



In the Council Chambers of the City of San Rafael, Tuesday, February 19, 2019

**Regular Meeting
San Rafael City Council**

Minutes

[How to participate in your City Council meeting](#)

Present: Mayor Phillips
Vice-Mayor McCullough
Councilmember Bushey

Absent: Councilmember Colin
Councilmember Gamblin

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

None.

CITY MANAGER'S REPORT:

3. City Manager's Report:

City Manager Jim Schutz reported on the Wildfire Prevention and Protection Plan and announced a staff report tentatively scheduled for the March 18, 2019 City Council meeting.

Mr. Schutz reported that the Mandatory Mediation and Just Cause Eviction subcommittee would be meeting in the next week and stated the item would be brought back to the City Council as soon as possible.

Mayor Phillips

OTHER AGENDA ITEMS:

6. Other Agenda Items:

- a. Detachment Request and Proposed Tax Sharing Agreement with Town of Ross for 400 Upper Toyon Drive Presentation of Proposed Tax Sharing Agreement with Town of Ross (CA)
[400 Upper Toyon](#)

Mayor Phillips

City Attorney Robert Epstein

Mayor Phillips invited public comment; however, there was none

Councilmember McCullough moved and Councilmember Bushey seconded to continue item 6.a to a future City Council meeting

Continued Item 6.a to a future City Council meeting

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

CONSENT CALENDAR:

4. Consent Calendar Items:

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

- a. **Approval of Minutes**
Approve Minutes of City Council / Successor Agency Regular and Special Meetings of Tuesday, January 22, 2019 (CC)
[Regular Minutes 2019-01-22](#)
[Special Minutes 2019-01-22](#)

Approved as submitted
- b. **Conflict of Interest Code**
Resolution Repealing Resolution 14566, Re-Adopting the Fair Political Practices Commission Model Conflict of Interest Code as the City's Conflict of Interest Code, and Adopting a Revised List of Designated Employee Positions and Disclosure Categories, to be Incorporated into the City's Conflict of Interest Code (CC)
[Conflict of Interest Code](#)

RESOLUTION 14636 - RESOLUTION REPEALING RESOLUTION 14566, RE-ADOPTING THE FAIR POLITICAL PRACTICES COMMISSION MODEL CONFLICT OF INTEREST CODE AS THE CITY'S CONFLICT OF INTEREST CODE, AND ADOPTING A REVISED LIST OF DESIGNATED EMPLOYEE POSITIONS AND DISCLOSURE CATEGORIES, TO BE INCORPORATED INTO THE CITY'S CONFLICT OF INTEREST CODE
- c. **Server Administration Support Services**
Resolution Authorizing the City Manager to Execute a Professional Services Agreement with INsite Networks, Inc. for Server Administration Support Services, in an Amount Not to Exceed \$160,000 (Digital)
[Server Administration Support Services](#)

RESOLUTION 14637 - RESOLUTION AUTHORIZING THE CITY MANAGER TO EXECUTE A PROFESSIONAL SERVICES AGREEMENT WITH INSITE NETWORKS, INC. FOR SERVER ADMINISTRATION SUPPORT SERVICES, IN AN AMOUNT NOT TO EXCEED \$160,000
- d. **Canine Ares Retirement**
Resolution of Appreciation to Canine Ares, Retiring After 6 Years of Service (PD)

[Canine Ares Recognition](#)

RESOLUTION 14638 - RESOLUTION OF APPRECIATION TO CANINE ARES, RETIRING AFTER 6 YEARS OF SERVICE

- e. Grand Avenue Pathway Connector Project
Request for Approval of Project Changes to Address Unforeseen Conditions Discovered During Construction of the Grand Avenue Pathway Connector Project Requiring Additional Engineering Services and the Elevation of the Pedestrian Path (PW):
 - 1) Resolution Authorizing an Additional Contingency Amount of \$130,000 for the Grand Avenue Pathway Connector Project Using \$78,725 in Federal Funds and Authorizing the Use of \$48,275 in Traffic Mitigation Funds Toward this Project
 - 2) Resolution Approving and Authorizing the City Manager to Execute a Fifth Amendment to the Agreement with Siegfried Engineering, Inc. for Additional Construction Support Services Associated with the Grand Avenue Pathway Connector Project, In the Amount of \$30,000, to be Funded by Traffic Mitigation Funds, for a Total Contract Not-to-Exceed Amount of \$378,737

[Grand Avenue Pathway Connector Project](#)

RESOLUTION 14639 - RESOLUTION AUTHORIZING AN ADDITIONAL CONTINGENCY AMOUNT OF \$130,000 FOR THE GRAND AVENUE PATHWAY CONNECTOR PROJECT USING \$78,725 IN FEDERAL FUNDS AND AUTHORIZING THE USE OF \$48,275 IN TRAFFIC MITIGATION FUNDS TOWARD THIS PROJECT

RESOLUTION 14640 - RESOLUTION APPROVING AND AUTHORIZING THE CITY MANAGER TO EXECUTE A FIFTH AMENDMENT TO THE AGREEMENT WITH SIEGFRIED ENGINEERING, INC. FOR ADDITIONAL CONSTRUCTION SUPPORT SERVICES ASSOCIATED WITH THE GRAND AVENUE PATHWAY CONNECTOR PROJECT, IN THE AMOUNT OF \$30,000, TO BE FUNDED BY TRAFFIC MITIGATION FUNDS, FOR A TOTAL CONTRACT NOT-TO-EXCEED AMOUNT OF \$378,737

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

SPECIAL PRESENTATION:

5. Special Presentation:

- a. Retirement Ceremony Celebrating the Retirement of Canine Ares (PD)

[Mayor Phillips](#)

[Police Chief Diana Bishop presented the Resolution of Appreciation to Canine Ares](#)

[After a short recess the City Council Meeting resumed.](#)

- b. Presentation of Northgate Mall Pop-up Library Collaborative Project (Lib)

Henry Bankhead, Interim Library Director, provided a presentation and introduced Jamie Poirier, Circulation Supervisor and Bonny White, Deputy County Librarian with Marin County Free Library

Jaime Poirier, Circulation Supervisor

Bonny White, Deputy County Librarian with Marin County Free Library

Mayor Phillips / Henry Bankhead

Mayor Phillips

Mayor Phillips invited public comment; however, there was none

Bonny White

Mayor Phillips

OTHER AGENDA ITEMS:

6. Other Agenda Items:

**b. Short-term Rentals
Informational Report on Short-Term Rental Approaches, Regulations, Best Practices and Options (CD)
[Short-term Rentals](#)**

City Manager Jim Schutz introduced recently hired Ethan Guy, Professional Analyst, who would assist Paul Jensen in the presentation of the staff report

Paul Jensen, Community Development Director, presented the staff report along with Ethan Guy

Ethan Guy

Mayor Phillips

Councilmember McCullough / Ethan Guy

Mayor Phillips / Paul Jensen

Mayor Phillips / Paul Jensen

Mayor Phillips / Paul Jensen / Ethan Guy

Mayor Phillips invited public comment

Kelly London

Charlie Comella

Sean Turheyden

Linda Kruger

Jennifer

Member of the public

Mayor Phillips closed the public comment period

Mayor Phillips / Paul Jensen

Mayor Phillips / Paul Jensen

Councilmember McCullough

Councilmember Bushey

Mayor Phillips

Mayor Phillips / Paul Jensen

Paul Jensen

Mayor Phillips

Councilmember Bushey

Mayor Phillips

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

Accepted report and provided direction to staff

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

COUNCILMEMBER REPORTS / REQUESTS FOR FUTURE AGENDA ITEMS:

7. Councilmember Reports: None.

SAN RAFAEL SUCCESSOR AGENCY:

1. Consent Calendar: None.

ADJOURNMENT:

Mayor Phillips adjourned the meeting at 8:23 p.m.

LINDSAY LARA, City Clerk

APPROVED THIS ____ DAY OF _____, 2019

GARY O. PHILLIPS, Mayor