmember Pfeifer: Jonathan Leone
4 Vice Mayor Weiner: Herb Weiner
5 Councilmember Kelly: Herb Weiner
6 Councilmember Ford: Jonathan Leone
7 Mayor Leone: Jonathan Leone
8

9 Before Mayor Leone voiced his vote for the mayoral position, he thanked Herb Weiner for
10 the excellent job he had done as Vice Mayor.
11

12 Mayor Leone was duly elected to a second term as Mayor.
13

14 **6F. City Council election of Vice Mayor**
15

16 Mayor Leone opened the floor to nominations for Vice Mayor.
17

18 Councilmember Ford nominated Linda Pfeifer for Vice Mayor.
19 Vice Mayor Weiner nominated Mike Kelly for Vice Mayor.
20

21 There being no further nominations, the vote for a new Vice Mayor was as follows:

22 Councilmember Pfeifer: Linda Pfeifer
23 Vice Mayor Weiner: Mike Kelly
24 Councilmember Kelly: Mike Kelly
25 Councilmember Ford: Linda Pfeifer
26 Mayor Leone: Linda Pfeifer
27

28 Councilmember Pfeifer was duly elected as Vice Mayor.
29

30 **6G. Approval of Grants from the Holiday Parking Donation Fund (City Manager Adam**
31 **Politzer)**
32

33 City Manager Adam Politzer presented the staff report on this item. He noted that staff had
34 recommended the following grants be approved:
35

36 \$7,500 to Homeward Bound
37 \$4,000 to Southern Marin Hot Meal Coalition
38 \$3,000 to Open Door Ministry
39 \$3,000 to Ecumenical Food Pantry
40 \$2,500 to The Performing Stars of Marin Holiday Toy Drive
41

42 Representatives from each organization then came forward and described some of the
43 services they provide to the community.
44

45 **Mayor Leone moved, seconded by Vice Mayor Pfeifer, to award \$20,000 of the**
46 **accrued funds from the Holiday Parking Donation Fund account to: Homeward**
47 **Bound of Marin, The Performing Stars of Marin Holiday Toy Drive, Open Door**
48 **Ministry, Ecumenical Food Pantry and the Southern Marin Hot Meal Coalition as**
49 **recommended by staff. The motion was unanimously approved by a voice vote.**

1
2 **6H. Joint Purchase of an Aerial Ladder Truck with other Southern Marin Fire**
3 **Agencies (Fire Chief Jim Irving)**
4

5 Fire Chief Jim Irving presented the staff report on this item. He noted that the intent was to
6 leave this truck stationed at Station 4 (Tam Valley) due to the proximity of all involved
7 agencies. Chief Irving also explained that although the staff report noted a cost of \$97,000
8 for this vehicle, it was more likely that the cost would be closer to \$55,000 for Sausalito's
9 share.

10
11 **Public Comment:** There was no Public Comment on this item.
12

13 Council questions followed.
14

15 **Councilmember Kelly moved, seconded by Councilmember Weiner, to authorize the**
16 **purchase of the equipment in an amount not to exceed \$97,000 from the equipment**
17 **reserve of the operating budget for the joint purchase of the ladder truck. The motion**
18 **was unanimously approved by a roll call vote:**

19 **AYES: Councilmembers: Weiner, Pfeifer, Kelly, Ford and Mayor Leone**
20 **NOES: Councilmembers: None**
21 **ABSENT: Councilmembers: None**
22 **ABSTAIN: Councilmembers: None**
23

24 **6I. Update on Public Safety Facilities Project; approval of Alten Change Order # 8;**
25 **award contract for purchase of furniture (Director of Public Works Jonathon Goldman**
26 **and Project Manager Loren Umbertis)**
27

28 Project Manager Loren Umbertis presented the status report on Change Order #8 in the
29 amount of \$25,582. Mr. Umbertis also noted that they would be needing authorization for
30 other pending approvals since Council would not be meeting again until January. He also
31 noted that the Furniture, Fixtures and Equipment purchases may be coming in
32 approximately \$100,000 under budget.
33

34 Council questions followed.
35

36 **Public Comment:** There was no Public Comment on this item.
37

38 **Councilmember Kelly moved, seconded by Councilmember Weiner, to adopt**
39 **Resolution No. 5097 approving and authorizing the City Manager to execute Change**
40 **Order No. 8 to the contract with Alten Construction Inc. for construction of the**
41 **Sausalito Public Safety Facilities Project New Construction dated October 9,2008 and**
42 **Authorizing the City Manager to approve certain additional pending change orders**
43 **before January 12, 2010. The motion was unanimously approved by a roll call vote:**

44 **AYES: Councilmembers: Weiner, Pfeifer, Kelly, Ford and Mayor Leone**
45 **NOES: Councilmembers: None**
46 **ABSENT: Councilmembers: None**
47 **ABSTAIN: Councilmembers: None**
48

1 Councilmember Kelly moved, seconded by Councilmember Ford, to adopt Resolution
2 No. 5098 approving, appropriating funds for and authorizing the City Manager to
3 issue a purchase order to the Corner Office, Inc. for provision of commodity furniture
4 for the Public Safety Facilities. The motion was unanimously approved by a roll call
5 vote:

6 AYES: Councilmembers: Weiner, Pfeifer, Kelly, Ford and Mayor Leone
7 NOES: Councilmembers: None
8 ABSENT: Councilmembers: None
9 ABSTAIN: Councilmembers: None

10
11 Councilmember Kelly moved, seconded by Councilmember Ford, to adopt Resolution
12 No. 5099 approving, appropriating funds for and authorizing the City Manager to
13 issue a sole-source purchase order to One Work Place L. Ferrari Rucker Fuller for
14 provision of specified Steelcase® Context® furniture for the Public Safety Facilities.
15 The motion was unanimously approved by a roll call vote:

16 AYES: Councilmembers: Weiner, Pfeifer, Kelly, Ford and Mayor Leone
17 NOES: Councilmembers: None
18 ABSENT: Councilmembers: None
19 ABSTAIN: Councilmembers: None
20

21 **6A. Appointments to Sustainability Commission and Planning Commission**

22
23 Sustainability Commission

24 Mayor Leone nominated Jann Johnson and Martha Disario for positions on the
25 Sustainability Commission.

26
27 There being no other nominations, Jann Johnson and Martha Disario were appointed, by
28 acclamation, to the Sustainability Commission. Jann Johnson fills a term to expire in
29 February, 2012. Martha Disario fills a term to expire in February, 2011. There are still
30 positions that remain vacant on the Commission.

31
32 Planning Commission

33 Vice Mayor Pfeifer asked that the appointment to the Planning Commission be continued to
34 January 12 in order to interview all applicants. Councilmember Ford agreed that applicants
35 should be interviewed for each specific Board or Commission even though they may have
36 been previously interviewed for a different vacancy.

37
38 Council discussion followed.

39
40 Councilmember Ford moved, seconded by Vice Mayor Pfeifer, to continue the
41 appointment to the Planning Commission until January 12, 2010. The motion was
42 approved by a roll call vote:

43 AYES: Councilmembers: Pfeifer, Kelly, Ford and Mayor Leone
44 NOES: Councilmembers: Weiner
45 ABSENT: Councilmembers: None
46 ABSTAIN: Councilmembers: None

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48 Public Comment:
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Approved on:

Respectfully submitted,

Debbie Pagliaro
City Clerk

