

AGENDA

**SAN RAFAEL CITY COUNCIL MEETING – MONDAY, DECEMBER 5, 2005
(WITH SUPPLEMENTAL INFORMATION FOR COUNCILMEMBERS)
COUNCIL CHAMBER, CITY HALL, 1400 FIFTH AVENUE, SAN RAFAEL, CALIFORNIA**

Members of the public may speak on Agenda items.

OPEN SESSION – COUNCIL CHAMBER – 7:00 PM

Mayor Boro announced Closed Session item.

CLOSED SESSION – CONFERENCE ROOM 201 – 7:00 PM

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

Mayor Boro announced that the City Council unanimously voted to appoint Mr. Ken Nordhoff as Interim City Manager. Mr. Nordhoff to serve in this position for six – eight months, at which time the City Council would carry out a recruitment for a City Manager.

Councilmember Cohen stated that as the City Council had not had an opportunity to meet as a group to discuss the situation with Mr. Nordhoff, or amongst themselves, it would have been premature to place the item on tonight’s agenda. Noting City Manager Gould would be leaving prior to the next City Council meeting, he believed it would be a mistake to wait to formalize the action. Therefore, Councilmember Cohen moved and Councilmember Heller seconded, to add two urgency items to this evening’s agenda; the vote was unanimous.

- 1) Formalize the appointment of Mr. Ken Nordhoff as Interim City Manager; and
- 2) Address the compensation for this interim appointment.

- 1) Formalize the Appointment of Mr. Ken Nordhoff as Interim City Manager (CC)

Mr. Ken Nordhoff was appointed Interim City Manager of the City of San Rafael.

- 2) Compensation for Mr. Ken Nordhoff, Interim City Manager (CC)

In recognition of the additional responsibilities being taken on by Mr. Nordhoff, he was awarded a 10% increase in salary.

The vote was unanimous for items 1) and 2).

ORAL COMMUNICATIONS OF AN URGENCY NATURE:

8:05 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 21, 2005 (CC)

Approve as submitted.

Minutes approved as submitted.

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.

3. **SECOND READING AND FINAL ADOPTION OF ORDINANCE NO. 1838** – 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 (CD)

Approve final adoption of Ordinance No. 1838.

Approved final adoption of Ordinance No. 1838.

4. Resolution of Appreciation for Rod Gould, City Manager (MS)

Adopt Resolution.

ADOPTED RESOLUTION NO. 11861- RESOLUTION OF APPRECIATION TO ROD GOULD, CITY MANAGER (For 9-1/2 years of Service)

5. Resolution Approving Agreement for Professional Services Between the City of San Rafael and Beth Goldberg for Curator Services at Falkirk Cultural Center (CS)

Adopt Resolution.

ADOPTED RESOLUTION NO. 11862 – RESOLUTION AUTHORIZING THE CITY MANAGER TO ENTER INTO AN AGREEMENT FOR PROFESSIONAL SERVICES BETWEEN THE CITY OF SAN RAFAEL AND BETH GOLDBERG FOR CURATOR SERVICES AT FALKIRK CULTURAL CENTER (Term shall be from December 5, 2005 to June 30, 2006)

6. Report on Bid Opening and Resolution Approving Purchase of Two Dump Trucks from Victory Chevrolet in the Amount of \$103,764.33, Project No. 600-44-46001-9270 (Bid Opening held on Tuesday, November 22, 2005) (PW)

Adopt Resolution.

ADOPTED RESOLUTION NO. 11863 – RESOLUTION AWARDED PURCHASE OF TWO DUMP TRUCKS FROM VICTORY CHEVROLET IN THE AMOUNT OF \$103,764.33 (only bidder)

7. Resolution Approving Parcel Map of Subdivision Entitled “Map of Jaleh Estates” (PW)

Adopt Resolution.

ADOPTED RESOLUTION NO. 11864 – RESOLUTION APPROVING PARCEL MAP ENTITLED “MAP OF JALEH ESTATES”, SAN RAFAEL, CALIFORNIA

COUNCIL CONSIDERATION:

NEW BUSINESS:

8. Re: Election Matters: (CC)

- a) Resolution of the City Council of the City of San Rafael Declaring Canvass of Returns and Results of Consolidated General Municipal Election held on November 8, 2005, to Include Results of Ballot Measure S – Transactions and Use Tax

ADOPTED RESOLUTION NO. 11865 – RESOLUTION DECLARING CANVASS OF RETURNS AND RESULTS OF CONSOLIDATED GENERAL MUNICIPAL ELECTION HELD ON NOVEMBER 8, 2005, TO INCLUDE RESULTS OF BALLOT MEASURE S – TRANSACTIONS AND USE TAX

b) Swearing-In Ceremonies:

The Following to be sworn in by Jeanne Leoncini, City Clerk:

- 1) Jon Loberg, Board of Education Trustee
- 2) Natu Tuatogaloa, Board of Education Trustee
- 3) Barbara Heller, Councilmember
- 4) Cyr N. Miller, Councilmember

City Clerk Jeanne Leoncini swore in the following:

- 1) Jon Loberg, Board of Education Trustee
- 2) Natu Tuatogaloa, Board of Education Trustee
- 3) Barbara Heller, Councilmember
- 4) Cyr N. Miller, Councilmember

9. Swearing-in of Fire Chief John Montenero (CC)

City Clerk Jeanne Leoncini swore in Fire Chief John Montenero.

ADJOURNMENT: 8:20 PM – to reception in Lobby honoring newly re-elected Councilmembers and re-appointed School Board Members; also honoring City Manager Rod Gould who is leaving to become City Manager of Poway, California, and presenting Mr. Gould with Resolution of Appreciation for 9-1/2 years of service to the City of San Rafael.