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

TUESDAY, SEPTEMBER 14, 2010

CALL TO ORDER

The meeting was called to order by Mayor Leone at 6:00 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 that items D1 through D4 would be discussed in Closed Session.

Public Comment: There was no Public Comment on these items.

Council adjourned into Closed Session at 6:01 pm.

The regular meeting reconvened at 7:06 p.m.

PLEDGE OF ALLEGIANCE

REPORT ON RESULTS OF CLOSED SESSION ITEMS

1. **CONFERENCE WITH LEGAL COUNSEL**– Existing litigation CGC §54956.9(a)
Name of Case: Zacks v. Sausalito; MCSC Case No. CIV050995

Direction given to Counsel

2. **CONFERENCE WITH LEGAL COUNSEL**– Existing litigation CGC §54956.9(a)
Name of Case: Bruce v. Sausalito; MCSC Case No. CIV 1003704

Direction given to Counsel

3. **CONFERENCE WITH REAL PROPERTY NEGOTIATOR** pursuant to CGC
§54956.8

Property: Sausalito Yacht Harbor

Negotiating Parties: Sausalito Yacht Harbor, Inc.

City Negotiator: City Manager and City Attorney

Under Negotiation: Price and Terms

Mayor Leone noted that this item was discussed and that Council would be returning to Closed Session at the conclusion of the meeting to continue discussions

1
2 **4. CONFERENCE WITH LEGAL COUNSEL – Anticipated litigation**
3 Significant exposure to litigation pursuant to CGC §54956.9(b) (one potential case)
4 ***Direction given to Counsel***
5

6 **Public Comment on Closed Session Items:** There was no Public Comment.
7

8 **APPROVAL OF THE AGENDA**
9

10 **Councilmember Ford moved, seconded by Councilmember Weiner, to approve the**
11 **agenda as submitted. The motion was unanimously approved by a voice vote.**
12

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

15 There were no Special Presentations.
16

17 **COMMUNICATIONS**
18

19 **Kayla Kahn** spoke about a traffic hazard on Rodeo Avenue. She noted that about eight
20 years ago, she brought this same issue to the attention of the City and at that time the
21 promised to look into it, but the wrong side of the road ended up being designated with no
22 parking. She again asked that something be done in this area before someone gets hurt.
23

24 **Mike Denney** urged the Council to look into the discretionary authority being used and
25 approvals issued by the Community Development Department.
26

27 Councilmember Ford and Vice Mayor Pfeifer agreed, and requested that this item be placed
28 on a future agenda for open discussion.
29

30 **ACTION MINUTES OF PREVIOUS MEETINGS**
31

32 **Vice Mayor Pfeifer moved, seconded by Councilmember Kelly, to approve the minutes**
33 **of the regular meeting of July 27, 2010 as submitted. The motion was unanimously**
34 **approved by a voice vote.**
35

36 **CONSENT CALENDAR**
37

38 **Public Comment:** There was no Public Comment on this item.
39

40 **Councilmember Kelly, seconded by Councilmember Ford, to approve Consent**
41 **Calendar items 4a through 4c. The motion was unanimously approved by a voice**
42 **vote.**
43

44 Consent Calendar items approved were as follows:

- 45 a) Adopted Resolution No, 5170 approving an encroachment agreement for a new
46 Sausalito-Marín City Sanitary District pump station at Bridgeway and Locust
47 b) Adopted Resolution No. 5171 approving an encroachment agreement to allow for
48 the after-the-fact construction of concrete steps and wooden railing in the public
49 right-of-way fronting 509 Litho

- 1 c) Adopted Resolution No. 5172 approving an encroachment agreement for
2 installation of piers for reinforcement of existing car parking deck at 148-150 Glen
3 Drive
4

5 **PUBLIC HEARINGS**

6
7 There were no Public Hearings.
8

9 **BUSINESS ITEMS**

10
11 **6A. A. Receive status report on the Public Safety Facilities Project (Project Manager**
12 **Loren Umbertis and Director of Public Works Jonathon Goldman)**

13
14 Project Manager Loren Umbertis began the presentation with an update on the Change
15 Orders which will be presented to Council at an upcoming City Council meeting.
16

17 Mr. Umbertis then went on to speak of the many milestones associated with the dedication
18 ceremonies through a slide show of construction photos. He then thanked the City and the
19 City Council for hiring Swinerton and allowing him to be on this job.
20

21 Director of Public Works Jonathon Goldman then thanked Loren Umbertis and the many,
22 many contractors and vendors who worked on the project.
23

24 City Manager Adam Politzer concluded the thank you's in calling out staff members and
25 volunteers who were extremely involved in the project.
26

27 Vice Mayor Pfeifer, and Councilmembers Ford and Weiner also added a few more names to
28 the list of those being thanked.
29

30 **Public Comment:**

31
32 **Vicki Nichols** also noted how this was an accomplishment of all the citizens of Sausalito;
33 especially when 82% voted for the bond issue. She also highly commended Mr. Umbertis
34 for a job extremely well done.
35

36 **6B. Receive status report on the 2010 Street Repair Project (City Engineer Todd**
37 **Teachout)**

38
39 City Engineer Todd Teachout presented an update on the 2010 Street Repair Project;
40 highlighting the Johnson Street Sewer and Street Repair Project, along with the entire 2010
41 Streets Project. He described the work involved in both projects and showed slides of
42 several of the newly repaired streets. Mr. Teachout also thanked the many people involved
43 with these projects.
44

45 Council comments and accolades followed.
46

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

1 **6C. Receive update on Disaster Preparedness-Emergency Operations Program**
2 **(Police Sergeant/Emergency Services Manager William Fraass)**

3
4 Sergeant Fraass presented an update on disaster preparedness since April, 2010 when he
5 was last before Council. Sergeant Fraass went over training that has been provided to staff,
6 equipment acquired for the new EOC, Community outreach, and future plans.

7
8 Council questions/comments followed.

9
10 **Public Comment: There was no Public Comment on this item.**

11
12 **6D. Council discussion on enacting campaign finance reform for independent**
13 **expenditures (City Attorney Mary Wagner)**

14
15 City Attorney Mary Wagner presented the Staff Report on this item, supported by a
16 PowerPoint Presentation. She compared the City of San Rafael regulations and the
17 County's newly adopted regulations.

18
19 Council questions followed.

20
21 **Public Comment:**

22
23 **Peter Van Meter** reminded Council that a publication was mailed out during the last election
24 that focused on negative comments towards one of the candidates. He thought that this
25 situation did, in fact, fall within the regulations being considered tonight as the publications
26 were not mailed by, or endorsed by, a candidate or their committee.

27
28 **Councilmember Ford moved, seconded by Vice Mayor Pfeifer, to send this item to the**
29 **Legislative Committee for review and further consideration. The motion was**
30 **unanimously approved by a roll call vote:**

31 **AYES: Councilmembers: Weiner, Pfeifer, Ford, Kelly and Mayor Leone**
32 **NOES: Councilmembers: None**
33 **ABSTAIN: Councilmembers: None**
34 **ABSENT: Councilmembers: None**

35
36 **6E. Council discussion on the purpose and duties of the Sausalito Arts Commission**
37 **(Assistant to the City Manager/City Clerk Debbie Pagliaro)**

38
39 Assistant to the City Manager/City Clerk Debbie Pagliaro presented an abbreviated report
40 on this item, noting that Council discussion/direction was needed to adopt appropriate duties
41 in order for a new Arts Commission to have a focused direction.

42
43 Council discussion followed.

44
45 Council consensus for direction to staff included:

- 46 • return to the original seven member Commission, noting that two of these positions
- 47 would be "ex officio" positions
- 48 • return to the four original duties as noted in the 1982 City Council minutes
- 49 • Chair to rotate annually

1
2 Mayor Leone requested that Staff return with an updated resolution reflecting discussions
3 held.

4
5 **CITY MANAGER REPORTS, CITY COUNCIL APPOINTMENTS, COUNCIL**
6 **DISCUSSIONS AND COUNCILMEMBER REPORTS**
7

8
9 **7A. City Manager Information for Council**

10
11 City Manager Adam Politzer reported on: upcoming MCCMC meeting; Spirit of Marin; City
12 in discussions with Tour of California; that he would be out of the office the balance of the
13 week at the League Conference; Strategic Planning scheduled for October 22 and City
14 Manager/City Attorney evaluations scheduled for October 4.

15
16 **7B. Mayor's Apoitment to Transportation Authority of Marin**

17
18 Mayor Leone appointed Councilmember Weiner as the primary member and
19 Councilmember Ford as the alternate.

20
21 **7C. Council Committee Reports**

22
23 **Vice Mayor Pfeifer** reported on: the HEC public workshop scheduled for mid-October.

24
25 **Councilmember Weiner** reported on: The National Parks Service running a shuttle from
26 Cavallo Point to Sausalito on Saturdays and Sundays during September and October.

27
28 **Councilmember Ford** reported on: Trees and Views, and the Hospitality Business
29 Development meetings.

30
31 **7D. Future Agenda Items**

32
33 **Mayor Leone** asked for an item on the Historic Guidelines project. He also noted that an
34 item should be coming forward from the Sustainability Commission on leaf blowers.

35
36 **Councilmember Ford** requested the following Future Agenda Items: policy for the Council
37 liaison positions and an item regarding a safety issue on Alexander Avenue.

38
39 **Vice Mayor Pfeifer** requested the following Future Agenda Items: SmartMeter health issue
40 discussions and oversight on the placement of the SmartMeter antennas.

41
42 **7F. Other reports of significance**

43
44 There were no other reports of significance.

45
46 **ADJOURNMENT**

47
48 There being no further business, the City Council meeting adjourned at 10:45 pm and
49 returned into Closed Session to further discuss item #3 on the Closed Session agenda as

1 noted earlier. The next regularly scheduled meeting will be held on September 28, 2010,
2 with the open meeting due to commence at approximately 7:00 pm.
3
4
5

6 Respectfully submitted,
7

8 Debbie Pagliaro
9 City Clerk

10
11 Approved on:
12
13