

**AGENDA**

**SAN RAFAEL CITY COUNCIL MEETING – MONDAY, MARCH 6, 2006  
(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 – 6:30 PM**

**Mayor Boro announced Closed Session items.**

**CLOSED SESSION – CONFERENCE ROOM 201 – 6:30 PM**

- 1. a) Conference with Real Property Negotiator  
Government Code Section 54956.8  
Property Address: 140 Convent Court, San Rafael  
APN#: 015-250-53  
Agency Negotiators: Ken Nordhoff and Scott Schneider  
Negotiating Parties: City of San Rafael and Dr. Marleen Smith  
Under negotiations: Terms and conditions of possible property exchange, including price and terms of payment.
  
- b) Conference with Labor Negotiators – Government Code Section 54957.6  
Negotiators: Ken Nordhoff, Nancy Mackle, Lydia Romero  
Employee Organization(s): San Rafael Firefighters' Association  
San Rafael Fire Chief Officers' Association  
San Rafael Police Association  
San Rafael Police Mid-Management Association  
Confidential Unit  
Western Council of Engineers  
SEIU Miscellaneous & Supervisory

**Assistant City Attorney Gus Guinan announced that no reportable action was taken.**

**ORAL COMMUNICATIONS OF AN URGENCY NATURE:**

**8:16 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 Tuesday, February 21, 2006 (CC) Approve as submitted.

Minutes approved as submitted. **(Councilmembers Heller and Miller abstaining due to absence from meeting)**

- 3. Summary of Legislation Affecting San Rafael (CM) Approve staff recommendation.

**Approved staff recommendation:**  
**Transportation Funding Act of 2006. Ballot Initiative – SUPPORT**

- 4. Resolution Authorizing Interim City Manager to Execute Agreement Between the City of San Rafael and Liebert, Cassidy and Whitmore, LLP, for the Provision of Labor Negotiations Consulting Services (CM) 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. 11913 – RESOLUTION APPROVING AND AUTHORIZING THE INTERIM CITY MANAGER TO EXECUTE AN AGREEMENT BETWEEN THE CITY OF SAN RAFAEL AND LIEBERT, CASSIDY AND WHITMORE, LLP, FOR LEGAL AND LABOR NEGOTIATIONS CONSULTING SERVICES (Beginning March 6, 2006 and terminating December 31, 2006)**

5. Resolution Establishing an Expense and Reimbursement Policy (CM) Adopt Resolution.

**ADOPTED RESOLUTION NO. 11914 – RESOLUTION ESTABLISHING AN EXPENSE AND REIMBURSEMENT POLICY**

6. Resolution Authorizing Temporary Closure of Mission Avenue Between C Street and E Street for the Annual Falkirk Egg Hunt on Falkirk Lawn on April 15, 2006 (CS) Adopt Resolution.

**ADOPTED RESOLUTION NO. 11915 – RESOLUTION AUTHORIZING THE TEMPORARY CLOSURE OF MISSION AVENUE BETWEEN C STREET AND E STREET FOR THE ANNUAL FALKIRK CULTURAL CENTER EGG HUNT**

7. SECOND READING AND FINAL ADOPTION OF ORDINANCE NO. 1840 – “An Ordinance of the San Rafael City Council Repealing Chapter 4.20 of the City of San Rafael Municipal Code which Established the Fire Department as a Certified Unified Program Agency (CUPA) Responsible for Enforcement of all Applicable Provisions of State Law Relating to the Use and Storage of Hazardous Materials” (FD) Approve final adoption of Ordinance No. 1840.

**Approved final adoption of Ordinance No. 1840. (Councilmembers Heller and Miller abstaining due to absence from meeting of 2/21/06)**

8. Resolution Authorizing the Interim City Manager to Execute an Agreement with the County of Marin to Transfer the City’s Federally Copyrighted CUPA Data Management Software, Related to the Enforcement of California Hazardous Materials Laws (FD) Adopt Resolution.

**ADOPTED RESOLUTION NO. 11916 – RESOLUTION AUTHORIZING THE INTERIM CITY MANAGER TO EXECUTE AN AGREEMENT WITH THE COUNTY OF MARIN TO TRANSFER THE CITY’S FEDERALLY COPYRIGHTED CUPA DATA MANAGEMENT SOFTWARE RELATED TO THE ENFORCEMENT OF CALIFORNIA HAZARDOUS MATERIALS LAWS**

9. Resolution Authorizing the Interim City Manager to Execute a First Amendment to the Agreement for Professional Services with Richard Schmidt for Administrative Investigation Services (PD) Adopt Resolution.

**ADOPTED RESOLUTION 11917 – RESOLUTION AUTHORIZING THE INTERIM CITY MANAGER TO EXECUTE A FIRST AMENDMENT TO THE AGREEMENT FOR PROFESSIONAL SERVICES WITH RICHARD SCHMIDT FOR ADMINISTRATIVE INVESTIGATION SERVICES (Through 6/30/07)**

10. Resolution Approving Use of State of California Office of Traffic Grant Funds in the Amount of \$24,916.00 for “Click it or Ticket” Seatbelt Compliance Enforcement Campaign, February through August, 2006 (PD) Adopt Resolution.

**ADOPTED RESOLUTION NO. 11918 – RESOLUTION APPROVING USE OF STATE OF CALIFORNIA OFFICE OF TRAFFIC GRANT FUNDS IN THE AMOUNT OF \$24,916 FOR “CLICK IT OR TICKET” SEATBELT COMPLIANCE ENFORCEMENT CAMPAIGN FEBRUARY THROUGH AUGUST, 2006**

11. Resolution Approving Summary Vacation of Existing 5’ wide Public Utilities Easement on the Easterly Line of Lot 1, as Shown in Book 5 of Survey Map at Page 48, Entitled “Record of Survey, Map of Portion of Reversion to Acreage Map and Portion of Bellam Subdivision No. 1” (PW) Adopt Resolution.

**ADOPTED RESOLUTION NO. 11919 – RESOLUTION APPROVING SUMMARY VACATION OF AN EXISTING 5’ PUBLIC UTILITIES EASEMENT ON THE EASTERLY LINE OF LOT 1, AS SHOWN IN BOOK 5 OF SURVEY AT PAGE 48, ENTITLED “RECORD OF SURVEY, MAP OF PORTION OF REVERSION TO ACREAGE MAP AND PORTION OF BELLAM SUBDIVISION, No. 1”**

12. Resolution Authorizing the Temporary Closure of City Streets for the Weekly Downtown Farmers' Market Festival on Thursday Evenings from April 6 to September 28, 2006 (RA) Adopt Resolution.

**ADOPTED RESOLUTION NO. 11920 – RESOLUTION AUTHORIZING THE TEMPORARY CLOSURE OF CITY STREETS FOR THE WEEKLY DOWNTOWN FARMERS' MARKET FESTIVAL ON THURSDAY EVENINGS FROM APRIL 6 – SEPTEMBER 28, 2006**

13. Resolution Authorizing Temporary Street Closures for 19<sup>th</sup> Annual May Madness Classic Car Parade on May 20, 2006 (RA) Adopt Resolution.

**ADOPTED RESOLUTION NO. 11921 – RESOLUTION AUTHORIZING THE TEMPORARY CLOSURE OF CITY STREETS FOR THE 19<sup>TH</sup> ANNUAL GREG BORRELLI'S MAY MADNESS CLASSIC CAR PARADE ON MAY 20, 2006**

14. Resolution Authorizing Temporary Street Closures for the Italian Street Painting Festival 2006 on June 10 and 11, 2006 (RA) Adopt Resolution.

**ADOPTED RESOLUTION NO. 11922 – RESOLUTION AUTHORIZING THE TEMPORARY CLOSURE OF CITY STREETS FOR THE YOUTH IN ARTS ITALIAN STREET PAINTING FESTIVAL 2006 ON JUNE 10-11, 2006**

15. Resolution Authorizing Temporary Closure of Downtown City Streets in Connection with the Carrera de San Rafael on Saturday, September 9, 2006 from 7:30 a.m. to 5:00 p.m. (RA) Adopt Resolution.

**ADOPTED RESOLUTION NO. 11923 – RESOLUTION AUTHORIZING THE TEMPORARY CLOSURE OF CITY STREETS FOR THE CARRERA DE SAN RAFAEL ON SATURDAY, SEPTEMBER 9, 2006 FROM 7:30 A.M. – 5:00 P.M.**

**COUNCIL CONSIDERATION:**

**NEW BUSINESS:**

16. Recommendation for Community Development Block Grant (CDBG) Proposals Funding Year 2006-2007 (RA)

**ADOPTED RESOLUTION NO. 11924 – RESOLUTION RECOMMENDING COMMUNITY DEVELOPMENT BLOCK GRANT PROJECT FUNDING FOR THE YEAR 2006-07 TO THE MARIN COUNTY BOARD OF SUPERVISORS**

**COUNCILMEMBER REPORTS:**

17. **Governor's Infrastructure Plan and Bond Proposals:**  
Councilmember Cohen reported that he had attended a briefing given by the Office of the Governor in San Francisco on Friday last concerning the Governor's Infrastructure Plan and Bond Proposals. Although the plan was ambitious, he expressed dissatisfaction with the level of detail presented in the discussion. Councilmember Cohen noted the deadline set by the Secretary of State for obtaining a deal to place something on the ballot for June was Friday, March 10, 2006.

**Dil Kazzaz – Redwood Village Grading:**

Interim City Manager Ken Nordhoff reported that Mr. Kazzaz received an offer on Friday last from Signature Properties for consideration. He expressed the hope that Mr. Kazzaz would take advantage of this very generous solution.

**ADJOURNMENT:** 8:34 p.m.