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

**TUESDAY, DECEMBER 7, 2010**

**CALL TO ORDER**

The meeting was called to order by Mayor Leone at 6:31 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 item D1 would be discussed in Closed Session.

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

Council adjourned into Closed Session at 6:32 pm.

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

**PLEDGE OF ALLEGIANCE**

**REPORT ON RESULTS OF CLOSED SESSION ITEMS**

1. **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  
*Direction given to City negotiators*

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

**APPROVAL OF THE AGENDA**

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

**SPECIAL PRESENTATIONS / MAYOR'S ANNOUNCEMENTS**

1 **Award Grants from the Holiday Parking Donation Fund to Three Non Profit**  
2 **Organizations that Provide Services to the Underserved: Homeward Bound of Marin,**  
3 **Ritter Center, & MarinLink, Project Homeless Connect**

4  
5 Mayor Leone called the representatives from Homeward Bound, Ritter Center and MarinLink  
6 forward to describe what their organizations do and/or provide.

7  
8 Following each of the presentations, Mayor Leone presented each with their \$2,000 grants  
9 funded from the Holiday Parking Donations.

10  
11 **COMMUNICATIONS**

12  
13 **Robin Sweeny** approached the podium and asked that her allotted three minutes be  
14 deferred to Paul Leffingwell.

15  
16 **Paul Leffingwell** spoke about the redesign of Robin Sweeny Park and stated his concerns  
17 about the project approved at the last City Council meeting.

18  
19 **Don Olsen** supported Paul Leffingwell's comments regarding Robin Sweeny Park.

20  
21 **Ursula Leffingwell** read into the record a letter from Jacques and Muriel Ullman.

22  
23 **ACTION MINUTES OF PREVIOUS MEETINGS**

24  
25 There were no Minutes presented for approval.

26  
27 **CONSENT CALENDAR**

28  
29 City Attorney Mary Wagner advised that the resolution associated with item 4g (*Rescind*  
30 *Resolution No. 5120 and dedicate net sewer revenues as the source of revenue for*  
31 *repayment of State Revolving Loan Fund Financing for City of Sausalito Priority Sewer*  
32 *Projects*) required minor wording changes. These changes were read into the record.

33  
34 **Mayor Leone moved, seconded by Councilmember Kelly, to approve Consent**  
35 **Calendar items 4a through 4f as presented and item 4g as amended above. The**  
36 **motion was unanimously approved by a voice vote.**

37  
38 The Consent Calendar items approved were as follows:

- 39 a) Received and filed recap on the 2010 Special Events Season  
40 b) Adopted Resolution No. 5197 declaring certain property surplus and providing for the  
41 disposition of said property (fire ladder truck)  
42 c) Adopted Resolution No. 5198 setting forth the charges and duties of the Sausalito  
43 Art Commission and modifying the number of members  
44 d) Adopted the 2011 City Council meeting schedule  
45 e) Received and filed the Treasurer's Report ending September 30, 2010, and the  
46 Financial Report for the period ending September 30, 2010  
47 f) Adopted Resolution No. 5199 approving an Amendment to Professional Services  
48 Agreement with Noble Consultants for geotechnical testing and final design of the  
49 Sausalito Yacht Harbor – Bay Street Bulkhead Replacement Project

- 1 g) Adopted Resolution No. 5200 rescinding Resolution No. 5120 and dedicating net  
2 sewer revenues as the source of revenue for repayment of State Revolving Loan  
3 Fund Financing for City of Sausalito Priority Sewer Projects  
4

5 **PUBLIC HEARINGS**

6  
7 **5A. Public Hearing on the adoption of the 2010 California Fire Code, 2009**  
8 **International Fire Code and 2009 International Wildland-Urban Interface Code**  
9 **(Community Development Director Jeremy Graves and Fire Prevention Officer Fred Hilliard)**

10  
11 Fire Prevention Officer Fred Hilliard presented the staff report on this item. He noted that  
12 one change had been made and that was simply to adhere to the requirements of the  
13 California Health and Safety Code which requires a Resolution of Findings also be adopted.  
14

15 Mayor Leone opened the Public Hearing.

16  
17 There was no Public Comment.

18  
19 Mayor Leone closed the Public Hearing.

20  
21 **Councilmember Kelly moved, seconded by Councilmember Weiner, to adopt**  
22 **Resolution No. 5201 identifying local conditions requiring changes and modifications**  
23 **to 2010 California Fire Code, 2009 International Fire Code, and 2009 International**  
24 **Wildland-Urban Interface Code (ZOA 10-360). The motion was unanimously adopted**  
25 **by a voice vote.**

26  
27 **Councilmember Kelly moved, seconded by Councilmember Weiner, to waive second**  
28 **reading, read by title only and adopt Ordinance No. 1203 an ordinance of the City**  
29 **Council of the City of Sausalito amending Chapter 8.40 of the Sausalito Municipal**  
30 **Code and adopting the California Fire Code, International Fire Code, and International**  
31 **Wildland-Urban Interface Code prescribing regulations governing conditions**  
32 **hazardous to life and property from fire or explosion; providing for the issuance of**  
33 **permits for hazardous uses or operations; and establishing a Fire Prevention Bureau**  
34 **and providing officers therefore and defining their powers and duties (ZOA 10-360).**  
35 **The motion was unanimously adopted by a voice vote.**

36  
37 **BUSINESS ITEMS**

38  
39 **6A. Adopt resolution ratifying the Marin County Elections Office Canvass of Returns**  
40 **of the General Municipal Election of November 2, 2010 and declaring elected the**  
41 **persons receiving the largest number of votes for the office (Assistant to the City**  
42 **Manager/City Clerk Debbie Pagliaro)**

43  
44 Assistant to the City Manager/City Clerk Debbie Pagliaro presented the staff report on this  
45 item, which included the election stats.

46  
47 **Public Comment:** There was no Public Comment on this item.  
48

1 Councilmember Kelly moved, seconded by Councilmember Ford, to adopt Resolution  
2 No. 5202 ratifying the Canvass of Returns from the Marin County Registrar of Voters  
3 Office for the General Municipal Election of November 2, 2010 and declaring elected  
4 the persons receiving the largest number of votes for the office (Herb Weiner and  
5 Jonathan Leone). The motion was unanimously adopted by a voice vote.  
6

7 **6B. Swearing In of Newly elected City Councilmembers Herb Weiner and Jonathan**  
8 **Leone (Assistant to the City Manager/City Clerk Debbie Pagliaro)**  
9

10 Assistant to the City Manager/ City Clerk Debbie Pagliaro asked Mayor Leone and  
11 Councilmember Weiner to step down in front of the dais for their swearing in ceremonies.  
12

13 Ms Pagliaro performed the ceremonial swearing in.  
14

15 Councilmembers Weiner and Mayor Leone then offered their words of thanks to the  
16 community.  
17

18 **6C. Presentation to outgoing Mayor Leone (City Manager Adam Politzer)**  
19

20 City Manager Adam Politzer thanked the Mayor for his second year of service to the City of  
21 Sausalito, highlighting many of the accomplishments over the past year.  
22

23 Mayor Leone thanked the City Manager, staff and the community for offering him the ability  
24 to serve two years as Mayor.  
25

26 **6D. City Council Election of Mayor**  
27

28 Simultaneously, Councilmember Kelly and Vice Mayor Pfeifer nominated Herb Weiner  
29 to serve as Mayor for the ensuing year. There being no other nominations, Herb  
30 Weiner was duly nominated to the position of Mayor for the ensuing year.  
31

32 Mayor Weiner thanked the Council for their support and acknowledged the challenges  
33 ahead.  
34

35 **6E. City Council Election of Vice Mayor**  
36

37 Councilmember Leone and Councilmember Ford nominated Mike Kelly to serve as  
38 Vice Mayor for the ensuing year. There being no other nominations, Mike Kelly was  
39 duly nominated to the position of Vice Mayor for the ensuing year.  
40

41 Vice Mayor Kelly thanked the Council, noting that it would be an honor to serve with Mayor  
42 Weiner.  
43

44 Mayor Weiner called for a break in order to hold the celebrations while the public was still  
45 present.  
46

47 **6F. Approve Professional Services Agreement for design development for**  
48 **downtown public restrooms replacement project – con't from 11/23/10 (Director of**  
49 **Public Works Jonathon Goldman)**

1  
2 Director of Public Works Jonathon Goldman presented an updated staff report on this item.

3  
4 Manuela Anne King, a representative of Royston Hanamoto Alley & Abey, described their  
5 proposal.  
6

7 Council questions followed regarding their proposal.  
8

9 Michael Rex then described his proposal to Council.  
10

11 Council questions followed regarding his proposal.  
12

13 Following the presentations of the proposals, Mr. Goldman returned to the podium to  
14 recommend that Royston Hanamoto Alley & Abey be awarded the contract for the design  
15 development for the downtown public restroom replacement project.  
16

17 Council questions followed.  
18

19 **Public Comment:**  
20

21 **Bonnie MacGregor** acknowledged that the presentations were informative. She agreed  
22 that Royston Hanamoto Alley & Abey had a vision for the downtown area. However, she  
23 still felt that she would like to see business stay local.  
24

25 **Peter Van Meter** stressed that there is a need for an overview of the entire downtown and  
26 recommended that a Master Plan be put into place. He also felt that this was a good  
27 opportunity for Council to hire a local company.  
28

29 **Chuck Donald** indicated that he would not be an advocate to choose one company over the  
30 other. However, he reminded Council of the need for an initiative vote if the location of the  
31 restrooms were to be moved.  
32

33 **Nancy Osborn** also noted that she was not there to comment on the qualifications of one  
34 company over the other; however, she did stress that there was a need for an integrated  
35 project to determine a location.  
36

37 **Steve Bogel** recommended placing the bathrooms where the Jazz by the Bay storage  
38 containers are located and use the roof of the structure for a stage.  
39

40 Council comments followed.  
41

42 It was the consensus of the Council to have the bathrooms remain at the current location.  
43

44 **Councilmember Leone moved to rebid the programming and conceptual design  
45 phases and include coordination of any other current projects for the  
46 streetscape/plaza area, incorporating outreach to providers as deemed necessary by  
47 staff, for the restrooms at the current location and current size.**  
48

49 Council rebuttals on the motion followed.

3B  
5

1  
2 Vice Mayor Kelly requested amending the motion to place a ceiling on this portion of the bid  
3 at \$35,000, and seconded the motion.

4  
5 Councilmember Ford requested amending the motion to expand the distribution of the RFP.

6  
7 Councilmember Leone accepted the amendment of Vice Mayor Kelly.

8  
9 City Attorney Mary Wagner re-stated the motion as:

10 **Councilmember Leone moved, seconded by Vice Mayor Kelly, to rebid “Phases A and**  
11 **B”, which included the programming and conceptual design, and to include**  
12 **coordination of any other currently approved projects in the area for the**  
13 **streetscape/plaza area; incorporating outreach to providers as deemed necessary by**  
14 **staff; leave the restrooms at the current location and current size; and that this**  
15 **portion of the project is not to exceed \$35,000. The motion was unanimously**  
16 **approved by a roll call vote:**

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

21  
22 **6G. Americans with Disabilities Act (ADA and related California Building Code**  
23 **Compliance Update – con’t from 11/23/10 (Director of Public Works Jonathon Goldman**  
24 **and City Engineer Todd Teachout)**

25  
26 Director of Public Works Jonathon Goldman presented a brief update on the status of ADA  
27 compliance and the City of Sausalito via a PowerPoint presentation. Mr. Goldman noted  
28 that there have been a few recent complaints; however, the City has taken prompt action to  
29 resolve the majority of the issues raised. He also advised that as the City moves forward  
30 with necessary action plans to resolve ADA issues associated with the infrastructure, budget  
31 requests will be brought to the Council.

32  
33 Council questions followed.

34  
35 Mayor Weiner called for a ten minute break.

36  
37 **CITY MANAGER REPORTS, CITY COUNCIL APPOINTMENTS, COUNCIL**  
38 **DISCUSSIONS AND COUNCILMEMBER REPORTS**

39  
40  
41 **7A. City Manager Information for Council**

42  
43 City Manager Adam Politzer reported on: the Marin Managers retreat being held the next  
44 day; reminded Council of the Holiday Party on the 17<sup>th</sup>; suggested a date in January or  
45 February for the next Strategic Planning; commented on the status of the Police Chief  
46 Recruitment; and stressed to all to enjoy the time off during the Holiday break.

47  
48 **7B. Council Committee Reports**

49  
50 Vice Mayor Kelly spoke about the MCCMC Pension Committee.

1  
2 Councilmember Pfeifer spoke about the Housing Element Committee activities and  
3 requested that Council schedule some time on their agenda for some additional discussions.  
4

5 Councilmember Ford spoke about the Trees and Views Committee and their concerns about  
6 the recent removal of a dedicated tree. She also noted that they wanted to establish a Mary  
7 Ann Sears award.  
8

9 Councilmember Leone spoke about the activities of the Sustainability Committee.  
10

11 **7C. Future Agenda Items**  
12

13 Councilmember Leone requested that an update on the Housing Element be scheduled. He  
14 also requested some information about demolition permits and the process.  
15

16 Councilmember Ford requested that the item regarding the Robin Sweeny Park project be  
17 placed on the next agenda for reconsideration of the action taken. Following discussion and  
18 clarification from the City Attorney, Councilmember Ford withdrew her request.  
19

20 Councilmember Pfeifer also requested that the Housing Element Update be placed on an  
21 upcoming agenda. Additionally, she requested that the Business Advisory Committee  
22 economic study be placed on an agenda. Mayor Weiner advised that he would follow-up on  
23 her concerns and respond directly to Councilmember Pfeifer.  
24

25 **7E. Other reports of significance**  
26

27 There were no Other Reports of Significance.  
28

29 **ADJOURNMENT**  
30

31 There being no further business, the City Council meeting adjourned at 11:05 pm. The next  
32 regularly scheduled meeting will be held on January 11, 2011, with the open meeting due to  
33 commence at approximately 7:00 pm.  
34

35 Respectfully submitted,  
36

37 Debbie Pagliaro  
38 City Clerk  
39

Approved on:

