

In the Council Chambers of the City of San Rafael, Monday, March 18, 2019 at 7:00 p.m.



**Regular Meeting
San Rafael City Council**

Minutes

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

Absent: None

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

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OPEN SESSION – COUNCIL CHAMBERS, CITY HALL – 6:30 PM

1. Mayor Phillips announced Closed Session item.

CLOSED SESSION – THIRD FLOOR CONFERENCE ROOM, CITY HALL 6:30 PM

2. Closed Session:
 - a. Conference with Real Property Negotiators
Property: (930 Third Street, San Rafael, CA 94941)
Agency negotiator: (Danielle O’Leary)
Negotiating parties: (Paul Goldstone, Goldstone Management)
Under negotiation: (Request for Exclusive Right to Negotiate Agreement)

[City Attorney Robert Epstein 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 announced:
 - Public Works Open House Guided Tour at 111 Morphew Street on March 27th from 9-12 p.m. and
 - Canal Soccer Tournament with San Rafael Police Department, Canal Alliance and Urban Soccer Park on April 7th from 10-2 p.m.

CONSENT CALENDAR:

4. Consent Calendar Items:

Councilmember McCullough commented on items 4.h and 4.k

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

- a. Approval of Minutes
Approve Minutes of City Council / Successor Agency Regular and Special Meetings of Monday, March 4, 2019 (CC)
[Regular Meeting Minutes 2019-03-04](#)
[Special Meeting Minutes 2019-03-04](#)

Approved minutes as submitted
- b. Citizens Advisory Committee Vacancies
Call for Applications to Fill Four Four-Year Terms and One Alternate Four-Year Term to the End of May 2023 on the Citizens Advisory Committee on Economic Development & Affordable Housing Due to the Expiration of Terms of Dirk Brinckerhoff, Bill Carney, Kati Miller, William O'Connell, Jr., and Alternate Member Gladys Gilliland (CC)
[Citizens Advisory Committee Vacancies](#)

Approved staff recommendation
- c. Design Review Board Vacancy
Call for Applications to Fill One Four-Year Term to the End of May 2023 on the Design Review Board Due to the Expiration of Term of Stewart Summers (CC)
[Design Review Board Vacancy](#)

Approved staff recommendation
- d. Planning Commission Vacancies
Call for Applications to Fill Two Four-Year Terms to the End of May 2023 on the Planning Commission Due to the Expiration of Terms of John 'Jack' Robertson and Mark Lubamersky (CC)
[Planning Commission Vacancies](#)

Approved staff recommendation
- e. Pt. San Pedro Special Event Road Closures
Resolution Authorizing the Temporary Closure of Pt. San Pedro Road from Riviera Drive to Biscayne Drive for the Marin County Marathon, April 28, 2019 and the Marin County Triathlon, October 19-20, 2019 (CS)
[Pt. San Pedro Special Event Road Closures](#)

RESOLUTION 14645 - RESOLUTION AUTHORIZING THE TEMPORARY CLOSURE OF PT. SAN PEDRO ROAD FROM RIVIERA DRIVE TO BISCAYNE DRIVE FOR THE MARIN COUNTY MARATHON, APRIL 28, 2019 AND THE MARIN COUNTY TRIATHLON, OCTOBER 19-20, 2019
- f. Downtown San Rafael Special Event Road Closures

Resolution Authorizing the Temporary Closure of Streets in Downtown for Special Events for Calendar Year 2019 (CS)

[Downtown San Rafael Special Event Road Closures](#)

RESOLUTION 14646 - RESOLUTION AUTHORIZING THE TEMPORARY CLOSURE OF STREETS IN DOWNTOWN FOR SPECIAL EVENTS FOR CALENDAR YEAR 2019

- g. Paramedic Tax Rate for Fiscal Year 2019-20
Maintain Unchanged Tax Rates for Fiscal Year 2019-2020 for Paramedic Services for Both Residential and Non-Residential Properties in the City of San Rafael, CSA 13, CSA 19 and Marinwood CSD as Provided for in the Voter-Approved Paramedic Services Special Tax (Fin)
[Paramedic Tax Rate for Fiscal Year 2019-20](#)

Accepted report

- h. San Rafael Cannabis Policy Update
Second Reading and Final Adoption of Ordinance 1968: An Ordinance Amending Chapter 10.96 of the San Rafael Municipal Code Regulating Cannabis Businesses within City Limits, Specifically Authorizing by License Cannabis Delivery, Infused Product Manufacturing, Laboratory Testing, and Cannabis Distribution (ED)
[Cannabis Policy Ordinance Adoption](#)

Approved Final Adoption of Ordinance 1968

- i. Lease Amendment for Police Annex
Resolution Approving and Authorizing the City Manager to Execute a Second Amendment to Lease with 1099 D Street, LLC, for the Police Annex Located at 1099 D Street, Suites 100 and 205, to Extend the Lease for Suite 100 by One (1) Year Commencing April 1, 2019, for \$13,958 in Rent Per Month and Suite 205 by Three (3) Months Commencing April 1, 2019, for \$2,228 in Rent Per Month (PD)
[Lease Amendment for Police Annex](#)

RESOLUTION 14647 - RESOLUTION APPROVING AND AUTHORIZING THE CITY MANAGER TO EXECUTE A SECOND AMENDMENT TO LEASE WITH 1099 D STREET, LLC, FOR THE POLICE ANNEX LOCATED AT 1099 D STREET, SUITES 100 AND 205, TO EXTEND THE LEASE FOR SUITE 100 BY ONE (1) YEAR COMMENCING APRIL 1, 2019, FOR \$13,958 IN RENT PER MONTH AND SUITE 205 BY THREE (3) MONTHS COMMENCING APRIL 1, 2019, FOR \$2,228 IN RENT PER MONTH

- j. Third and Union Street Resurfacing
Resolution Awarding, and Authorizing the City Manager to Execute, a Construction Agreement for the Third and Union Street Resurfacing Project to Team Ghilotti, Inc., in the Amount of \$171,277.80; and Authorizing Contingency Funds in the Amount of \$18,722.20 for a Total Appropriated Amount of \$190,000 (PW)
[Third and Union Street Resurfacing](#)

RESOLUTION 14648 - RESOLUTION AWARDING, AND AUTHORIZING THE CITY MANAGER TO EXECUTE, A CONSTRUCTION AGREEMENT FOR THE THIRD AND UNION STREET RESURFACING PROJECT TO TEAM GHILOTTI, INC., IN THE AMOUNT OF \$171,277.80; AND AUTHORIZING CONTINGENCY FUNDS IN THE AMOUNT OF \$18,722.20 FOR A TOTAL APPROPRIATED AMOUNT OF \$190,000

- k. **Changing Speed Limits on Two Streets in North San Rafael
Second Reading and Final Adoption of Ordinance 1969: An Ordinance Regarding Speed Limit Increase on Los Gamos Drive and Redwood Highway Pursuant to Section 22357 of the California Vehicle Code (PW)**

[Changing Speed Limits Ordinance Adoption](#)

Approved Final Adoption of Ordinance 1969

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

OTHER AGENDA ITEMS:

5. **Other Agenda Items:**

- a. **Community Development Block Grant Funding Recommendations for FY2019-20
Resolution Recommending Community Development Block Grant (CDBG) Project Funding for the Year 2019-20 to the Marin County Board of Supervisors (ED)**

[CDBG Funding Recommendations FY 2019-20](#)

[Danielle O'Leary, Director of Economic Development and Innovation, presented the staff report](#)

[Councilmember Bushey / Danielle O'Leary / Molly Kron, Marin County Planner](#)

[Councilmember McCullough / Molly Kron](#)

[Councilmember McCullough / Molly Kron](#)

[Councilmember McCullough / Molly Kron](#)

[Councilmember Gamblin / Danielle O'Leary / Molly Kron](#)

[Councilmember Gamblin / Elizabeth Zetton, Artworks Downtown](#)

[Councilmember Gamblin / Elizabeth Zetton](#)

[Mayor Phillips](#)

[Mayor Phillips / Molly Kron](#)

[Mayor Phillips / Molly Kron](#)

[Mayor Phillips / Molly Kron](#)

[Mayor Phillips / Molly Kron](#)

[Councilmember Colin / Molly Kron](#)

[Councilmember Colin / Molly Kron](#)

[Mayor Phillips invited public comment; however, there were none](#)

Councilmember McCullough

Councilmember McCullough moved and Councilmember Gamblin seconded to adopt the Resolution

RESOLUTION 14650 - RESOLUTION RECOMMENDING COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) PROJECT FUNDING FOR THE YEAR 2019-20 TO THE MARIN COUNTY BOARD OF SUPERVISORS

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

City Manager Jim Schutz and City Attorney Robert Epstein clarified the Resolution included the amended exhibit as presented

- b. **Wildfire Protection and Prevention Action Plan**
Resolution Approving the Wildfire Prevention and Protection Action Plan (FD)
[Wildfire Protection and Prevention Action Plan](#)

City Manager Jim Schutz

Quinn Gardner, Emergency Management Coordinator, presented the staff report

City Manager Jim Schutz

Quinn Gardner / Deputy Fire Chief Bob Sinnott

Quinn Gardner

Mayor Phillips

Councilmember McCullough

Mayor Phillips invited public comment

Jean Blanco, Marin Association of Realtors President, Kelly London, Loch Lomond Homeowners Association President, Sandra Sellinger, Tom Untermann, Paul Minault, Dominican Fire Wise Committee, Romeo Arrieta, CEO Marin Association of Realtors, Greg Poulos, Bill Carney, Sustainable San Rafael, Bonnie Marmor, Pt. San Pedro Road Coalition and Pt. San Pedro Road Coalition Disaster Preparedness Committee, Bell Cole, Organizing for Action in Marin, Robert Chadum, Member of the public

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

Quinn Gardner

Chief Sinnott

City Manager Jim Schutz

Mayor Phillips / City Manager Jim Schutz

Councilmember Colin / City Manager Jim Schutz

Quinn Gardner

Mayor Phillips

Mayor Phillips / Quinn Gardner

Mayor Phillips

Councilmember Gamblin / City Manager Jim Schutz

Councilmember Gamblin / City Manager Jim Schutz

Councilmember Gamblin / City Manager Jim Schutz / Quinn Gardner

Councilmember Gamblin

Mayor Phillips

Councilmember Gamblin

Councilmember Colin

Mayor Phillips / Councilmember Colin

Mayor Phillips

Councilmember Bushey

Councilmember McCullough

Mayor Phillips

Councilmember McCullough

Mayor Phillips

City Manager Jim Schutz

Councilmember McCullough

Councilmember Bushey

City Manager Jim Schutz

City Attorney Robert Epstein

Councilmember Bushey

Councilmember McCullough

City Attorney Robert Epstein

Councilmember Bushey moved and Councilmember McCullough seconded to adopt the resolution as amended to indicate that the plan is an evolving document, and if any legal or regulatory changes were to be made that there would be an extensive public input process before coming back to the City Council, and there would be a clear evaluation of financial and other intended or unintended consequences.

RESOLUTION 14649 - RESOLUTION APPROVING THE WILDFIRE PREVENTION AND PROTECTION ACTION PLAN

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

COUNCILMEMBER REPORTS / REQUESTS FOR FUTURE AGENDA ITEMS:

6. Councilmember Reports:

- Councilmember Colin attended 'Marin Ready Together' for Fire Prevention on behalf of Councilmember Bushey
- Mayor Phillips reported his attendance at meetings relating to renter protections.

SAN RAFAEL SUCCESSOR AGENCY

1. Consent Calendar: None.

ADJOURNMENT:

Mayor Phillips adjourned the City Council meeting at 9:49 p.m.

LINDSAY LARA, City Clerk

APPROVED THIS ____ DAY OF _____, 2019

GARY O. PHILLIPS, Mayor