



MINUTES

SAN RAFAEL CITY COUNCIL – TUESDAY, SEPTEMBER 8, 2020

REGULAR MEETING AT 7:00 P.M.

Telephone: (669) 900-9128,

ID: 817-3692-0337#

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
- Absent: Councilmember McCullough
- Also Present: City Manager Jim Schutz
City Attorney Rob Epstein
City Clerk Lindsay Lara

OPEN SESSION - (669) 900-9128 – ID: 853-5365-8122 - 6:45 PM

1. Mayor Phillips announced Closed Session items.

CLOSED SESSION - (669) 900-9128 – ID: 853-5365-8122 - 6:45 PM

2. Closed Session:
 - a. Conference with Legal Counsel—Existing Litigation
Government Code Section 54956.9(d)(1)
Name of Case: State of California ex rel. OnTheGo Wireless, LLC v. Cellco Partnership d/b/a Verizon Wireless, et al., Sacramento County Superior Court Case No. 34-2012-00127517

REGULAR MEETING AT 7:00 P.M.

Telephone: (669) 900-9128,

ID: 817-3692-0337#

Mayor Phillips called the meeting to order at 7:02 p.m. and invited City Clerk Lindsay Lara to call the roll. All members of the City Council were present, except for Councilmember McCullough.

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 reported on:

- San Rafael Community Center Cooling Center due to the extreme heat
- the Red Flag warning
- COVID-19 updates, including the Canal WiFi Project and remote learning programs at the Al Boro and San Rafael Community Centers

City Manager Jim Schutz announced:

- Marin Wildfire Prevention Authority's Citizens' Oversight Committee vacancies and application deadline of September 23
- Public meeting regarding the Third Street Corridor Project to be held on September 23 at 6:00 p.m.

OPEN TIME FOR PUBLIC EXPRESSION – 7:00 PM

Mayor Phillips invited public comment

Correspondence in real-time through YouTube or telephone

- Tim Flanagan, Solano County Chief Information Officer and Registrar of Voters, addressed the City Council expressing his thanks for San Rafael's work on the Sonoma Recovers website.

CONSENT CALENDAR:

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

Councilmember Bushey moved and Councilmember Gamblin seconded to approve the Consent Calendar

4. Consent Calendar Items:

a. **Approval of Minutes**

Approve Minutes of City Council / Successor Agency Regular Meeting of Monday, August 17, 2020 (CC)

Approved minutes as submitted

- b. **Communications Site License Agreement with Marin Emergency Radio Authority (MERA) for Telecommunications Facilities Near 70 Skyview Terrace
Resolution Approving and Authorizing the City Manager to Execute a Communications Site License Agreement with Marin Emergency Radio Authority (MERA) for Installation of Telecommunications Facilities Near 70 Skyview Terrace (CM)**

Resolution 14852 - Resolution Approving and Authorizing the City Manager to Execute a Communications Site License Agreement with Marin Emergency Radio Authority (MERA) for Installation of Telecommunications Facilities Near 70 Skyview Terrace

- c. **Agreement to Participate in Emergency Medical Service/Ambulance Transport Service Cost Recovery Program
Resolution Authorizing the City Manager to Execute an Agreement to Allow the San Rafael Fire Department to Participate In An Intergovernmental Transfer with the California Department of Health Care Services (DHCS) In Order to Increase the Department's Reimbursement for Emergency Medical Service Ambulance Transport Services for the Service Periods of July 1, 2019 Through June 30, 2020 and July 1, 2020 Through December 31, 2020 (FD)**

Resolution 14853 - Resolution Authorizing the City Manager to Execute an Agreement to Allow the San Rafael Fire Department to Participate In An Intergovernmental Transfer with the California Department of Health Care Services (DHCS) In Order to Increase the Department's Reimbursement for Emergency Medical Service Ambulance Transport Services for the Service Periods of July 1, 2019 Through June 30, 2020 and July 1, 2020 Through December 31, 2020

- d. **Office of Traffic Safety Grant Acceptance
Resolution Approving Use of State of California Office of Traffic Safety Grant Funds in the Amount of \$117,500 for the "Selective Traffic Enforcement Program" ("STEP") Grant from October 1, 2020 Through September 30, 2021, and Authorizing the City Manager to Execute a Grant Agreement and Any Other Documents Related to the Grant (PD)**

Resolution 14854 - Resolution Approving Use of State of California Office of Traffic Safety Grant Funds in the Amount of \$117,500 for the "Selective Traffic Enforcement Program" ("STEP") Grant from October 1, 2020 Through September 30, 2021, and Authorizing the City Manager to Execute a Grant Agreement and Any Other Documents Related to the Grant

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

OTHER AGENDA ITEMS

5. Other Agenda Items:

- a. **[Measures to Facilitate Housing Development & Streamline Approvals](#)**

Informational Report on Potential Amendments to the San Rafael Municipal Code (SRMC) to Facilitate Development and Streamline Approvals (CD)

Paul Jensen, Community Development Director, Ethan Guy, Principal Analyst and Alicia Giudice, Principal Planner presented the staff report

Councilmembers provided comments

Mayor Phillips invited public comment

Speakers: Diane Henderson-Glischinski - San Rafael Chamber of Commerce, Bill Carney - Sustainable San Rafael, David Smith, Linda Haumann, Victoria DeWitt, Joanne Webster - San Rafael Chamber of Commerce, Cheryl Douglas, Chris Hart, Joshua Townsend - San Rafael Chamber of Commerce, Shirley Fischer, Name withheld, Salamah Locks, Kate Powers, Name withheld, Name withheld, Name withheld, Name withheld, John Reynolds

Staff responded to public comment

Staff responded to comments and questions from Councilmembers

Councilmembers provided high-level policy direction to staff to pursue inclusionary housing requirements as listed in scenario 3 of the staff report; to pursue completion of SRMC amendments to the density bonus provisions as outlined in the staff report; to pursue completion of SRMC amendments to the Appeal and Hillside Exception processes, small lots, and height bonus provisions as outlined in the staff report; and to proceed with piloting the Design Review Advisory Committee that will include measures for public participation, include variations of review based on project type and size, and using Planning Commission first sequence of review for larger projects.

Councilmember Bushey moved and Councilmember Gamblin seconded to continue item 5.a to the meeting of September 21, 2020 and for staff to take such actions as discussed

Continued to next meeting

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

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

6. Councilmember Reports: - None.

SAN RAFAEL SUCCESSOR AGENCY:

1. Consent Calendar: - None.

ADJOURNMENT:

Mayor Phillips adjourned the meeting at 9:45 p.m.

LINDSAY LARA, City Clerk

APPROVED THIS ____ DAY OF _____, 2020

GARY O. PHILLIPS, Mayor

DRAFT