



## ACTION AGENDA

**SAN RAFAEL CITY COUNCIL MEETING – MONDAY, MAY 5, 2008  
COUNCIL CHAMBER, CITY HALL, 1400 FIFTH AVENUE, SAN RAFAEL, CALIFORNIA**

Members of the public may speak on Agenda items.

### OPEN SESSION – COUNCIL CHAMBER – 6:00 PM

Mayor Boro announced Closed Session item.

### CLOSED SESSION – CONFERENCE ROOM 201 – 6:00 PM

1. Conference with Legal Counsel – Existing Litigation  
Government Code Section 54956.9(a)  
Case Name: Karen Littman v. City of San Rafael  
Marin Superior Court Case No. CV065433

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

### ORAL COMMUNICATIONS OF AN URGENCY NATURE:

**8:00 PM**

THIS PORTION OF THE MEETING RESERVED FOR PERSONS DESIRING TO ADDRESS THE CITY COUNCIL ON URGENCY MATTERS NOT ON THE AGENDA. PRESENTATIONS ARE GENERALLY LIMITED TO ONE MINUTE. ALL MATTERS REQUIRING A RESPONSE WILL BE REFERRED TO STAFF FOR REPLY IN WRITING AND/OR PLACED ON A FUTURE MEETING AGENDA. PLEASE CONTACT THE CITY CLERK BEFORE MEETING.

### War in Iraq:

**Mary Morrison and John Jenkel requested Council support for ending the war in Iraq.**

### 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 Special Meeting of April 21, 2008 (CC)
3. Report on Annual Filings – Fair Political Practices Commission Form 700, Statement of Economic Interests for Designated Employees, Including Consultants, Design Review Board, Downtown Business Improvement District Board, Geotechnical Review Board, and Park and Recreation Commission (CC)
4. Second Reading and Final Adoption of Ordinance No. 1866: “AN ORDINANCE OF THE CITY OF SAN RAFAEL APPROVING A DEVELOPMENT AGREEMENT NO. DA07-01 TO MAINTAIN A 0.40 FLOOR AREA RATIO IN ORDER TO PRESERVE A RIGHT TO BUILD BACK COMMERCIAL SPACE REMOVED AS PART OF A RENOVATION PROJECT TO THE MALL AT NORTHGATE, LOCATED AT 5800 NORTHGATE DRIVE (APN: 175-060-12, 40, 59, 60 & 61)” (CD)

**Minutes approve as submitted.**

**Accept report.**

**Approved final adoption of Ordinance No. 1866.**

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*Any records relating to an agenda item, received by a majority or more of the Council less than 72 hours before the meeting, shall be available for inspection in the City Clerk's Office, Room 209, 1400 Fifth Avenue, and placed with other agenda-related materials on the table in front of the Council Chamber prior to the meeting.*

*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.*

5. Resolution Authorizing the City Manager to Sign a Professional Services Agreement with Baird+Driskell Community Planning for Planning and Document Assistance for the Climate Change Action Plan (P07-011) (CD)
6. Resolution Supporting Reform of the Bond Rating System to Eliminate Discrimination Against Municipal Bonds (CM)
7. Resolution Authorizing Purchase and Installation of a Relocatable Classroom for the Childcare Program at Glenwood Elementary School (CS)
8. Resolution Authorizing the Director of Public Works to Approve an Agreement Between the Transportation Authority of Marin (TAM) and the City of San Rafael to Exchange \$265,300 in Local Measure A Funds for \$265,300 in Non-Motorized Pilot Program (NTPP) Funds for the Medway/Canal Enhancement Project (#10705) (PW)
9. Resolution Authorizing the Public Works Director to Submit an Application for \$933,646 in FY 2007-2008 Proposition 1B Funds and to adopt the San Rafael Proposition 1B Streets and Roads Program Budget (PW)
10. Resolution Designating May 7 – 14, 2008 Small Business Week (RA)
11. Resolution Approving the 2008-09 Annual Report of the Downtown Parking and Business Improvement District and Declaring Council's Intention to Levy an Annual Assessment for the Downtown Parking and Business Improvement District for Fiscal Year 2008-09, and Directing the City Clerk to Schedule a Public Hearing for May 19, 2008 to Consider Levying the Assessment (RA)

**ADOPTED RESOLUTION NO. 12481**  
**RESOLUTION AUTHORIZING THE CITY MANAGER TO EXECUTE A PROFESSIONAL SERVICES AGREEMENT WITH BAIRD+DRISKELL COMMUNITY PLANNING FOR PLANNING AND DOCUMENT ASSISTANCE FOR THE CLIMATE CHANGE ACTION PLAN FOR AN AMOUNT NOT TO EXCEED \$24,640 (COMMENCING MAY 12, 2008 AND ENDING JUNE 30, 2009)**

**ADOPTED RESOLUTION NO. 12482**  
**RESOLUTION SUPPORTING REFORM OF THE BOND RATING SYSTEM TO ELIMINATE DISCRIMINATION AGAINST MUNICIPAL BONDS**

**ADOPTED RESOLUTION NO. 12483**  
**RESOLUTION AUTHORIZING THE EXPENDITURE OF UP TO \$175,000 FOR THE INSTALLATION AND PURCHASE OF RELOCATABLE CLASSROOM FOR GLENWOOD CHILDREN'S CENTER**

**ADOPTED RESOLUTION NO. 12484**  
**RESOLUTION AUTHORIZING THE DIRECTOR OF PUBLIC WORKS TO APPROVE AN AGREEMENT BETWEEN THE COUNTY OF MARIN AND THE CITY OF SAN RAFAEL TO EXCHANGE \$265,300 IN LOCAL MEASURE A FUNDS FOR \$265,300 IN NON-MOTORIZED PILOT PROGRAM (NTPP) FUNDS FOR THE MEDWAY/CANAL ENHANCEMENT PROJECT (#10705) SUBJECT TO AN APPROVAL FROM THE TRANSPORTATION AUTHORITY OF MARIN (TAM) BOARD (amended)**

**ADOPTED RESOLUTION NO. 12485**  
**RESOLUTION AUTHORIZING THE PUBLIC WORKS DIRECTOR TO SUBMIT AN APPLICATION FOR \$933,646 IN FY 07-08 PROPOSITION 1B FUNDS AND TO ADOPT THE SAN RAFAEL PROPOSITION 1B STREETS AND ROADS PROGRAM BUDGET**

**ADOPTED RESOLUTION NO. 12486**  
**RESOLUTION DESIGNATING MAY 7 – 14,2008, AS SMALL BUSINESS WEEK**

**ADOPTED RESOLUTION NO. 12487**  
**RESOLUTION APPROVING THE 2008-09 ANNUAL REPORT OF THE DOWNTOWN PARKING AND BUSINESS IMPROVEMENT DISTRICT AND DECLARING COUNCIL'S INTENTION TO LEVY AN ANNUAL ASSESSMENT FOR THE DOWNTOWN PARKING AND BUSINESS IMPROVEMENT DISTRICT FOR FISCAL YEAR 2008-09 AND DIRECTING THE CITY CLERK TO SCHEDULE A PUBLIC HEARING FOR MAY 19, 2008 TO CONSIDER LEVYING THE ASSESSMENT**

**SPECIAL PRESENTATION:**

12. Presentation of Resolution Designating Small Business Week to the San Rafael Chamber of Commerce (RA)

**Mayor Boro presented Resolution Designating Small Business Week – May 7 – 14, 2008 - to representatives from the San Rafael Chamber of Commerce.**

**COUNCIL CONSIDERATION:**

**OLD BUSINESS:**

13. Report and Recommendation Regarding Traffic Impacts from the Change in Operating Hours of the Downtown Farmers Market Festival (RA)

**Accepted Report. Staff to submit a full report to the City Council at the June 2<sup>nd</sup> meeting.**

**APPEAL HEARING:**

14. Appeal Hearing – Re: 33 San Pablo Avenue; Appeal of the Planning Commission's Approval of an Environmental and Design Review Permit (ED07-045) and Tentative Map (TS07-001) to Allow the Demolition of the Existing 4-Story, 33,000 sq. ft. Office Building and the Construction of a New 4-Story, 82-Unit Residential Condominium Project Over Three Levels of Underground Parking with 138 Parking Spaces, Including a One Unit Density Bonus and One Concession for Use of State Parking Rates, on an 81,495 sq. ft Property Located at 33 San Pablo Avenue (CD)

**Public Hearing closed. Item continued to meeting of June 2, 2008 to review:**

- **Visual simulations of the proposed project;**
- **Mass and density (number of units);**
- **Traffic impact, including relevance to potential safety issues; and**
- **Legal issues**

**COUNCILMEMBER REPORTS: (Including AB 1234 Reports on Meetings and Conferences Attended at City Expense)**

15. Councilmember Connolly reported that he attended the recent meetings of the Joint Powers Authority Oversight Committee and Association of Bay Area Governments (ABAG).

**ADJOURNMENT: 11:40 PM**