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

TUESDAY, APRIL 20, 2010

CALL TO ORDER

The meeting was called to order by Mayor Leone at 6:37 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 D2 would be discussed in Closed Session.

Public Comment: There was no Public Comment on this item.

Council adjourned into Closed Session at 6:38 pm.

The regular meeting reconvened at 7:03 p.m.

PLEDGE OF ALLEGIANCE

REPORT ON RESULTS OF CLOSED SESSION ITEMS

1. **PUBLIC EMPLOYMENT** pursuant to CGC § 54957
Title: Special legal counsel
Instructions given to Legal Counsel
2. **CONFERENCE WITH REAL PROPERTY NEGOTIATOR** pursuant to CGC § 54956.8
Property: Cell Tower at Highway 101 & Rodeo Drive
Negotiating Parties: AT&T (New Cingular Wireless PCS, LLC)
City Negotiator: City Manager and City Attorney
Under Negotiation: Price and Terms
Instructions given to City Negotiators

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

1 **APPROVAL OF THE AGENDA**

2
3 Councilmember Ford requested that Council shorten the meeting to 11:00 pm and in order
4 to achieve this, **Councilmember Ford moved to continue items 6B, 6D and 6E to the**
5 **Consent Calendar on May 4, 2010.**

6
7 Discussion followed. The motion failed due to a lack of a second.

8
9 **Mayor Leone moved, seconded by Councilmember Ford, to continue item 6B to the**
10 **meeting of May 4 and to approve the agenda as submitted with the condition that**
11 **items 6D and 6E would only be heard as time allows. The motion was unanimously**
12 **approved by a voice vote.**

13
14 **SPECIAL PRESENTATIONS / MAYOR'S ANNOUNCEMENTS**

15
16 **1A. Presentation from the Transportation Action Committee on their Final Report**
17 **(Bonnie MacGregor and Commtee)**

18
19 Community Development Director Jeremy Graves provided a brief introduction of the
20 Transportation Action Committee and then presented Chairperson Bonnie MacGregor who
21 gave the background on the Committee and their activities. She noted that their work began
22 in 2007 and that they had met monthly for two years. She also reported that the Committee
23 had collaborated with the UC Berkley Landscape Architecture Graduate Students to
24 envision a shoreline trail. Ms MacGregor further reported that they had received a federal
25 grant in 2009 for the stairways and paths project.

26
27 Ms MacGregor went on to indicate that their Committee had three main goals to meet:

- 28 1) Provide a safe and efficient system for the movement of people and goods
29 2) Recognize Sausalito's waterfront as a special community asset
30 3) Provide a blueprint for early action.

31
32 Ms MacGregor then elaborated on the eleven recommendations being forwarded to Council:

- 33 1) Create a continuous pedestrian trail along the waterfront from Main Street to the
34 City's northern limits
35 2) Repair existing hillside steps and paths. Update the City's Lane and Path Plan to
36 improve non-vehicular access between residential neighborhoods and the waterfront
37 3) Link recreational resources with safe and convenient transportation on both land and
38 water
39 4) Update the City's General Plan and Bike Master Plan for non-motorized circulation in
40 Sausalito to assure safe and enjoyable walking and biking routes
41 5) Create inviting places and destinations – plazas, lookouts, and other public amenities
42 at key locations along Sausalito's waterfront for pedestrians and bicyclists
43 6) Provide an integrated, multi-modal land transportation and circulation system that
44 includes shuttles and trolleys
45 7) Better organize existing parking facilities and create remote economy and employee
46 parking
47 8) Provide an integrated water transportation system including water taxis and launches
48 9) Enhance waterfront facilities for the boating public, including additional guest docks,
49 a short quay at the Ferry Landing and mooring buoys

- 1 10) Promote Sausalito as a destination for boaters including providing maps and better
2 signage
3 11) Secure public and private funding to construct and maintain new transportation
4 facilities
5

6 Ms MacGregor then turned the floor over to Michael Rex who showed maps describing each
7 of these recommendations. Mr. Rex concluded by noting the next steps which included, 1)
8 distribute and study TRAC's Final Report; 2) amend the City's General Plan's Transportation
9 Element and its Bike Master Plan to incorporate TRAC's recommendations; 3) select
10 projects to add to the CIP list and seek funding for these projects; and 4) utilize TRAC
11 members and other transportation advocates to assist in implementing TRAC's
12 recommendations.

13
14 Council thanked the group for coming forward with their report.
15

16 **MAYOR'S ANNOUNCEMENTS**

17
18 Mayor Leone announced that the meeting would be adjourned in memory of Claire Huff. He
19 then provided those present with a little information on her background and some of her
20 contributions to the community.
21

22 **COMMUNICATIONS**

23
24 **Neil Whitelaw** again spoke about crosswalk problems. He demanded Council to take
25 appropriate steps before someone is severely injured. Mr. Whitelaw also expressed
26 concern that the City is too aggressive with traffic stops in the downtown area.
27

28 **Kayla Kahn** asked about the status of the Art Commission and urged the Council to seat a
29 Commission soon!
30

31 **ACTION MINUTES OF PREVIOUS MEETINGS**

32
33 **Councilmember Ford moved, seconded by Vice Mayor Pfeifer, to approve the minutes**
34 **of regular meeting of April 4, 2010 with changes as noted. The motion was**
35 **unanimously approved by a voice vote.**
36

37 **CONSENT CALENDAR**

38
39 **Public Comment:** There was no Public Comment on these items.
40

41 Mayor Leone requested a clarification regarding item 4B6 (*Adopt a policy authorizing the*
42 *City Manager to administratively execute MLK leases subject to approval of OMIT and City*
43 *Attorney approval*).
44

45 Councilmember Ford, in agreement with Vice Mayor Pfeifer, asked that items 4B5 (*adopt*
46 *resolution approving Contract Amendment No. 1 to the Professional Services Agreement*
47 *with Kennedy Jenks Consultants in an amount not to exceed \$28,800*) and 4B6 (*adopt a*
48 *policy authorizing the City Manager to administratively execute MLK leases subject to*
49 *approval of OMIT and City Attorney approval*) be pulled from the agenda.

1
2 Mayor Leone indicated that these two items would be moved to the end of the meeting for
3 further discussion.
4

5 **Mayor Leone moved, seconded by Councilmember Ford, to approve Consent**
6 **Calendar Items 4B1 through 4B4 and item 4B7. The motion was unanimously**
7 **approved by a voice vote.**
8

9 Consent Calendar items approved were as follows:
10

- 11 1) Received and filed actions taken at the March 24, 2010 Planning Commission
12 meeting
- 13 2) Adopted Resolution No. 5139 authorizing execution of the First Amendment to the
14 cell tower lease with AT&T @ Hwy 101 & Rodeo Drive
- 15 3) Adopted Resolution No. 5140 awarding a contract for purchase of Ford F-650 Cab
16 and Chassis for Sewer Rodder Replacement to Downtown Ford Sales,
17 Sacramento in an amount not to exceed \$70,123
- 18 4) Adopted Resolution No. 5141 appropriating funds for and awarding a contract to
19 complete cleaning and closed circuit television inspections to Veolia Water West
20 Operating Services, Inc in an amount not to exceed \$73,000
- 21 5) *Adopt resolution approving Contract Amendment No. 1 to the Professional*
22 *Services Agreement with Kennedy Jenks Consultants in an amount not to exceed*
23 *\$28,800 – **moved to be heard at the end of Business items***
- 24 6) *Adopt a policy authorizing the City Manager to administratively execute MLK*
25 *leases subject to approval of OMIT and City Attorney approval – **moved to be***
26 ***heard at the end of Business items***
- 27 7) Approved sending letter to Assembly Member Mendoza opposing AB 155
28 (Mendoza) Municipal Bankruptcy
29

30 PUBLIC HEARINGS

31 32 5A. Appeal of the Planning Commission approval of a Design Review Permit (DR08- 33 002) for an addition to one duplex unit located at 600 Locust Street (originally heard 34 by Council on 7/21/09) (Associate Planner Lilly Schinsing) (con't from 3-16-10) 35

36 Associate Planner Lilly Schinsing gave a very brief overview and history of the project. She
37 then noted the compromises and described the changes in relation to the project.
38

39 Council questions followed.
40

41 Mayor Leone opened the public hearing to the applicant and the appellant.
42

43 **John McCoy**, architect for the applicant, showed the changes through a PowerPoint
44 presentation. He noted that the design changes have been agreed upon. Mr. McCoy
45 pointed out that Mr. Beifuss wants two trees planted on the property instead of the one
46 being recommended; however, he noted that they would be willing to work that out with Mr.
47 Beifuss.
48

1 **Robert Beifuss**, the appellant, advised Council that he is willing to sign off on the changes.
2 He noted that he is willing to work with the property owner over the placement of the trees.
3 He thanked the City Council for their discretion in sending this project back in order to work
4 out the problems.

5
6 **Public Comment:**

7
8 **Chris Wellborn** also thanked the Council for making the neighbors go back and
9 compromise.

10
11 Mayor Leone closed the Public Hearing.

12
13 Staff advised Council that a new condition could be added to the resolution and would read
14 "Prior to building permit issuance, the applicant shall submit a revised landscaping plan
15 which incorporates the following changes: 1. Provides two 36" boxed loquat trees to provide
16 screening for the down-slope property at 85 Girard Avenue. The two loquat trees shall be
17 installed unless the property owner of 85 Girard Avenue agrees, in writing, to a single loquat
18 tree; 2. Replaces the acacia trees with *CEANOTHUS*. The amended plan shall be subject
19 to the review and approval of the Community Development Director."

20
21 **Councilmember Kelly moved, seconded by Councilmember Weiner, to adopt**
22 **Resolution No. 5142 denying an appeal of the Planning Commission's approval of a**
23 **Design Review Permit for construction of a residential addition and remodel at 600A**
24 **Locust Street (DR 08-002), and subject to the addition of the condition noted above.**
25 **The motion was unanimously 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 **BUSINESS ITEMS**

32
33 **6A. Direction to staff regarding the opting-out of the Marin Clean Energy program to**
34 **PG&E as the City's electric energy generation provider (Administrative Services**
35 **Manager/Treasurer Charles Francis / City Manager Adam Politzer) (con't from 4/20/10)**

36
37 Administrative Services Manager/Treasurer Charles Francis provided a brief staff report on
38 this issue. He then turned the presentations over to representatives of PG&E and MEA.

39
40 **Josh Townsend** and **Ontario Smith** described the rate structure of PG&E.

41
42 Council questions followed.

43
44 **Dawn Weiss** described the rates and types of energy that would be delivered from MEA.

45
46 Council questions followed.

47
48 **Public Comment:**

1 **Skip Berg** inquired into PG&E's profits vs MEA.

2
3 **Jim Bitter** asked about the cost of green renewable energy.

4
5 **Hunter Stern** noted that electricity is an essential service and not a product. He then went
6 on to describe the electrical workers' union stand on utilities vs CCA's.

7
8 **Vicki Nichols** stated that she supports MCE; however, she also appreciated the financial
9 caution of Council. However, she stressed that since this is something new, sometimes you
10 have to take a chance.

11
12 Following each public speaker, Dawn Weiss and/or Ontario Smith offered responses..

13
14 Council comments followed.

15
16 **Mayor Leone moved, seconded by Councilmember Weiner, to remain with MCE with
17 the light green option. The motion failed following a roll call vote:**

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

22
23 Mayor Leone recommended that this item be placed back on the agenda six months from
24 now in order to revisit the issues.

25
26 **Councilmember Ford moved, seconded by Vice Mayor Pfeifer, to opt out of MCE and
27 continue with PG&E for the City's electric energy services. The motion passed
28 following a roll call vote:**

29 **AYES: Councilmembers: Pfeifer, Ford, Kelly**
30 **NOES: Councilmembers: Weiner, Mayor Leone**
31 **ABSENT: Councilmembers: None**
32 **ABSTAIN: Councilmembers: None**

33
34 Mayor Leone called for a ten minute break at 10:30 pm.

35
36 **Mayor Leone moved, seconded by Vice Mayor Pfeifer, to continue items 4B5 (*Adopt
37 resolution approving Contract Amendment No. 1 to the Professional Services
38 Agreement with Kennedy Jenks Consultants in an amount not to exceed \$28,800*),
39 4B6 (*Adopt a policy authorizing the City Manager to administratively execute MLK
40 leases subject to approval of OMIT and City Attorney approval*), 6D (*Adopting General
41 Conditions for Public Works Contracts and Amending City Council Policy Regarding
42 Contract Change Orders*) and 6E (*Status Report on Budgeted Capital Projects*) to a
43 date uncertain. The motion was unanimously approved by a voice vote.**

44
45 **6B. Police Department First Quarter Crime and Traffic Report (*Chief of Police Scott
46 Paulin*)**

47
48 *This item was previously noted as being continued to May 4, 2010.*
49

1
2 **6C. Annual Review of City Council Priority Calendar: Step One – Reviewing the**
3 **Projects (City Manager Adam Politzer)**
4

5 City Manager Adam Politzer presented the staff report on this item. He described the
6 process that Council would be taking over the next three meetings. Mr. Politzer advised that
7 there were currently forty items on the list for the priority calendar; however, following public
8 input, the list could become smaller or larger. He then suggested that Council receive any
9 public input.

10
11 **Public Comment:**

12
13 **Michael Rex** suggested inclusion of a few additional items.

14
15 Mr. Politzer also reminded Council that they had received one request, in writing, for an item
16 to be included on the priority calendar.

17
18 Council then provided their input for items that should be included on the priority calendar.

19
20 Council discussion followed on the list. The list grew to a high of sixty-five items and then
21 dropped to sixty items inclusion on the priority calendar list.

22
23 **6D. Adopting General Conditions for Public Works Contracts and Amending City**
24 **Council Policy Regarding Contract Change Orders (Jonathon Goldman, Director of**
25 **Public Works)**
26

27 *This item was previously noted as being continued to a date uncertain.*

28
29 **6E. Status Report on Budgeted Capital Projects (Director of Public Works Jonathon**
30 **Goldman)**
31

32 *This item was previously noted as being continued to a date uncertain.*

33
34 **CITY MANAGER REPORTS, CITY COUNCIL APPOINTMENTS, COUNCIL**
35 **DISCUSSIONS AND COUNCILMEMBER REPORTS**
36
37

38 **7A. City Manager Reports**

39 **7A1. City Manager Information for Council**
40

41 City Manager Adam Politzer reported on: April 22 Volunteer Recognition Event; April 25
42 Opening day on the Bay; April 28 MCCMC meeting being hosted by Sausalito; Willow Creek
43 Academy being designated as a Distinguished School
44

45 **7A2. Future Agenda Items**
46

47 Vice Mayor Pfeifer asked for resolution on the bike signage regarding “Single File Only” and
48 requested that the ones that have been taken down be replaced immediately. Discussion
49 ensued.
50

1 Vice Mayor Pfeifer moved, seconded by Councilmember Ford, to place bike “single
2 file only” signs on a future agenda. The motion failed by a roll call vote:

3 AYES: Councilmembers: Pfeifer, Ford
4 NOES: Councilmembers: Weiner, Kelly, Mayor Leone
5 ABSENT: Councilmembers: None
6 ABSTAIN: Councilmembers: None

7
8 Councilmember Ford moved, seconded by Vice Mayor Pfeifer, to put a City-wide
9 bicycle management plan on the May 4, 2010 City Council meeting and appoint a
10 bicycle committee at that meeting.

11
12 Discussion on the motion followed.

13
14 Councilmember Ford withdrew her motion.

15
16 **7B1. Mayor’s Appointments for Council Liaisons and Committees**

17
18 **Appointments to the Tree Committee**

19 Mayor Leone nominated Ronald Reich, Grant Colfax, Mary Lee Bickford, Wingham Liddell
20 and Betsy Elliott for the Tree Committee. There being no other nominations, Ronald Reich
21 (through 2013) and Grant Colfax (through 2012) were re-appointed to the Tree Committee
22 and newly appointed to full or un-expired terms were Mary Lee Bickford (through 2013),
23 Wingham Liddell (through 2012) and Betsy Elliott (through 2011), all by acclamation.

24
25 **Housing Element Committee**

26 Mayor Leone nominated Carolyn Kiernet to the Housing Element Committee. There being
27 no other nominations, Carolyn Kiernet was appointed to the Housing Element Committee by
28 acclamation.

29
30 **Planning Commission**

31 Mayor Leone nominated Joan Cox to a second term on the Planning Commission. There
32 being no other nominations, Joan Cox was appointed to the Planning Commission through
33 2013, by acclamation.

34
35 Council requested additional interviews for the Housing Element Committee, and continued
36 the balance of the Disaster Preparedness and Planning Commission appointments to a later
37 meeting.

38
39 **7B. City Council Reports**

40 **7B2. Other reports of significance**

41
42 There were no other reports of significance.

43
44 **7B3. Councilmember Committee Reports**

45
46 There were no Councilmember Committee Reports.

47
48 **ADJOURNMENT**

1 There being no further business, the City Council meeting adjourned at 12:25 am on
2 Wednesday, April 21, 2010. The next regularly scheduled meeting will be held on May 4,
3 2010, with the open meeting due to commence at approximately 7:00 pm.
4
5
6

7 Respectfully submitted,

8
9 Debbie Pagliaro
10 City Clerk

11
12 Approved on:
13
14

