



MINUTES

SAN RAFAEL CITY COUNCIL – MONDAY, AUGUST 17, 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

1. None.

CLOSED SESSION

2. Closed Session: - None

Mayor Phillips called the meeting to order at 7:02 p.m. and announced that due to the possibility of a rolling power blackout, agenda item 5.a would be heard first. He invited City Clerk Lindsay Lara to call the roll. All members of the City Council were present.

CITY MANAGER'S REPORT:

3. City Manager's Report:

City Manager Jim Schutz provided updates on:

- Rolling blackouts and power outages
- COVID-19
- Federal Assistance and the City budget
- \$20,000 Grant from Transportation Authority of Marin to assist with the use of street parking
- Ongoing work with the County and Marin County Office of Education on the use of our public buildings to support distance learning

OPEN TIME FOR PUBLIC EXPRESSION – 7:00 PM

Mayor Phillips invited public comment; however, there was none

CONSENT CALENDAR:

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

Councilmember Colin 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, August 3, 2020 (CC)

Approved minutes as submitted

b. **Consent to Concurrent Representation**

Resolution Approving and Authorizing the Mayor to Execute a Consent to Concurrent Representation of the City of San Rafael and the Marin Wildfire Protection Authority by the Epstein + Holtzaple Law Firm (CA)

Resolution 14848 - Resolution Approving and Authorizing the Mayor to Execute a Consent to Concurrent Representation of the City of San Rafael and the Marin Wildfire Protection Authority by the Epstein + Holtzaple Law Firm

c. **San Rafael High School Pedestrian Crosswalk**

Resolutions Related to the Third Street Pedestrian Crosswalk Improvements Project, City Project No. 11354 (PW):

i. Resolution Awarding and Authorizing the City Manager to Execute a Construction Agreement for the Third Street Pedestrian Crosswalk Improvements Project with Sposeto Engineering, Inc., in the Amount of \$389,939 and

Authorizing Contingency Funds in the Amount of \$60,061 for a Total Appropriated Amount of \$450,000

Resolution 14849 - Resolution Awarding and Authorizing the City Manager to Execute a Construction Agreement for the Third Street Pedestrian Crosswalk Improvements Project with Sposeto Engineering, Inc., in the Amount of \$389,939 and Authorizing Contingency Funds in the Amount of \$60,061 for a Total Appropriated Amount of \$450,000

ii. Resolution Approving and Authorizing the City Manager to Execute a Memorandum of Understanding with San Rafael City Schools Regarding Cooperation on Construction of the Third Street Pedestrian Crosswalk Improvements

Resolution 14850 - Resolution Approving and Authorizing the City Manager to Execute a Memorandum of Understanding with San Rafael City Schools Regarding Cooperation on Construction of the Third Street Pedestrian Crosswalk Improvements

OTHER AGENDA ITEMS

5. Other Agenda Items:

a. **Police Use of Force Policy**

Proposed Revisions to the City of San Rafael Police Department’s Use of Force Policy (PD)

Jim Schutz, City Manager introduced Police Chief Diana Bishop, Police Lieutenant Roy Leon and Task Force Facilitator Lorenzo Jones who presented the staff report

Staff responded to comments and questions from Councilmembers

Mayor Phillips invited public comment. City Clerk Lindsay Lara explained the process for community participation through the telephone and on YouTube.

Speakers: Damien Oyobio, Lucia Martel-Dow, Jonathan Frieman

Councilmembers provided comments

Mayor Phillips returned to public comment

Speaker: George Pegelow, Co-Founder of Marin County Youth Court

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

Councilmember Colin moved and Councilmember Gamblin seconded to accept the report and direct the Chief of Police to implement the recommended changes to the Police Department’s Use of Force Policy

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

Accepted report and directed the Chief of Police to implement the recommended changes to the Police Department's Use of Force Policy

b. **Agreement Granting to Centertown II, LLC an Option to Lease 855 C Street**
Resolution Approving and Authorizing the City Manager to Execute An Agreement Granting to Centertown II, LLC an Option to Lease the Real Property Located at 855 C Street in the City of San Rafael (CD)

Ethan Guy, Principal Analyst presented the Staff Report

Mayor Phillips invited public comment

Speaker: Sarah White, Director of Development, BRIDGE Housing

Councilmember McCullough moved and Councilmember Gamblin seconded to adopt the resolution

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

Resolution 14851 - Resolution Approving and Authorizing the City Manager to Execute An Agreement Granting to Centertown II, LLC an Option to Lease the Real Property Located at 855 C Street in the City of San Rafael

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

6. Councilmember Reports:

Mayor Phillips reported on:

- filing the Sales Tax Ballot Measure Argument today
- School Resource Officers

SAN RAFAEL SUCCESSOR AGENCY:

1. Consent Calendar: - 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