



Minutes

SAN RAFAEL CITY COUNCIL – MONDAY, JULY 6, 2020

REGULAR MEETING AT 7:00 P.M.

Telephone: (669) 900-9128,

ID: 859-7732-5943

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

1. None.

CLOSED SESSION

2. Closed Session: - None.

Mayor Phillips called the meeting to order at 7:08 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 MANAGER’S REPORT:

3. City Manager’s Report:

City Manager Jim Schutz provided updates on:

- the status of the Mayor’s task force looking at the use of force policies at the Police Department • the City’s goals and objectives
- the City’s response to COVID-19

Mayor Phillips briefly spoke on:

- San Quentin and COVID-19
- the task force looking at the use of force policies at the Police Department

OPEN TIME FOR PUBLIC EXPRESSION – 7:00 PM

Mayor Phillips invited public comment

Correspondence in real-time through YouTube or telephone

- Name withheld addressed the City Council regarding hair salons
- Eder Ruiz addressed the City Council regarding abolition

CONSENT CALENDAR:

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

Councilmember McCullough moved and Councilmember Bushey seconded to approve Consent Calendar Items:

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, June 15, 2020 and Special Meeting of June 29, 2020 (CC)
Approved minutes as submitted

- b. **Statement of Economic Interests Annual Filings**
Report on Fair Political Practices Commission Form 700, Statement of Economic Interests, 2019 Annual Filings, for Section 87200 Filers and Designated Employees, Including Consultants, Design Review Board, and Park and Recreation Commission (CC)
Accepted report

- c. **Legal Services Contract**
Resolution Approving and Authorizing the City Manager to Execute an Agreement with Burke, Williams & Sorensen, LLP for Essential Legal Services to Supplement Staff in the City Attorney’s Office, In An Amount Not to Exceed \$150,000 (CD)
Resolution 14832 - Resolution Approving and Authorizing the City Manager to Execute an Agreement with Burke, Williams & Sorensen, LLP for Essential Legal Services to Supplement Staff in the City Attorney’s Office, In An Amount Not to Exceed \$150,000

- d. **General Plan 2040 / Downtown Precise Plan Project Manager Agreement Amendment Resolution Authorizing the City Manager to Execute the Second Amendment to the Agreement for Professional Planning Services with Barry J. Miller to Serve as Project Manager for General Plan 2040 and Downtown Precise Plan (CD)**
Resolution 14833 - Resolution Authorizing the City Manager to Execute the Second Amendment to the Agreement for Professional Planning Services with Barry J. Miller to Serve as Project Manager for General Plan 2040 and Downtown Precise Plan

- e. **Local Early Action Planning (LEAP) Grant Application Resolution Authorizing the City Manager to Submit an Application for, and Receipt of, Local Early Action Planning (LEAP) Grant Funds in the Amount of \$300,000, and to Execute Documents or Amendments Once the Grant is Awarded (CD)**
Resolution 14834 - Resolution Authorizing the City Manager to Submit an Application for, and Receipt of, Local Early Action Planning (LEAP) Grant Funds in the Amount of \$300,000, and to Execute Documents or Amendments Once the Grant is Awarded

- f. **Crime Analyst Services Resolution Authorizing the City Manager to Execute an Agreement for Crime Analysis Services with LexisNexis Risk Solutions, Inc., in an Amount Not to Exceed \$140,979, and Appropriating this Amount from the Safety Grant Fund to Support the Agreement (PD)**
Resolution 14835 - Resolution Authorizing the City Manager to Execute an Agreement for Crime Analysis Services with LexisNexis Risk Solutions, Inc., in an Amount Not to Exceed \$140,979, and Appropriating this Amount from the Safety Grant Fund to Support the Agreement

- g. **Grant Funding for 9-1-1 Equipment Upgrade Resolution Granting the Chief of Police Authority to Use Funding in the Amount of \$287,000 from the California Office of Emergency Services, 9-1-1 Emergency Communications Branch to Upgrade the Police Departments Emergency and Non-Emergency Telephone Equipment in Fiscal Year 2020/2021 (PD)**
Resolution 14836 - Resolution Granting the Chief of Police Authority to Use Funding in the Amount of \$287,000 from the California Office of Emergency Services, 9-1-1 Emergency Communications Branch to Upgrade the Police Departments Emergency and Non-Emergency Telephone Equipment in Fiscal Year 2020/2021

- h. **Caltrans Maintenance Agreement Resolution Approving and Authorizing the City Manager to Execute a First Amendment to the Project Specific Maintenance Agreement with the State of California Department of Transportation (Caltrans) for Maintenance of Portions of Lucas Valley Road and Smith Ranch Road Within State Right-Of-Way (PW)**
Resolution 14837 - Resolution Approving and Authorizing the City Manager to Execute a First Amendment to the Project Specific Maintenance Agreement with the State of California Department of Transportation (Caltrans) for Maintenance of Portions of Lucas Valley Road and Smith Ranch Road Within State Right-Of-Way

SPECIAL PRESENTATIONS:

5. Special Presentation:

- a. **[Juneteenth](#) Resolution in Annual Commemoration and Proclamation of Juneteenth**

Jim Schutz, City Manager introduced Antonette Bullock, Police Services Specialist, who presented the resolution

Councilmembers provided comments

Mayor Phillips invited public comment; however, there was none

Councilmember Colin moved and Councilmember McCullough seconded to adopt the resolution subject to the replacement of the word “edify,” in the fourth recital of the resolution, with the word “respect”

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

Resolution 14838 - Resolution in Annual Commemoration and Proclamation of Juneteenth

PUBLIC HEARINGS

6. Public Hearings:

- a. [1499 Lucas Valley Road Environmental and Design Review Permit and Exception](#)
Resolution Approving Environmental and Design Review Permit (ED19-099) and Exception (EX20-001) for the Construction of a 901 Sq. Ft. Bathroom/Closet Addition to an Existing 8,592 Sq. Ft. Single-Family Residence Located at 1499 Lucas Valley Rd. (APN: 165-010-89) (CD)

Raffi Boloyan, Planning Manager presented the Staff Report

Mayor Phillips invited public comment; however, there was none

Staff and Maureen Jochum, Architect at Jochum Architects, responded to questions from Councilmembers

Councilmember Gamblin moved and Councilmember McCullough seconded to adopt the resolution

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

Resolution 14839 - Resolution Approving Environmental and Design Review Permit (ED19-099) and Exception (EX20-001) for the Construction of a 901 Sq. Ft. Bathroom/Closet Addition to an Existing 8,592 Sq. Ft. Single-Family Residence Located at 1499 Lucas Valley Rd. (APN: 165-010-89)

OTHER AGENDA ITEMS:

7. Other Agenda Items:

- a. [General Plan 2040 Transportation Standards](#)
Recommended Standards for Vehicle Miles Traveled (VMT) and Transportation Level of Service (LOS) for General Plan 2040 (CD)

Paul Jensen, Community Development Director, Bob Grandy, Director of Transit Services at Fehr & Peers, and Rafat Raie, Deputy Public Works Director presented the Staff Report

Staff responded to comments and questions from Councilmembers

Mayor Phillips invited public comment

Speakers: David Smith, Scott Frerich, Claire Halenbeck, Shirley Fischer, Name withheld

Staff responded to public comment

Staff responded to further comments and questions from Councilmembers

Councilmember McCullough moved and Councilmember Colin seconded to accept the proposed screening criteria as set forth in recommendation number one

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

Accepted proposed VMT screening criteria and thresholds for General Plan 2040 and future CEQA determinations, as required by SB 743.

Councilmember McCullough moved and Councilmember Gamblin seconded to delay accepting proposed Policy M-2.5 and ask that staff bring it back at a later date, more refined and with specificity, as to how the Level of Service will be used in conjunction with VMT in approving a project

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

Motion failed

Councilmember Colin moved and Councilmember Bushey seconded to accept the proposed approach to retaining LOS in General Plan 2040 and subsequent planning and development review procedures

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

Accepted proposed approach to retaining LOS in General Plan 2040 and subsequent planning and development review procedures.

b. [Grand Jury Report on Cyberattacks](#)

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, “Cyberattacks: A Growing Threat to Marin Government” (DS)

Rebecca Woodbury, Director of Digital Service and Open Government presented the Staff Report

Staff responded to comments and questions from Councilmembers

Mayor Phillips invited public comment; however, there was none

Councilmember McCullough moved and Councilmember Bushey seconded to adopt the resolution

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

Resolution 14840 - 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, "Cyberattacks: A Growing Threat to Marin Government"

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

8. Councilmember Reports:

SAN RAFAEL SUCCESSOR AGENCY:

1. Consent Calendar: - None.

ADJOURNMENT:

Mayor Phillips adjourned the City Council meeting at 9:22 p.m.

LINDSAY LARA, City Clerk

APPROVED THIS ____ DAY OF _____, 2020

GARY O. PHILLIPS, Mayor