



MINUTES

SAN RAFAEL CITY COUNCIL – MONDAY, NOVEMBER 16, 2020

CORONAVIRUS (COVID-19) ADVISORY NOTICE

In response to Executive Order N-29-20, the City of San Rafael will no longer offer an in-person meeting location for the public to attend. This meeting will be streamed through YouTube Live at www.youtube.com/cityofsanrafael. Comments submitted via YouTube Live must be submitted according to the directions located on the YouTube video description. The City is not responsible for any interrupted service. To ensure the City Council receives your comments, submit written comments to the City Clerk prior to the meeting. For more information regarding real-time public comments, please visit our Live Commenting Pilot page at <https://www.cityofsanrafael.org/live-commenting-pilot/>.

Want to listen to the meeting and comment in real-time over the phone? Call the telephone number listed on this agenda and dial the Meeting ID when prompted. Feel free to contact the City Clerk's office at 415-485-3066 or by email to lindsay.lara@cityofsanrafael.org if you have any questions.

Any member of the public who needs accommodations should contact the City Clerk (email lindsay.lara@cityofsanrafael.org or phone at 415-485-3066) who will use their best efforts to provide reasonable accommodations to provide as much accessibility as possible while also maintaining public safety in accordance with the City procedure for resolving reasonable accommodation requests.

Present: Mayor Phillips
Vice Mayor Colin
Councilmember Bushey
Councilmember Gamblin
Councilmember McCullough

Absent: None

Also Present: City Manager Jim Schutz
City Attorney Rob Epstein
City Clerk Lindsay Lara

REGULAR MEETING AT 7:00 P.M.

Watch online: www.youtube.com/cityofsanrafael

Listen by phone: (669) 900-9128,

ID: 828-5873-3293#

Mayor Phillips called the meeting to order at 7:05 p.m. and invited City Clerk Lindsay Lara to call the roll. All members of the City Council were present.

City Clerk Lindsay Lara informed the community the meeting would be streamed live to YouTube and members of the public would provide public comment either on the telephone or through YouTube live chat. She explained the process for community participation through the telephone and on YouTube.

OPEN SESSION

- 1. None.

CLOSED SESSION

- 2. Closed Session: - None.

CITY MANAGER’S REPORT:

- 3. City Manager’s Report:

City Manager Jim Schutz provided updates on the local election and COVID-19 and the City’s response. He also noted that City Offices, except for Emergency Services, will be closed for the Thanksgiving week, due to both furlough and holiday days.

Mayor Phillips provided comments

OPEN TIME FOR PUBLIC EXPRESSION – 7:00 PM

Mayor Phillips invited public comment; however, there was none

CONSENT CALENDAR:

Mayor Phillips held item 4.c from the Consent Calendar

Mayor Phillips invited public comment on the Consent Calendar; however, there was none

Councilmember McCullough moved and Councilmember Bushey seconded to approve the remainder of the Consent Calendar

AYES: Councilmembers: Bushey, Colin, Gamblin, McCullough & Mayor Phillips
NOES: Councilmembers: None
ABSENT: Councilmembers: None

- 4. Consent Calendar Items:

- a. **Approval of Minutes**

- Approve Minutes of City Council / Successor Agency Regular Meeting of Monday, November 2, 2020 (CC)**

- Approved minutes as submitted*

- b. **Residential Building Resale Report (RBR) Program**

- Resolution Adopting Temporary Measures for Administering the Residential Building Record Program (“RBR Program”) Set Forth in San Rafael Municipal Code Title 12 (Building Regulations), Chapter 12.36 (Report of Residential Building Record) During the High Demand Real Estate Market and Covid-19 Pandemic (CD)**

- Resolution 14870 - Resolution Adopting Temporary Measures for Administering the Residential Building Record Program (“RBR Program”) Set Forth in San Rafael Municipal Code Title 12 (Building Regulations), Chapter 12.36 (Report of Residential Building Record) During the High Demand Real Estate Market and Covid-19 Pandemic*

c. **Downtown Business Improvement District (BID) Assessment Annual Review**
Resolution Declaring the City Council’s Intention to Levy an Annual Assessment for the Downtown San Rafael Business Improvement District (ED)

This item was held from the Consent Calendar (and heard afterwards)

Mayor Phillips provided comments

Mayor Phillips invited public comment; however, there was none

Councilmembers provided comments

Councilmember McCullough moved and Councilmember Bushey seconded to adopt the resolution

Resolution 14876 - Resolution Declaring the City Council’s Intention to Levy an Annual Assessment for the Downtown San Rafael Business Improvement District

AYES: Councilmembers: Bushey, Colin, Gamblin, McCullough & Mayor Phillips
NOES: Councilmembers: None
ABSENT: Councilmembers: None

d. **Annual Occupancy Inspections**
Resolution Acknowledging Receipt of Report from Fire Chief Regarding the Inspection of Certain Occupancies Required Pursuant to Sections 13146.2 and 13146.3 of the California Health and Safety Code (FD)

Resolution 14871 - Resolution Acknowledging Receipt of Report from Fire Chief Regarding the Inspection of Certain Occupancies Required Pursuant to Sections 13146.2 and 13146.3 of the California Health and Safety Code

e. **Proposition 68 Grant Funding Opportunities**
Resolutions: 1) Resolution Approving Application(s) for Per Capita Grant Funds; 2) Resolution Approving the Application for the Statewide Park Development and Community Revitalization Program Grant Funds; and 3) Resolution Determining the Pickleweed Park Enhancement Project to Be Categorically Exempt from the California Environmental Quality Act (CEQA) and Authorizing Staff to File a Notice of Exemption in Compliance with CEQA Guidelines (LR)

Resolution 14872 - Resolution Approving Application(s) for Per Capita Grant Funds

Resolution 14873 - Resolution Approving the Application for the Statewide Park Development and Community Revitalization Program Grant Funds

Resolution 14874 - Resolution Determining the Pickleweed Park Enhancement Project to Be Categorically Exempt from the California Environmental Quality Act (CEQA) and Authorizing Staff to File a Notice of Exemption in Compliance with CEQA Guidelines

- f. **Dissolution Agreement of the Marin County Major Crimes Task Force Resolution Approving and Authorizing the Mayor to Sign the Dissolution Agreement of the Marin County Major Crimes Task Force (PD)**

Resolution 14875 - Resolution Approving and Authorizing the Mayor to Sign the Dissolution Agreement of the Marin County Major Crimes Task Force

- c. **Downtown Business Improvement District (BID) Assessment Annual Review Resolution Declaring the City Council's Intention to Levy an Annual Assessment for the Downtown San Rafael Business Improvement District (ED)**

This item was held from the Consent Calendar (and heard afterwards)

Mayor Phillips provided comments

Mayor Phillips invited public comment; however, there was none

Councilmembers provided comments

Councilmember McCullough moved and Councilmember Bushey seconded to adopt the resolution

Resolution 14876 - Resolution Declaring the City Council's Intention to Levy an Annual Assessment for the Downtown San Rafael Business Improvement District

AYES: Councilmembers: Bushey, Colin, Gamblin, McCullough & Mayor Phillips
NOES: Councilmembers: None
ABSENT: Councilmembers: None

SPECIAL PRESENTATIONS

5. Special Presentations:

- a. Essential Facilities Projects Commemoration Video (PW)

Jim Schutz, City Manager and Bill Guerin, Public Works Director provided comments and introduced the video

Councilmembers provided comments

Jim Schutz, City Manager provided comments

Mayor Phillips invited public comment; however, there was none

OTHER AGENDA ITEMS

6. Other Agenda Items:

- a. **Year-End Financial Statements and Related Audit Reports**

Fiscal Year 2019-2020 Annual Financial Report; Gann Appropriations Limit; Memorandum on Internal Control; Report of Required Communications; Child Development Program Financial Report; and the Transportation Development Act Financial Report (Fin)

Nadine Hade, Finance Director and Amy Meyer, Maze & Associates presented the staff report

Staff responded to comments and questions from Councilmembers

Mayor Phillips invited public comment; however, there was none

Councilmember Gamblin moved and Councilmember Bushey seconded to accept the reports

AYES: Councilmembers: Bushey, Colin, Gamblin, McCullough & Mayor Phillips
NOES: Councilmembers: None
ABSENT: Councilmembers: None

Accepted reports

b. **Cannabis Program Adjustments**

Resolution Amending and Renaming the “Cannabis Business Operator License Pilot Program” As the “Cannabis Business Operator License Program”, and Restating It in Its Entirety (ED)

Danielle O’Leary, Director of Economic Development and Innovation presented the staff report

Staff responded to questions from Councilmembers

Mayor Phillips invited public comment

Speakers: Nurit Raphael, Founder of Ona Life, a San Francisco Cannabis Concierge

Staff responded to further questions from Councilmembers

Councilmember Colin moved and Councilmember McCullough seconded to adopt the resolution

AYES: Councilmembers: Bushey, Colin, Gamblin, McCullough & Mayor Phillips
NOES: Councilmembers: None
ABSENT: Councilmembers: None

Resolution 14877 - Resolution Amending and Renaming the “Cannabis Business Operator License Pilot Program” As the “Cannabis Business Operator License Program”, and Restating It in Its Entirety

c. **City's Response to Grand Jury Report on Adapting to Climate Change**
Resolution Approving and Authorizing the Mayor to Execute the City of San Rafael's Response to the 2019-2020 Marin County Civil Grand Jury Report Entitled, "Climate Change: How Will Marin Adapt?" (CM)

Cory Bytof, Sustainability Program Manager presented the staff report

Staff responded to comments and questions from Councilmembers

Mayor Phillips invited public comment

Speakers: Bill Carney, Pamela Reaves

Councilmember Colin moved and Councilmember McCullough seconded to adopt the resolution

AYES: Councilmembers: Bushey, Colin, Gamblin, McCullough & Mayor Phillips
NOES: Councilmembers: None
ABSENT: Councilmembers: None

Resolution 14878 - Resolution Approving and Authorizing the Mayor to Execute the City of San Rafael's Response to the 2019-2020 Marin County Civil Grand Jury Report Entitled, "Climate Change: How Will Marin Adapt?"

COUNCILMEMBER REPORTS / REQUESTS FOR FUTURE AGENDA ITEMS:
(including AB 1234 Reports on Meetings and Conferences Attended at City Expense)

7. Councilmember Reports:

- Mayor Phillips provided an update on the annual review of the City Manager and proposed a future special meeting to conclude the review

SAN RAFAEL SUCCESSOR AGENCY:

1. Consent Calendar: - None.

ADJOURNMENT:

Mayor Phillips adjourned the meeting at 9:00 p.m.

LINDSAY LARA, City Clerk

APPROVED THIS ____ DAY OF _____, 2020

KATE COLIN, Mayor