

In the Council Chambers of the City of San Rafael, Monday, January 22, 2019



**Regular Meeting
San Rafael City Council**

Minutes

[How to Participate in Your City Council Meeting](#)

Present: Mayor Phillips
Councilmember Bushey
Councilmember Colin
Councilmember Gamblin

Absent: Vice Mayor McCullough

Also Present: City Manager Jim Schutz
City Attorney Robert Epstein
City Clerk Lindsay Lara

OPEN SESSION – COUNCIL CHAMBERS, CITY HALL

1. None.

CLOSED SESSION – THIRD FLOOR CONFERENCE ROOM, CITY HALL

2. Closed Session: None.

OPEN TIME FOR PUBLIC EXPRESSION 7:00 PM

- Miguel Rodriguez addressed the City Council regarding an emergency moratorium on rent increases and evictions
- Simon Vansintjan addressed the City Council regarding an emergency moratorium on rent increases and evictions
- Ingrid Oronez addressed the City Council regarding an emergency moratorium on rent increases and evictions
- Mayor Phillips
- Mayor Phillips / City Attorney Robert Epstein
- Mayor Phillips / Councilmember Colin

CITY MANAGER'S REPORT:

3. City Manager's Report:

- City Manager Jim Schutz:
 - U.S. Census 2020;
 - Discussed possible impact of Census results on City of San Rafael districts for the November 2022 election;
 - Commented on action San Rafael will take in preparation of the Census: Mayor Phillips and Councilmember Colin to serve on the Complete Count Committee;
 - Announced Board of Supervisors consideration to accept a Census Office grant on February 5, 2019;
 - Announced the Homelessness Point-in-Time Count on Monday, January 28, 2019;

- Announced the Get-Ready Class, a 1 hour disaster preparation class on Saturday, February 2, 2019 at Terra Linda Community Center at 10am;

Mayor Phillips

CONSENT CALENDAR:

4. Consent Calendar Items:

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

- a. **Approval of Minutes**
Approve Minutes of City Council / Successor Agency Regular Meetings of December 3, 2018 and December 17, 2018 and Special City Council Meeting of December 17, 2018 (CC)
[Regular Meeting Minutes 2018-12-03](#)
[Regular Meeting Minutes 2018-12-17](#)
[Special Meeting Minutes 2018-12-17](#)

Approved as submitted

- b. **Bicycle and Pedestrian Advisory Committee Youth Member Reappointment**
Reappoint Youth Member Shoshana Harlem to the San Rafael Bicycle and Pedestrian Advisory Committee for a Two-Year Term to Expire at the End of December 2020 (CC)
[BPAC Youth Member Reappointment](#)

Approved staff recommendation

- c. **Design Review Board Vacancy**
Call for Applications to Fill One Unexpired Four-Year Term on the San Rafael Design Review Board to the End of June 2020, Due to Retirement of Term of Robert 'Bob' Huntsberry (CC)
[Design Review Board Vacancy](#)

Approved staff recommendation

- d. **Legislative Advocacy Services**
Resolution Authorizing the City Manager to Execute an Agreement with Emanuels Jones & Associates for Legislative Advocacy Services, for a Period Beginning January 1, 2019 and Ending December 31, 2020, in an Amount Not-to-Exceed \$83,650 (CM)
[Legislative Advocacy Services](#)

RESOLUTION 14621 – RESOLUTION AUTHORIZING THE CITY MANAGER TO EXECUTE AN AGREEMENT WITH EMANUELS JONES & ASSOCIATES FOR LEGISLATIVE ADVOCACY SERVICES, FOR A PERIOD BEGINNING JANUARY 1, 2019 AND ENDING DECEMBER 31, 2020, IN AN AMOUNT NOT-TO-EXCEED \$83,650

- e. **Affordable Housing Agreement - 1200 Irwin Street Project**
Twelve-Month Review of Below Market Rate (BMR) Agreement Addressing Rent/Lease Options for the Mission/Irwin Carriage Houses Residential Development at 1200 Irwin Street; APN 014-013-05 (CD)
[Affordable Housing - 1200 Irwin Street Project](#)

Accepted report

- f. **City Quarterly Investment Report**
Accept the City of San Rafael Quarterly Investment Report for the Quarter Ending December 31, 2018 (Fin)
[City Quarterly Investment Report](#)

Accepted report

- g. **FY 2018-19 Fleet Vehicle Purchases: Two Fire Engines**
Resolution Authorizing the City Manager to Purchase One Type 1 and One Type 6 Engine for the Fire Department for a Not-to-Exceed Amount of \$900,000 (PW)
[FY 2018-19 Fleet Vehicle Purchases](#)

RESOLUTION 14622 - RESOLUTION AUTHORIZING THE CITY MANAGER TO PURCHASE ONE TYPE 1 AND ONE TYPE 6 ENGINE FOR THE FIRE DEPARTMENT FOR A NOT-TO-EXCEED AMOUNT OF \$900,000

- h. **Essential Facilities Consultants Contract Amendments**

- 1) **Resolution Authorizing the City Manager to Allocate Design Contingencies Previously Approved in the Essential Facilities Strategic Plan Budget to Amend the Professional Services Agreements with Mary McGrath Architects for Additional Services Related to Phase 1 Essential Facilities Projects (Fire Station 52 and the Fire Station 57) As Necessary for Additional Services in An Amount Not to Exceed \$60,324 (PW)**
- 2) **Resolution Authorizing the City Manager to Allocate Design Contingencies Previously Approved in the Essential Facilities Strategic Plan Budget to Amend the Professional Services Agreements with Kitchell CEM Inc. for Additional Services Related to Phase 1 Essential Facilities Projects (Fire Station 52 and the Fire Station 57) As Necessary for Additional Services in An Amount Not to Exceed \$49,980 (PW)**

[Essential Facilities Consultants Contract Amendments](#)

RESOLUTION 14623 - RESOLUTION AUTHORIZING THE CITY MANAGER TO ALLOCATE DESIGN CONTINGENCIES PREVIOUSLY APPROVED IN THE ESSENTIAL FACILITIES STRATEGIC PLAN BUDGET TO AMEND THE PROFESSIONAL SERVICES AGREEMENTS WITH MARY MCGRATH ARCHITECTS FOR ADDITIONAL SERVICES RELATED TO PHASE 1 ESSENTIAL FACILITIES PROJECTS (FIRE STATION 52 AND THE FIRE STATION 57) AS NECESSARY FOR ADDITIONAL SERVICES IN AN AMOUNT NOT TO EXCEED \$60,324

RESOLUTION 14624 - RESOLUTION AUTHORIZING THE CITY MANAGER TO ALLOCATE DESIGN CONTINGENCIES PREVIOUSLY APPROVED IN THE ESSENTIAL FACILITIES STRATEGIC PLAN BUDGET TO AMEND THE PROFESSIONAL SERVICES AGREEMENTS WITH KITCHELL CEM INC. FOR ADDITIONAL SERVICES RELATED TO PHASE 1 ESSENTIAL FACILITIES PROJECTS (FIRE STATION 52 AND THE FIRE STATION 57) AS NECESSARY FOR ADDITIONAL SERVICES IN AN AMOUNT NOT TO EXCEED \$49,980

- i. **Engineering Services Associate with 2017 Storm Damage Repairs**
Resolution Approving and Authorizing the City Manager to Execute a First Amendment to the Agreement with Park Engineering for Engineering Support in Association with the 2017 Storm Damage Repairs, In the Amount of \$62,634.48, for a Total Contract Not-to-Exceed Amount of \$136,689.98 (PW)
[2017 Storm Damage Engineering Services](#)

RESOLUTION 14625 – RESOLUTION APPROVING AND AUTHORIZING THE CITY MANAGER TO EXECUTE A FIRST AMENDMENT TO THE AGREEMENT WITH PARK ENGINEERING FOR ENGINEERING SUPPORT IN ASSOCIATION WITH THE 2017 STORM DAMAGE REPAIRS, IN THE AMOUNT OF \$62,634.48, FOR A TOTAL CONTRACT NOT-TO-EXCEED AMOUNT OF \$136,689.98

- j. 2017 Storm Damage Repair - #21 San Pablo
Accept Completion of the 2017 Storm Damage Repair at 21 San Pablo Avenue (City Project No. 11330) and Authorize the City Clerk to File the Notice of Completion (PW)
[2017 Storm Damage Repair - #21 San Pablo](#)

Approved staff recommendation

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

SPECIAL PRESENTATION:

5. Special Presentation:

- a. Marin County Major Crimes Task Force Update
Presentation on Marin County Major Crimes Task Force (PD)

[Chief Bishop introduced Rudy Yamanoha, Marin County Sheriff Department, who gave a presentation on the Marin County Major Crimes Task Force](#)

[Rudy Yamanoha](#)

[Nick Scottle, Detective with the Major Crimes Task Force, presented on fentanyl](#)

[Mayor Phillips / Nick Scottle](#)

[Mayor Phillips / Nick Scottle](#)

[Mayor Phillips / Nick Scottle](#)

[Mayor Phillips / Nick Scottle](#)

[Mayor Phillips / Nick Scottle](#)

[Mayor Phillips / Nick Scottle](#)

[Mayor Phillips](#)

[Nick Scottle](#)

PUBLIC HEARING:

- 6. Public Hearing:

- a. "TEFRA" Public Hearing for Tax-Exempt Financing - 55 Fairfax Street
Resolution Approving Issuance of a Revenue Note by the California Municipal Finance Authority for the Purpose of Providing Financing for a Residential Rental Housing Facility Known as Casa Vista Apartments at 55 Fairfax Street, Pursuant to the Tax and Equity Fiscal Responsibility Act ("TEFRA") (CD)
[TEFRA - 55 Fairfax Street](#)

[Paul Jensen, Community Development Director, presented the staff report](#)

[Mayor Phillips declared the public hearing opened; however, with no comment from the audience, he closed the public hearing](#)

[Councilmember Bushey moved and Councilmember Colin seconded to adopt the Resolution](#)

RESOLUTION 14626 – RESOLUTION APPROVING ISSUANCE OF A REVENUE NOTE BY THE CALIFORNIA MUNICIPAL FINANCE AUTHORITY FOR THE PURPOSE OF PROVIDING FINANCING FOR A RESIDENTIAL RENTAL HOUSING FACILITY KNOWN AS CASA VISTA APARTMENTS AT 55 FAIRFAX STREET, PURSUANT TO THE TAX AND EQUITY FISCAL RESPONSIBILITY ACT ("TEFRA")

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

OTHER AGENDA ITEMS:

7. Other Agenda Items:

- a. Professional Service Agreements for General Plan 2040 Technical Support
Resolutions Authorizing the City Manager to Execute Professional Services Agreements for Technical Support for Development of the General Plan 2040 and the Downtown Precise Plan Totaling an Amount Not to Exceed \$1,458,933 (CD)
- 1) Resolution Authorizing the City Manager to Execute an Agreement for Professional Services with Placeworks, Inc. to Serve as Environmental Impact Review (EIR) and Engineering and Infrastructure Technical Consultant for the General Plan 2040, with a Two-Year Term and Two Optional One-Year Extensions for a Total Contract Amount Up to \$569,069
 - 2) Resolution Authorizing the City Manager to Execute an Agreement for Professional Services with Opticos Design, Inc. to Serve as General Plan Community Design and Downtown Precise Plan Technical Consultant for the General Plan 2040, With a Two-Year Term and Two Optional One-Year Extensions for a Total Contract Amount Up to \$493,500
 - 3) Resolution Authorizing the City Manager to Execute an Agreement for Professional Services with BAE Urban Economics, Inc. to Serve as Economic and Fiscal Technical Consultant for the General Plan 2040, with a Two-Year Term and Two Optional One-Year Extensions for a Total Contract Amount Up to \$123,365
 - 4) Resolution Authorizing the City Manager to Execute an Agreement for Professional Services with Fehr & Peers Associates, Inc. to Serve as Transportation Technical Consultant for the General Plan 2040, With a Two-Year Term and Two Optional One-Year Extensions for a Total Contract Amount Up to \$273,000

[General Plan 2040 Agreements](#)

Raffi Boloyan, Planning Manager, presented the staff report

Mayor Phillips

Councilmember Bushey / Raffi Boloyan

Councilmember Colin / Barry Miller, General Plan 2040 Project Manager

Councilmember Colin / Barry Miller

Councilmember Colin / Raffi Boloyan

Councilmember Colin / Raffi Boloyan

Councilmember Colin / Raffi Boloyan

Mayor Phillips invited public comment; however, there was none

Mayor Phillips

Councilmember Bushey moved and Councilmember Colin seconded to adopt the Resolution

RESOLUTION 14627 – RESOLUTION AUTHORIZING THE CITY MANAGER TO EXECUTE AN AGREEMENT FOR PROFESSIONAL SERVICES WITH PLACEWORKS, INC. TO SERVE AS ENVIRONMENTAL IMPACT REVIEW (EIR) AND ENGINEERING AND INFRASTRUCTURE TECHNICAL CONSULTANT FOR THE GENERAL PLAN 2040, WITH A TWO-YEAR TERM AND TWO OPTIONAL ONE-YEAR EXTENSIONS FOR A TOTAL CONTRACT AMOUNT UP TO \$569,069

AYES: Councilmembers: Bushey, Colin, Gamblin & Mayor Phillips

NOES: Councilmembers: None

ABSENT: Councilmembers: McCullough

Councilmember Bushey moved and Councilmember Colin seconded to adopt the Resolution

RESOLUTION 14628 – RESOLUTION AUTHORIZING THE CITY MANAGER TO EXECUTE AN AGREEMENT FOR PROFESSIONAL SERVICES WITH OPTICOS DESIGN, INC. TO SERVE AS GENERAL PLAN COMMUNITY DESIGN AND DOWNTOWN PRECISE PLAN TECHNICAL CONSULTANT FOR THE GENERAL PLAN 2040, WITH A TWO-YEAR TERM AND TWO OPTIONAL ONE-YEAR EXTENSIONS FOR A TOTAL CONTRACT AMOUNT UP TO \$493,500

AYES: Councilmembers: Bushey, Colin, Gamblin & Mayor Phillips

NOES: Councilmembers: None

ABSENT: Councilmembers: McCullough

Councilmember Bushey moved and Councilmember Colin seconded to adopt the Resolution

RESOLUTION 14629 – RESOLUTION AUTHORIZING THE CITY MANAGER TO EXECUTE AN AGREEMENT FOR PROFESSIONAL SERVICES WITH BAE URBAN ECONOMICS, INC. TO SERVE AS ECONOMIC AND FISCAL TECHNICAL CONSULTANT FOR THE GENERAL PLAN 2040,

WITH A TWO-YEAR TERM AND TWO OPTIONAL ONE-YEAR EXTENSIONS FOR A TOTAL CONTRACT AMOUNT UP TO \$123,365

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

[Councilmember Bushey moved and Councilmember Colin seconded to adopt the Resolution](#)

RESOLUTION 14630 – RESOLUTION AUTHORIZING THE CITY MANAGER TO EXECUTE AN AGREEMENT FOR PROFESSIONAL SERVICES WITH FEHR & PEERS ASSOCIATES, INC. TO SERVE AS TRANSPORTATION TECHNICAL CONSULTANT FOR THE GENERAL PLAN 2040, WITH A TWO-YEAR TERM AND TWO OPTIONAL ONE-YEAR EXTENSIONS FOR A TOTAL CONTRACT AMOUNT UP TO \$273,000

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

- b. **Wildfire Prevention and Protection Action Plan**
Wildfire Prevention and Protection Action Plan Informational Report (FD)
[Wildfire Prevention and Protection Action Plan](#)

[City Manager Jim Schutz commented on the item and introduced Fire Chief Chris Gray and Emergency Management Coordinator Quinn Gardner who presented the staff report](#)

[Mayor Phillips](#)

[Chief Gray and Quinn Gardner presented the staff report](#)

[Mayor Phillips](#)

[Councilmember Gamblin / Chief Gray](#)

[Councilmember Colin / Chief Gray / Quinn Gardner](#)

[Councilmember Bushey](#)

[Mayor Phillips](#)

[Mayor Phillips invited public comment](#)

[Kelly London](#)

[Mayor Phillips / Kelly London](#)

[Mayor Phillips](#)

[Chris Petersen, Loch Lomond Homeowners Association](#)

[Jeff Rhoads](#)

Paul Minault, Dominican Firewise Committee

Mayor Phillips

Al Bar

Bill Carney, Sustainable San Rafael

Kingston Cole, Lincoln San Rafael Hill Neighborhood Association

Bell Cole, Organizing for Action Marin and Lead on Climate

Kate Powers

Rodger Buyers, Glenwood Homeowners Association and Get Ready Glenwood

Mayor Phillips

Public Speaker, Get Ready Glenwood

Mayor Phillips

Chief Gray

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

Mayor Phillips

City Manager Jim Schutz

Mayor Phillips

Councilmember Bushey moved and Councilmember Colin seconded to accept the report

Accepted informational report on draft Action Plan

AYES: Councilmembers: Bushey, Colin, Gamblin & Mayor Phillips

NOES: Councilmembers: None

ABSENT: Councilmembers: McCullough

Mayor Phillips

COUNCILMEMBER REPORTS / REQUESTS FOR FUTURE AGENDA ITEMS:

8. Councilmember Reports:

- Councilmember Colin attended the League of California Cities North Bay meeting and the Quarterly Climate Change Action Plan meeting

- Mayor Phillips met with Bill Carney regarding Citizens Advisory Committee on Economic Development and Affordable Housing; Met with State Senator Mike McGuire; reported on the Facilities subcommittee; attended the SMART meeting

SAN RAFAEL SUCCESSOR AGENCY

1. Consent Calendar:

Member Bushey moved and Member Gamblin to approve the Consent Calendar items:

- a. Successor Agency Quarterly Investment Report
Acceptance of the San Rafael Successor Agency Quarterly Investment Report for the Quarter Ending December 31, 2018 (Fin)
[Quarterly Investment Report](#)

Accepted report

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

ADJOURNMENT:

Mayor Phillips adjourned the City Council meeting at 9:51 p.m.

LINDSAY LARA, City Clerk

APPROVED THIS ____ DAY OF _____, 2019

GARY O. PHILLIPS, Mayor