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- a. They are records dealing with security and safety procedures that are exempt pursuant to Government Code Section 6254(f). (Northern California Police Practices Project v. Craig (1979) 90 Cal.App.3d 116, 121-122.);
- b. They are materials for which the City of San Rafael does not hold the copyright or have permission to publish.

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SAN RAFAEL POLICE DEPARTMENT
TRAINING UNIT

INTER-DEPARTMENT MEMORANDUM

PHASE 1
1999/2000

LOCATION: **BULLSEYE RANGE**
 CITY HALL AT THE MALL

TIME: **0700-1700**

LEAD INSTRUCTOR: **John Coen**

DATES:

FRIDAY	AUG. 06	<u>INSTRUCTOR DAY</u>
WEDNESDAY	AUG. 11	<u>INSTRUCTOR DAY</u>
MONDAY	AUG. 23	CLASS 1
WEDNESDAY	AUG. 25	CLASS 2
FRIDAY	AUG. 27	CLASS 3
SATURDAY	AUG. 28	CLASS 4
MONDAY	AUG. 30	CLASS 5
FRIDAY	SEPT. 03	CLASS 6
TUESDAY	SEPT. 07	CLASS 7
THURSDAY	SEPT. 09	CLASS 8
SATURDAY	SEPT. 11	CLASS 9 (IF NEEDED)

SAN RAFAEL POLICE DEPARTMENT

TRAINING UNIT

PHASE I TRAINING

LOGISTICS

Students will be scheduled to a ten (10) hour work day.

TRAINING: AM (5 hours)

Firearms- Handguns,

COEN

LOCATION:

Bullseye

TIME:

AM Class will be from 0700-1200 hrs.

UNIFORM:

Class C Uniform, including gun belt and ballistic vest.

LUNCH:

A one (1) hour lunch will be scheduled around noon.

TRAINING: PM (4 hours)

COPPS: 1 hour Ritter House Presentation

1 hour Redevelopment Presentation

2 hour POST Video " Violence in the Workplace

UNIFORM: "Class C uniform, with or without Duty belt,
will be worn during the afternoon porrtion of
the Class." Arrive dressed.

LOCATION: City Hall at the Mall Conference room

TIME:

PM Class will be from 1300-1700 hrs. Be Prompt!

SAN RAFAEL POLICE DEPARTMENT

TRAINING UNIT

PHASE I TRAINING

SPECIAL ATTENTION

The Annual equipment inspection will be conducted first thing during the AM portion of the day. This inspection is done to update all training files and to evaluate for repair or replacement. You will need to bring the following additional equipment.

1. Riot Helmet
2. Traffic Vest
3. Hobble
4. ASP Baton
5. OC Spray
6. Ballistic Vest
7. Handcuffs

Note: The uniform of the day is Class C uniform with duty belt

SAN RAFAEL POLICE DEPARTMENT TRAINING UNIT

PHASE 1 TRAINING

LESSON PLAN

- 700 MEET AT BULLSEYE**
- 701 ATTENDANCE & CLASS OVERVIEW & WEAPON INSPECTION**
- 715 TEST G.O. 80-30 DISCHARGE OF FIREARM
BASIC RULES OF WEAPON HANDLING
(Laser rule, Master grip etc.)**
- 730 ANNUAL EQUIPMENT CHECK / ISSUE RAIN PANTS**
- 800 P.C. 832 HANDGUN QUALIFICATION**
- 830 LECTURE**
 1. Handgun Fundamental
 2. Draw and Recovery
 (See attached Lesson Plan)
- 930 DRAW AND RECOVERY DRILLS**
- 1130 RANGE CLEAN-UP**
- 1200 LUNCH**
- 1300 MEET AT CONFERENCE ROOM "CITY HALL AT MALL"**
- 1301 COPPS RITTER HOUSE PRESENTATION**
- 1400 COPPS RE-DEVELOPMENT PRESENTATION**
- 1500 POST VIDEO "VIOLENCE IN WORKPLACE"**
- 1700 END CLASS**

HANDGUN FUNDAMENTALS

- I. **Grip (Strong Hand)**-ideally the weapon should be placed in the hand so that a straight line is formed starting with the slide of the weapon and running through the shooter's wrist and forearm.

This straight line should always be visible when the shooter is viewed from above.

A side view of the shooter will yield an image of two parallel lines, one formed by the slide and the other formed by the shooter's forearm and locked wrist.

The web of the hand should be high and fully under the tang of the back strap. While the older 1911 style weapons might still bite the hand, most pistols as they are produced today incorporate hammer profiles and a matched hammer tang combination that have all but eliminated this problem. **THERE IS NO NEED TO GRIP THE GUN LOW ON THE FRAME!**

Grip the weapon with the thumb, middle, ring and little fingers of the shooting hand. The index finger is the **TRIGGER** finger not a **GRIPPING** finger. By using only the three fingers and the thumb, the shooter (even one handed) is locking the gun solidly from side to side. The three fingers also pull and lock the gun firmly back into the web of the hand.

The index or trigger finger is kept away from the side of the frame. The pad area of the finger tip is still the most desirable surface to allow in contact with the trigger. In theory, it has the most sensitivity and its location allows the greatest mechanical advantage for a straight to the rear press of the trigger in both the double and single action modes.

We are all quite familiar with the tendency of the trigger finger to push or turn the gun to the side (when the trigger is pressed to the rear) if the finger is placed either too deeply or, in some cases, not fully enough, on the trigger surface.

But we have an additional problem here, in that contacting either side of the frame with the trigger finger might actually inhibit the double action stroke or block it's movement altogether in some guns.

- I A. **Grip (Strength)**-Due to the changing nature of law enforcement and to the ever-widening group of people who are entering the field, we can no longer apply many of the concepts and training analogies to the teaching of shooting fundamentals that we may have employed in the past.

Grip strength can no longer be equated with a "firm handshake". Such a comparison was probably a poor one to start with and it certainly has no place in our work today.

Due to the great variance in physical abilities and perceptions of strength, we feel that each officer should initially grip the weapon with the strong hand with sufficient force to cause shaking.

This front sight-only concept is somewhat foreign to most experienced shooters; but again, looking at the time frames with which we must concern ourselves, it is the only way to be "competitive".

Obviously moving beyond this 12 yard handgun combat distance, or when situations require precision marksmanship at any distance, proper alignment of both sights must be maintained in order to fire accurately.

Of the five fundamentals discussed here, it is the combination of sight alignment and sight picture that we believe to be the most important when applied to combat shooting.

- IV. **Trigger Control**-In either the double action or the single action mode, it is defined as:
A steadily increasing pressure straight to the rear, without disturbing sight alignment or sight picture, until the weapon fires.

Once the weapon fires the trigger finger returns the trigger to the point of "sear or trigger reset" the trigger finger does not allow the trigger to over travel beyond the reset point on the forward movement. It also does not break contact with the trigger and "fly" forward, off of the trigger, after re-setting only to be yanked back on to it if a follow up shot is needed. THE TRIGGER FINGER MAINTAINS CONTACT WITH THE TRIGGER THROUGHOUT THIS FRONT-TO-REAR/REAR-TO-RESET CYCLE.

The descriptive term here is a press and not a squeeze. It is a smooth, continuous movement to the rear with a steady pressure applied from start to finish. We do not attempt to "stage" the trigger at any point during this operation.

- V. **Stance**-Either of two stances is recommended. The WEAVER Position involves blading the position of the feet and body approximately 45 degrees away from the attacker with the strong side to the rear. This is consistent with the stance and body position utilized with empty hand and intermediate weapon skills as well as the interview position taught at most police academies. Shoulder weapons are also best fired from this body position.

In order to fire the handgun in the WEAVER Position, the support or weak arm is bent with the elbow pointing down, not flared. The shooting arm is very locked. The shooting arm presses forward while the support arm pulls back which creates a balanced, stationary tension or isometric equilibrium. This tension aids in recoil control.

The classic ISOSCELES Position involves having the chest and feet square with the attacker and locking both arms straight. The name derives from the fact that an Isosceles triangle (one with two equal sides) is formed with the arms and chest of the shooter. While many master shooters have used this position over the years, it is not consistent with the interview position, the use of shoulder weapons or other defensive skills. The classic Isosceles Position should not be used in place of a bladed or interview stance prior to shooting.

The second acceptable stance is a blend between the Weaver and Isosceles Positions. The

THE DRAW & RECOVERY

A frequently overlooked aspect of firearms training is holster work. Although it seems to be treated as an incidental subject during in-service training, it is really quite crucial to the effective, safe handling of the handgun, either for police, security, military or corrections personnel. Too often the student appears to have been left to his or her own devices to decide how best to draw and reholster the handgun. This article examines some common mistakes in holster work and addresses some related training concerns.

Let's start by reviewing the stages of the draw. The body should remain erect and relaxed with the eyes directed towards the assailant throughout the drawing process, which occurs with relaxed smoothness and economy of motion.

Stage 1-The strong hand obtains the proper one-hand grip. The thumb opens thumb snap (if present) while seeking its position in the one-hand grip, and the weak hand comes to belt level slightly towards the strong side. The user of a border patrol type strap usually must unsnap before establishing the one-hand grip rather than unsnapping simultaneously while gripping.

Stage 2-The handgun is withdrawn only far enough to clear the holster and the wrist is locked straight.

Stage 3-The handgun is pivoted, at the top of the holster into the "speed rock" position. If using a pistol it is canted slightly.

Stage 4-The handgun is moved forward just enough to allow the weak hand to safely establish a proper two-hand grip and the two-hand grip is established. This is known as the "close quarter hold".

Stage 5-The handgun is moved straight to the target. The finger is placed on the trigger when the muzzle is on the opponent.

Sounds simple enough, doesn't it? But there are serious fundamental errors that you probably see every time you conduct firearms training for your department, or will see once you start looking. Now let's look at some of the problems that we see at each stage.

reholster about as fast as they draw. This habit leaves an officer more vulnerable to a second assailant (or an assailant that didn't go down) than he might have been if they had been trained to anticipate further action before reholstering. We recommend that an officer be trained to count "one-one thousand, two-one thousand" after firing but before lowering the gun to a ready position. The officer should then count four more seconds before reholstering. Only by training to actually count and turn the head to look around can we defeat the time distortion and tunnel vision likely to be present during and after a firearms confrontation.

After the officer has determined that no threat remains and has decocked or engaged the safety, if applicable, the draw process should be reversed back to the holster. We should avoid conditioning students to allow their shooting position to fall apart before reholstering. If so, and a threat would appear after the shooting position collapsed, the officer would be forced to reassume an effective two-hand grip and shooting position from whatever position they had affected before perceiving the new threat. It is difficult enough for many officers to get consistent hits from the holster or the ready position without introducing the variable of impromptu starting positions. By reversing the draw to reholster, all the officer needs to address the new threat is to put the draw back into forward gear, so to speak.

The finger must be outside of the trigger guard at any time that the shooter cannot accept the weapon firing.

Just as we draw with one hand and with our eyes directed towards our threat, we must do the same when we reholster. To do otherwise is quite dangerous. When we look at our holster, we take our eyes off the area of threat.

Locating the holster with the weak hand is perhaps more dangerous. This technique passes the muzzle of the loaded weapon across the weak hand. Most of us pride ourselves on our safe gun handling and not pointing our weapon at others unintentionally. Why point it at ourselves? It is also foreseeable that an officer might need to control a suspect or support himself during reholstering.

Just as we should stick to a reversed draw sequence when reholstering, we should maintain a proper one-hand grip on the handgun until it is completely holstered.

This is both to minimize our reaction time to effectively deal with a new threat and to assure that we don't release the handgun prematurely and cause it to fall.

Once the handgun is completely within the holster, the final step to reholstering is to snap whatever retaining device(s) is present. If training conducted from a snapped holster of proper design, the snap is no practical impediment to speed (smoothness).

If we permit officers to snap sometimes and not others, to unsnap prematurely when making traffic stops or to snap only when engaging in strenuous activity the resultant inconsistency is far more detrimental to speed (smoothness) than training them to unsnap for every draw and snap whenever reholstering. This issue relates to weapons retention as well. One of the primary reasons that officers are disarmed is that the holster is unsnapped at the time of confrontation. In short, the release of the snap should only be done as part of the draw and the holster should be snapped as part of the

SAN RAFAEL POLICE DEPARTMENT

TRAINING UNIT

INTER-DEPARTMENTAL MEMORANDUM

DATE: 09-16-99

TO: CAM SANCHEZ, CHIEF OF POLICE
THOMAS BOYD, ADMIN. CAPTAIN
MICHAEL CRONIN, PATROL CAPTAIN

FROM: OFFICER DAVID CRON, TRAINING MANAGER

RE: FINAL REPORT
1999-00 PHASE I FIREARMS QUALIFICATION

The training unit has completed the Phase I Firearms qualification held at Bullseye Shooting Range. During the firearms portion of this training phase, a written test was given on G.O. 80-30 - Discharge of a Firearm. We as an instructor staff, believe that this G.O. cannot be studied enough, therefore this test will be given and reviewed every future firearms phase.

After much discussion, the instructor staff, have identified old training practices we feel are no longer practical and some practices that are being neglected. The old practices are good, but we feel we have been training officers to be Target shooters and not Combat shooters. To develop our officers into Combat shooters we have instituted a 5 stage shooting process that will assist in making officers more confident and better shooters. This is done by stressing Handgun Fundamentals and The Draw and Recovery. The following are the practices that were identified.


The Draw

A frequently overlooked aspect of firearms training is holster work. Stage 1 and 2 of the 5 stage process will re-enforce proper grip and stance during the draw.

SAFETY EQUIPMENT

All students were advised safety equipment must be maintained for Officer safety. The annual equipment inspection was conducted on helmets, ASP's, hobbles, handcuffs, and traffic vests. All officers were reminded that all weapons are required to be cleaned prior to their return to duty. Therefore they are required to show to training with a clean weapon. Bureau Sgt's are now conducting periodic equipment inspections to reinforce officer safety.

During inspection of the Officer's duty weapon and leather gear prior to the course of fire, the Instructor staff noted the following:

 Handgun was not clean

The afternoon portion was held at the new City Hall at the Mall conference room and was divided into the following 2 segments.

COPPS - Sgt. Jim Kelly

RE-DEVELOPMENT Agency gave a 1 hour presentation on the status of the City.

RITTER HOUSE Agency gave a 1 hour presentation on the services they provide for the needy of San Rafael

POST Video

A 2 hour Post video on Workplace Violence. This video credited each attending officer and dispatchers 2 CPT credits.

Because of staffing, only 4 non sworn personnel were able to attend the afternoon portion of this training. They were 

Phase 2 is being scheduled for the first part of November. Subjects to be 2 hours of firearms, 3-7 hours of building searches.

Respectfully Submitted:

TRIGGER CONTROL

The controlled release of the trigger lies in the rear of the pistol shooting technique. Perfection in other aspects of technique counts for nothing if the trigger release is faulty, because it will destroy the internal alignment resulting in a random point at the crucial moment when the bullet or indicator leaves the barrel.



THE EFFICIENT METHOD. MOVEMENT TAKES PLACE AT 1
AND THE PULL IS STRAIGHT TO THE REAR.

The indication system is simply the trigger and firing mechanism and allows complete discretion in indicating where the barrel is pointed. Faulty activation of the indication system (trigger control) which introduces angular misalignment in the internal system is the single major problem in developing "shooting" proficiency. The problem is normally compounded by unintentional eye closure.

SYSTEM 3: support system

COMPONENTS: Entire "Shooting Unit Less System 1 and 2 Components

TASK: A. Establish and maintain consistent and precise internal alignment.
B. Provide maximum support and stability to the shooting unit.

Once an understanding of the precision required for internal alignment is gained, it follows that the primary purpose of the "support system" must be to establish and maintain precise and consistent internal alignment (Task A).

The secondary purpose of the "support system" must be to provide a platform with the most inherently stable characteristics for the entire "shooting unit" (Task B). once the "shooting unit" is established with the required precision in the internal alignment system and with the desired support configuration, the internal alignment is checked for coincidence with the external point (target). The entire "shooting unit" is shifted as necessary, to achieve this coincidence.

Added are a list of "concepts" for consideration.

CONCEPTS

1. Shooting is a simple physical skill.
2. Shooting is so simple, it insults the intelligence.
3. Habits start to form from the first shot. By the time ten shots are fired, habits can start to it "firm"
4. The "first shot" is the most important shot anyone shoots because that is when shooting habits start to form.
5. Champions are made from the first shot. After that it is too late.
6. No one can teach anyone how to shoot. Everyone teaches themselves how to shoot.
7. What people teach themselves when learning a simple physical skill is how they perceive what they are trying to accomplish.
8. Success is the primary ingredient for motivation
9. Frequent small successes are necessary for the student to maintain motivation.
10. The first shot should be a pleasant, positive experience.
11. All the shooter is actually doing is pointing a tube at a piece of paper.
12. All that has ever been said on shooting "safety" can be summed up in one word:

"POINTING!"

TARGET ANALYSIS

Target Analysis is one of the most useful tools of the Firearms Instructor. Watching the shooter in action is the quickest way to catch and correct mistakes. This, however, has two shortcomings. In combat shooting, the shooter may move so fast that the instructor cannot catch the mistake. Also, in most range situations we do not have a one on one relationship which makes watching more than one shooter at a time difficult. In both situations, the target remains as a visual recording which can be analyzed at leisure.

Obviously, the shooter must be registering hits on the target for these methods to be useful.

Our objective, as in all areas of firearms instruction, is to increase the shooter's proficiency, no matter what his level of proficiency may be. This in turn increases his chances of survival on the street.

To accomplish this objective, the Firearms Instructor must be able to view a target, recognize what basic or combination of basics is being violated, and advise the shooter how to correct the problem or problems.

Learning these techniques may seem difficult at first, but once they are mastered, you will be a Firearms Instructor and not just a "whistle blower". Target Analysis is challenging; but every time you help a shooter that other "instructors" have given up on, the reward will speak for itself. The enthusiastic or even the grudging thanks of just one shooter will make it all worthwhile.

Before the Firearms Instructor can master Target Analysis he must understand the basics of, grip, position, alignment or sight alignment, and trigger control. Target Analysis also requires the instructor to understand the relationships between the basics and the effect they have on the bullet impact on the target.

For the purpose of Target Analysis, we can divide our shooting into close combat (7 yards and closer), intermediate combat (10 to 20 yards), and extended distance combat (25 yards and greater). As a general rule of thumb; at the closer distances, the emphasis is on grip and position with some thought given to trigger control. At the intermediate distances, alignment of the weapon and trigger control need more emphasis. At extended ranges, sight alignment and trigger control are the most important. If grip, position, sight alignment and trigger control are a spectrum, then the balance swings from grip and position to sight alignment and trigger control as the distance increases.

Next we move to the area of the 15 yard line for point shoulder shooting. Remember our rule of thumb: As the distance increases, our pendulum swings from one set of basics to the other. Alignment of the weapon and trigger control start to play a more prominent part in where that bullet is going to strike.

Target Indication

1. Groups high; or erratic high shots
2. Groups low; or erratic low shots
3. Groups opposite strong side
4. Groups to strong side
5. Any erratic shots away from main groups

Shooter Problem

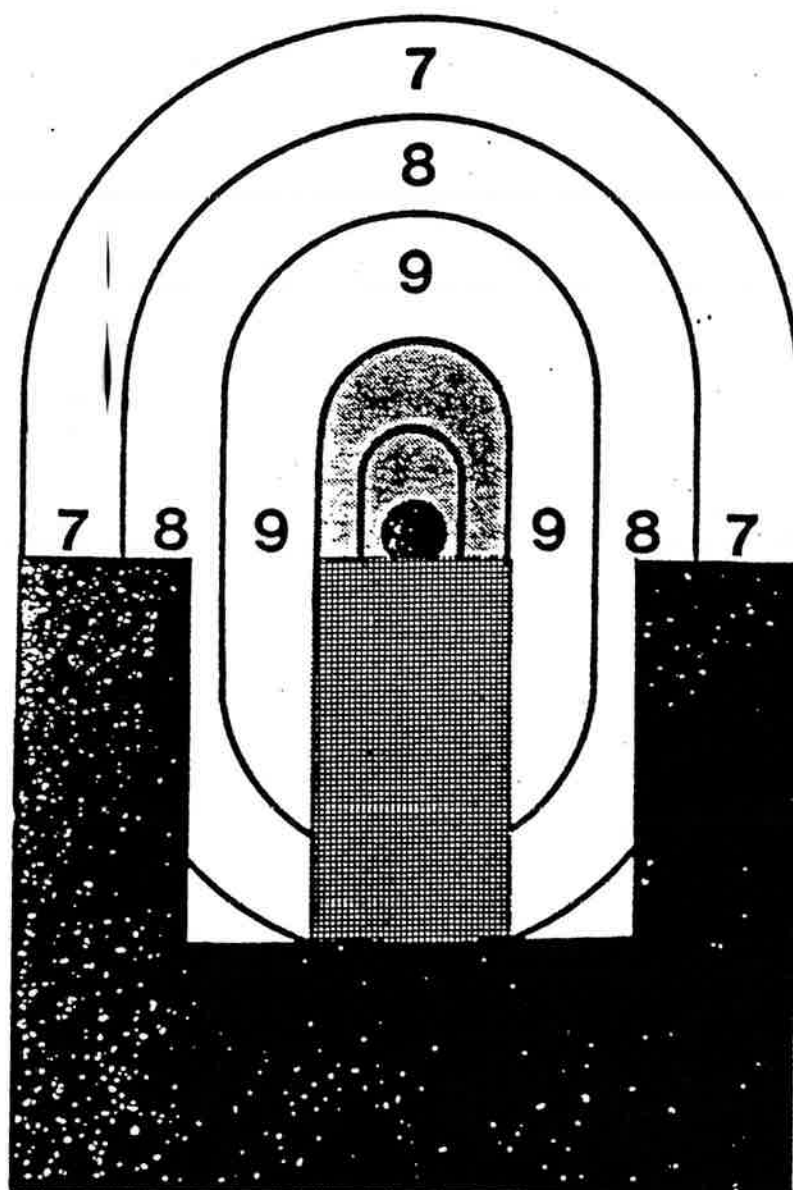
Shooter "holding" too high on target; or improper grip from shot to shot

Improper grip (grips low on back strap); "holds" too low on target; or jerks trigger (rough trigger control)

Improper trigger control; swings strong shoulder past line parallel with target; improper glide step; or improper grip

Improper grip ("cheating" around on stocks)

Generally caused by rough trigger control



FITTING THE GUN TO THE HAND

One of the most challenging aspects of firearms training is the problem shooter. That is the individual who does not show a satisfactory level of competence in spite of the instructor's best effort. In many instances, the problem is mental in that the student fears or dislikes firearms. The problem can also be a lack of physical strength or hand and eye coordination, particularly with an officer who has not engaged in structured physical activity as part of his or her lifestyle.

There are many factors that impede a student's progress with shooting skills that are very difficult to overcome even with great effort and patience on the part of the instructor.

One problem that can be more easily solved involves the shooter with small hands who is not able to obtain a proper grip on the issued handgun. Proper grip with the shooting hand involves positioning the web of the hand high on the back strap with the bore in line with the forearm and the trigger finger contacting the trigger on or just below the first pad of the finger. The finger must not contact the gun and any other point or some disturbance of the gun can be expected during trigger manipulation. In the past, many instructors caused the student to rotate the gun slightly in the hand to achieve correct trigger finger position. The less the gun is aligned with the forearm, the less effectively can be expected in delivering multiple shots and in shooting reflexively under low light or high stress conditions.

While a mid-size revolver can be fitted to a wide range of shooters by changing the stocks, this is not true of the pistol. The choice of curved or straight back straps affords a limited amount of fitting but not to the extent that a revolver permits. The after market stocks available for the pistol tend to aggravate rather than alleviate the problem for the small handed shooter, particularly with the movement toward large bore or high capacity pistols.

One solution to this problem is to cause a shooter to use a pistol better suited to smaller hands. That can be effected by an agency adopting a handgun system rather than a specific handgun. A handgun system would consist of any group of specific models that operate in the same manner. For example, the Smith & Wesson 4506, 3913, and 5906 are all slide mounted decocking weapons while the 5946 and 3953 are both double action only pistols. By adapting one of the aforementioned sets of pistols rather than any one of the pistols, the department provides the instructor with the ability to fit the officer with a gun that will allow a proper grip and maintain a single system of operation. Since all the pistols within a system operate the same way, any combination could be on the firing line at the same time using the same techniques as taught by the instructor.

Magazine changes would obviously occur at different points, but since an officer should be trained to reload when he or she feels the need to reload and when opportunity permits, that is of little consequence.

This approach could also be taken with any line of pistols that included single column magazine guns, particularly in 9mm Uniformity and ammunition or magazine interchanging are often offered as arguments against permitting more than one type of handgun

C.O.P.S. TRAINING TOPICS

AUGUST / SEPTEMBER 99

1) CRIME PREVENTION OFFICER / DUTIES

2) ARE YOU O.K. / VIDEO / BACKHOUSES

3) COMMUNITY CENTER RULES

4) SAFE AND HEALTHY HOUSING

5) ALCOHOL ORDINANCE

6) HOMELESS CAMPS

7) BEAT OFFICER SUMMARIES

NEIGHBORHOOD OFFICER MEETINGS

SUMMARY

DOWNTOWN MERCHANTS:

- 1) Fear of aggressive behavior by street people.
- 2) Intimidated by people loitering around Starbucks.
- 3) People have a reluctance to call the police because they feel they are bothering us with matters that are not urgent.

SUN VALLEY:

- 1) Traffic. A) Speeding B) Cars not stopping for the four way flashing lights at Fifth & "H" Streets. C) Need a sign at Fifth & "H" Streets directing motorists to Fourth Street in order to get to San Anselmo. D) Need three way stop signs at Fifth & California and Fifth & Racquet Club. The time allowed for pedestrians to cross on the light at Fourth & "H" Streets is insufficient.

GERSTLE PARK:

- 1) Residents were concerned about the voice mail system in the police department. They want a system that is friendlier.
- 2) Residents want a follow up phone call from officers after they call in a complaint.
- 3) Apartment complex at 215 Bayview Street. Residents complained of cars breaking traction when they leave the driveway, big trucks parking on the street, people repairing cars on the street, loud stereos being played while people repair cars and a deterioration of the complex in general. Neighbors want code enforcement to inspect the building.
- 4) Traffic. A) Speeding along Ross, San Rafael Av., Bayview, Clorinda and "D" Streets. B) Cars running the stop sign at Madrona & Clorinda. Parking violations on narrow streets in the neighborhood.
- 5) Homeless camp sites in Gerstle Park.

DOMINICAN / BLACK CANYON:

- 1) Traffic. A) Speeding along Belle, Mountain View and Dominican Drive.
- 2) Homeless living on hill above Villa Ave.
- 3) Homeowners renting out multiple rooms in a single house. This is causing parking and congestion problems.

BAYPOINT:

- 1) A great deal of concern over the use of Shoreline Park. Drinking, public urination, litter and people in the park after closing. Residents want warning signs in English and Spanish. They also want officers on bicycles to patrol the park.
- 2) Cars parked for sale along Bellam Blvd.
- 3) People drinking in cars parked in the cove streets off Spinnaker Way.
- 4) Drinkers and bottles being left in the courts off Canal Street.
- 5) Commercial vehicles parked on Bellam Blvd. in the area of Circuit City.

SPINNAKER POINT:

- 1) Same complaints about Shoreline Park.

LOCH LOMOND:

- 1) San Pedro Rd. between Sea Way & Loch Lomond Drive is very dark and difficult to see at night in the rain and in fog.
- 2) Traffic. A) speeding along Manderly Rd., Peacock Dr., Knight Dr. and Loch Lomond Dr.

MONTECITO AREA:

- 1) Traffic: A) Parking on the sidewalk and in the red zone along the Mission Street side of the high school near the gym. B) Speeding along Park, Union and Jewell Streets. C) Abandoned vehicles. D) Stop sign violations along Grand Ave. E) Red light violations at Mission and Irwin Streets. F) Pedestrian signal at Third and Union Streets needs to be lengthened for senior citizens.
- 2) Displeased with the police departments telephone system.
- 3) People sleeping in cars near the Aldersly home.
- 4) Felt the city has a "cars first" mentality. Need better street signs for vehicles to yield to pedestrians.
- 5) Beat four is too big for one officer.
- 6) Loud music in residential neighborhoods.

BRET HARTE AREA:

- 1) Traffic. A) Speeding along Irwin and DuBois Streets.
- 2) People in the park after hours.
- 3) Suspicious people in cars.

WEST END:

- 1) Traffic. A) Speeding along Greenfield and Spring Grove. B) Stop sign violations at Greenfield and West End, Greenfield and Spring Grove and Ross Valley and Greenfield. C) Want a stop sign at Terrace and Spring Grove. D) Want more speed limit signs in the neighborhood.
- 2) Concern over the department's ability to respond during a disaster. Resident felt we should do more training for such events.

CANAL AREA:

- 1) Traffic. A) Concern for children going to school. Residents would like more enforcement of violators passing school busses with the lights flashing.
- 2) Gangs. Residents are concerned about gangs hanging out and causing trouble.
- 3) Public drinking.
- 4) Apartment buildings in disrepair. Residents want more code enforcement to ensure building owners keep their properties up to code.

TERRA LINDA:

- 1) Traffic. Speeding and stop sign violations along Trellis Dr., Las Pavadas and Wellbroch Heights.
- 2) Concern that the proposed renovation of Freitas Park will encourage additional visitors. This will include drinkers and homeless people.

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SAN RAFAEL REPEALING SECTIONS 8.12.030, 8.12.220 & 8.12.230, AND ADDING CHAPTER 8.18 TO THE SAN RAFAEL MUNICIPAL CODE TO REGULATE THE POSSESSION AND CONSUMPTION OF ALCOHOLIC BEVERAGES ON PUBLIC AND CERTAIN PRIVATE PROPERTY.

Whereas, in the past several years, the Police Department has had to respond to numerous public disturbances in private parking lots of multi-residential or commercial properties, caused primarily by excessive consumption of alcoholic beverages; and

Whereas, currently there is no prohibition of the consumption of alcoholic beverages in the parking lots and adjacent public areas of private multi-residential or commercial properties; and

Whereas, the Police Department would like to have authority to enter onto private parking lots of multi-residential or commercial properties when they observe in plain view, persons consuming alcoholic beverages in those areas and thereby prevent excessive alcoholic consumption which has led on past occasions to disturbances of the peace; and

Whereas, the public health, safety and welfare would be served by the enactment of an ordinance regulating the consumption of alcoholic beverages on public property and on certain portions of private property.

NOW THEREFORE, THE CITY COUNCIL OF THE CITY OF SAN RAFAEL DOES HEREBY ORDAIN AS FOLLOWS:

DIVISION 1:

Sections 8.12.030, 8.12.220, and 8.12.230 of the San Rafael Municipal Code are hereby repealed.

DIVISION 2:

Chapter 8.18, "Alcoholic Beverages," is hereby added to the San Rafael Municipal Code to provide as follows:

Chapter 8.15

ALCOHOLIC BEVERAGES

Section 8.18.010 -- Definitions.

Unless the contrary is stated or clearly appears from the context, the following definitions shall govern the construction of the words and phrases used in this chapter:

A. "Alcoholic Beverage". The term "alcoholic beverage" means alcohol, spirits, liquor, wine, beer and every liquid or solid containing alcohol, spirits, liquor, wine, or beer, and which contains one-half of one percent or more of alcohol by volume and which is fit for beverage purposes either alone or when diluted, mixed, or combined with other substances.

B. "Consumption of Alcoholic Beverages". The phrase "consumption of alcoholic beverages" and/or the phrase "consume an alcoholic beverage" means the drinking or other ingestion of an alcoholic beverage.

C. "Open Container of Alcoholic Beverages". The phrase "open container of alcoholic beverages" means a bottle, can, glass or other receptacle or container of any type which contains alcoholic beverages and has been opened, or a seal broken, or the contents partially removed.

D. "Open and Accessible to the Public". The phrase "open and accessible to the public" means open and available for members of the public to enter for some legitimate purpose. A secured, locked or completely enclosed area is not open and accessible to the public.

E. "Private Landscaped Areas" and "Landscaped Areas". The phrases "landscaped area" and "private landscaped area" means areas of vegetation, rock, ornamentation or other artifact adjacent either to public streets and sidewalks, or to private parking lots, and located on private property used for commercial purposes or for residential purposes and containing three (3) or more units.

F. "Parking Lots". The phrase "parking lots" includes adjacent carports, passageways and staircases which are open and accessible to the public.

Section 8.18.020 - Possession of Open Container of Alcoholic Beverage Near Liquor Stores.

A. **Prohibited Conduct.** No person who has in his or her possession any bottle, can or other receptacle containing any alcoholic beverage which has been opened, or a seal broken, or the contents of which have been partially removed, shall enter, be, or remain on the posted premises of, including the posted parking lot immediately adjacent to, any retail package off-sale alcoholic beverage licensee licensed pursuant to Division 9 (Section 23000 et seq.) of the Business and Professions Code, or on any public sidewalk immediately adjacent to the licensed and posted premises. Any person violating this section shall be guilty of an infraction.

B. **"Posted Premises" Defined.** As used in Subdivision A., "posted premises" means those premises which are subject to licensure under any retail package off-sale alcoholic beverage license, the parking lot immediately adjacent to the licensed premises and any public sidewalk immediately adjacent to the licensed premises on which clearly visible signs indicate to the patrons of the licensee and to persons in the adjacent parking lot or on the adjacent sidewalk, that the provisions of Subdivision A. are applicable. This section can only be enforced on premises which have been posted with such signs.

C. **Posting of Signs Required.** All retail package off-sale alcoholic beverage licensees licensed pursuant to Division 9 of the Business & Professions Code to operate in the City shall post such licensed premises with permanent signs which shall include language stating that possession of any opened alcoholic beverage container in or outside the licensee's premises, in the adjacent parking lot, or on adjacent sidewalks, is prohibited by law. Signs required to be posted pursuant to this section must be clearly visible to: (1) patrons of the licensees; (2) persons using the parking lot immediately adjacent to the licensed premises; and (3) persons on the public sidewalk immediately adjacent to the licensed premises. Any licensee who does not acquire, post and maintain signs pursuant to this provision is guilty of an infraction.

Section 8.18.030 -- Possession of Open Container of Alcoholic Beverage in City Parks.

A. Any person possessing any can, bottle, or other receptacle containing any alcoholic beverage which has been opened, or a seal broken, or the contents of which has been partially removed, in any city-owned park, open space, or other adjacent city-owned public place shall be guilty of an infraction.

B. Exception. This section shall not apply to any person or group which has obtained a permit from the City's Director of Community Services.

Section 8.18.040 -- Consumption of Alcoholic Beverages on Public Property.

A. It shall be unlawful for any person to consume any alcoholic beverage in or on any public street, sidewalk, alley, highway, city park, city recreation area, city open space, playground, or other city-owned, leased or controlled property.

B. Exception. This section shall not apply to any person or group consuming alcohol at a temporary event or entertainment for which a permit has been obtained from the appropriate City Department.

Section 8.18.050 -- Consumption of Alcohol on Private Parking Areas.

A. It shall be unlawful for any person to consume any alcoholic beverage:

1. In or on parking lots located on private property used for commercial purposes, and open and accessible to the public.

2. In or on parking lots located on private property containing three (3) or more residential units, and open and accessible to the public.

3. In or on landscaped areas located on private property adjacent to parking lots described in A.1. and A.2., or adjacent to public property described in Section 8.18.040(A), and open and accessible to the public.

B. This section shall not be effective unless the property owners of particular private parking lots and landscaped areas post the premises with signs prohibiting the consumption of alcoholic beverages pursuant to this section. These signs must be clearly visible to persons in or on

effect thirty (30) days after its final passage.

ALBERT J. BORO, Mayor

ATTEST:

JEANNE M. LEONCINI, City Clerk

The foregoing Ordinance No. _____ was read and introduced at a Regular Meeting of the City Council of the City of San Rafael, held on the _____ day of _____ 1999 and ordered passed to print by the following vote, to wit:

AYES: Councilmembers

NOES: Councilmembers

ABSENT: Councilmembers

and will come up for adoption as an Ordinance of the City of San Rafael at a Regular Meeting of the Council to be held on the _____ day of _____, 1999.

JEANNE M. LEONCINI, City Clerk

PROHIBIDO

**TOMAR BEBIDAS ALCOHOLICAS
EN ESTA PROPIEDAD
(S.R.M.C. 8.18.050)**

**CẤM UỐNG BIA VÀ RƯỢU
TRONG KHU VỰC NÀY
(S.R.M.C. 8.18.050)**

the areas listed in Section A., above, and must clearly indicate that consumption of alcohol is prohibited.

C. The signs required by this section shall state that consumption of any alcoholic beverage in the parking lot or landscaped area is prohibited by law. The signs must be clearly visible to (1) persons coming on to the premises, (2) persons using the parking lot, (3) persons on the sidewalk immediately adjacent to the parking lot or the landscaped area.

D. Exceptions.

1. This section shall not apply to parking lots or landscaped areas which are not posted with signs pursuant to this section.

2. This section shall not apply to persons or groups who have obtained written permission of the property owner to consume alcoholic beverages on parking lots and landscaped areas.

DIVISION 3:

If any section, subsection, sentence, clause or phrase of this Ordinance is for any reason held to be invalid, such decision shall not affect the validity of the remaining portions of this Ordinance. The Council hereby declares that it would have adopted the Ordinance and each section, subsection, sentence, clause or phrase thereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses or phrases be declared invalid.

DIVISION 4:

The City Council finds that the adoption and implementation of this Ordinance are exempt from the provisions of the California Environmental Quality Act in that the Council finds there is no possibility that the implementation of this ordinance may have significant effects on the environment.

DIVISION 5:

This Ordinance shall be published once in full before its final passage in a newspaper of general circulation, published, and circulated in the City of San Rafael, and shall be in full force and

**SUGGESTED WORDING FOR SIGNS
PROHIBITING THE CONSUMPTION OF ALCOHOL
ON PRIVATE PROPERTY**

The City Council of the City of San Rafael has enacted an ordinance prohibiting the drinking of alcoholic beverages on public property and on certain areas of **POSTED private property**. The ordinance will be effective on July 8, 1999. The ordinance is ONLY effective where the private premises have been posted by the owner of the private property. And, the posted premises can only consist of "parking lots" and "landscaped areas" of private property which are "open and accessible to the public."

Suggested wording for signs meeting the requirements of this new ordinance, is as follows:

**“DRINKING ALCOHOLIC BEVERAGES
IS PROHIBITED
ON THIS PROPERTY”
(S.R.M.C. 8.18.050)**

The signs should be in type large enough to be easily legible to those in the area where drinking is prohibited.

The signs should be written in the languages spoke by the occupants/customers of the areas posted.
The signs must be visible in all areas where the prohibition is applicable.

If you have questions concerning the ordinance, contact Jim Kelly at 485-3195 or the City Attorney's Office at 485-3080.

City of San Rafael

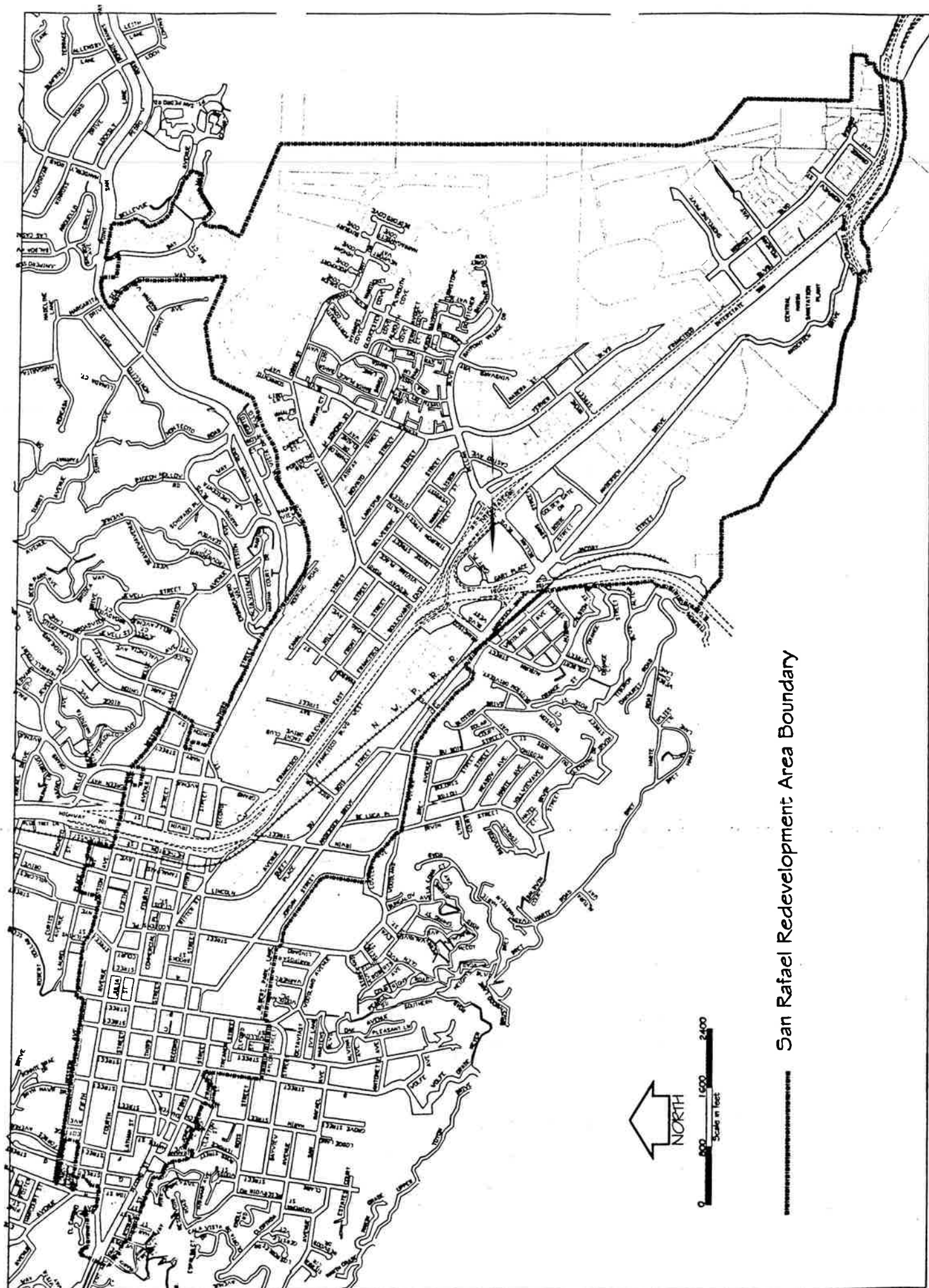
WHAT'S HAPPENING DOWNTOWN? AUGUST 1999

Map #	PROJECT NAME	PROJECT DESCRIPTION
1.	"B" Street Redevelopment Project	Exclusive Right to Negotiate Agreement with Parker Monahan Inc. has been extended. Project planning continues.
2.	Fair Isaac Office Park	Pile driving completed. Construction to begin between March-Oct 2000. Building occupancy projected between May-Dec. 2001. For more information call project hotline (800) 230-9942 or www.fairisaac.com
3.	Lindaro District Undergrounding/ Second Street Widening	Two projects commenced in July, 1999. Anticipated completion in January, 2000.
4.	Macy's Site Reuse (998 Fourth Street)	Demolition has commenced. Construction planned for 1999-2000. (28,000 sq.ft. retail, 38,000 sq. ft. office, 113 apartments)
5.	Former El Camino Theater (Pennys) reuse (906 Fourth Street)	Proposed retail office development. Project planning continues.
6.	Court Street Plaza	Water feature design for plaza is underway. Construction will proceed in conjunction with Macy's Site Reuse project.
7.	Marin Community Foundation Offices (Fifth & E Streets)	MCF is currently preparing plans for 22,800 sq. ft. office
8.	Kaiser Medical Clinic (1003 Third) (Third & A Streets)	20,000 sq. ft. clinic & 10,750 sq. ft. pharmacy and optometry office. Project completion estimated to be Fall 1999.
9.	Clocktower Street Mixed Use Project (6,280 sq. ft. office, 6,350sq.ft. retail, 30 apartments) (729 Fourth) (Fourth & Lincoln)	Project completion estimated to be Fall 1999.
10.	Cineplex Project	Negotiations underway with Century Theater.
11.	Hotel Site (Third Street-Brooks, Lindaro & Second Streets)	Developer selection by property owner (PG&E) in August, 1999.
12.	Mahon Creek Bicycle/Pedestrian Path	Development plan underway for the Lindaro-Second Street segment.
13.	Zappetini Project (931/1003 Second Street)	Application submitted for 111 residential apartments and 17 office units.

City of San Rafael

WHAT'S HAPPENING IN EAST SAN RAFAEL? AUGUST 1999

Map #	PROJECT NAME	PROJECT DESCRIPTION
1	507 Francisco Bl. East	Tenant improvements underway for the future Evolution Furniture retail store in front of Seafood Peddler.
2	East San Rafael Circulation Improvements	The first phase, the "Loop", was implemented in Fall 1998. Signalization @ Shoreline Pwy/Francisco Bl (E), re-stripping and signalization along Bellam is next phase.
3	College of Marin Distance Learning Center	First phase of construction has commenced to locate the Distance Learning Center at Pickleweed Community Center.
4	Mercado Del Canal	The Market will operate on Tuesdays from 6-9 on Alto Street from July 20 th to September 28, 1999.
5	Canal Area Housing Improvement Program	Program has commenced to begin apartment acquisition by BRIDGE Housing.
6	Pickleweed Childcare Center	Two new classrooms, a new bathroom and replacement of one classroom will be completed in September.
7	Canal Arts Studio	Fund raising is underway for a community arts program to be located in the Canal neighborhood.
8	Shoreline Park Improvements	San Rafael Bay Trail under construction at end of Pelican Way.
9	Bayview Business Park-Building A	New offices (approx. 32,000 sq. ft.) for Quadra Med. Under construction. (1755 Francisco Bl. East)
10	Dodge Dealership	Construction will commence in Fall, 1999 on a new 19,000 sq. ft. dealership at 513 East Francisco Blvd.
11	Fasken property development and new City Corporation Yard	New offices (116,000 sq. ft.), City Corporation Yard and offices (37,000 sq. ft.). Anticipated to commence construction in early 2000. (2350 Kerner Blvd.)
12	Pickleweed Gym & Facilities expansion	Planning process will commence in Fall 1999. Redevelopment Agency will provide partial funding.
13	Canal Economic Development Opportunity	Planning process will commence in Fall 1999. Redevelopment Agency will provide partial funding.
14	101 Widening	Southbound reversible HOV lane from North San Pedro Road to Lucky Drive and widening of connector from southbound 101 to eastbound 580. Highway will take a portion of West Francisco Blvd. Construction to begin in Winter 2000. For more information call (510)286-6444 or www.dot.ca.gov/dist4 . Documents also available at Library.



San Rafael Redevelopment Area Boundary

