IN THE COUNCIL CHAMBER OF THE CITY OF SAN RAFAEL, Monday, March 18, 2013

MINUTES
Regular Meeting
San Rafael City Council

Present: Mayor Phillips, Vice Mayor Heller, Councilmembers: Colin, Connolly, McCullough
City Manager Nancy Mackie, Assistant City Manager Jim Schutz, City Attorney Robert Epstein, City Clerk Esther Beirne, Deputy City Clerk Jeannie Courteau

Mayor Phillips announced the reappointment of Carolyn Lenert, appointment of Leonard Thompson, and appointment of Thomas Weathers as an Alternate to the Fire Commission

OPEN SESSION - COUNCIL CHAMBERS - 5:30 PM

1. Mayor Phillips announced Closed Session Item

CLOSED SESSION - THIRD FLOOR CONFERENCE ROOM - 5:30 PM

2. Closed Session:
   a. Conference with Labor Negotiators- Government Code Section 54957.6(a)
   Lead Negotiators: Jack Hughes and Kelly Tuffo, Leibert Cassidy and Whitmore
   Negotiating Team: Nancy Mackie, Jim Schutz, Anil Comelo, Mark Moses, Robert Epstein
   Employee Organization(s):
      San Rafael Fire Chief Officers’ Assn.  Western Council of Engineers
      San Rafael Firefighters’ Assn.       Local 1 - Confidential
      San Rafael Police Mid-Management Assn. SEIU Miscellaneous & Supervisory
      San Rafael Police Association
      Unrepresented Management
      Unrepresented Mid-Management
      Elected City Clerk and Elected Part-Time City Attorney

Robert Epstein, City Attorney announced that no reportable action was taken.

ORAL COMMUNICATIONS OF AN URGENCY NATURE - 7:00 PM - NONE

CONSENT CALENDAR:

3. Consent Calendar Items:

Councilmember Connolly moved and Councilmember Heller seconded to approve the consent calendar as follows:
a. Approval of Minutes of Special City Council Meeting of March 4, 2013 and Regular City Council and Successor Agency Meeting of March 4, 2013 (CC)

Minutes Special 03 04 2013

Minutes Regular 03 04 2013

Minutes approved as submitted.

b. Call for Applications to Fill Two Four-Year Terms on the Board of Library Trustees Due to the Expiration of Terms of Glena Coleman and Carol Manashil (CC)

Applications Library

Approved staff recommendation.

c. Resolution Authorizing the Temporary Closure of Downtown City Streets for the 26th Annual May Madness Classic Car Parade on Saturday, May 11, 2013 (ED)

Street Closure May Madness

RESOLUTION NO. 13507 - RESOLUTION AUTHORIZING THE TEMPORARY CLOSURE OF DOWNTOWN CITY STREETS FOR THE 26TH ANNUAL MAY MADNESS CLASSIC CAR PARADE ON SATURDAY, MAY 11, 2013

d. Resolution Authorizing Temporary Street Closures for the San Rafael Twilight Criterium from 12:00 noon to 10:00 pm on Saturday, July 27, 2013 (ED)

Street Closure Twilight Criterium

RESOLUTION NO. 13508 - RESOLUTION AUTHORIZING TEMPORARY STREET CLOSURE FOR THE SAN RAFAEL TWILIGHT CRITERIUM FROM 12:00 NOON TO 10:00 PM ON SATURDAY, JULY 27, 2013

e. Resolution Approving an Agreement with Marin Housing for the Administration of the Below Market Rate Homeownership Program for a Five Year Period in the Amount of $80,000 Annually (ED)

BMR Five Years

RESOLUTION NO. 13509 - RESOLUTION APPROVING AN AGREEMENT WITH MARIN HOUSING FOR THE ADMINISTRATION OF THE BELOW MARKET RATE HOMEOWNERSHIP PROGRAM FOR A FIVE YEAR PERIOD IN THE AMOUNT OF $80,000 ANNUALLY

f. FY 2011-2012 Single Audit Report (FIN)

2011 2012 Single Audit Report

Accepted report.

g. Resolution Adopting the Measure 'S' Committee Report Covering the Actual Fiscal Year 2011-2012 General Fund Results (FIN)
RESOLUTION NO. 13510 - RESOLUTION ADOPTING THE MEASURE 'S' COMMITTEE REPORT COVERING THE ACTUAL FISCAL YEAR 2011-2012 GENERAL FUND RESULTS

h. Resolution of Appreciation for Harriet MacLean, Recipient of the Women in School Leadership Award from the American Association of School Administrators (CM)

RESOLUTION NO. 13511 - RESOLUTION OF APPRECIATION FOR HARRIET MACLEAN, RECIPIENT OF THE WOMEN IN SCHOOL LEADERSHIP AWARD FROM THE AMERICAN ASSOCIATION OF SCHOOL ADMINISTRATORS

i. Resolution Declaring March 17 Through March 22, 2013 "Zero Waste Week" in San Rafael, and Encouraging Residents and Businesses to Participate in Waste Reduction and Zero Waste Activities (CM)

Zero Waste Week

RESOLUTION NO. 13512 - RESOLUTION DECLARING MARCH 17 THROUGH MARCH 22, 2013 "ZERO WASTE WEEK" IN SAN RAFAEL, AND ENCOURAGING RESIDENTS AND BUSINESSES TO PARTICIPATE IN WASTE REDUCTION AND ZERO WASTE ACTIVITIES

j. Resolution Accepting a Proposal from HDR Engineering, Inc. for Engineering Services to Develop at Grade Rail Crossing Alternatives on Andersen Drive, Conduct Safety Studies and Develop Quiet Zone Applications for All City Rail Crossings in the Amount of $70,684 (PW)

HDR Engineering Rail Crossing

RESOLUTION NO. 13513 - RESOLUTION ACCEPTING A PROPOSAL FROM HDR ENGINEERING, INC. FOR ENGINEERING SERVICES TO DEVELOP AT GRADE RAIL CROSSING ALTERNATIVES ON ANDERSEN DRIVE, CONDUCT SAFETY STUDIES AND DEVELOP QUIET ZONE APPLICATIONS FOR ALL CITY RAIL CROSSINGS IN THE AMOUNT OF $70,684

AYES: Councilmembers: Colin, Connolly, Heller, McCullough & Mayor Phillips
NOES: None
ABSENT: None

SPECIAL PRESENTATION:

4. Special Presentation:

a. Presentation of Resolution of Appreciation to Harriet MacLean, Recipient of the Women in School Leadership Award from the American Association of School Administrators (CM)

Mayor Phillips

Dr. Harriet MacLean

Dr. Michael Watenpauch, Superintendent of Schools, San Rafael Schools
OTHER AGENDA ITEMS:

5. Other Agenda Items:

a. Informational Report on City Council Sustainability Subcommittee Priorities (CM)

Council Sustainability Subcommittee

Cory Bytof, Volunteer & Sustainability Program Coordinator presented the staff report.

Councilmember Connolly

Councilmember Colin

Mayor Phillips invited public comment:

Bill Carney

Mayor Phillips

Councilmember Connolly moved and Councilmember Heller seconded to accept the report

AYES: Councilmembers: Colin, Connolly, Heller, McCullough & Mayor Phillips
NOES: None
ABSENT: None


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Rebecca Woodbury, Management Analyst presented the combined staff reports for Items 5.b and 5.c.

Councilmember Heller

Rebecca Woodbury/Councilmember Heller

Councilmember McCullough

Jim Schutz, Assistant City Manager

Councilmember Colin

Rebecca Woodbury

Mayor Phillips invited public comment:

Bill Carney

Jonathan Freeman
Seeing no further comment from the public, Mayor Phillips brought the item back to Council for discussion.

Councilmember Heller

Councilmember Connolly

Councilmember Colin

Mayor Phillips

Councilmember McCullough moved and Councilmember Colin seconded to adopt the Resolution

RESOLUTION NO. 13514 - RESOLUTION APPROVING AN AMENDED MEMORANDUM OF UNDERSTANDING WITH THE SUSTAINABLE ENERGY AND ECONOMIC DEVELOPMENT (SEED) FUND ADMINISTERED BY STRATEGIC ENERGY INNOVATIONS (SEI), A CALIFORNIA 501C, FOR COOPERATIVE PURCHASE OF RENEWABLE ENERGY

AYES: Councilmembers: Colin, Connolly, Heller, McCullough & Mayor Phillips
NOES: None
ABSENT: None

c. Resolution Approving and Authorizing the City Manager to Execute a Professional Services Agreement in an Amount not to Exceed $7,000 with Marin Energy Authority for Technical Assistance Related to the Solar SEED Fund Project (CM)

Agrmt MEA SEED

Public Comment: NONE

Councilmember McCullough moved and Councilmember Colin seconded to adopt the Resolution

RESOLUTION NO. 13515 - RESOLUTION APPROVING AND AUTHORIZING THE CITY MANAGER TO EXECUTE A PROFESSIONAL SERVICES AGREEMENT IN AN AMOUNT NOT TO EXCEED $7,000 WITH MARIN ENERGY AUTHORITY FOR TECHNICAL ASSISTANCE RELATED TO THE SOLAR SEED FUND PROJECT

AYES: Councilmembers: Colin, Connolly, Heller, McCullough & Mayor Phillips
NOES: None
ABSENT: None

d. Resolution Recommending Community Development Block Grant Project Funding for the Year 2013-14 to the Marin County Board of Supervisors (ED)

Katie Korzun, Economic Development Coordinator presented the staff report.

Councilmember McCullough

Katie Korzun

Councilmember Heller/Katie Korzun
Mayor Phillips
Katie Korzun

Mayor Phillips
Roy Bateman, Planning Manager, County of Marin

Mayor Phillips
Roy Bateman
Nancy Mackle, City Manager

Public Comment: NONE

Councilmember McCullough

Councilmember Heller moved and Councilmember McCullough seconded to adopt the Resolution

RESOLUTION NO. 13516 - RESOLUTION RECOMMENDING COMMUNITY DEVELOPMENT BLOCK GRANT PROJECT FUNDING FOR THE YEAR 2013-14 TO THE MARIN COUNTY BOARD OF SUPERVISORS

AYES: Councilmembers: Colin, Connolly, Heller, McCullough & Mayor Phillips
NOES: None
ABSENT: None

e. Resolution on Traffic Mitigation Fees Held Over 5 Years (PW)

Traffic Mitigation Report

Nader Mansourian, Public Works Director presented the staff report.

Councilmember Heller

Nader Mansourian

Councilmember McCullough

Nader Mansourian

Mayor Phillips/Nadar Mansourian

Councilmember Colin

Nader Mansourian

Mayor Phillips

Nader Mansourian
Mayor Phillips  
Nader Mansourian  
Mayor Phillips  
Nancy Mackle  
Mayor Phillips  
Councilmember Connolly  
Nader Mansourian  

Public comment: NONE

Councilmember Connolly moved and Councilmember McCullough seconded to adopt the Resolution

RESOLUTION NO. 13517 - RESOLUTION ON TRAFFIC MITIGATION FEES HELD OVER 5 YEARS

AYES: Councilmembers: Colin, Connolly, Heller, McCullough & Mayor Phillips
NOES: None
ABSENT: None

f. Resolution Authorizing the Public Works Director to Initiate Informal Bids for the "2013 City Hall Interior Improvements Project", for a Total Project Cost Not to Exceed $650,000 (PW)

City Hall Interior Improv Project

Kevin McGowan, Assistant Public Works Director/City Engineer presented the staff report.

Councilmember McCullough  
Councilmember Connolly  
Councilmember Heller  
Kevin McGowan  
Councilmember Heller/Kevin McGowan  
Mayor Phillips  
Nader Mansourian  
Nancy Mackle  
Mayor Phillips  
Nader Mansourian/Mayor Phillips
Councilmember Colin

Kevin McGowan

Councilmember Colin/Kevin McGowan/Nancy Mackie

Public comment: NONE

Councilmember McCullough moved and Councilmember Heller seconded to adopt the Resolution

RESOLUTION NO. 13518 - RESOLUTION AUTHORIZING THE PUBLIC WORKS DIRECTOR TO INITIATE INFORMAL BIDS FOR THE "2013 CITY HALL INTERIOR IMPROVEMENTS PROJECT", FOR A TOTAL PROJECT COST NOT TO EXCEED $650,000

AYES: Councilmembers: Colin, Connolly, Heller, McCullough & Mayor Phillips
NOES: None
ABSENT: None

q. Acceptance of San Rafael Action Plan 2013-14 (CM)

SR Action Plan 2013 2014

Jim Schutz, Assistant City Manager presented the staff report.

Councilmember McCullough

Jim Schutz

Councilmember McCullough

Councilmember Connolly

Jim Schutz

Councilmember Colin

Councilmember Heller

Mayor Phillips

Nancy Mackle

Mayor Phillips invited public comment:

Jonathan Freeman

Seeing no further comment from the public, Mayor Phillips brought the item back to Council for deliberation.

Mayor Phillips
Jim Schutz

Councilmember Connolly

Councilmember McCullough moved and Councilmember Heller seconded to accept the Plan

AYES: Councilmembers: Colin, Connolly, Heller, McCullough & Mayor Phillips
NOES: None
ABSENT: None

**h. Resolution Declaring Council's Intention to Amend the Existing Downtown Parking and Business Improvements Area and Levy an Assessment (ED)**

Downtown Parking Bus Improv Areas

Katie Korzun, Economic Development Coordinator presented the staff report.

Councilmember Connolly

Katie Korzun

Councilmember Connolly/Katie Korzun

Katie Korzun

Councilmember Colin

Katie Korzun

Councilmember Colin

Katie Korzun

Councilmember Colin

Katie Korzun

Councilmember Colin

Katie Korzun

Katie Korzan - Amended Exhibit B

Public comment - NONE

Mayor Phillips invited members of the BID to make their presentations:

Stan Gibbs, President of BID

Mayor Phillips

Michael LaMorte, Napoli Pizza
Greg Gener, First Bank
Sandy Greenblat, Art Works
Kyle Hixon, Phoenix Club
Mayor Phillips
Robert Berry, Building owner 1010 B Street
Carol Thompson, Director BID
Councilmember Heller
Carol Thompson/Katie Korzun/Barbara Heller
Councilmember Connolly
Carol Thompson
Mayor Phillips
Carol Thompson
Mayor Phillips/Carol Thompson
Mayor Phillips
Katie Korzun
Mayor Phillips
Carol Thompson
Mayor Phillips
Carol Thompson
Mayor Phillips
Councilmember McCullough
Carol Thompson
Councilmember McCullough
Carol Thompson
Nancy Mackle
Seeing no further comment from the public, Mayor Phillips brought the item back to Council for discussion.

Councilmember McCullough

Councilmember Colin

Councilmember Connolly

Mayor Phillips

Councilmember McCullough moved and Councilmember Heller seconded to adopt the Resolution

RESOLUTION NO. 13519 - RESOLUTION DECLARING COUNCIL'S INTENTION TO AMEND THE EXISTING DOWNTOWN PARKING AND BUSINESS IMPROVEMENT AREA AND LEVY AN ASSESSMENT WITH AMENDED EXHIBIT B

AYES: Councilmembers: Colin, Connolly, Heller, McCullough & Mayor Phillips

NOES: None

ABSENT: None

Comments from Councilmembers and staff on Katie Korzun's retirement on March 29, 2013:

Councilmember Heller

Nancy Mackie

Councilmember Connolly

Councilmember Colin

Councilmember McCullough

Katie Korzun

Mayor Phillips

CITY MANAGER'S REPORT:

6. City Manager's Report

Nancy Mackle, City Manager announced that D Street will be paved on March 26 and 27, 2013 and the Canal Community Garden Grand Opening will be held on March 30, 2013 at 11:30 am.

Councilmember McCullough

COUNCILMEMBER REPORTS / REQUESTS FOR FUTURE AGENDA ITEMS: (including AB 1234 Reports on meetings and conferences attended at City expense)
7. Councilmember Reports

Councilmember Heller reported regarding her meeting with Marin Transit Authority

Mayor Phillips reported on his meetings of the past week.

SAN RAFAEL SUCCESSOR AGENCY

8. Successor Agency - Consent Calendar - None

ADJOURNMENT - 9:47 PM

ESTHER C. BEIRNE, City Clerk

APPROVED THIS ___ DAY ___ OF ______, 2013

GARY O. PHILLIPS, Mayor