



MINUTES

SAN RAFAEL CITY COUNCIL - MONDAY, APRIL 15, 2024

SPECIAL MEETING AT 4:00 P.M.

REGULAR MEETING AT 6:00 P.M.

This meeting will be held in-person. This meeting is being streamed to YouTube at www.youtube.com/cityofsanrafael.

How to participate in the meeting:

- You are welcome to come to the meeting and provide public comment in person. Each speaker will have 2-minutes to provide public comment per agenda item.
- Submit your comments by email to city.clerk@cityofsanrafael.org by 4:00 p.m. the day of the meeting.

If you experience technical difficulties during the meeting, please contact city.clerk@cityofsanrafael.org.

SPECIAL MEETING AT 4:00 P.M.

San Rafael Third Floor Conference Room

1400 Fifth Avenue, San Rafael, CA 94901

Watch Online:

Watch on Zoom Webinar: <https://tinyurl.com/spcc-2024-04-15>

Listen by phone: (669) 900-9128

ID: 867-1102-4834#

One Tap Mobile: +16699009128,,86711024834# US

Present: Councilmember Bushey
Vice Mayor Hill
Councilmember Kertz
Councilmember Maika Llorens Gulati
Mayor Kate

Absent: None

Also Present: City Clerk Lindsay Lara

Mayor Kate called the meeting to order at 4:01 p.m. All members of the City Council were present.

Mayor Kate invited public comment; however, there were none.

1. Marin Commission on Aging Interviews

Interview Applicants and Make an Appointment to Fill One Three-Year Term to the End of June 2027 on the Marin Commission on Aging as the San Rafael Representative Due to the Expiration of Term of Salamah Locks (CC)

The City Council interviewed the following applicants: Joan Clemmons and My Nguyen.

Mayor Kate called a recess at 4:19 p.m. and called the meeting back to order at 4:25 p.m.

Councilmember Bushey moved and Councilmember Kertz seconded to appoint Joan Clemmons to the Marin Commission on Aging, San Rafael Representative to the end of June 2027.

**2. ADA Access Advisory Committee Interviews
Interview Applicants and Make Appointments to Fill Two Four-Year Terms to the End of April 2028 on the ADA Access Advisory Committee Due to the Expiration of Terms of Ashley Tomerlin and Timothy Lord (CC)**

The City Council interviewed Ashley Tomerlin. Jaimi Vigil did not attend the interview. Gerrod Herndon withdrew from the interview process. Staff will conduct a recruitment for the vacancy.

Councilmember Llorens Gulati moved and Councilmember Kertz seconded to appoint Ashley Tomerlin to the ADA Access Advisory Committee to the end of April 2028.

Mayor Kate adjourned the special meeting at 4:50 p.m.

OPEN SESSION - THIRD FLOOR CONFERENCE ROOM - FOLLOWING SPECIAL MEETING

- 1. Mayor Kate announced Closed Session items.

CLOSED SESSION - THIRD FLOOR CONFERENCE ROOM - FOLLOWING SPECIAL MEETING

- 2. Closed Session:
 - a. Conference with Labor Negotiators - Government Code Section 54957.6
Lead Negotiators: Timothy L. Davis and Allison B. Hernandez (Burke, Williams & Sorensen)
Agency Designated Representatives: Cristine Alilovich, Paul Navazio, Marissa Sanchez, and Angela Robinson Piñon
Employee Organizations: San Rafael Police Mid-Management Association; Public Employee Union, Local 1; San Rafael Firefighters' Association; San Rafael Police Association; SEIU Local 1021; Western Council of Engineers; San Rafael Fire Chief Officers' Association; San Rafael Police Mid-Management Association; San Rafael Fire Chief Officers' Association; San Rafael Mid-Management Employee Association; Unrepresented Executive Management

**REGULAR MEETING AT 6:00 P.M.
San Rafael City Hall, Council Chambers
1400 Fifth Avenue, San Rafael, CA 94901**

Watch Online:

**Watch on Zoom Webinar: <https://tinyurl.com/cc-2024-04-15>
Watch on YouTube: www.youtube.com/cityofsanrafael
Listen by phone: (669) 444-9171
ID: 860-6190-5675#
One Tap Mobile: +16694449171,,86061905675# US**

- Present: Councilmember Bushey
Vice Mayor Hill
Councilmember Kertz
Councilmember Llorens Gulati
Mayor Kate
- Absent: None
- Also Present: City Manager Cristine Alilovich
City Attorney Rob Epstein
City Clerk Lindsay Lara

Mayor Kate called the meeting to order at 6:03 p.m. and invited City Clerk Lindsay Lara to call the roll. All members of the City Council were present.

City Attorney Robert Epstein announced there was no reportable action in the Closed Session held prior to the regular meeting.

Mayor Kate provided opening remarks which included gratitude to City staff and a land acknowledgment.

City Clerk Lindsay Lara announced there would be Spanish language interpretation for the meeting, informed the community that the in-person meeting would also be recorded and streamed live to YouTube and through Zoom. She noted the two-minute timer for public comment and closed captioning on Zoom.

CITY MANAGER AND COUNCILMEMBER REPORTS:

(including AB 1234 Reports on Meetings and Conferences Attended at City Expense)

3. City Manager and Councilmember Reports:

City Manager Cristine Alilovich announced:

- Police Advisory and Accountability Committee meeting to be held on April 17 at 6:00 p.m. at City Hall
- Earth Day Cleanup to be held on April 20 at Pickleweed Park from 10 a.m. to noon
- Downtown Clean & Green Day to be held on April 22 from 10 a.m. to noon
- Special Climate Change Action Plan community forum to be held on April 23 at Transportation Authority of Marin (TAM), 900 Fifth Avenue from 5-6:30 p.m.

City Councilmember Reports:

- Vice Mayor Hill reported on the Fairhills annual meeting, a Marin County Council of Mayors and Councilmembers (MCCMC) meeting and a Finance Subcommittee meeting.
- Councilmember Bushey reported on a Marin Transit Board meeting and a Central Marin Sanitation Agency Board meeting.
- Councilmember Llorens Gulati reported on a MarinCAN board meeting and the memorial for Olivia Beltran.
- Mayor Kate reported on SMART, a Transportation Authority of Marin (TAM) meeting, a Bicycle Pedestrian & Advisory Committee (BPAC) meeting and her interview with CBS Sunday Morning, to air on April 21.

Mayor Kate invited public comment; however, there was none.

CONSENT CALENDAR:

Mayor Kate announced item 4.h would be removed from the Consent Calendar.

Mayor Kate invited public comment on the remainder of the Consent Calendar items; however, there was none.

Vice Mayor Hill moved and Councilmember Llorens Gulati seconded to approve the remainder of the Consent Calendar subject to the correction of the clerical error of an event date listed in the staff report of item 4.e.

4. Consent Calendar Items:

- a. **Approval of Minutes**
Approve Minutes of the Special and Regular City Council Meetings of April 2, 2024 (CC)
Approved minutes as submitted
- b. **Bicycle and Pedestrian Advisory Committee Appointment**
Appointment of Christian Kuhn as Alternate Member on the Bicycle and Pedestrian Advisory Committee to the End of April 2028 Due to the Resignation of Anne Coyne (CC)
Approved appointment
- c. **Pickleweed Branch Library Re-Design Project**
Authorize the City Manager to Enter into a Professional Services Agreement with Jayson Architecture P.C. for Architectural, Engineering and Interior Design Services for the Pickleweed Branch Library in the Amount Not to Exceed \$251,210 (LR)
Authorized the City Manager to enter into a Professional Services Agreement with Jayson Architecture P.C. in the amount not to exceed \$251,210
- d. **B Street Culvert Replacement Project**
Award of Construction Agreement to Maggiora & Ghilotti, Inc. and Appropriation of \$480,000 for the B Street Culvert Replacement Project (PW)
Awarded the construction agreement for the B Street Culvert Replacement Project, City Project No. 11380, to Maggiora & Ghilotti, Inc. in the amount of \$414,770; Authorized the City Manager to execute the construction agreement up to the amount of \$480,000, including contingency funds of \$65,230; Authorize appropriation of \$480,000 for the B Street Culvert Replacement Project from available Gas Tax funds (Fund 206); and Approved the plans and specifications for the B Street Culvert Replacement Project, City Project No. 11380, on file in the Department of Public Works
- e. **Approval for Special Event Street Closures in San Rafael**
Resolution Authorizing the Temporary Closure of Streets in San Rafael for Special Events for Calendar Year 2024 (PD)
Resolution 15282 - Resolution Authorizing the Temporary Closure of Streets in San Rafael for Special Events for Calendar Year 2024
- f. **First Amendment to the Professional Services Agreement with Kimley-Horn and Associates, Inc. for Final Design of the Grand Avenue Cycle Track Project**
Authorize the City Manager to Negotiate and Enter into a First Amendment to the Professional Services Agreement with Kimley-Horn & Associates, Inc. for Engineering Design Services Associated with the Grand Avenue Cycle Track Project, in an Additional Amount of \$86,150, Increasing the Total Not to Exceed Amount of the Agreement to \$161,040 (PW)
Authorized the City Manager to Negotiate and Enter into a First Amendment to the Professional Services Agreement with Kimley-Horn & Associates, Inc. for Engineering Design Services in an Additional Amount of \$86,150, Increasing the Total Not to Exceed Amount of the Agreement to \$161,040
- g. **Grant Award from the State Coastal Conservancy for People of The Canal Public Art Project**
*****Item Removed from the Agenda*****

AYES: Councilmembers: Bushey, Hill, Kertz, Llorens Gulati & Mayor Kate
NOES: Councilmembers: None
ABSENT: Councilmembers: None

h. [Public Art Project Proposal for Mural at Albert J. Boro Community Center](#)
The Canal Arts Proposal to Install a Public Art Mural at the Albert J. Boro Community Center (LR)

Craig Veramay, Assistant Library & Recreation Director introduced the item.

Mayor Kate invited public comment.

Speakers: Lorelle Ross, Federated Indians of Graton Rancheria, Matt Johnson, Federated Indians of Graton Rancheria, Rich Storek, The Canal Arts, Marina Palma and Irene de Leon

Councilmember Llorens Gulati moved and Councilmember Kertz seconded to approve the Canal Arts public art proposal to paint a mural on the exterior of the Albert J. Boro Community Center and authorize the City Manager to enter into a license agreement with Rich Storek (dba The Canal Arts).

AYES: Councilmembers: Bushey, Hill, Kertz, Llorens Gulati & Mayor Kate
NOES: Councilmembers: None
ABSENT: Councilmembers: None

Approved the Canal Arts public art proposal to paint a mural on the exterior of the Albert J. Boro Community Center and authorize the City Manager to enter into a license agreement with Rich Storek (dba The Canal Arts)

SPECIAL PRESENTATIONS:

5. Special Presentations:

Mayor Kate invited public comment; however, there was none.

a. **Presentation from Transportation Authority of Marin Regarding the 101/580 Multi Modal and Local Access Improvement Project (PW)**

Anne Richman, Transportation Authority of Marin (TAM) and Connie Fremier, TAM gave a presentation.

TAM staff responded to questions from the City Council.

Councilmembers provided comments.

PUBLIC HEARINGS:

6. Public Hearings:

a. [Anti-Displacement Urgency Ordinance and Temporary Relocation Assistance for the Canal Opportunity Zone](#)

Implementation of Temporary Anti-Displacement Measures in the Canal Opportunity Zone (CED)

Micah Hinkle, Community and Economic Development Director introduced Alexis Captanian, Housing Manager who presented the Staff Report.

Staff responded to questions from the City Council.

Mayor Kate invited public comment.

Speakers: Al Vetere, Aaron Burnett, Canal Alliance, Tahirah Dean, Public Advocates, Kris Parra, Name withheld, Voces del Canal, Irene de Leon, Voces del Canal, Andrew Ellsworth, Community Action Marin, Gina Guillemette, Community Action Marin, Lucy Hollingsworth, Legal Aid of Marin, Darlin Ruiz, Omar Carrera, Canal Alliance, Cruz Vargas, Voces del Canal, Ethan Strull, Legal Aid of Marin and Marin Democratic Socialists of America, Yolanda Oviedo, Canal Alliance, Marina Palma, Renters Association on 400 Canal, Luis Martinez, 400 Canal Tenant Association, Luis Oxlaj, Jack Buckhorn, North Bay Labor Council and Robbie Powelson

Staff responded to questions from the community.

Councilmembers provided comments.

Councilmember Llorens Gulati moved and Councilmember Kertz seconded to adopt an urgency ordinance amending Chapter 10.105 of the San Rafael Municipal Code, entitled "Cause Required for Eviction", and amending Chapter 10.111 of the San Rafael Municipal Code, entitled "Relocation Assistance in Opportunity Zones.

AYES: Councilmembers: Bushey, Hill, Kertz, Llorens Gulati & Mayor Kate
NOES: Councilmembers: None
ABSENT: Councilmembers: None

Adopted an urgency ordinance amending Chapter 10.105 of the San Rafael Municipal Code, entitled "Cause Required for Eviction", and amending Chapter 10.111 of the San Rafael Municipal Code, entitled "Relocation Assistance in Opportunity Zones

Councilmember Llorens Gulati moved and Vice Mayor Hill seconded to adopt a resolution amending Resolution 14895 to include temporary relocation assistance payment amounts and administrative processing fee pursuant to San Rafael Municipal Code Chapter 10.111 – Relocation Assistance in Opportunity Zones.

AYES: Councilmembers: Bushey, Hill, Kertz, Llorens Gulati & Mayor Kate
NOES: Councilmembers: None
ABSENT: Councilmembers: None

Resolution 15283 - Resolution amending Resolution 14895 to include temporary relocation assistance payment amounts and administrative processing fee pursuant to San Rafael Municipal Code Chapter 10.111 – Relocation Assistance in Opportunity Zones

Mayor Kate called a recess at 8:21 p.m.

Mayor Kate called the meeting to order at 8:30 p.m. and expressed thanks to the interpreters.

b. [Ordinance Regulating Camping on Public Property](#)

An Ordinance of the City Council of the City of San Rafael Amending Chapter 19.50 to the San Rafael Municipal Code, Entitled “Camping on Public Property” Regulating Camping on Public Property Within the City of San Rafael (CD/CA)

City Manager Cristine Alilovich commented on the item and introduced Assistant Community Development Director Chriss Hess and Assistant City Attorney Genevieve Coyle who presented the Staff Report.

Staff responded to questions from the City Council.

Mayor Kate invited public comment.

Speakers: Name withheld, Robbie Powelson, Anchor Arlen, Jason, Jay Ress, East Bay Tire Company, and Karen Strolia, San Rafael Chamber of Commerce

Staff responded to questions from the community.

Councilmembers provided comments.

Councilmember Kertz moved and Vice Mayor Hill seconded to introduce Ordinance, waive further reading of Ordinance and refer to it by title only.

AYES:	Councilmembers:	Bushey, Hill, Kertz, Llorens Gulati & Mayor Kate
NOES:	Councilmembers:	None
ABSENT:	Councilmembers:	None

The City Clerk read the title of the Ordinance:

An Ordinance of the City Council of the City of San Rafael Amending Chapter 19.50 to the San Rafael Municipal Code, Entitled “Camping on Public Property” Regulating Camping on Public Property Within the City of San Rafael

Introduced Ordinance, waived further reading of Ordinance and referred to it by title only

OTHER AGENDA ITEMS

7. Other Agenda Items:

a. [Authorize Affordable Housing Trust Fund Award to Include Renovation of Units in an Additional Building at Marin Villa Estates](#)

Resolution Amending Resolution 15244 Authorizing the Use of Affordable Housing Trust Funds for Renovation of Units in an Additional Building at Marin Villa Estates (CED)

Mel Burnette, Housing and Homelessness Analyst presented the Staff Report.

Staff responded to questions from the City Council.

Mayor Kate invited public comment.

Speaker: Name withheld

Councilmembers provided comments.

Vice Mayor Hill moved and Councilmember Llorens Gulati seconded to adopt a resolution amending Resolution 15244 authorizing the use of Affordable Housing Trust Funds for renovation of units in an additional building at Marin Villa Estates.

AYES:	Councilmembers:	Bushey, Hill, Kertz, Llorens Gulati & Mayor Kate
NOES:	Councilmembers:	None
ABSENT:	Councilmembers:	None

Resolution 15284 - Resolution Amending Resolution 15244 Authorizing the Use of Affordable Housing Trust Funds for Renovation of Units in an Additional Building at Marin Villa Estates

OPEN TIME FOR PUBLIC EXPRESSION

Mayor Kate invited public comment; however, there was none.

SAN RAFAEL SUCCESSOR AGENCY:

1. Consent Calendar: - None.

ADJOURNMENT:

Mayor Kate adjourned the meeting at 10:16 p.m.

LINDSAY LARA, City Clerk

APPROVED THIS ____ DAY OF _____, 2024

KATE COLIN, Mayor