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

TUESDAY, FEBRUARY 2, 2010

CALL TO ORDER

The meeting was called to order by Mayor Leone at 6:05 p.m.

ROLL CALL

PRESENT: Councilmember Weiner, Vice Mayor Pfeifer, Councilmember Ford,
Councilmember Kelly, 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: There was no Public Comment on the Closed Session Items

The regular meeting reconvened at 7:10 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
Direction given to the negotiators
2. **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
Direction given to the negotiators

1 3. **CONFERENCE WITH LEGAL COUNSEL** – Existing litigation pursuant to CGC §
2 54956.9(b)
3 California Regional Water Quality Control Board Administrative Civil Liability
4 Complaint No. R2-2009-0057
5 ***Direction given to Counsel***
6

7 4. **CONFERENCE WITH LEGAL COUNSEL**– Anticipated litigation pursuant to CGC
8 § 54956.9(c)
9 Initiation of litigation (one potential case)
10 ***Direction given to Counsel***
11

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

14 **APPROVAL OF THE AGENDA**

15
16 **Vice Mayor Pfeifer moved, seconded by Councilmember Ford, to approve the agenda**
17 **as submitted. The motion was unanimously approved by a voice vote.**
18

19 **SPECIAL PRESENTATIONS / MAYOR’S ANNOUNCEMENTS**

20 21 **1A. Presentation from PG&E on the electric reliability improvements** (*Josh* 22 *Townsend*) 23

24 Joshua Townsend of PG&E began the presentation and updated the group on the circuitry
25 of the downtown area. He noted that there is now a plan in place to fix the problem.
26

27 Jason Regan, Maintenance and Construction Superintendent for PG&E, continued the
28 presentation, outlining the planned approach to fix the problem. He noted that PG&E has
29 authorized \$250,000 for this project. Mr. Regan explained that they will reconductoring over
30 three miles of wire (minimizing contact with trees and animals), installing tree wires
31 (insulated), providing new fusing and fuse coordination, and replacement and relocation of a
32 reclosure device. He advised that this would normally take three to six months to complete;
33 however, for this project, he expects to have it completed in ninety days.
34

35 Council questions followed:
36

37 **Public Comment:**

38
39 **Yoshi Tome** appreciated Council inviting PG&E in to give this presentation. However, Mr.
40 Tome made it quite clear that he was not sure if he could trust PG&E.
41

42 **Susan Frank** asked that PG&E continue with ongoing dialog such as this.
43

44 Mr. Regan advised that he would be glad to provide monthly updates.
45

46 **COMMUNICATIONS**

47
48 There were no Communications.
49

1 **ACTION MINUTES OF PREVIOUS MEETINGS**

2
3 There were no minutes submitted.

4
5 **CONSENT CALENDAR**

6
7 **Public Comment:** There was no Public Comment on this item.

8
9 **Councilmember Kelly moved, seconded by Councilmember Weiner, to approve**
10 **Consent Calendar Items 4B1 through 4B5. The motion was unanimously approved by**
11 **a voice vote.**

12
13 Consent Calendar item approved was:

- 14
15 1) Received and filed the minutes from the December 10, 2009 Sustainability
16 Commission meeting
17 2) Received and filed actions taken at the January 20, 2010 Planning Commission
18 meeting
19 3) Accepted the resignation of Bruce Huff from the Business Advisory Committee
20 4) Adopted Resolution No. 5107 approving the Lease of Premises by and between
21 the City of Sausalito and Christopher and Daisy Scholz at the MLK Properties
22 5) Authorized the purchase of three in-car video systems for Police patrol vehicles
23

24 **PUBLIC HEARINGS**

25
26 **5A. Introduction of an amending Section 17.08 of the Sausalito Municipal Code to**
27 **address excavations within ten (10) feet laterally of high priority subsurface**
28 **installations (Director of Public Works Jonathon Goldman)**

29
30 Director of Public Works Jonathon Goldman presented the staff report on this item. He
31 advised Council that the need for this amendment was realized following a January 18, 2010
32 incident in the Marinship area.

33
34 Mr. Goldman then defined for Council "high priority subsurface installations"; advising that
35 this was high-pressure natural gas pipelines with normal operating pressures greater than
36 415kPA gauge (60psig), petroleum pipelines, pressurized sewage pipelines, high-voltage
37 electric supply lines, conductors, or cables that have a potential to ground of greater than or
38 equal to 60kv, or hazardous materials pipelines that are potentially hazardous to workers or
39 the public if damaged, and that this amendment would not allow for excavation within ten
40 feet of such installations.

41
42 Council questions followed.

43
44 **Public Comment:** There was no Public Comment on this item.

45
46 **Councilmember Ford moved, seconded by Vice Mayor Pfeifer, to waive first reading**
47 **and reading by title only, an ordinance of the City Council of the City of Sausalito**
48 **amending Chapter 17.08 of the Sausalito Municipal Code to address excavations**
49 **within ten (10) feet laterally of high priority subsurface installations, and continue this**

1 item to the regular meeting of February 23, 2010 for the second reading and adoption.

2 The motion was unanimously approved by a roll call vote:

3 AYES: Councilmembers: Weiner, Pfeifer, Ford, Kelly and Mayor Leone

4 NOES: Councilmembers: None

5 ABSENT: Councilmembers: None

6 ABSTAIN: Councilmembers: None

7
8 **BUSINESS ITEMS**

9
10 **6A. Update on the Historic Guidelines project**

11
12 Associate Planner Heidi Burns presented the update on the Historic Design Guidelines
13 project. She advised Council, with a timeline, on what had happened to date; listing
14 meetings with the contractor, public workshops, tours, etc.

15
16 Ms Burns announced that staff had received the administrative draft from the consultant on
17 January 5, 2010. She noted that further public review and public hearings would be held in
18 April/May, that Council would be reviewing the document in May/June, and Council approval
19 was proposed for June/July.

20
21 Council questions followed.

22
23 **Public Comment:** There was no Public Comment on this item.

24
25 **Mayor Leone moved, seconded by Councilmember Kelly, to move item 6d forward**
26 **and be heard before item 6B. The motion was unanimously approved by a voice vote.**

27
28 **6D. Scope of services for the Turney Street dock lease (Administrative Services**
29 **Manager/Treasurer Charles Francis)**

30
31 Administrative Services Manager/Treasurer Charles Francis presented the staff report on
32 this item. He noted that OMIT had heard several proposals from persons wanting to lease
33 this area. Mr. Francis then directed Council to the staff report for the proposed Scope of
34 Services in order to get their feedback.

35
36 **Public Comment:**

37
38 **Mike Hoke** noted that he was representing a group called SWAG. They are interested in
39 what the City wants for this area.

40
41 **Tom Hoover** asked for clarification on the exact area being discussed.

42
43 **Susan Frank** expressed concern that since the large building in that area has not been
44 rented out and its uses might have quite an impact on the use of the property being
45 proposed for leasing.

46
47 Council questions and comments followed.

48
49 Direction to staff on the RFP followed.

1
2 **Mayor Leone moved, seconded by Councilmember Kelly, to direct staff to adjust the**
3 **Scope of Services, Ranking and Criteria Selection; place this information on the**
4 **website in order to receive feedback; and then release the RFP. The motion was**
5 **unanimously approved by a voice vote.**
6

7 **6B. Mid Year Budget (Administrative Services Manager/Treasurer Charles Francis)**
8

9 Administrative Services Manager/Treasurer Charles Francis presented the staff report on
10 this item, along with a PowerPoint Presentation. He noted that mid-year adjustments would
11 be needed in the property tax, sales tax, and the transient occupancy tax accounts. Mr.
12 Francis went on to describe why these adjustments were required.
13

14 Mr. Francis reminded Council of his previous presentation at their previous meeting when he
15 advised Council that the financial status of the City was in good shape.
16

17 Mr. Francis then went on to provide some three-year projections.
18

19 Council questions followed.
20

21 **Public Comment:** There was no Public Comment on this item.
22

23 **Councilmember Ford moved, seconded by Vice Mayor Pfeifer, to adopt Resolution**
24 **No. 5108 approving the mid-year budget modifications. The motion was unanimously**
25 **approved by a roll call vote:**

26	AYES:	Councilmembers:	Weiner, Pfeifer, Ford, Kelly and Mayor Leone
27	NOES:	Councilmembers:	None
28	ABSENT:	Councilmembers:	None
29	ABSTAIN:	Councilmembers:	None

30

31 Discussion then followed on the requested minute order.
32

33 **Councilmember Kelly moved, seconded by Councilmember Weiner, to approve,**
34 **conceptually, directing staff to engage in activities that will assist Council in making**
35 **informed decisions as the City goes through the FY2012 budget.**
36

37 Discussion followed on the motion. Councilmember Kelly then withdrew his motion. It was
38 the consensus of the Council that staff should return to the Finance Committee with any
39 proposed financial management strategies.
40

41 **6C. Adopt resolution authorizing the lease and installation of a temporary parking lot**
42 **booth for Municipal Lot #1 (con't from 1/26/10) (Sergeant Kurtis Skoog)**
43

44 Police Sergeant Kurtis Skoog was present to provide a brief oral update to Council on this
45 item. Before proceeding, Sgt. Skoog advised Council that staff was recommending that final
46 action on this item be continued to February 23, 2010.
47

48 Sergeant Skoog proceeded with a short review of the previous meeting. He then went on to
49 describe the needs of the workspace for the parking lot attendants and what their current

1 working conditions were. Sgt. Skoog then went on to propose a list of topics for discussion
2 for the February 23 meeting and asked Council for additional comments.

3
4 Council questions followed.

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

7
8 **6E. Adopt Resolution of Intent to Vacate Public Sewer Easement at 100 Prospect**
9 **Avenue (APN 065-191-48) (Director of Public Works Jonathon Goldman)**

10
11 Director of Public Works Jonathon Goldman presented the staff report on this item. He
12 noted that the City has no intent on using the public easement in question and further
13 advised that the property owner had requested that the easement be vacated. It was noted
14 that the property owner has paid money in order to obtain an encroachment agreement
15 when he built on the property.

16
17 Mr. Goldman advised that based on the logistics of the easement and staff determination
18 that the easement would not be used by the City, he was recommending vacation of the
19 easement.

20
21 Mr. Goldman advised that in order to vacate the easement, the Council must first adopt a
22 resolution of intent to vacate, and then at a subsequent meeting, hold a public hearing.

23
24 Council questions followed.

25
26 It was the consensus of the Council not to take any action on this item. Mayor Leone then
27 continued this item to the meeting of February 23, 2010.

28
29 **6F. Update on the status of Boards and Commissions; number of vacancies and**
30 **proposed interview schedules (Assistant to the City Manager/City Clerk Debbie Pagliaro)**

31
32 Assistant to the City Manager/City Clerk Debbie Pagliaro presented the staff report on this
33 item. She advised Council that annually, staff advises Council of the vacancies that would
34 be occurring during the ensuing year.

35
36 Ms Pagliaro noted that new this year, staff was recommending an aggressive interview
37 schedule in order for Council to stay current with the vacancies, having noted the hard work
38 in previous years trying to catch up filling the many expected and unexpected vacancies that
39 had occurred. Ms. Pagliaro advised that staff was open to discussion on the proposed
40 schedule.

41
42 Council questions and discussions followed.

43
44 It was the consensus of the Council to attempt to adhere to the staff recommended interview
45 schedule.

46
47 **CITY MANAGER REPORTS, CITY COUNCIL APPOINTMENTS, COUNCIL**
48 **DISCUSSIONS AND COUNCILMEMBER REPORTS**

1 **7A. City Manager Reports**

2 **7A1. City Manager Information for Council**

3
4 City Manager Adam Politzer reported on: Charlie Francis' one year anniversary today; the
5 new international intern who began working this week; Administrative Intern David
6 Weatherford working on a project to expand the City's intern program; the City Manager
7 leaving on Wednesday for the League of California Cities Annual City Manager's
8 Conference in Carlsbad; planning for a joint City Council/Planning Commission meeting;
9 setting a date in March for the Strategic Planning Session.

10
11 **7A2. Future Agenda Items**

12
13 There were no Future Agenda Items presented.

14
15 **7B. City Council Reports**

16
17 **7B1. Appointment to the Parks and Recreation Commission**

18
19 Mayor Leone nominated Joe Burns for the term expiring in July 2011.

20
21 There being no other nominations, Joe Burns was appointed to the Parks and Recreation
22 Commission through July, 2011 by acclamation (Councilmember Kelly abstaining).

23
24 Mayor Leone nominated Sela Seleska as the alternate for the Parks and Recreation
25 Commission.

26
27 There being no other nominations, Sela Seleska was appointed to the Parks and
28 Recreations Commission as an alternate by acclamation.

29
30 **7B2. Mayor's Appointments for Council Liaisons and Committees**

31
32 This item was deferred to February 23, 2010.

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

35
36 There were no other reports of significance.

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

39
40 There were no Councilmember Committee Reports.

41
42 **ADJOURNMENT**

43
44 There being no further business, the City Council meeting was adjourned at 11:10 pm. The
45 next regularly scheduled meeting will be held on February 23, 2010, with the open meeting
46 due to commence at approximately 7:00 pm.

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Approved on:

Respectfully submitted,

Debbie Pagliaro
City Clerk