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

TUESDAY, JANUARY 26, 2010

CALL TO ORDER

The meeting was called to order by Mayor Leone at 6:24 p.m.

ROLL CALL

PRESENT: Councilmember Weiner, Vice Mayor Pfeifer, Councilmember Ford,
Councilmember Kelly (arriving later as noted), Mayor Leone

ABSENT: None

ANNOUNCEMENT OF CLOSED SESSION ITEMS

Mayor Leone announced, by title, that items D1 and D4 would be discussed in Closed Session.

Public Comment:

Heather Richard spoke on Closed Session Item #1. She noted that there was a group who wished to submit a proposal for an alternative use for Cass' Marina.

David Schwartz also spoke on Closed Session Item #1. He advised that he had been in negotiations with Lois Keating Fisher in order to obtain a lease transfer for the Cass' Marina property. He then went on to describe his proposal for the property.

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: 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
Item discussed

1 **2. CONFERENCE WITH REAL PROPERTY NEGOTIATOR** pursuant to CGC §
2 54956.8
3 Property: Foot of Locust Street - AP#: 064-086-01, 064-034-01, 065-033-02, 065-
4 013-02, 065-031-01, 065-012-01, 064-031-01, 065-011-01
5 Negotiating Parties: Bridgeway Marine Corporation
6 City Negotiator: City Manager and City Attorney
7 Under Negotiation: Price and Terms
8 ***Item discussed***

9
10 **3. CONFERENCE WITH REAL PROPERTY NEGOTIATOR** pursuant to CGC §
11 54956.8
12 Property: MLK Properties, 100 Ebbitide Avenue
13 Negotiating Parties: The Marin School
14 City Negotiator: City Manager and City Attorney
15 Under Negotiation: Price and Terms
16 ***Item discussed***

17
18 **4. CONFERENCE WITH LEGAL COUNSEL** – Worker’s Compensation Claim
19 pursuant to California Government Code Section 54956.95
20 Claimant: Michael Southwick; Claim Number 1999094542
21 Claim Against: City of Sausalito
22 ***Item discussed***

23
24 **Public Comment on Closed Session Items:**

25
26 **Chuck Donald** spoke about the negotiations with Dan Morgan regarding Closed Session
27 Item #2. He was concerned about the street area being fenced off and whether this area is
28 a part of the negotiations. Mr. Donald also advised that he was aware of a possible parcel
29 trade with the City and questioned which appraisal was being used. Mr. Donald concluded
30 by asking if Dan Morgan’s “proposals” were public documents yet.

31
32 **APPROVAL OF THE AGENDA**

33
34 **Vice Mayor Pfeifer** moved, seconded by Councilmember Weiner, to approve the
35 agenda as submitted. The motion was unanimously approved by a voice vote
36 (Councilmember Kelly absent).

37
38 **SPECIAL PRESENTATIONS / MAYOR’S ANNOUNCEMENTS**

39
40 There were no Special Presentations / Mayor’s Announcements.

41
42 **COMMUNICATIONS**

43
44 **Chris Gallagher** read a letter from the Chamber into the record regarding Council’s
45 comments at the previous meeting when the Chamber did not speak during the Peet’s
46 public hearing.

47
48 **ACTION MINUTES OF PREVIOUS MEETINGS**
49

1 There were no minutes submitted.

2
3 **CONSENT CALENDAR**

4
5 **Public Comment:** There was no Public Comment on this item.

6
7 Mayor Leone advised that item 4B3 regarding the service of alcoholic beverages in the
8 outdoor dining area at 39 Caledonia Street would be moved to follow item 6D on Business
9 items.

10
11 City Attorney Mary Wagner advised of an error that would be corrected on item 4B4
12 regarding the lease with Marin School.

13
14 **Mayor Leone moved, seconded by Councilmember Weiner, to approve Consent**
15 **Calendar Items 4B1, 4B2 and 4B4, noting the move of item 4B3 to Business Items.**
16 **The motion was unanimously approved by a voice vote (Councilmember Kelly**
17 **absent).**

18
19 Consent Calendar item approved was:

- 20
21 1) Received and filed actions taken at the Planning Commission meetings of
22 December 16 and January 6, 2010
23 2) Approved request from Bill Ring to be re-appointed for a four-year term on the
24 Board of the Marin Sonoma Mosquito and Vector Control District
25 3) *Adopt a resolution approving the service of alcohol beverages in the outdoor dining*
26 *area for a new restaurant located at 39 Caledonia Street – moved to follow item 6D*
27 4) Adopted Resolution No. 5104 approving of the Fourth Amendment to Lease with
28 Marin School at MLK properties

29
30 **PUBLIC HEARINGS**

31
32 There were no Public Hearings.

33
34 **BUSINESS ITEMS**

35
36 **6A. Public Safety Facility Status Update; Approval of Change Order No. 9 to Contract**
37 **with Alten Construction (Project Manager Loren Umbertis and Director of Public Works**
38 **Jonathon Goldman)**

39
40 Project Manager Loren Umbertis presented the update on the Public Safety Facilities
41 project. He advised that the project was moving along quite well. Discussion then followed
42 on the Change Order.

43
44 Mr. Umbertis invited each of the Councilmembers to come by for a tour as the project nears
45 its final stages.

46
47 **Public Comment:** There was no Public Comment on this item.

48
49 At 7:34 pm, Councilmember Kelly arrived and took his seat at the dais.

1
2 **Councilmember Kelly moved, seconded by Vice Mayor Pfeifer, to adopt Resolution**
3 **No. 5105 approving and authorizing the City Manager to execute Change Order No. 9**
4 **to the contract with Alten Construction Inc. for construction of the Sausalito Public**
5 **Safety Facilities Project New Construction dated October 19, 2008. The motion was**
6 **unanimously approved by a roll call vote:**

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

11
12 **6B. Council acceptance of the FY2008-09 Comprehensive Annual Financial Report**
13 **(Administrative Services Manager/Treasurer Charles Francis)**

14
15 Administrative Services Manager/Treasurer Charles Francis presented the report on the
16 FY2008-09 Comprehensive Annual Financial Report in concert with a PowerPoint
17 Presentation. Highlights of his report included:

- 18 • The City's near-term financing is in good condition
- 19 • The City's financial position as of June 30, 2009 reflected an overall increase in net
20 assets; and
- 21 • The City's long-term economic condition will be challenging.

22 Discussion continued with a full explanation of these highlights.

23
24 Council questions followed.

25
26 **Public Comment:**

27
28 **Vicki Nichols** thanked Charlie for the clarity in the document. She noted how the parking is
29 keeping the City's assets up.

30
31 It was the consensus of the Council to accept and file the Audited Comprehensive Annual
32 Financial Report for FY2008-09

33
34 **6C. Adopt resolution authorizing the lease and installation of a temporary parking lot**
35 **booth for Municipal Lot #1 (Director of Public Works Jonathon Goldman and Sergeant**
36 **Kurtis Skoog)**

37
38 Police Sergeant Kurtis Skoog presented the staff report on this item. He described the
39 issues relating to the booth, which included dry rot; odors coming from the sewer lift station;
40 the structure cannot be repaired or moved; and cramped working conditions for the number
41 of employees needing to be in it at the same time.

42
43 Sergeant Skoog showed pictures of these conditions. He also presented some alternative
44 solutions for a temporary structure while the sewer lift stations is being rehabilitated.

45
46 Council questions followed.

47
48 **Public Comment:** There was no Public Comment on this item.

1 Council discussion followed, which included additional alternatives for the temporary parking
2 booth.

3
4 **Mayor Leone moved, seconded by Councilmember Pfeifer, to continue this item to**
5 **February 2 in order for staff to provide an oral update and provide additional time for**
6 **staff to look at the new options that had been presented (ie: Pilot House that had been**
7 **gifted to the City). The motion was unanimously approved by a voice vote.**

8
9 **6D. Police Department Quarterly Statics for the quarter ending December 31, 2009**
10 **(Chief of Police Scott Paulin)**

11
12 Chief of Police Scott Paulin presented the report on the Police Department quarterly
13 statistics. The Chief highlighted various stats across three years, further explaining why
14 some areas were showing increases. Also presented was the 2009 Department
15 Accomplishments and Goals for 2010.

16
17 **Public Comment:** There was no Public Comment on this item.

18
19 Council questions and kudos followed.

20
21 **4B3. Adopt a resolution approving the service of alcohol beverages in the outdoor**
22 **dining area for a new restaurant located at 39 Caledonia Street**

23
24 Mayor Leone requested clarification on the outside table placements and whether they
25 would encroach too far into the sidewalk, thus violating ADA requirements. He also voiced
26 concern that the plans attached to the resolution are not accurate.

27
28 Discussion followed.

29
30 City Attorney Mary Wagner advised that Council could apply additional conditions to the
31 resolution.

32
33 **Councilmember Kelly moved, seconded by Councilmember Weiner, to adopt**
34 **Resolution No. 5106 approving the service of alcoholic beverages in the public**
35 **sidewalk outdoor dining area for the restaurant located at 39 Caledonia Street and**
36 **include additional conditions to Section 1 including “conditioned upon compliance**
37 **with all regulatory authority including, without limitations, ABC, Planning**
38 **Commission and ADA approvals”. In addition the site plan is to be approved by the**
39 **Community Development Director. The motion was unanimously approved by a voice**
40 **vote.**

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: thanked Council and staff support during his
50 absence; commended Charlie for his hard work on the City’s finances; MCCMC; New

1 Mayors and Councilmembers Academy; next week he would be at the Annual City
2 Manager's Conference; scheduling the Strategic Planning Session during the later part of
3 February.

4
5 **7A2. Future Agenda Items**

6
7 Vice Mayor Pfeifer requested a formal wrap up from the Imagine Sausalito committees. She
8 also requested future discussions on a policy requiring property owners to keep up their
9 properties.

10
11 Councilmember Ford and Vice Mayor Pfeifer requested a committee status.

12
13 **7B. City Council Reports**

14
15 **7B1. Appointment to the Parks and Recreation Commission**

16
17 Mayor Leone nominated Doreen Gournard for the term expiring in July 2012.

18
19 There being no other nominations, Doreen Gournard was appointed to the Parks and
20 Recreation Commission through July, 2012 by acclamation (Councilmember Kelly
21 abstaining).

22
23 Mayor Leone continued the balance of the appointments to the meeting of February 2 in
24 order for some legal questions to be answered.

25
26 **7B2. Mayor's Appointments for Council Liaisons and Committees**

27
28 Mayor Leone appointed Councilmember Ford to the Hospitality Business Development Plan
29 Advisory Committee and Trees and Views Committee Liaison. He also appointed
30 Councilmember Weiner to the Finance Committee.

31
32 No other changes were made. Additional appointments would be continued to February 2.

33
34 **7B3. Other reports of significance**

35
36 There were no other reports of significance.

37
38 **7B4. Councilmember Committee Reports**

39
40 Councilmember Ford reported on the New Councilmember Academy.

41
42 Vice Mayor Pfeifer reported on the Housing Element Committee meeting and the Library
43 Board Space Study.

44
45 **ADJOURNMENT**

46
47 There being no further business, the City Council meeting was adjourned at 10:24 pm. The
48 next regularly scheduled meeting will be held on February 2, 2010, with the open meeting
49 due to commence at approximately 7:00 pm.

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Approved on:

Respectfully submitted,

Debbie Pagliaro
City Clerk

