

From: CAREY MACCARTHY [REDACTED]
Sent: Thursday, February 16, 2023 1:08 PM
To: Mayor Kate <kate.colin@cityofsanrafael.org>
Cc: Distrib- City Clerk <city.clerk@cityofsanrafael.org>; Alicia Giudice <alicia.giudice@cityofsanrafael.org>
Subject: For Public Comment @ SR City Council Mtg

I am a San Rafael Business Owner and resident, residing in the Santa Margarita area, which neighbors Round Table Pizza, Phyllis's Burgers and a new restaurant going in soon. All of these restaurants have large fans that produce a lot of noise and buzzing vibration that travels throughout every room of my home, and also the homes of neighbors, and can even be heard a block up on Neame St and are often left on all night causing sleep disruption.

When I originally alerted the Code enforcement dept, they sent a police officer to do a decibel reading, not a professional Acoustician, who was not qualified to perform this task for several reasons- #1 The officer had never operated the decibel reading equipment before, #2 The decibel reading equipment was not the industry standard and was outdated, and #3 The officer had never read through the City Noise Ordinance Code before and was unfamiliar with the laws. #4 This was a police officer, not a professionally trained Acoustical Engineer and did not know how to accurately perform the assessment in accordance with this Code or otherwise. The officer decided in his unqualified opinion that the noise level was acceptable based on his inexperienced and inaccurate "assessment".

After this failed attempt at the city trying to mitigate this issue, I hired a professional Acoustical Engineer to do a preliminary Acoustical assessment, which clearly demonstrated that the noise produced by all 3 restaurants are in direct violation of the city noise ordinance and need to be sited from the city and forced to comply with the noise ordinance laws: installing quieter technologies as well as the installation of sound barrier structures so that the decibel reading is low and cannot be heard from inside (or outside) of homes in the area.

I called the Code enforcement back and left 2 messages with Ana Santiago, a Code Enforcement Representative, who returned my call after a week and left a message saying that the SR Police Dept is the only government agency they are allowed to work with for noise issues and they have to go by what they say, even though the reading is completely inaccurate- done with outdated technology and performed by an unqualified, unprofessional person who was trained as a police officer, not an Acoustical Engineer. She would not accept the reading of the professional Acoustical Engineer as the Code enforcement dept as legally mandated to work only with the police dept on noise matters.

We have a big problem here that needs to be addressed immediately; there is a health issue at hand as recent scientific studies are showing the negative impacts that sound has on human health, and another big issue is how to ensure that the taxpaying San Rafael constituents are getting the proper services from the correct governing agencies to ensure effective measures to protect us from the issue of noise as well as other issues now and into the future.

As a lifelong resident, business owner and tax payer of San Rafael, I would like to see this noise issue and the City of San Rafael's mitigation protocol surrounding noise revamped and action taken immediately to remedy these health-impacting noise violations within the Santa Margarita neighborhood.

I request to have San Rafael City staff follow-up with me regarding this important issue.

Thank You,
Carey MacCarthy

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Carey MacCarthy MA, ATR, LPCC
FOUNDER/CEO

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-----Original Message-----

From: Tyler Bennett [REDACTED]
Sent: Saturday, February 18, 2023 3:27 PM
To: Distrib- City Clerk <city.clerk@cityofsanrafael.org>
Cc: Tyler Bennett [REDACTED]
Subject: 2/21 Council Meeting -Public comment

Hello,

Today I got a \$75 parking ticket for parking in front of my home that I pay thousands of dollars in property taxes.

Question 1) Why are residents of Spinnaker Point restricted from parking in front of their own homes for more than 24 hours?

The good people from the Canal area that park in Spinnaker Point have no place to park, but obviously use their cars to drive to work. The current 24-hour Spinnaker Point parking restriction actually penalizes the residents of Spinnaker Point and doesn't address the real parking deficit problem.

I didn't have parking restrictions when I lived in Glenwood and doubt the City would ever punish the Glenwood (or Peacock Gap!) residents with a 24-hour parking limit.

Question 2) Why can't the City provide Spinnaker point residents a parking permit so we can park freely in front of our own homes while the City works on creating adequate parking for the residents of San Rafael?

I urge the City Council to 1) stop penalizing the Spinnaker Point residents and 2) create adequate parking for residents of San Rafael.

Many thanks,
Tyler Bennett
[REDACTED]
San Rafael, CA 94901
[REDACTED]