

In the Council Chambers of the City of San Rafael, Tuesday, February 18, 2020



Regular Meeting

San Rafael City Council

Minutes

Present: Mayor Pro Tem Colin
Councilmember Bushey
Councilmember McCullough

Absent: Mayor Phillips
Councilmember Gamblin

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

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Mayor Pro Tem Colin called the meeting to order at 7:02 p.m.

OPEN SESSION - THIRD FLOOR CONFERENCE ROOM, CITY HALL - 6:00 P.M.

1. Mayor Pro Tem Colin announced Closed Session items.

CLOSED SESSION - THIRD FLOOR CONFERENCE ROOM, CITY HALL - 6:00 P.M.

2. Closed Session:
 - a. Conference with Labor Negotiators – Government Code Section 54957.6
Lead Negotiator: Timothy L. Davis (Burke, Williams & Sorensen)
Agency Designated Representatives: Jim Schutz, Cristine Alilovich, Nadine Hade, Shibani Nag
Employee Organizations: SEIU - Childcare; San Rafael Police Mid-Management Association; Public Employee Union, Local 1; San Rafael Firefighters' Association; San Rafael Police Association; SEIU Local 1021; Western Council of Engineers; San Rafael Fire Chief Officers' Association

City Attorney Rob Epstein announced there was no reportable action taken in the Closed Session. Additionally, he announced there was no reportable action taken in the Closed Session held on Wednesday, February 12, 2020.

OPEN TIME FOR PUBLIC EXPRESSION – 7:00 PM

Bill Carney, Sustainable San Rafael, announced a Free Tree Planting Workshop to be held on Saturday, February 29th from 9-12:00 p.m. at the San Rafael Community Center in preparation for a tree planting event to be held on Saturday, March 28th at McInnis Parkway from 8:30am - 1p.m.

SPECIAL PRESENTATIONS:

3. Special Presentations:

- a. **CalFest First Place Celebration Awards
West End Celebration 2019 to Adam Violante
San Rafael PorchFest 2019 to Gerstle Park Neighborhood Association**

Mayor Pro Tem Colin invited Events Coordinator Brian Auger to assist in the presentation of awards to Adam Violante for West End Celebration 2019, and to the San Rafael PorchFest Committee for San Rafael PorchFest 2019

CITY MANAGER'S REPORT:

4. City Manager's Report:

City Manager Jim Schutz announced:

- an update on the Canal dredging project
- an update on the San Rafael City Schools Strategic Planning Process (Together 2023) - Meetings to be held on February 25 and 27
- the City won a statewide Overall Champion Award from the International City and County Management Association (ICMA)

CONSENT CALENDAR:

5. Consent Calendar Items:

Item 5.i is held from the Consent Calendar

Mayor Pro Tem Colin invited public comment on the remaining items, however there was none

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

- a. **Approval of Minutes
Approve Minutes of City Council / Successor Agency Regular Meeting of Monday,
February 3, 2020 (CC)**
[Approval of Minutes](#)

Approved minutes as submitted

- b. **Cannabis Industry Tax Oversight Committee Appointments
Approve Appointments of Cannabis Industry Tax Oversight Committee Applicants
Abi Scheier Rivas, Erik Rivai and Stephen Roth to Three Four-Year Terms to the
End of February 2024 and Jennifer Dye and Drew Bulfer to Two Two-Year Terms
to the End of February 2022 (CC)**
[Cannabis Industry Tax Oversight Committee Appointments](#)

Approved staff recommendation

- c. **New 45-Unit Townhome Development - 350 Merrydale Road/3833 Redwood Hwy
Second Introduction and Final Adoption of Ordinance 1979: An Ordinance of the**

San Rafael City Council Approving a Planned Development Rezoning from Planned Development (PD) District (PD1594) to a Revised PD (ZC19-002), Including the Rescission of PD 1594, and Creation of a New PD District, at 350 Merrydale Road/3833 Redwood Hwy (CD)

[New 45-Unit Townhome Development - 350 Merrydale Road/3833 Redwood](#)

Final Adoption of Ordinance 1979

- d. **Annual Audit of Federal Grant Expenditures
Single Audit Report for the Year ended June 30, 2019 (FIN)**
[Annual Audit of Federal Grant Expenditures](#)

Accepted report
- e. **Traffic Mitigation Fees
Annual Traffic Mitigation Fee Report (PW)**
[Traffic Mitigation Fees](#)

Accepted report
- f. **Essential Facilities Construction Project Fire Stations 52 and 57 Notice of Completion
Accept Completion of the Essential Facilities Construction Project - Fire Station 52 and Fire Station 57 (City Project No. 11292 & 11293), and Authorize the City Clerk to File the Notice of Completion (PW)**
[Essential Facilities Construction Project Fire Stations and 57 Notice of Completion](#)

Accepted completion and authorized the City Clerk to file the Notice of Completion
- g. **Street Resurfacing 2018-2019 Notice of Completion
Accept Completion of the Street Resurfacing 2018-2019 Project (City Project No. 11336), and Authorize the City Clerk to File the Notice of Completion (PW)**
[Street Resurfacing 2018-2019 Notice of Completion](#)

Accepted completion and authorized the City Clerk to file the Notice of Completion
- h. **2018-2019 Street Restriping Notice of Completion
Accept Completion of the 2018-2019 Restriping Project (City Project No. 11359), and Authorize the City Clerk to File the Notice of Completion (PW)**
[2018-2019 Street Restriping Notice of Completion](#)

Accepted completion and authorized the City Clerk to file the Notice of Completion

AYES: Councilmembers: Bushey, McCullough & Mayor Pro Tem Colin

NOES: Councilmembers: None

ABSENT: Councilmembers: Gamblin & Mayor Phillips

The following item was held from the Consent Calendar:

- i. **Third Street at Hetherton Street Improvements
Resolution Awarding and Authorizing the City Manager to Execute a Construction Agreement for the Third Street at Hetherton Street Improvements Project with Ghilotti Bros. Inc. in the Amount of \$398,983, and Authorizing Contingency Funds in the Amount of \$61,017, for a Total Appropriated Amount of \$460,000 (PW)**
[Third Street at Hetherton Street Improvements](#)

Staff responded to questions from the City Council

Councilmember McCullough moved and Councilmember Bushey seconded to adopt the Resolution

Resolution 14765 - Resolution Awarding and Authorizing the City Manager to Execute a Construction Agreement for the Third Street at Hetherton Street Improvements Project with Ghilotti Bros. Inc. in the Amount of \$398,983, and Authorizing Contingency Funds in the Amount of \$61,017, for a Total Appropriated Amount of \$460,000

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

PUBLIC HEARINGS:

6. Public Hearings:

- a. **General Plan 2040 / Downtown Precise Plan
General Plan 2040 Land Use Map - Preliminary Review and Discussion of Proposed Map Changes (CD)**
[General Plan 2040 / Downtown Precise Plan](#)

Community Development Director Paul Jensen commented on the item and introduced Barry Miller who presented the staff report

Staff responded to questions from the City Council

Mayor Pro Tem Colin declared the public hearing opened

Speakers: Bill Carney, Sustainable San Rafael, Brad Sears, Cathy Manovi

There being no further comment from the audience, Mayor Pro Tem Colin declared the public hearing closed

Staff responded to questions from the public

Staff responded to questions from the City Council.

The City Council provided feedback to staff and recommended the Sea Level Rise Adaptation Overlay Zone be re-titled and that references to the boundary being based on a "prediction" be clarified. The City Council also commented on the Downtown build-

out data and recommended consistent mapping protocol be used for the designation of private schools.

Councilmember McCullough moved and Councilmember Bushey seconded to accept the report and provided feedback to staff

Accepted report and provided feedback to staff

AYES: Councilmembers: Bushey, McCullough & Mayor Pro Tem Colin

NOES: Councilmembers: None

ABSENT: Councilmembers: Gamblin & Mayor Phillips

OTHER AGENDA ITEMS:

7. Other Agenda Items:

**a. Francisco Boulevard East Sidewalk Improvements
Informational Report on the Francisco Boulevard East Sidewalk Improvements
Project (PW)**

[Francisco Boulevard East Sidewalk Improvements](#)

Public Works Director Bill Guerin commented on the item and introduced Assistant Public Works Director Hunter Young who presented the staff report

Staff responded to questions from the City Council

Mayor Pro Tem Colin invited public comment

Speakers: Bill Carney, Sustainable San Rafael

There being no further comment from the audience, Mayor Pro Tem Colin closed the public comment period

Councilmembers provided comments

Councilmember McCullough moved and Councilmember Bushey seconded to accept the report

Accepted report

AYES: Councilmembers: Bushey, McCullough & Mayor Pro Tem Colin

NOES: Councilmembers: None

ABSENT: Councilmembers: Gamblin & Mayor Phillips

COUNCILMEMBER REPORTS / REQUESTS FOR FUTURE AGENDA ITEMS:

8. Councilmember Reports:

Councilmember McCullough reported the Marin Telecommunications Agency (MTA) Board voted to further negotiations with Marin General Services Authority (MGSA) to take over MTA's administrative functions, so the MTA could dissolve.

SAN RAFAEL SUCCESSOR AGENCY

1. Consent Calendar: - None.

ADJOURNMENT:

Mayor Pro Tem Colin adjourned the meeting at 8:34 p.m.

LINDSAY LARA, City Clerk

APPROVED THIS ____ DAY OF _____, 2020

GARY O. PHILLIPS, Mayor