

In the Council Chambers of the City of San Rafael, Monday, September 16, 2019



Regular Meeting

San Rafael City Council

Minutes

Present: Mayor Phillips
Councilmember Colin
Councilmember Gamblin

Absent: Vice Mayor McCullough
Councilmember Bushey

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

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OPEN SESSION – THIRD FLOOR CONFERENCE ROOM, CITY HALL – 6:00 PM

1. Mayor Phillips announced Closed Session item.

CLOSED SESSION – THIRD FLOOR CONFERENCE ROOM, CITY HALL – 6:00 PM

2. Closed Session:
 - a. Conference with Labor Negotiators — Government Code §54957.6
Lead Negotiator: Burke Williams & Sorensen LLP
Negotiating Team: Charles Zuver, Tim Davis, Shibani Nag, Susan Andrade-Wax, Kelly Albrecht, Nadine Hade, Cristine Alilovich, Jim Schutz
Employee Organizations: SEIU – Child Care Unit

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

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:
 - Police Department community meetings on September 17, 2019 at San Rafael High School Library at 6:15 p.m. and on September 18, 2019 at Davidson Middle School Library at 6:15 p.m.

- 2020 Census Forum with First 5 Marin and County of Marin on September 19, 2019 from 8:30 - 10:30 a.m.
- Coastal Cleanup on September 21, 2019 at Starkweather Shoreline Park from 9-12 p.m.
- Second Annual PorchFest event on September 22, 2019 in Gerstle Park neighborhood from 12 - 5:00 p.m. and the Mont Marin neighborhood Ice Cream Social from 3 - 5:00 p.m.

Mayor Phillips commented on the Police Department community outreach meetings and Porchfest

CONSENT CALENDAR:

4. Consent Calendar Items:

Item 4.d held from the Consent Calendar for comment by Councilmember Colin

Mayor Phillips invited public comment on the remainder of the Consent Calendar; however, there was none.

Councilmember Colin moved and Councilmember Gamblin seconded to approve the remainder of the Consent Calendar items

- a. **Los Ranchitos Road at North San Pedro Road Traffic Signal Resolution Approving and Authorizing the City Manager to Execute a Maintenance Agreement with the County of Marin for Maintenance of the Traffic Signal at the Intersection of Los Ranchitos Road and North San Pedro Road (PW)**
[Los Ranchitos Road at North San Pedro Road Traffic Signal](#)

RESOLUTION 14722 - RESOLUTION APPROVING AND AUTHORIZING THE CITY MANAGER TO EXECUTE A MAINTENANCE AGREEMENT WITH THE COUNTY OF MARIN FOR MAINTENANCE OF THE TRAFFIC SIGNAL AT THE INTERSECTION OF LOS RANCHITOS ROAD AND NORTH SAN PEDRO ROAD

- b. **Revocable License Agreement with SMART Resolution Approving and Authorizing the City Manager to Execute a Revocable License Agreement with the Sonoma-Marin Area Rail Transit (SMART) District (PW)**
[4.b Revocable License Agreement with SMART](#)

RESOLUTION 14723 - RESOLUTION APPROVING AND AUTHORIZING THE CITY MANAGER TO EXECUTE A REVOCABLE LICENSE AGREEMENT WITH THE SONOMA-MARIN AREA RAIL TRANSIT (SMART) DISTRICT

- c. **FEMA Hazard Mitigation and Pre-Disaster Mitigation Grant Funds Resolution Authorizing Designated City Employees to Execute and File on Behalf of the City of San Rafael All Assurances and Agreements Required to Accept and Manage Funds of All Open and Future Disasters and Grants Up to Three Years from Date of Approval (PW)**
[FEMA Hazard Mitigation and Pre-Disaster Mitigation Grant Funds](#)

RESOLUTION 14724 - RESOLUTION AUTHORIZING DESIGNATED CITY EMPLOYEES TO EXECUTE AND FILE ON BEHALF OF THE CITY OF SAN RAFAEL ALL ASSURANCES AND AGREEMENTS REQUIRED TO ACCEPT AND MANAGE FUNDS OF ALL OPEN AND FUTURE DISASTERS AND GRANTS UP TO THREE YEARS FROM DATE OF APPROVAL

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

The following item was removed from the Consent Calendar:

- d. **Senate Bill 2 Planning Grants Program
Resolution Authorizing Application For, and Receipt of, SB 2 Planning Grants
Program Funds; Case No. P19-04 (CD)**
[Senate Bill 2 Planning Grants Program](#)

[Councilmember Colin provided comments](#)

[Mayor Phillips invited public comment](#)

Speakers: [Kate Powers, GP2040 Steering Committee member](#)

[There being no further comment from the audience, Mayor Phillips closed the public comment period.](#)

[Staff responded to comments from the public and staff.](#)

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

RESOLUTION 14725 - RESOLUTION AUTHORIZING APPLICATION FOR, AND RECEIPT OF, SB 2 PLANNING GRANTS PROGRAM FUNDS; CASE NO. P19-04

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

OTHER AGENDA ITEMS:

5. Other Agenda Items:

- a. **Gun Control and Safety
Informational Report Relating to Gun Control and Safety Measures (CM)**
[Gun Control and Safety](#)

[Mayor Phillips expressed thanks to staff for their work and provided background as to why the item was placed on the City Council agenda](#)

[City Manager Jim Schutz commented on the item and introduced Daniel Soto, Associate Management Analyst, who presented the staff report. Additionally, he noted City](#)

Attorney Consultant Nira Doherty, Police Lieutenant Dan Fink, and District Attorney Lori Frugoli were present to provide comments

Staff responded to questions from the City Council

District Attorney Frugoli, Moms Demand Action for Gun Sense representative Mary Valente, and Brady Center Board of Trustee Member Tony Porter responded to questions from the City Council

Mayor Phillips invited public comment; however, there was none.

Councilmembers provided comments and a subcommittee of Mayor Phillips and Councilmember Gamblin was formed to review options and make recommendations at a later date

Councilmember Colin moved and Councilmember Gamblin seconded to accept the report

Accepted report and provided feedback to staff

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

**b. Update on SMART Extension to Larkspur
Informational Update Regarding the Sonoma-Marin Area Rail Transit (SMART)
Construction Project to Extend Service Through Downtown San Rafael to
Larkspur (PW)
[Update on SMART Extension to Larkspur](#)**

Public Works Director Bill Guerin presented the staff report

The consultant and staff responded to questions from the City Council concerning the schedule for the implementation of a quiet zone at Jacoby Street. Additionally, the City Council expressed concern regarding the delay of Jacoby Street being incorporated into the quiet zone due to the need to create a public crossing at Jacoby Street.

Mayor Phillips invited public comment; however, there was none.

Councilmember Gamblin moved and Councilmember Colin seconded to accept the report

Accepted report

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

**c. Library and Recreation Personnel Changes
Resolution Approving and Authorizing the City Manager to Delete the Library Director Classification and Add the Assistant Library and Recreation Director Classification (LR)**

[Library and Recreation Personnel Changes](#)

City Manager Jim Schutz announced Director of Library and Recreation, Susan Andrade-Wax, was named by California Parks and Recreation Society as a 'Top Fifty Over Fifty'

Director of Library and Recreation Department Susan Andrade-Wax presented the staff report

Staff responded to questions from the City Council

Mayor Phillips invited public comment; however, there was none.

Councilmembers provided comments

Councilmember Colin moved and Councilmember Gamblin seconded to adopt the Resolution

RESOLUTION 14726 - RESOLUTION APPROVING AND AUTHORIZING THE CITY MANAGER TO DELETE THE LIBRARY DIRECTOR CLASSIFICATION AND ADD THE ASSISTANT LIBRARY AND RECREATION DIRECTOR CLASSIFICATION

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

COUNCILMEMBER REPORTS / REQUESTS FOR FUTURE AGENDA ITEMS:

6. **Councilmember Reports:**
None.

SAN RAFAEL SUCCESSOR AGENCY:

1. **Consent Calendar: - None.**

ADJOURNMENT:

Mayor Phillips adjourned the City Council meeting at 9:09 p.m.

LINDSAY LARA, City Clerk

APPROVED THIS ____ DAY OF _____, 2019

GARY O. PHILLIPS, Mayor