

**In the Council Chambers of the City of San Rafael, Tuesday, January 21, 2020**



**Regular Meeting**

**San Rafael City Council**

**Minutes**

Present: Mayor Phillips  
Vice Mayor Colin  
Councilmember Bushey  
Councilmember Gamblin  
Absent: Councilmember McCullough  
Also City Manager Jim Schutz  
Present: City Attorney Robert Epstein  
City Clerk Lindsay Lara

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Mayor Phillips called the meeting to order at 7:03 p.m.

**OPEN SESSION – THIRD FLOOR CONFERENCE ROOM, CITY HALL**

1. None.

**CLOSED SESSION – THIRD FLOOR CONFERENCE ROOM, CITY HALL**

2. Closed Session: - None.

**OPEN TIME FOR PUBLIC EXPRESSION – 7:00 PM**

Mayor Phillips invited public comment for public expression open time, however there was none

**CITY MANAGER’S REPORT:**

3. City Manager’s Report:

City Manger Jim Schutz announced:

- the Short-Term Rental Program went into effect
- panhandling signs were posted throughout the community for outreach regarding resources to help those in need
- three wildfire prevention meetings to be held on Tuesday, January 28 at 5:30 p.m. at Bahia Vista Elementary, Wednesday, January 29 at 5:30 p.m. at San Rafael Community Center and Thursday, January 30 at 5:30 p.m. at Terra Linda Community Center

**CONSENT CALENDAR:**

4. Consent Calendar Items:

Item 4.f is held from the Consent Calendar

Mayor Phillips invited public comment on the remaining items, however there was none

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

- a. **Approval of Minutes**  
**Approve Minutes of City Council / Successor Agency Regular and Special Meetings of Monday, December 16, 2019 (CC)**  
[Regular Minutes 2019-12-16](#)  
[Special Meeting Minutes 2019-12-16](#)
- Approved minutes as submitted
- b. **Bicycle and Pedestrian Advisory Committee Youth Member Appointment**  
**Approve Appointment of Bicycle and Pedestrian Advisory Committee Youth Member Applicant Tyler Nielsen to a Two-Year Term to the End of January 2022 (CC)**  
[Bicycle and Pedestrian Advisory Committee Youth Member Appointment](#)
- Approved staff recommendation
- c. **Fire Commission Vacancies**  
**Call for Applications to Fill Two Four-Year Terms, One Full Member and One Alternate Member, on the Fire Commission to the End of March 2024 Due to the Expiration of Terms of Thomas Weathers and Alternate Member David Fonkalsrud (CC)**  
[Fire Commission Vacancies](#)
- Approved staff recommendation
- d. **Measure E Transactions and Use Tax Oversight Committee Vacancies**  
**Call for Applications to Fill Three Four-Year Terms on the Measure E Transactions and Use Tax Oversight Committee to the End of March 2024 Due to the Expiration of Terms of John Erdmann, Gladys Gilliland and Cyr Miller (CC)**  
[Measure E Transactions and Use Tax Oversight Committee Vacancies](#)
- Approved staff recommendation
- e. **Legal Services Contract**  
**Resolution Approving and Authorizing the City Manager to Execute an Agreement with Burke, Williams & Sorensen, LLP for Legal Services to Supplement Staff in the City Attorney's Office in An Amount Not to Exceed \$112,000 (CA)**  
[Legal Services Contract](#)
- Resolution 14757 - Resolution Approving and Authorizing the City Manager to Execute an Agreement with Burke, Williams & Sorensen, LLP for Legal Services to Supplement Staff in the City Attorney's Office in An Amount Not to Exceed \$112,000
- g. **Quarterly Investment Report**  
**Acceptance of City of San Rafael Quarterly Investment Report for the Quarter Ending December 31, 2019 (Fin)**  
[Quarterly Investment Report](#)  
Accepted report

- h. Changing Speed Limits on Three Streets in San Rafael**  
**Second Introduction and Final Adoption of Ordinance 1978: An Ordinance of the City of San Rafael Regarding Speed Limit Change on Francisco Boulevard West, Woodland Avenue, and Du Bois Street Pursuant to Section 22357 of the California Vehicle Code (PW)**

[Changing Speed Limits on Three Streets in San Rafael](#)

Final Adoption of Ordinance 1978 - An Ordinance of the City of San Rafael Regarding Speed Limit Change on Francisco Boulevard West, Woodland Avenue, and Du Bois Street Pursuant to Section 22357 of the California Vehicle Code

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

The following item was held from the Consent Calendar:

- f. Revised Employment Agreement Between the City of San Rafael and City Manager**

**Resolution Approving and Authorizing the Mayor to Execute a Revised Employment Agreement Between the City and City Manager James M. Schutz to Amend and Clarify Language, but with No Compensation Increase (CA)**

[Revised Employment Agreement Between the City of San Rafael and City Manager](#)

Mayor Phillips expressed appreciation to City Manager Jim Schutz for the work he has done, and will continue to do, for the community

Councilmember Bushey moved and Councilmember Colin seconded to adopt the Resolution

Resolution 14758 - Resolution Approving and Authorizing the Mayor to Execute a Revised Employment Agreement Between the City and City Manager James M. Schutz to Amend and Clarify Language, but with No Compensation Increase

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

## **PUBLIC HEARINGS**

### **5. Public Hearings:**

- a. San Quentin Pump Station Reconstruction**  
**Resolution Adopting a Mitigated Negative Declaration and Associated Mitigation Monitoring and Reporting Program for the San Quentin Pump Station Reconstruction Project, City Project No. 11334 (PW)**

[San Quentin Pump Station Reconstruction](#)

Hunter Young, Assistant Public Works Director, presented the staff report along with Rachael Carnes with WRA, Inc. Environmental Consultants

Staff responded to questions from the City Council

Mayor Phillips declared the public hearing opened

**Speakers:** Kiki La Porta and Jerry Belletto, Sustainable San Rafael, John Reynolds, Joanne Webster, San Rafael Chamber of Commerce,

There being no further comment from the audience, Mayor Phillips closed the public hearing

Staff responded to comments and questions from the public

City Manager Jim Schutz clarified the recommended action was to approve the environmental documents, as funds had already been approved.

Staff responded to questions from the City Council

Councilmember Colin moved and Councilmember Gamblin seconded to adopt the Resolution

Resolution 14759 - Resolution Adopting a Mitigated Negative Declaration and Associated Mitigation Monitoring and Reporting Program for the San Quentin Pump Station Reconstruction Project, City Project No. 11334

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

Councilmember Colin moved and Councilmember Gamblin seconded to approve authorize staff to proceed with final design, taking consideration of sea level rise adaptation planning

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

## **OTHER AGENDA ITEMS**

### **6. Other Agenda Items:**

#### **a. Housing Policies Priorities Report Informational Report on the Challenges to Approving and Developing Housing (CD) [Housing Policies Priorities Report](#)**

Community Development Director Paul Jensen presented the staff report

Staff responded to questions from the City Council

Mayor Phillips invited public comment

**Speakers:** Kiki La Porta, Sustainable San Rafael, Victoria Dewitt, Linda Jackson, Marin Environmental Housing Collaborative

There being no further comment from the audience, Mayor Phillips closed the public comment period

Councilmember Colin moved and Councilmember Gamblin seconded to accept the report

Accepted report

AYES: Councilmembers: Bushey, Colin, Gamblin & Mayor Phillips

NOES: Councilmembers: None

ABSENT: Councilmembers: McCullough

**b. Guidelines for the Affordable Housing Trust Fund  
Resolution Adopting "Guidelines for the Administration of the Affordable Housing Trust Fund" (CD)**

[Guidelines for the Affordable Housing Trust Fund](#)

Professional Analyst Ethan Guy presented the staff report

Staff responded to questions from the City Council

Mayor Phillips invited public comment

**Speakers:** Joanne Webster, San Rafael Chamber of Commerce

There being no further comment from the audience, Mayor Phillips closed the public comment period

Staff responded to questions from the public

Councilmember Bushey moved (and Councilmember Colin seconded) to adopt the Resolution with emphasis on the prioritization of the NOFA Application Process over the Rolling Application Process

The City Council and staff provided clarification on the motion

Councilmember Colin, after receiving clarification, provided a second to the motion

Resolution 14760 - Resolution Adopting "Guidelines for the Administration of the Affordable Housing Trust Fund"

AYES: Councilmembers: Bushey, Colin, Gamblin & Mayor Phillips

NOES: Councilmembers: None

ABSENT: Councilmembers: McCullough

**COUNCILMEMBER REPORTS / REQUESTS FOR FUTURE AGENDA ITEMS:**

**7. Councilmember Reports:**

Councilmember Colin reported:

- Marin Transit, both monthly and senior passes are going to be decreased by their costs by 50%
- Marin Transit Connect in the Terra Linda area is like an Uber or Lyft app, and it has now been expanded to downtown San Rafael

Mayor Phillips reported:

- BioMarin public workshop and held a further discussion with BioMarin
- SMART election in March 2020 and a donor in Sonoma had contributed \$560k to the opposition

**SAN RAFAEL SUCCESSOR AGENCY**

**1. Consent Calendar:**

Member Bushey moved and Member Colin seconded to approve the Consent Calendar item

- a. Quarterly Investment Report**  
**Acceptance of Successor Agency Quarterly Investment Report (Fin)**  
[Successor Agency Quarterly Investment Report](#)

Accepted report

AYES: Members: Bushey, Colin, Gamblin & Chair Phillips  
NOES: Members: None  
ABSENT: Members: McCullough

**ADJOURNMENT:**

Mayor Phillips adjourned the meeting at 8:37 p.m.

\_\_\_\_\_  
LINDSAY LARA, City Clerk

APPROVED THIS \_\_\_\_ DAY OF \_\_\_\_\_, 2020

\_\_\_\_\_  
GARY O. PHILLIPS, Mayor