



SAN RAFAEL CITY COUNCIL AGENDA REPORT

Department: Public Works

Prepared by: Bill Guerin
Director of Public Works

City Manager Approval: 

TOPIC: SPECIAL EVENT STREET CLOSURES IN DOWNTOWN SAN RAFAEL

SUBJECT: 1. INFORMATIONAL REPORT REGARDING TEMPORARY CLOSURE OF STREETS IN DOWNTOWN SAN RAFAEL FOR THE CONTINUATION OF THE DINING UNDER THE LIGHTS PROGRAM AND THE CITY COVID OUTDOOR DINING AND RETAIL PROGRAM

2. RESOLUTION AUTHORIZING THE TEMPORARY CLOSURE OF C STREET FROM FOURTH STREET TO THIRD STREET FOR THE YOUTH IN ARTS SPECIAL EVENT ON JULY 23, 2021

RECOMMENDATION: Staff recommends that the City Council:

1. Receive the informational report regarding temporary closure of streets in downtown San Rafael for the continuation of the Dining Under the Lights program and the City COVID Outdoor Dining and Retail Program.
2. Authorize the temporary closure of C Street from Fourth Street to Third Street from 1:00 p.m. to 10:00 p.m. for the Youth in Arts special event on July 23, 2021.

Closure of B Street from Fourth Street to Third Street for Dining Under the Lights (DUTL)

BACKGROUND: The San Rafael Municipal Code requires City Council approval of all special events which necessitate the temporary closure of City streets and temporary parking restrictions. Historically, the City has brought all proposed street closures to City Council in compliance with this code.

However, in spring 2020, the Coronavirus pandemic and the unprecedented economic hardship it brought upon San Rafael's business community called for a temporary expansion of this approval authority to the City Manager in order to more quickly support the local economy with expanded options for COVID-safe outdoor dining and commerce. On June 1, 2020 the City Council approved several temporary COVID-relief measures, including the Dining Under the Lights program and the implementation of a separate temporary outdoor dining and retail program.

FOR CITY CLERK ONLY

Council Meeting:

Disposition:

The Council action taken on June 1, 2020 authorized evening street closures twice per week at times and locations determined by the City Manager. Importantly, the Council action also granted the City Manager the ability to modify the existing municipal code requirements, which included full cost recovery associated with any street closures. Therefore, the Council action granted the City Manager the authority to temporarily reduce and/or waive the fees associated with street closures to make it easier, faster, and less expensive for local restaurants and retail businesses to use the City's streets and sidewalks for their business operations.

As a result of these emergency temporary measures, many establishments in downtown San Rafael have continued to operate during the Coronavirus pandemic. The City partnered with the Business Improvement District (BID) and Chamber of Commerce to implement a "Dining Under the Lights" program which closed much of Fourth Street to traffic on Thursday and Friday evenings to both bring patrons to downtown San Rafael and allow restaurants expanded outdoor seating while indoor dining was either prohibited or restricted.

Additionally, the City quickly set up and implemented a highly responsive temporary outdoor dining and retail program which allowed restaurants and retailers in San Rafael to utilize both the sidewalks and parking spaces adjacent to their businesses for operations. For this program, Public Works, Parking Services, the Fire Department, Community Development, and Economic Development all came together to establish building and safety guidelines to allow the establishment of temporary structures within the public right-of-way to meet the pressing need for our business community.

Both temporary programs – Dining Under the Lights and the City Outdoor Dining and Retail program – have been hugely successful and critical for our business community in surviving the Coronavirus recession. While a handful of restaurants and retailers in downtown San Rafael have had to close their doors, these two outdoor programs have assisted businesses to stay afloat – reducing vacancies and keeping patrons shopping and dining in San Rafael throughout the pandemic.

ANALYSIS: The June 1, 2020 City Council resolution authorizing the City Manager to implement these programs allowed for the continuation of authority "until terminated by further action of the City Council."

The resolution allows the City manager to implement changes to the programs. Several minor changes to the street closures have occurred during the course of the programs including changes to better serve restaurants and businesses in the West End and to accommodate the Agricultural Institute of Marin (AIM) Farmers' Market which started up again in spring 2021. However, staff would like feedback from the City Council and the public when larger changes to the DUTL street closures occur as with the inclusion of B Street from Fourth Street to Third Street in the DUTL program.

In response to four B Street restaurant and bar establishments that have reported their business directly adversely impacted by the diversion of patron traffic to Fourth Street on Thursday and Friday nights, the City Manager allowed the expanded closure of one block of B Street, from Fourth Street to Third Street, as a part of the Dining Under the Lights program. After review from the Traffic Engineer, the impact of the B Street closure on Thursday and Friday evenings is very minimal since the street is one way – and most vehicles traversing Fourth Street utilize C and D streets which are both two-way. Traffic on B Street, when it remained open to thru traffic crossing Fourth Street during DUTL, was at only 1/3 vehicle capacity.

SAN RAFAEL CITY COUNCIL AGENDA REPORT / Page: 3

FISCAL IMPACT: As outlined in the June 1, 2020 staff report, for these COVID-relief measures, the City Council authorized the temporary waiver of permit fees normally associated with both street closures and encroachment permits for the use of sidewalk and/or parking spaces for outdoor dining.

The typical City fees waived would depend on the permit type, but would have included the following:

Fee Type	Cost
Encroachment Fee	\$246
Administrative Use Permit	\$398
License Agreement	\$564
Temporary Use Permit	\$1,420

It continues to be the staff's position that removing all cost barriers to downtown businesses to remain in business and bring patrons to San Rafael will result in an increase in sales tax and maintenance of employment that will provide benefit to the City and community far exceeding any fees collected for the permits described above.

It is important to note that while the fees associated with permits above such as the \$246 cost for an encroachment permit have been waived for outdoor programs like the temporary use of parking spaces for outdoor dining, the City is still requiring participating businesses to obtain a valid encroachment permit, which includes all City insurance and liability requirements.

COMMUNITY OUTREACH: The City has partnered closely with the BID and Chamber of Commerce with all proposed and implemented street closures for DUTL and the City's COVID Outdoor Dining and Retail program. Both the BID and the Chamber have surveyed and spoken to dozens of businesses throughout the pandemic to make sure the current programs are continuing to meet their needs and assist in ensuring the economic vitality of their operations. Chief among concerns was keeping diners and shoppers coming to patronize businesses in downtown San Rafael, since many downtown areas saw a sharp decrease in traffic during the pandemic. In that regard, the DUTL has been hugely successful in keeping downtown San Rafael alive and vibrant in a safe, outdoor way.

Additionally, the City has posted online and sent out over 100 COVID-related news bulletins to thousands of San Rafael residents that included not only important public health information, but also information and updates related to Dining Under the Lights and the City's COVID outdoor dining and retail program. The City has received considerable feedback, most of which is in support of the continuation of these programs through November 2022 as currently proposed. While some retailers are not supportive of the Fourth Street closures and the impacts to their business, the City has responded and made modifications to better support the retailers who have open hours on Thursday and Fridays that overlap with the 4pm and onward DUTL closures.

One-time Closure of C Street from Fourth Street to Third Street to accommodate Youth in Arts (YIA) event

BACKGROUND: A City Council resolution is required to close any City street for a special event. The action by the Council ensures that the residents of San Rafael are notified of special event closures on City streets. YIA, a non-profit provider of arts education "was founded in 1970 by

SAN RAFAEL CITY COUNCIL AGENDA REPORT / Page: 4

local arts advocates dismayed by diminishing resources available for arts education in California schools”. YIA has requested a street closure to host a fundraising event.

ANALYSIS: The event was planned in spring 2021 to be outdoor due to ongoing virus concerns and uncertainty around indoor events, and the need for an expanded outdoor area to accommodate the number of guests is anticipated. This full-block closure on July 23, 2021 will begin at 1:00 p.m. and conclude at 10:00 p.m. when the regular Friday night Dining Under the Lights event street closure also concludes. On Friday, July 23 only, B Street will not be closed for the DUTL in order to allow access to the C Street Garage (since C Street will be closed).

FISCAL IMPACT: YIA has paid the appropriate permit fees needed to support this event. There is a minimal additional cost to set up and take down the street closure barricades and signage. The cost will be paid for through the permitting fees.

COMMUNITY OUTREACH: Youth in Arts has now notified the other businesses on the closed block of C Street which will be impacted by the July 23, 2021 afternoon and evening closure. One of the business owners expressed concern about the closure (preferred it to not be on a weekday, preferred much more notice and accommodation, etc.) but also stated that the event should continue. “No Parking” signs will also be posted prior to the event.

OPTIONS:

The City Council has the following options to consider relating to this item:

1. Accept the informational report and adopt the resolution.
2. Direct staff to make changes to the informational report and/or resolution.
3. Do not accept the information report and do not adopt the resolution.

RECOMMENDED ACTION: Accept the information report and adopt the resolution.

ATTACHMENTS:

1. Resolution authorizing the temporary closure of C Street from Fourth Street to Third Street for the Youth in Arts special event on July 23, 2021.
2. Dining Under the Lights addition of B Street to street closures - Map

RESOLUTION NO.

**RESOLUTION AUTHORIZING THE TEMPORARY CLOSURE OF C STREET FROM
FOURTH STREET TO THIRD STREET FOR THE YOUTH IN ARTS SPECIAL EVENT
ON JULY 23, 2021**

WHEREAS, the San Rafael City Council has determined that it is in the best interests of the public health and safety to implement a modified Traffic Plan and Road Closure for all special events in Downtown San Rafael and nearby neighborhoods; and

WHEREAS, after reviewing plans for the events and the traffic patterns, City events, planning and public safety staff have determined and recommended that C Street from Fourth Street to Third Street should be temporarily closed to through traffic from 1:00 p.m. to 10:00 p.m. on July 23, 2021 for the Youth in Arts one-time event; and

WHEREAS, the Youth in Arts organization and City signage shall give additional notice to the public of those time periods by signage and/or other appropriate means;

**NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF SAN RAFAEL HEREBY
RESOLVES:**

1. That all the above findings are true and correct; and
2. That pursuant to the authority of Vehicle Code section 21101(e), for the safety and protection of persons, both pedestrians and vehicle drivers, the City Council hereby authorizes the temporary closure of C Street from Fourth Street to Third Street from 1:00 pm to 10:00 pm on July 23, 2021.

I, Lindsay Lara, City Clerk of the City of San Rafael, hereby certify that the foregoing resolution was duly and regularly introduced and adopted at a regular meeting of the City Council held on the 6th day of July, 2021 by the following vote, to wit:

AYES: COUNCILMEMBERS:

NOES: COUNCILMEMBERS:

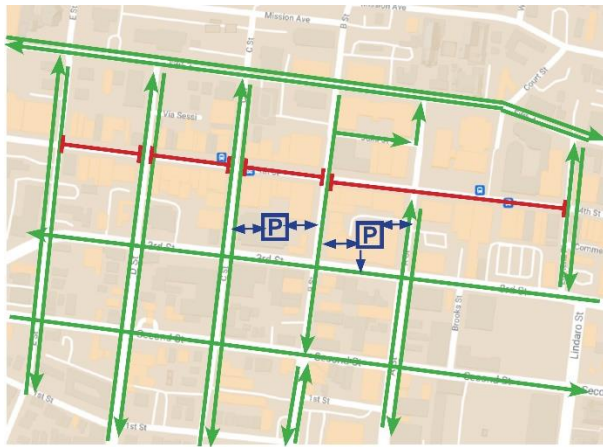
ABSENT: COUNCILMEMBERS:

Lindsay Lara, City Clerk

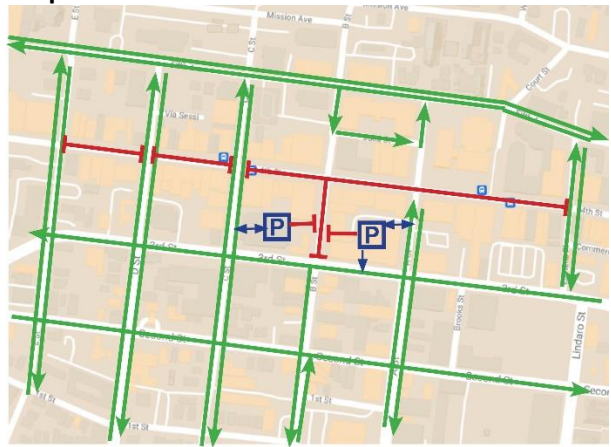
Proposed B Street closure during Dining Under the Lights (beg. 7/1/21)

Thursdays - Before 8pm (AIM farmers market open)

Current

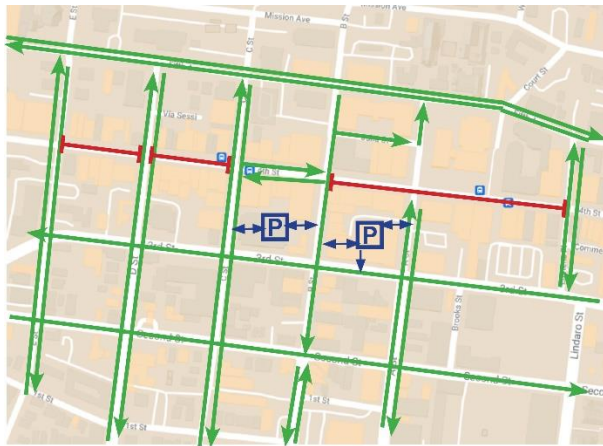


Proposed

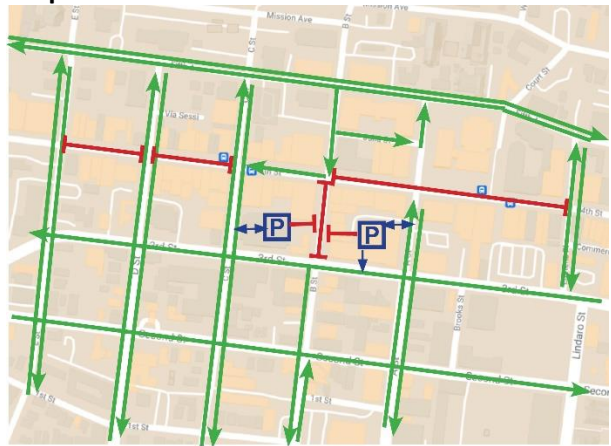


Thursdays - After 8pm (AIM farmers market vendors packing up on 4th Street)

Current



Proposed



Fridays (same as Thursdays after 8pm)

Current



Proposed

