

In the Council Chambers of the City of San Rafael, Monday, August 5, 2019 at 7:00 p.m.



Regular Meeting

San Rafael City Council

Minutes

Present: Mayor Phillips
Councilmember Bushey
Councilmember Colin
Councilmember Gamblin
Absent: Vice-Mayor McCullough
Also City Manager Jim Schutz
Present: City Attorney Robert Epstein
City Clerk Lindsay Lara

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Mayor Phillips called the meeting to order at 7:03 p.m.

OPEN SESSION – THIRD FLOOR CONFERENCE ROOM, CITY HALL

1. - None.

CLOSED SESSION – THIRD FLOOR CONFERENCE ROOM, CITY HALL

2. Closed Session: - None.

OPEN TIME FOR PUBLIC EXPRESSION – 7:00 PM

- Clay Shank addressed the City Council regarding skate parks in San Rafael
- Michael Parsons addressed the City Council regarding homelessness
- Tom Short addressed the City Council regarding a leaf blower ban
- Jaimi Cortez addressed the City Council regarding short-term rentals
- Jonathan Frieman addressed the City Council regarding a leaf blower ban

CITY MANAGER’S REPORT:

3. **City Manager’s Report:**

- Jim Schutz reported on wildfire prevention and announced the Fire Department's "Get Ready" class to be held on Thursday, August 8th at 6:30 p.m. at the Terra Linda Community Center. He noted the recent Marin IJ article regarding decreasing homeless numbers in Marin, and specifically, in San Rafael. Lastly, he noted on three arts related items: an Art Works Exhibition called ZENPOP, a large sign that Parking Services will be using for a short-term art exhibit, and that San Rafael was named in a top 25 list of America's most unique art towns, calling out Art Works, Marin Society of Artists, the Cultural Arts District and the California Film Institute.

In the wake of the shootings in El Paso, Texas, and Dayton, Ohio, Mayor Phillips announced his recent order that all American flags on City property be lowered to half-staff until significant progress has been made by Congress on this issue. City Attorney Robert Epstein provided comments relating to the City of San Rafael's Flag Protocol Policy.

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 Meeting of Monday, July 15, 2019 (CC)
[Approval of Minutes](#)
Approved as submitted

- b. **Park and Recreation Commission Vacancies**
Call for Applications to Fill Two Four-Year Terms to the End of October 2023 and One Unexpired Four-Year Term to the End of May 2022, on the Park and Recreation Commission Due to the Expiration of Terms of Mark Bustillos and Mark Machado and the Resignation of Nicholas Skewes-Cox (CC)
[Park and Recreation Commission Vacancies](#)

Approved staff recommendation

- c. **City Quarterly Investment Report**
Acceptance of City Quarterly Investment Report for the Quarter Ending June 30, 2019 (Fin)
[City Quarterly Investment Report](#)
Accepted report

- d. **Lincoln Avenue Curb Ramps Project Engineering Design Services**
Resolution Approving and Authorizing the City Manager to Execute a First Amendment to the Agreement with BKF Engineers for Engineering Design Services Associated with the Lincoln Avenue Curb Ramps Project, In the Amount of \$56,800, for a Total Contract Not-to-Exceed Amount of \$177,350 (PW)
[Lincoln Avenue Curb Ramps Project Engineering Design Services](#)
RESOLUTION 14715 - RESOLUTION APPROVING AND AUTHORIZING THE CITY MANAGER TO EXECUTE A FIRST AMENDMENT TO THE AGREEMENT WITH BKF ENGINEERS FOR ENGINEERING DESIGN SERVICES ASSOCIATED WITH THE LINCOLN AVENUE CURB RAMPS PROJECT, IN THE AMOUNT OF \$56,800, FOR A TOTAL CONTRACT NOT-TO-EXCEED AMOUNT OF \$177,350

- e. **Grand Avenue Pathway Connector Project Completion**
Accept Completion of the Grand Avenue Pathway Connector Project (City Project No. 11173) and Authorize the City Clerk to File the Notice of Completion (PW)
[Grand Avenue Pathway Connector Project Completion](#)
Accepted report

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

OTHER AGENDA ITEMS:

5. **Other Agenda Items:**

a. **Retirement Benefit Report**
Accept Informational Report Relating to the San Rafael 2019 Independent Committee on Employee Retirement Benefits' Report Dated June 20, 2019 (Fin)
[Retirement Benefit Report](#)

Finance Director Nadine Hade presented the staff report

Mayor Phillips provided comments and invited Jeff Schoppert, Independent Committee of Employment Retirement Benefits Chairperson, to provide additional comments

Staff and Chairperson Schoppert responded to questions from the City Council.

Mayor Phillips thanked the Jeff Schoppert and the Committee for their work and provided them with certificates of appreciation

Mayor Phillips invited public comment

Speakers: Dick Tate, Citizens for Sustainable Pension Plans

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

Councilmember Bushey moved and Councilmember Gamblin seconded to accept the report

Accepted report

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

NOES: Councilmembers: None

ABSENT: Councilmembers: McCullough

b. **Short-Term Rentals**
Accept Informational Report on Short-Term Rental Policy Analysis, Community Outreach, and Draft Ordinance (CD)
[Short-Term Rentals](#)

Community Development Director Paul Jensen commented on the item and introduced Community Development Department Professional Analyst Ethan Guy who presented the staff report

Staff responded to questions from the City Council

Mayor Phillips invited public comment

Speakers: Chris Beal, Sandy Luna, Johna Grim, John Perry, Richard Meyerhoff, Susan Hanshaw, Dean Goudani, Chris Ward, Nancy Callahan, Charlie Camella, Susan Proaps, John Lewis, Linda Krueger, Lee Dorfman, Sean Terheyden, Timothy Sneed

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

Staff responded to comments and questions from the public and the City Council

Councilmember Colin moved and Councilmember Bushey seconded to accept the report with feedback to staff to follow-up with additional research on shared driveways and non-permanent structures for potential short-term rental regulations and to return with an ordinance

Accepted report and provided feedback to staff

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

c. Digital Strategic Framework
Accept Informational Report and Provide Feedback on the Draft Strategic Framework for the Department of Digital Service and Open Government (DS)
[Digital Strategic Framework](#)

City Manager Jim Schutz commented on the item and introduced Digital Service and Open Government Director Rebecca Woodbury who presented the staff report

Staff responded to questions, and the City Council provided comments.

Mayor Phillips invited public comment

Speakers: Christine Bogman

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

Councilmember Gamblin moved and Councilmember Colin seconded to accept the report

Accepted report

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

d. Grand Jury Report: "School Resource Officers"
Resolution Approving and Authorizing the Mayor to Execute the Response to the Marin County Civil Grand Jury Report Entitled, "School Resource Officers Revisited" (PD)
[Response to the Grand Jury Report - School Resources Officers](#)

Police Captain Glenn McElderry presented the staff report

Staff responded to questions from the City Council

Mayor Phillips invited public comment

Speakers: Christine Bogman

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

Councilmember Colin moved and Councilmember Bushey seconded to adopt the Resolution

RESOLUTION 14716 - RESOLUTION APPROVING AND AUTHORIZING THE MAYOR TO EXECUTE THE RESPONSE TO THE MARIN COUNTY CIVIL GRAND JURY REPORT ENTITLED, "SCHOOL RESOURCE OFFICERS REVISITED"

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

NOES: Councilmembers: None

ABSENT: Councilmembers: McCullough

COUNCILMEMBER REPORTS / REQUESTS FOR FUTURE AGENDA ITEMS:

6. Councilmember Reports:

- Councilmember Colin announced she would be throwing the first pitch at the San Rafael Pacifics' game on Sunday, August 11, 2019 at 1:00 p.m.

SAN RAFAEL SUCCESSOR AGENCY

1. Consent Calendar:

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

- a. Successor Agency Quarterly Investment Report**
Acceptance of Successor Agency Quarterly Investment Report for the Quarter Ending June 30, 2019 (Fin)
[Successor Agency 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 10:05 p.m.

LINDSAY LARA, City Clerk

APPROVED THIS ____ DAY OF _____, 2019

GARY O. PHILLIPS, Mayor