



## MINUTES

SAN RAFAEL CITY COUNCIL - MONDAY, MAY 6, 2024

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

### Watch Online:

Watch on Zoom Webinar: <https://tinyurl.com/cc-2024-05-06>

Watch on YouTube: [www.youtube.com/cityofsanrafael](http://www.youtube.com/cityofsanrafael)

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This meeting will be held in-person. This meeting is being streamed to YouTube at [www.youtube.com/cityofsanrafael](http://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](mailto: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](mailto:city.clerk@cityofsanrafael.org).

Present: Councilmember Bushey  
Mayor Pro Tem Hill  
Councilmember Kertz  
Councilmember Llorens Gulati

Absent: Mayor Kate

Also Present: City Manager Cristine Alilovich  
City Attorney Rob Epstein  
City Clerk Lindsay Lara

Mayor Pro Tem Hill 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, except for Mayor Kate.

Mayor Pro Tem Hill provided opening remarks which included gratitude to City staff and a land acknowledgment.

City Clerk Lindsay Lara 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.

### OPEN SESSION

1. None.

### CLOSED SESSION

2. Closed Session: - None.

## 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:

- Public Service Recognition Week Proclamation
- Free Event - Drew Robinson: A Survivor's Story of Mental Health, Hope and Recovery to be held May 9, College of Marin (Kentfield), 5 p.m.
- 2<sup>nd</sup> Friday Art Walk, Downtown, 5-8 p.m.
- May Madness Car Show & Parade to be held Saturday May 11, Downtown, 12-6 p.m.
- Taste of San Rafael - State of the City to be held Wednesday May 15, Rafael Theater, 4:30-7 p.m.
- Farmers Market to be held May 16 thru August 24, Downtown, 5:30-8:30 p.m.

City Attorney Rob Epstein

- How to request reasonable accommodations for attending City Council or Board, Commission and Committee meetings.

City Councilmember Reports:

- Councilmember Kertz reported on a SMART train visit, San Rafael Downtown Earth Day, the Marin County Council of Mayors and Councilmembers (MCCMC) legislative committee, China Camp's Earth Day and the Marin Wildfire Prevention Authority (MWPA).
- Councilmember Llorens Gulati reported on Earth Day in the Canal, the annual breakfast with Congressman Jared Huffman, a Spinnaker and Baypoint neighborhood meeting, a City Climate Action Plan (CCAP) quarterly committee meeting, a BayWAVE meeting, a MCE Executive Committee meeting and a San Rafael Safe Routes to Schools task force meeting.
- Councilmember Bushey reported on a San Rafael Sanitation District board meeting, a Marin Transit board meeting (representing MCCMC) and a meeting with Supervisor Sackett.
- Mayor Pro Tem Hill reported on the second annual Marin County Youth Town Hall.

Mayor Pro Tem Hill invited public comment; however, there was none.

## CONSENT CALENDAR:

Mayor Pro Tem Hill invited public comment on the Consent Calendar items.

**Speakers:** Karen Strolia, San Rafael Chamber of Commerce, Eva Chrysanthe

Councilmember Llorens Gulati moved and Councilmember Kertz seconded to approve the Consent Calendar.

### 4. Consent Calendar Items:

#### a. **Approval of Minutes**

**Approve Minutes of the Special and Regular City Council Meetings of April 15, 2024 (CC)**

*Approved minutes as submitted*

- b. **Ordinance Regulating Camping on Public Property**  
**Final Adoption of Ordinance 2035: 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 (CED)**  
*Final Adoption of Ordinance No. 2035*
- c. **Proclamations**  
**Proclamations Supporting:**
- i. Older Americans Month
  - ii. Wildfire Preparedness Month
  - iii. Public Service Recognition Week,
  - iv. Asian American, Native Hawai'i'an and Pacific Islander Heritage Month
  - v. Jewish American Heritage Month
  - vi. Arab American Heritage Month
  - vii. National Police Week
- Received and filed*
- d. **First Responder Counseling Services Agreement Amendment**  
**Authorize the City Manager to Enter into the Second Amendment to the Professional Services Agreement with Public Safety Family Counseling Group, Inc. in the Amount Not to Exceed \$30,000, For a Total Not to Exceed Amount Under the Agreement of \$150,000 (HR)**  
*Authorized the City Manager to enter into a Second Amendment to the Professional Services Agreement with Public Safety Family Counseling Group, Inc. for first responder counseling services, in an amount not to exceed \$30,000, increasing the total not to exceed amount under the agreement to \$150,000; and Authorized a supplemental budget appropriation with Employee Benefits Fund (Fund 604) in an amount not to exceed \$30,000*
- e. **Public Art Project Proposal to Paint Six (6) Public Utility Boxes Throughout San Rafael**  
**Approval of the San Rafael Leadership Institute Proposal to Paint Murals on Six (6) Public Utility Boxes Throughout San Rafael (LR)**  
*Approved the San Rafael Leadership Institute proposal to paint murals on six (6) public utility boxes throughout San Rafael*
- f. **City Quarterly Investment Report**  
**Acceptance of City of San Rafael Quarterly Investment Report for the Quarter Ending March 31, 2024 (Fin)**  
*Accepted report*
- g. **Third Street Rehabilitation Project**  
**Authorize the City Manager to Enter into the Second Amendment to the Professional Services Agreement with Coastland Civil Engineering for Construction Management and Inspection Services Associated with the Third Street Rehabilitation Project, in an Additional Amount of \$21,280, Increasing the Total Not to Exceed Amount of the Agreement to \$1,569,580 (PW)**  
*Authorized the City Manager to enter into the second amendment to the professional services agreement with Coastland Civil Engineering for construction management and inspection services associated with the Third Street Rehabilitation Project, in an additional amount of \$21,280, increasing the total not to exceed amount of the agreement to \$1,569,580; and Authorized a*

supplemental budget appropriation with Gas Tax Funds (#206) in an amount not to exceed \$21,280

**h. Miovision Traffic Camera Service Agreement**

**Authorize the City Manager to Enter into an Agreement with Miovision Technologies Incorporated for Traffic Camera Services for Up to Four (4) Years with Up to a Five Percent (5%) Increase Per Fiscal Year of Service and Appropriate \$88,018 to the General Fund for Year One of Service (PW)**

*Authorized the City Manager to enter into an agreement with Miovision Technologies Incorporated ("Miovision") for traffic camera services for up to four (4) years with up to a five percent (5%) increase per fiscal year of service and appropriate \$88,018 to the General Fund for year one of service*

**i. Second Street, Fourth Street and Miracle Mile Intersection Improvements Project**

**Authorize the City Manager to Enter into the First Amendment to the Professional Services Agreement with CSW/Stuber-Stroeh Engineering Group, Inc. for Additional Design Services Associated with the Second Street, Fourth Street and Miracle Mile Intersection Improvements Project, in an Additional Amount of \$96,900, Increasing the Total Not to Exceed Amount of the Agreement to \$228,482 (PW)**

*Authorized the City Manager to enter into the first amendment to the professional services agreement with CSW/Stuber-Stroeh Engineering Group Inc. for additional design services associated with the Second Street, Fourth Street and Miracle Mile Intersection Improvements Project, in an additional amount of \$96,000, increasing the total not to exceed amount of the agreement to \$228,482; and Authorized a supplemental budget appropriation with Gas Tax Funds (#206) in an amount not to exceed \$96,900*

**j. City of San Rafael Essential Facilities Construction Project: Fire Stations 54 And 55**

**Authorize the City Manager to Enter into the Second Amendment to the Professional Services Agreement with Loving Campos Associates Architects, Inc. for Extended Architectural, Waterproofing Consulting and Construction Administration Services Related to Phase 2 Essential Facilities Projects: Fire Stations 54 and 55, in an Additional Amount of \$120,995, Increasing the Total Not to Exceed Amount of the Agreement to \$451,741 (PW)**

*Authorized the City Manager to enter into the second amendment to the professional services agreement with Loving Campos Associates Architects, Inc. for extended architectural, waterproof consulting and construction administration services related to the Phase 2 Essential Facilities Projects: Fire Stations 54 and 55, in an additional amount of \$120,995, increasing the total not to exceed amount of the agreement to \$451,741; and Authorized a supplemental budget appropriation with Essential Facilities Capital Projects Fund (#420) in an amount not to exceed \$120,995*

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

**SPECIAL PRESENTATIONS:**

**5. Special Presentations:**

Mayor Pro Tem Hill invited public comment; however, there was none.

**a. [Presentation of Proclamation Supporting Mental Health Awareness Month \(CM\)](#)**

City Manager Cristine Alilovich provided comments and introduced the item, Mayor Pro Tem Hill presented the Proclamation and Kara Connors of Marin County Behavioral Health & Recovery Services (BHRS) gave a presentation.

**OTHER AGENDA ITEMS**

6. Other Agenda Items:

a. **Community Development Block Grant (CDBG)**

**Resolution Recommending Community Development Block Grant (CDBG) Project Funding for the Fiscal Year 2024-25 to the Marin County Board of Supervisors (CED)**

Mel Burnette, Homelessness and Housing Analyst presented the Staff Report with Molly Kron, Marin County Community Development Agency.

Staff responded to questions from the City Council.

Mayor Pro Tem Hill invited public comment.

**Speakers:** Carolyn Flannery, Make It Home, Name Withheld, Al Vetere, Damian, Jonathan Frieman

Staff responded to questions from the community.

Councilmembers provided comments.

At the request of the Council, City Attorney Rob Epstein provided comments regarding a possible motion such that the Council can accommodate a pro rata change in the resolution.

Molly Kron, Marin County Community Development Agency provided comments on past practice.

City Attorney Rob Epstein suggested that the motion be consistent with past practice regarding reallocation, if necessary.

Councilmember Kertz moved and Councilmember Bushey seconded to adopt a Resolution Recommending Community Development Block Grant (CDBG) Project Funding for the Fiscal Year 2024-25 to the Marin County Board of Supervisors, consistent with past practice.

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

*Resolution 15285 - Resolution Recommending Community Development Block Grant (CDBG) Project Funding for the Fiscal Year 2024-25 to the Marin County Board of Supervisors, consistent with past practice.*

**OPEN TIME FOR PUBLIC EXPRESSION**

- Name Withheld addressed the City Council regarding antisemitism and the attack at the Islamic Center of North Marin.

- Catherine Healy addressed the City Council regarding illegal anchor-outs in San Rafael turning basin on the Canal.
- Jerry McNulty, San Rafael Yacht Club, addressed the City Council regarding illegal anchor-outs in San Rafael turning basin on the Canal.
- Mia Burnt addressed the City Council regarding illegal anchor-outs in San Rafael turning basin on the Canal.
- Bob Mittelstaedt, E-Bike Access, addressed the City Council regarding personal attacks on a person's heritage/religion and E-bike enforcement updates.
- Marina Palma, 400 Canal St. Tenants Union, addressed the City Council regarding 400 Canal Street utilities and rent.
- Glendy, 400 Canal St. Tenants Union, addressed the City Council regarding 400 Canal Street utilities and rent.
- Name Withheld, 400 Canal St. Tenants Union, addressed the City Council regarding 400 Canal Street utilities and rent.
- Florida Morales, Voces del Canal addressed the City Council regarding 400 Canal Street utilities and rent.
- Gloria Calderon addressed the City Council regarding 400 Canal Street utilities and rent.
- Efraim addressed the City Council regarding 400 Canal Street utilities and rent.
- Maximo addressed the City Council regarding 400 Canal Street utilities and rent.
- Name Withheld addressed the City Council regarding 400 Canal Street utilities and rent.
- Name Withheld addressed the City Council regarding 400 Canal Street, accommodations and E-bikes.
- Sara Benitez addressed the City Council regarding 400 Canal Street utilities and rent.
- Name Withheld addressed the City Council regarding 400 Canal Street utilities and rent.
- Elvin Mazariegos addressed the City Council regarding 400 Canal Street utilities and rent.
- Name Withheld addressed the City Council regarding 400 Canal Street utilities and rent.
- Name Withheld addressed the City Council regarding 400 Canal Street utilities and rent.
- Shinji S. addressed the City Council regarding 400 Canal Street and E-bikes in San Rafael.

**SAN RAFAEL SUCCESSOR AGENCY:**

Chair Pro Tem Hill invited public comment; however, there was none.

Member Bushey moved and Member Kertz seconded to approve the Consent Calendar.

1. Consent Calendar:

a. **Successor Agency Quarterly Investment Report**

**Acceptance of Successor Agency Quarterly Investment Report for the Quarter Ending March 31, 2024 (Fin)**

*Accepted report*

AYES:	Councilmembers:	Bushey, Kertz, Llorens Gulati & Chair Pro Tem Hill
NOES:	Councilmembers:	None
ABSENT:	Councilmembers:	Chair Kate

**ADJOURNMENT:**

Mayor Pro Tem Hill adjourned the meeting at 8:14 p.m.

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LINDSAY LARA, City Clerk

APPROVED THIS \_\_\_\_ DAY OF \_\_\_\_\_, 2024

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KATE COLIN, Mayor