

**AGENDA**

**SAN RAFAEL CITY COUNCIL MEETING – MONDAY, NOVEMBER 21, 2005  
COUNCIL CHAMBER, CITY HALL, 1400 FIFTH AVENUE, SAN RAFAEL, CALIFORNIA**

Members of the public may speak on Agenda items.

**OPEN SESSION – COUNCIL CHAMBER – 8:45 PM**

Mayor Boro announced Closed Session item.

**CLOSED SESSION – CONFERENCE ROOM 201 – 8:50 PM**

- 1. Public Employment – Government Code section 54957(b)(1)  
Title: City Manager

Mayor Boro announced at 9:53 p.m. that no reportable action was taken.

**ORAL COMMUNICATIONS OF AN URGENCY NATURE:**

**8:00 PM**

None.

**CONSENT CALENDAR:**

**RECOMMENDED ACTION:**

ALL MATTERS ON THE CONSENT CALENDAR ARE TO BE APPROVED BY ONE MOTION, UNLESS SEPARATE ACTION IS REQUIRED ON A PARTICULAR ITEM:

APPROVAL OF THE FOLLOWING ACTION:

- 2. Approval of Minutes of Regular Meeting of Monday, November 7, 2005 (CC) Approve as submitted.

**Minutes approved as submitted. (Mayor Boro abstaining due to absence from meeting)**

- 3. Reappointment of Lila McCarthy as City’s Representative on the Marin/Sonoma Mosquito & Vector Control District Board for a Two-year Term Expiring end of December, 2007 (CC) Approve staff recommendation.

**Lila McCarthy reappointed as City’s Representative on the Marin/Sonoma Mosquito & Vector Control District Board for a two-year term expiring end of December, 2007.**

- 4. Resolution of Appreciation for Esther Beirne, Deputy City Clerk, Employee of the Quarter ending September, 2005 (CC) Adopt Resolution.

**ADOPTED RESOLUTION NO. 11853 - RESOLUTION OF APPRECIATION TO ESTHER BEIRNE, DEPUTY CITY CLERK, EMPLOYEE OF THE QUARTER ENDING SEPTEMBER, 2005**

- 5. Resolution Appointing Robert Gallimore to the Americans with Disabilities Act (ADA) Access Advisory Committee (MS) Adopt Resolution.

**ADOPTED RESOLUTION NO. 11854 – RESOLUTION APPOINTING MR. ROBERT GALLIMORE TO THE ADA ACCESS ADVISORY COMMITTEE (To be sworn in on 12/7/05)**

- 6. Resolution Instituting the Annual Holiday Parking Program from Thursday, November 24, 2005 through Sunday, December 25, 2005 and Allocating \$10,000 for a Downtown Parking Validation Program (MS) Adopt Resolution.

*American Sign Language interpreters and assistive listening devices may be requested by calling (415) 485-3198 (TDD) or (415) 485-3064 (voice) at least 72 hours in advance. Copies of documents are available in accessible formats upon request.*

*Public transportation is available through Golden Gate Transit, Line 22 or 23. Paratransit is available by calling Whistlestop Wheels at (415) 454-0964.*

*To allow individuals with environmental illness or multiple chemical sensitivity to attend the meeting/hearing, individuals are requested to refrain from wearing scented products.*

**ADOPTED RESOLUTION NO. 11855 – RESOLUTION INSTITUTING THE HOLIDAY PARKING PROGRAM FROM NOVEMBER 24, 2005 UNTIL DECEMBER 25, 2005 AND ALLOCATING \$10,000 FOR A DOWNTOWN PARKING VALIDATION PROGRAM**

7. Resolution Waiving Competitive Bidding Requirements Pursuant to 2.55.070(D) of the San Rafael Municipal Code and Authorizing Staff to Negotiate and the City Manager to Execute a Contract for the Purchase of Multi-Space Parking Equipment in an Amount not to Exceed \$50,000 (MS) Adopt Resolution.

**ADOPTED RESOLUTION NO. 11856– RESOLUTION WAIVING COMPETITIVE BIDDING REQUIREMENTS PURSUANT TO 2.55.070(D) OF THE SAN RAFAEL MUNICIPAL CODE AND AUTHORIZING STAFF TO COMPETITIVELY NEGOTIATE AND THE CITY MANAGER TO EXECUTE A CONTRACT FOR THE PURCHASE OF MULTI-SPACE PARKING EQUIPMENT IN AN AMOUNT NOT TO EXCEED \$50,000**

8. Monthly Investment Report For Month Ending October, 2005 (MS) Accept report.

**Accepted Monthly Investment Report for month ending October 2005, as presented.**

9. Resolution Approving the Application Software License and Use Agreement for \$85,650 with Ironpoint Technology, Inc. of Vancouver, British Columbia (MS) Adopt Resolution.

**ADOPTED RESOLUTION NO. 11857 – RESOLUTION APPROVING THE APPLICATION SOFTWARE LICENSE AND USE AGREEMENT FOR \$85,650 WITH IRONPOINT TECHNOLOGY, INC. AND AUTHORIZING CITY MANAGER TO EXECUTE THE AGREEMENT**

10. Resolution Approving Use of State Homeland Security Funds in the Amount of \$22,640 for Equipment Purchase (PD) Adopt Resolution.

**ADOPTED RESOLUTION NO. 11858 – RESOLUTION APPROVING USE OF STATE HOMELAND SECURITY FUNDS IN THE AMOUNT OF \$22,640 FOR EQUIPMENT PURCHASE**

11. Resolution Approving Memorandum of Understanding Between the San Rafael Police and Marin County Division of Alcohol, Drug and Tobacco Programs in the Amount of \$23,100 for Local Enforcement of Youth Access to Alcohol Laws Activities (PD) Adopt Resolution.

**ADOPTED RESOLUTION NO. 11859 – RESOLUTION APPROVING MEMORANDUM OF UNDERSTANDING BETWEEN THE SAN RAFAEL POLICE AND MARIN COUNTY DIVISION OF ALCOHOL, DRUG AND TOBACCO PROGRAMS IN THE AMOUNT OF \$23,100 FOR LOCAL ENFORCEMENT OF YOUTH ACCESS TO ALCOHOL LAWS ACTIVITIES**

12. Resolution Approving Use of State of California Office of Traffic Grant Funds in the Amount of \$194,362.62 for “Avoid the Marin 13” DUI Enforcement Campaign (PD) Adopt Resolution.

**ADOPTED RESOLUTION NO. 11860 – RESOLUTION APPROVING USE OF STATE OF CALIFORNIA OFFICE OF TRAFFIC GRANT FUNDS IN THE AMOUNT OF \$194,362.62 FOR “AVOID THE MARIN 13” DUI ENFORCEMENT CAMPAIGN**

**SPECIAL PRESENTATION:**

13. Presentation of Resolution of Appreciation to Esther Beirne, Deputy City Clerk, Employee of the Quarter ending September, 2005 (CC)

**Mayor Boro presented Resolution of Appreciation to Esther Beirne, Deputy City Clerk, Employee of the Quarter ending September 2005.**

**PUBLIC HEARING:**

14. Consideration of Municipal Code Text and Zoning Map Amendments – Amendments to Various Sections of the San Rafael Municipal Code (CD)

**Passed Ordinance No. 1838 to print – AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SAN RAFAEL AMENDING VARIOUS SECTIONS OF THE SAN RAFAEL MUNICIPAL CODE TO COMPLY WITH REVISIONS OF STATE LAW FOR PROVISION OF DENSITY BONUSES AND ZONING INCENTIVES FOR RESIDENTIAL PROJECTS THAT INCLUDE AFFORDABLE HOUSING, TO REQUIRE RELOCATION ASSISTANCE TO LOWER INCOME TENANTS DISPLACED BY DEVELOPMENT PROJECTS, TO CORRECT THE RANGE OF BUILDING HEIGHT LIMITS IN THE WEST END VILLAGE DISTRICT TO COMPLY WITH PROVISIONS OF**

GENERAL PLAN 2020, TO ALLOW SUSPENSION OF CONSTRUCTION WORK FOR VIOLATIONS OF THE NOISE ORDINANCE, TO MODIFY CRITERIA FOR GRANTING OF EXCEPTIONS TO THE NOISE ORDINANCE, TO MODIFY THE DEFINITION OF SECOND DWELLING UNIT TO COMPLY WITH PROVISIONS OF STATE LAW, TO MODIFY PROVISIONS FOR AN ALTERNATE MEMBER OF THE DESIGN REVIEW BOARD, TO ADD REGULATIONS FOR TEMPORARY BANNERS, TO CLARIFY THE GROUND FLOOR USE RESTRICTIONS IN THE FOURTH STREET RETAIL CORE DISTRICT, TO CHANGE REFERENCES TO THE CULTURAL AFFAIRS COMMISSION RELATED TO HISTORIC PRESERVATION RESPONSIBILITIES TO THE PLANNING COMMISSION, TO MODIFY REGULATIONS FOR MODIFICATION OF ROOFS WITHIN THE EICHLER/ALLIANCE HOMES COMBINING DISTRICT TO COMPLY WITH STATE LAW FOR REGULATION OF SOLAR COLLECTORS, TO CLARIFY THE APPEAL PERIOD FOR DEVELOPMENT APPROVALS INVOLVING LAND SUBDIVISIONS TO COMPLY WITH STATE LAW, TO COMPLY WITH PROVISIONS OF STATE LAW FOR FAMILY DAY CARE FACILITIES, TO COMPLY WITH PROVISIONS OF STATE AND FEDERAL LAW FOR PROVISION OF REASONABLE ACCOMMODATIONS FOR ACCESS TO HOUSING BY PERSONS WITH DISABILITIES, TO REMOVE SECTION 14.16.070 RELATED TO CONVERSION OR DEMOLITION OF DWELLING UNITS, TO COMPLY WITH PROVISIONS OF FEDERAL LAW FOR REGULATION OF SATELLITE DISHES, TO MODIFY DEFINITIONS, TO MODIFY ALLOWANCES FOR VARIOUS USE CATEGORIES IN COMMERCIAL AND INDUSTRIAL DISTRICTS, TO INCREASE PUBLIC HEARING NOTIFICATION REQUIREMENTS FOR SUBDIVISIONS, TO CORRECT BOUNDARIES OF THE DOWNTOWN PARKING ASSESSMENT DISTRICT AS DIAGRAMED IN THE ZONING ORDINANCE, TO REVISE THE DEFINITION OF DECK HEIGHTS WHICH ARE SUBJECT TO SETBACK REGULATIONS, TO PRECLUDE THE PARKING OF VEHICLES IN THE FRONT YARD SETBACKS OF RESIDENTIAL PROPERTIES, TO ALLOW ELIMINATION OF REQUIRED PARKING SPACES TO PROVIDE FOR REQUIRED DISABLED ACCESS, TO ELIMINATE REQUIREMENTS THAT BUILDINGS OUTSIDE OF THE HILLSIDE AREAS BE PAINTED IN EARTHTONE COLORS, AND TO REZONE PROPERTY AT 3240-3270 KERNER BOULEVARD FROM GENERAL COMMERCIAL TO LIGHT INDUSTRIAL/OFFICE TO CORRECT A MAPPING ERROR

**COUNCILMEMBER REPORTS:**

15. **Canal Stakeholder Committee:**  
Mayor Boro invited Councilmembers to accept a recommendation from Councilmember Miller and himself to appoint two additional members, Tom Wilson and Rocky Birdsey, to the Canal Neighborhood Stakeholder Committee.

**ADJOURNMENT: 8:45 PM**