



MINUTES

SAN RAFAEL CITY COUNCIL – MONDAY, SEPTEMBER 21, 2020

REGULAR MEETING AT 7:00 P.M.

Telephone: (669) 900-9128,

ID: 850-6400-3042#

CORONAVIRUS (COVID-19) ADVISORY NOTICE

In response to Executive Order N-29-20, the City of San Rafael will no longer offer an in-person meeting location for the public to attend. This meeting will be streamed through YouTube Live at www.youtube.com/cityofsanrafael. Comments submitted via YouTube Live must be submitted according to the directions located on the YouTube video description. The City is not responsible for any interrupted service. To ensure the City Council receives your comments, submit written comments to the City Clerk prior to the meeting. For more information regarding real-time public comments, please visit our Live Commenting Pilot page at <https://www.cityofsanrafael.org/live-commenting-pilot/>.

Want to listen to the meeting and comment in real-time over the phone? Call the telephone number listed on this agenda and dial the Meeting ID when prompted. Feel free to contact the City Clerk's office at 415-485-3066 or by email to lindsay.lara@cityofsanrafael.org if you have any questions.

Any member of the public who needs accommodations should contact the City Clerk (email lindsay.lara@cityofsanrafael.org or phone at 415-485-3066) who will use their best efforts to provide reasonable accommodations to provide as much accessibility as possible while also maintaining public safety in accordance with the City procedure for resolving reasonable accommodation requests.

Present: Mayor Pro Tem Colin
Councilmember Bushey
Councilmember Gamblin
Councilmember McCullough

Absent: Mayor Phillips

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

OPEN SESSION - (669) 900-9128 – ID: 833-6460-7513#- 6:00 PM

1. Mayor Pro Tem Colin announced Closed Session item.

CLOSED SESSION - (669) 900-9128 – ID: 833-6460-7513#- 6:00 PM

2. Closed Session:
 - a. Conference with Legal Counsel—Anticipated Litigation
Government Code §54956.9(d)(2) and (e)(5) Significant Exposure to Litigation (One Case)
**Documentation of Threat of Litigation Available Upon Request in the City Clerk's Office*

REGULAR MEETING AT 7:00 P.M.

Telephone: (669) 900-9128,

ID: 850-6400-3042#

Mayor Pro Tem Colin called the meeting to order at 7:01 p.m. and invited City Clerk Lindsay Lara to call the roll. All members of the City Council were present, except for Mayor Phillips.

City Clerk Lindsay Lara informed the community the meeting would be streamed live to YouTube and members of the public would provide public comment either on the telephone or through YouTube live chat. She explained the process for community participation through the telephone and on YouTube.

City Attorney Rob Epstein announced that no reportable action was taken in the Closed Session held prior to the meeting, nor at the Special Closed Session held on September 14, 2020.

CITY MANAGER'S REPORT:

3. City Manager's Report:

City Manager Jim Schutz provided updates on:

- San Rafael City Schools Board recent vote to end the School Resource Officer assignments
- COVID-19 and the City's response
- San Rafael Community Center Cooling/Clean Air Center
- Landlord & Renter assistance

City Attorney Rob Epstein offered some remarks on a traffic stop incident that has previously occurred involving the Police Department, which had resulted in a claim. He announced that the City had invited the individual and police officers to engage in a conversation and participate in a restorative justice process with the goals being an effort to gain mutual understanding, to hear one another and healing.

City Attorney Rob Epstein responded to comments and questions from councilmembers.

OPEN TIME FOR PUBLIC EXPRESSION – 7:00 PM

Mayor Pro Tem Colin invited public comment; however, there was none

CONSENT CALENDAR:

Mayor Pro Tem Colin invited public comment on the Consent Calendar; however, there was none

Councilmember McCullough moved and Councilmember Gamblin seconded to approve the Consent Calendar

4. Consent Calendar Items:

a. **Approval of Minutes**

Approve Minutes of City Council / Successor Agency Regular Meeting of Tuesday, September 8, 2020 (CC)

Approved minutes as submitted

- b. **Conflict of Interest Code**
Resolution Repealing Resolution No. 14636, 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)
Resolution 14855 - Resolution Repealing Resolution No. 14636, 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. **Fiscal Year 2019-2020 City-wide Budget Amendments and Fiscal Year 2020-2021 Update**
 - i. **Resolution Adopting Amendments to the City of San Rafael Budget for Fiscal Year 2019-2020 for the Purpose of Confirming Authorized Appropriations and Transfers (Fin)**
Resolution 14856 - Resolution Adopting Amendments to the City of San Rafael Budget for Fiscal Year 2019-2020 for the Purpose of Confirming Authorized Appropriations and Transfers

 - ii. **Resolution Adopting Amendments for Fiscal Year 2020-2021 for the Purposes of San Rafael Sanitation District Personnel Changes (Fin)**
Resolution 14857 - Resolution Adopting Amendments for Fiscal Year 2020-2021 for the Purposes of San Rafael Sanitation District Personnel Changes

- d. **Police Department Copy/Print Hardware Lease and Services**
Resolution Authorizing the City Manager to Execute a Copy/Print Hardware Lease and Services Agreement with Ray Morgan Company, for a 39-Month Term at an Estimated Annual Cost of \$50,277 (PD)
Resolution 14858 - Resolution Authorizing the City Manager to Execute a Copy/Print Hardware Lease and Services Agreement with Ray Morgan Company, for a 39-Month Term at an Estimated Annual Cost of \$50,277

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

OTHER AGENDA ITEMS

5. Other Agenda Items:

- a. **[Measures to Facilitate Housing Development & Streamline Approvals](#)**
Summary Report on Potential Amendments to the San Rafael Municipal Code to Facilitate Housing Development and Streamline Approvals (CD)

Ethan Guy, Principal Analyst and Alicia Giudice, Principal Planner presented the staff report

Staff responded to comments and questions from Councilmembers

Mayor Pro Tem Colin invited public comment

Speakers: Bill Carney, Sustainable San Rafael, Victoria DeWitt, Chris Hart, Amy Likover, Joanne Webster, San Rafael Chamber of Commerce, Brad Sears, Kate Powers

Staff responded to public comment

Councilmembers provided comments

Councilmember McCullough moved and Councilmember Bushey seconded to accept the report and direct staff to proceed as indicated in the report, subject to the additional guidance to engage more closely with the Design Review Board going forward

Accepted report (including September 8, 2020 Informational Report by reference) and directed staff to proceed as indicated in the report, subject to the additional guidance to engage more closely with the Design Review Board going forward

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

b. **Homeless Report**

Informational Report on Status of Homelessness in San Rafael (CM)

Andrew Hening, Director of Homeless Planning and Outreach presented the staff report

Staff responded to questions from Councilmembers

Mayor Pro Tem Colin invited public comment

Speakers: Name withheld, Kate Powers

Staff responded to public comment

Staff responded to questions from Councilmembers

Councilmember Gamblin moved and Councilmember McCullough seconded to accept the report

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

Accepted Report

COUNCILMEMBER REPORTS / REQUESTS FOR FUTURE AGENDA ITEMS:
(including AB 1234 Reports on Meetings and Conferences Attended at City Expense)

6. Councilmember Reports: - None.

SAN RAFAEL SUCCESSOR AGENCY:

1. Consent Calendar: - None.

ADJOURNMENT:

Mayor Pro Tem Colin adjourned the meeting at 8:35 p.m.

LINDSAY LARA, City Clerk

APPROVED THIS ____ DAY OF _____, 2020

GARY O. PHILLIPS, Mayor