



MINUTES

SAN RAFAEL CITY COUNCIL – MONDAY, JULY 20, 2020

REGULAR MEETING AT 7:00 P.M.

Telephone: (669) 900-9128,

ID: 835-5946-7965#

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

OPEN SESSION - (669) 900-9128, MEETING ID: 860-1535-8217# - 6:00 PM

1. None.

CLOSED SESSION - (669) 900-9128, MEETING ID: 860-1535-8217# - 6:00 PM

2. Closed Session:

- a. Conference with Labor Negotiators; Government Code Section 54957.6
Agency Designated Representatives: (Jim Schutz, Cristine Alilovich, Diana Bishop)
Employee Organization: San Rafael Police Association, San Rafael Police Mid-Managers Association

REGULAR MEETING - VIRTUAL MEETING

Telephone: (669) 900-9128,

ID: 835-5946-7965#

Mayor Phillips called the meeting to order at 7:12 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.

City Attorney Rob Epstein announced that no reportable action was taken in Closed Session

CITY MANAGER’S REPORT:

3. City Manager’s Report:

City Manager Jim Schutz provided updates on the Use of Force Policies Task Force, COVID-19 and the San Quentin State Prison COVID-19 status. He announced Dining Under the Lights in downtown San Rafael.

Mayor Phillips commented on the City Manager’s Report

OPEN TIME FOR PUBLIC EXPRESSION – 7:00 PM

Mayor Phillips invited public comment

Correspondence in real-time through YouTube or telephone

- Mimi Willard addressed the City Council regarding adopting the 311 line
- Vanessa Torres addressed the City Council regarding School Resource Officers
- Elvira addressed the City Council regarding School Resource Officers
- Name withheld addressed the City Council regarding the use of force policy review
- Xitlalli addressed the City Council regarding School Resource Officers

CONSENT CALENDAR:

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

Councilmember Gamblin moved and Councilmember Colin seconded to approve 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, July 6, 2020 (CC)
Approved minutes as submitted
- b. **Board of Library Trustees Appointment**
Appointment of Cheryl Lentini to Fill One Unexpired Four-Year Term to the End of April 2021 on the Board of Library Trustees Due to Resignation of Beverly Rose (CC)
Approved staff recommendation
- c. **Design Review Board Reappointment and Vacancy**

Appointment of Sarah Rege to Fill One Four-Year Term to the End of June 2024 on the Design Review Board and Call for Applications to Fill One Unexpired Four-Year Term to the End of June 2021 Due to the Resignation of Samina Saude (CC)

Approved staff recommendation

d. Below-Market Rate Homeownership Program

Resolution Approving and Authorizing the City Manager to Sign the Service Agreement with the Housing Authority of the County of Marin (Marin Housing) for the Administration of the Below-Market Rate (BMR) Homeownership Program; Case No.: P20-006 (CD)

Resolution 14841 - Resolution Approving and Authorizing the City Manager to Sign the Service Agreement with the Housing Authority of the County of Marin (Marin Housing) for the Administration of the Below-Market Rate (BMR) Homeownership Program; Case No.: P20-006

e. Quarterly Investment Report

Acceptance of City of San Rafael Quarterly Investment Report for the Quarter Ending June 30, 2020 (Fin)

Accepted Report

f. California State Preschool Contract

Resolution Approving a Contract (California State Preschool Program-0287) with the California Department of Education to Provide Funding in the Amount of \$238,821 for Fiscal Year 2020-2021 for Child Development Services and Authorizing the City Manager to Execute the Contract Documents (LR)

Resolution 14842 - Resolution Approving a Contract (California State Preschool Program-0287) with the California Department of Education to Provide Funding in the Amount of \$238,821 for Fiscal Year 2020-2021 for Child Development Services and Authorizing the City Manager to Execute the Contract Documents

PUBLIC HEARINGS

5. Public Hearings:

a. [Nine-Year, One-Quarter Percent Transactions and Use Tax Ballot Measure](#)

Resolution Directing the Submission to the Electors of the City of San Rafael of a Ballot Measure, Proposing an Amendment to the Municipal Code of the City Of San Rafael to Add a New Chapter 3.19a Adding a New Nine-Year, One-Quarter Percent Transactions and Use Tax, at the General Municipal Election to Be Held Tuesday, November 3, 2020 as Called By Resolution No. 14814; and Directing the City Attorney to Prepare an Impartial Analysis of the Measure (CM)

Nadine Hade, Finance Director presented the staff report

Staff, including Charles Heath, TBWBH Props & Measures, responded to questions from Councilmembers

Mayor Phillips invited public comment

Speakers: Kingston Cole, Board of Directors at Coalition of Sensible Taxpayers (COST), Arianne Stocking, Name withheld

Staff responded to public comment, and the Councilmembers provided comment

Councilmember McCullough moved and Councilmember Colin seconded to adopt the resolution

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

Resolution 14843 - Resolution Directing the Submission to the Electors of the City of San Rafael of a Ballot Measure, Proposing an Amendment to the Municipal Code of the City Of San Rafael to Add a New Chapter 3.19a Adding a New Nine-Year, One-Quarter Percent Transactions and Use Tax, at the General Municipal Election to Be Held Tuesday, November 3, 2020 as Called By Resolution No. 14814; and Directing the City Attorney to Prepare an Impartial Analysis of the Measure

b. **Baypoint Lagoons Assessment District**

Resolution Confirming the Engineer's Annual Report for the Baypoint Lagoons Assessment District and the Assessment Diagram Connected Therewith and Ordering the Levy and Collection of Assessments for FY 2020-21 (PW)

Talia Smith, Senior Management Analyst presented the staff report

Staff responded to questions from Councilmembers

Mayor Phillips invited public comment

Speakers: John Boland, President of the Baypoint Lagoons Homeowners Association and member of the Baypoint Lagoons Committee

Councilmember McCullough moved and Councilmember Bushey seconded to adopt the resolution

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

Resolution 14844 - Resolution Confirming the Engineer's Annual Report for the Baypoint Lagoons Assessment District and the Assessment Diagram Connected Therewith and Ordering the Levy and Collection of Assessments for FY 2020-21

c. **Point San Pedro Road Median Landscaping Assessment District**

Resolution Confirming the Engineer's Annual Levy Report for the Point San Pedro Road Median Landscaping Assessment District and the Assessment Diagram Connected Therewith and Ordering the Levy and Collection of Assessments for FY 2020-21 (PW)

Talia Smith, Senior Management Analyst presented the Staff Report

Staff responded to questions from Councilmembers

Mayor Phillips invited public comment

Speakers: Kevin Hagerty

Councilmembers provided comment

Councilmember McCullough moved and Councilmember Bushey seconded to adopt the resolution

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

Resolution 14845 - Resolution Confirming the Engineer's Annual Levy Report for the Point San Pedro Road Median Landscaping Assessment District and the Assessment Diagram Connected Therewith and Ordering the Levy and Collection of Assessments for FY 2020-21

COUNCILMEMBER REPORTS / REQUESTS FOR FUTURE AGENDA ITEMS:

(including AB 1234 Reports on Meetings and Conferences Attended at City Expense)

6. Councilmember Reports:

Mayor Phillips requested a discussion on school resource officers to be held on a future date.

SAN RAFAEL SUCCESSOR AGENCY:

1. Consent Calendar:

Chair Phillips invited public comment on the Successor Agency Consent Calendar; however, there was none

Member Bushey moved and Member McCullough seconded to approve the Successor Agency Consent Calendar

a. **Quarterly Investment Report**

Acceptance of Successor Agency Quarterly Investment Report for the Quarter Ending June 30, 2020 (Fin)

Accepted Report

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

ADJOURNMENT:

Mayor Phillips adjourned the meeting at 8:25 p.m.

LINDSAY LARA, City Clerk

APPROVED THIS ____ DAY OF _____, 2020

GARY O. PHILLIPS, Mayor