

In the Council Chambers of the City of San Rafael, Monday, February 4, 2019



**Regular Meeting
San Rafael City Council**

Minutes

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

Present: Mayor Phillips
Vice-Mayor McCullough
Councilmember Bushey
Councilmember Colin
Councilmember Gamblin

Absent: None

Also Present: City Manager Jim Schutz
Assistant City Attorney Lisa Goldfien
City Clerk Lindsay Lara

OPEN SESSION - COUNCIL CHAMBERS, CITY HALL - 5:30 PM

1. Mayor Phillips announced Closed Session items.

CLOSED SESSION - THIRD FLOOR CONFERENCE ROOM, CITY HALL - 5:30 PM

2. Closed Session:
 - a. Conference with Legal Counsel – Anticipated Litigation
Government Code Section 54956.9(b) & (d)(2)
Significant exposure to litigation (5 cases)
 - b. Conference with Legal Counsel – Anticipated Litigation
Government Code Section 54956.9(b) & (d)(4))
Potential Initiation of Litigation (One Case)
 - c. Conference with Legal Counsel – Existing Litigation
Government Code Section 54956.9(b) & (d)(1)
Name of case: Valley Baptist Church v. City of San Rafael, Marin Superior Court No. 1703328

[Assistant City Attorney Lisa Goldfien announced that no reportable action was taken in Closed Session.](#)

OPEN TIME FOR PUBLIC EXPRESSION – 7:00 PM

None.

CITY MANAGER'S REPORT:

3. City Manager's Report:

City Manager Jim Schutz reported on the Wildfire Prevention and Protection Action Plan and informed the City Council that staff is working to respond to questions posed at the January 22, 2019 City Council meeting and are preparing cost estimates for the 37 objectives and identifying possible funding sources. He announced an upcoming community meeting on Monday, February 11, 2019 in the Council Chambers at 7:00 p.m.

Mr. Schutz reported on the Permanent Transit Center, stating the Golden Gate Bridge Highway & Transportation District (GGBHTD) was leading the environmental process and had received 200 comments on the Notice of Preparation. They would develop a scoping report to summarize the comments and the responses to the comments. GGBHTD will conduct a screening process prior to the draft Environmental Impact Report process to determine if they would recommend screening out any of the proposed alternatives. Mr. Schutz indicated there will be an opportunity for public input prior to the screening process in late Spring or early Summer.

Mr. Schutz announced the biennial Resident Satisfaction Survey and informed the City Council and public they would be receiving notifications by phone, email and text message to participate in the survey.

CONSENT CALENDAR:

4. Consent Calendar Items:

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

- a. Board of Library Trustees Vacancies
Call for Applications to Fill Three Four-Year Terms to the End of April 2023, and One Unexpired Alternate Four-Year Term to the End of April 2021 on the San Rafael Board of Library Trustees Due to the Expiration of Terms Melanie Cantarutti, Doug Van Gessel and Josh Libresco, and the Resignation of Scott Harrop (CC)

[Board of Library Trustees Vacancy](#)

Approved staff recommendation

- b. Network Support Services
Resolution Authorizing the City Manager to Execute a Professional Services Agreement with MarinIT, Inc. for Network Support Services in an Amount Not to Exceed \$169,000 (DS)

[Network Support Services](#)

RESOLUTION 14631 - RESOLUTION AUTHORIZING THE CITY MANAGER TO EXECUTE A PROFESSIONAL SERVICES AGREEMENT WITH MARINIT, INC. FOR NETWORK SUPPORT SERVICES IN AN AMOUNT NOT TO EXCEED \$169,000

- c. Resolution of Appreciation to Tim Gilbert
Resolution of Appreciation to Tim Gilbert for Fifteen Years of Service on the Bicycle and Pedestrian Advisory Committee (PW)

[Tim Gilbert Appreciation](#)

RESOLUTION 14632 - RESOLUTION OF APPRECIATION TO TIM GILBERT FOR FIFTEEN YEARS OF SERVICE ON THE BICYCLE AND PEDESTRIAN ADVISORY COMMITTEE

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

SPECIAL PRESENTATION:

5. Special Presentation:

- a. Presentation of Resolution of Appreciation to Tim Gilbert for Fifteen Years of Service on the Bicycle and Pedestrian Advisory Committee

[Mayor Phillips presented the Resolution of Appreciation to Tim Gilbert](#)

[Tim Gilbert](#)

PUBLIC HEARING:

6. Public Hearing:

- a. Southern Heights Bridge Replacement Project
Resolutions Related to the Approval of the Southern Heights Bridge Replacement Project, City Project No. 11282 (PW):

- 1) Resolution Adopting a Mitigated Negative Declaration and Approving a Mitigation Monitoring and Reporting Program
- 2) Resolution Approving and Authorizing the City Manager to Execute a Second Amendment to the Agreement with Mark Thomas and Company, Inc. for Additional Final Design and Right of Way Services, in an Additional Contract Amount Not to Exceed \$132,777
- 3) Resolution Adopting the Plans and Specifications for the Southern Heights Bridge Replacement Project, and Authorizing the City Clerk to Call for Bids Upon Receipt of Caltrans Authorization

[Southern Heights Bridge Replacement](#)

[Kevin McGowan, Assistant Director of Public Works, commented on the item and introduced Hunter Young, Senior Civil Engineer, who presented the staff report](#)

[Hunter Young](#)

[Edward Heming, LSA Associates](#)

[Hunter Young](#)

[Kevin McGowan](#)

[Hunter Young](#)

[Councilmember Colin / Hunter Young / Kevin McGowan](#)

Councilmember Bushey / Hunter Young

Councilmember Bushey / Hunter Young

Councilmember McCullough / Hunter Young

Kevin McGowan

Mayor Phillips

Mayor Phillips declared the public hearing opened

Steve Gomez

Aleze Leland

Don Dagla

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

Kevin McGowan

Mayor Phillips / Hunter Young

Mayor Phillips

Councilmember Colin moved and Councilmember Bushey seconded to adopt the Resolution

RESOLUTION 14633 - RESOLUTION ADOPTING A MITIGATED NEGATIVE DECLARATION AND APPROVING A MITIGATION MONITORING AND REPORTING PROGRAM

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

Councilmember Colin moved and Councilmember Bushey seconded to adopt the Resolution

RESOLUTION 14634 - RESOLUTION APPROVING AND AUTHORIZING THE CITY MANAGER TO EXECUTE A SECOND AMENDMENT TO THE AGREEMENT WITH MARK THOMAS AND COMPANY, INC. FOR ADDITIONAL FINAL DESIGN AND RIGHT OF WAY SERVICES, IN AN ADDITIONAL CONTRACT AMOUNT NOT TO EXCEED \$132,777

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

Councilmember Colin moved and Councilmember Bushey seconded to adopt the Resolution

RESOLUTION 14635 - RESOLUTION ADOPTING THE PLANS AND SPECIFICATIONS FOR THE SOUTHERN HEIGHTS BRIDGE REPLACEMENT PROJECT, AND AUTHORIZING THE CITY CLERK TO CALL FOR BIDS UPON RECEIPT OF CALTRANS AUTHORIZATION

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

OTHER AGENDA ITEMS:

7. Other Agenda Items:

**a. Renter Protections
Provide Feedback on Draft Renter Protection Policies (CM)
[Renter Protections](#)**

[City Manager Jim Schutz](#)

[Andrew Hening, Director of Homeless Planning and Outreach](#)

[Mayor Phillips](#)

[Councilmember Gamblin / Mayor Phillips](#)

[Councilmember Gamblin / Andrew Hening](#)

[Councilmember Colin / Lisa Goldfien, Assistant City Attorney](#)

[Councilmember Bushey / Andrew Hening / Jim Schutz](#)

[Councilmember McCullough](#)

[Mayor Phillips](#)

[Andrew Hening](#)

[Mayor Phillips / Andrew Hening](#)

[Mayor Phillips opened the public comment period](#)

[Cynthia Long](#)

[Tom Gable, Marin Organizing Committee](#)

[Member of the public](#)

[Susie Orita](#)

[Lynn Simon](#)

[Sammy Mericole, Marin Environmental Housing Collaborative and Marin Organizing Committee](#)

[Peter Mendoza](#)

Billy Defrain

Scott Gerber

Joe Friedman

Abraham, Fair Housing Advocates

David Levin, Legal Aid of Marin

Rollie Katz

Steve Sax

Lisa Doering, Showing Up for Racial Justice

Alex

Romeo Arrieta, Marin Association of Realtors

Omar Carrera, Canal Alliance Executive Director

Dave Coury

Victor Kunin

Bill Carney, Sustainable San Rafael

Heswina Peresteran

Douglas Mundo

John Reynolds

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

Mayor Phillips / Andrew Hening

Assistant City Attorney Lisa Goldfien

Mayor Phillips / Andrew Hening

Mayor Phillips / Andrew Hening

Councilmember Colin

Councilmember Bushey

Councilmember Gamblin

Councilmember McCullough

Mayor Phillips

Councilmember Bushey moved and Councilmember McCullough seconded to accept the report and provide direction to staff

Accepted report and provided direction to staff

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

NOES: Councilmembers: None

ABSENT: Councilmembers: None

COUNCILMEMBER REPORTS / REQUESTS FOR FUTURE AGENDA ITEMS:

8. Councilmember Reports: None.

SAN RAFAEL SUCCESSOR AGENCY:

1. Consent Calendar: None.

ADJOURNMENT:

Mayor Phillips adjourned the City Council meeting at 10:15 p.m. in honor, recognition and appreciation of Mary O'Brien.

LINDSAY LARA, City Clerk

APPROVED THIS ____ DAY OF _____, 2019

GARY O. PHILLIPS, Mayor