



MINUTES

SAN RAFAEL CITY COUNCIL - MONDAY, JUNE 3, 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-2024-06-03>

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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.

OPEN SESSION- THIRD FLOOR CONFERENCE ROOM - 5:30 PM

1. Mayor Kate announced Closed Session items.

CLOSED SESSION - THIRD FLOOR CONFERENCE ROOM - 5:30 PM

2. Closed Session:

- a. CONFERENCE WITH LEGAL COUNSEL-EXISTING LITIGATION

Paragraph (1) of subdivision (d) of Government Code Section 54956.9: 2 cases

Workers' Compensation Appeals Board Case No. ADJ16750346 (Claim No. 2193400026)

Workers' Compensation Appeals Board Case No. ADJ17551891 (Claim No. 2293400123)

Present: Councilmember Bushey
Vice Mayor Hill
Councilmember Kertz
Mayor Kate

Absent: Councilmember Llorens Gulati

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

Mayor Kate called the meeting to order at 6:00 p.m. and invited City Clerk Lindsay Lara to call the roll. All members of the City Council were present, except for Councilmember Llorens Gulati.

City Attorney Robert Epstein announced that no reportable action was taken in closed session.

Mayor Kate provided opening remarks which included the Pride flag raising ceremony held before the meeting, gratitude to City Staff, an announcement of the City's new Fire Chief Abraham Roman, Gun Violence Awareness Month 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.

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:

- Pride Month -
 - Downtown Business Improvement District to celebrate with a Pride Art Walk
 - The California Film Institute to host a Pride Film Festival
 - The Suicide Prevention Collaborative to host a virtual meeting called A Holistic Approach to LGBTQ+ Allyship for Suicide Prevention to be held Wednesday, June 5, 2-3 p.m.
 - Downtown Library to host a Read with Pride event to be held Saturday, June 15, 11 a.m.–3 p.m.
- Sea Level Rise community open house to be held Saturday, June 8, at the Al Boro Community Center, 9 a.m.–noon.
- Juneteenth talk with historian John William Templeton to be held Tuesday, June 11 at the Downtown Library, 6-7 p.m.
- City administrative services and offices to be closed Wednesday, June 19, in observance of Juneteenth

City Councilmember Reports:

- Vice Mayor Hill reported on a Marin County Council of Mayors and Councilmembers (MMC) meeting and his nomination as President.
- Councilmember Kertz reported on the MCCMC meeting and her appointment to represent the large cities on the planning for the bay area housing bond measure. Also, she attended the Chamber of Commerce Art with Purpose celebration.
- Councilmember Bushey reported on a Marin Transit Board meeting and the MCCMC meeting.
- Mayor Kate reported on a Transportation Authority of Marin meeting and a Safe Routes to Schools meeting. Also, she threw the first pitch for the San Rafael Pacifics.

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

CONSENT CALENDAR:

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

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

4. Consent Calendar Items:

a. Approval of Minutes

Approve Minutes of the Regular City Council Meeting of May 20, 2024 (CC)

Approved minutes as submitted

b. Ordinance Amending Green Building Codes

Final Adoption of Ordinance No. 2036: An Ordinance of the San Rafael City Council Amending Title 12 (Building Regulations) of the San Rafael Municipal Code, By Amending the California Energy Code, the 2022 California Green Building Standards Code for Electric Vehicle Chargers, the 2022 California Mechanical Code, and the 2022 California Plumbing Code; Adding a New Chapter 12.360 with Administrative and Program Regulations on Model Reach Codes; and Adopting Findings of Fact Supporting the Amendments to the Codes (CC)

Final Adoption of Ordinance No. 2036

c. Statement of Economic Interests Annual Filings

Accept Report on Fair Political Practices Commission Form 700, Statement of Economic Interests, 2023 Annual Filings, for Section 87200 Filers and Designated Employees, Including Consultants, Design Review Board and Park and Recreation Commission (CC)

Accepted report

d. 2024 General Municipal Election

Resolution Calling and Giving Notice of At-Large Elections, By-District Elections for Districts 1/Southern and 4/Northern, and San Rafael Board of Education Trustee Area Elections for Areas 1, 3 and 5, to be Held on November 5, 2024, Requesting the Marin County Board of Supervisors to Consolidate with Any Other Election Conducted on Said Date, and Requesting Election Services (CC)

Resolution 15290 - Resolution Calling and Giving Notice of At-Large Elections, By-District Elections for Districts 1/Southern and 4/Northern, and San Rafael Board of Education Trustee Area Elections for Areas 1, 3 and 5, to be Held on November 5, 2024, Requesting the Marin County Board of Supervisors to Consolidate with Any Other Election Conducted on Said Date, and Requesting Election Services

e. Proclamations

Proclamations Supporting:

- i. LGBTQIA+ Pride Month
- ii. National Gun Violence Awareness Day
- iii. National Immigrant Heritage Month
- iv. Alzheimer's and Brain Awareness Month

Received and filed

f. Five-Year Agreement with Axon Enterprise, Inc. for Police Department Technology Hardware and Software Services

Authorize the City Manager to Enter into a Five-Year Agreement with Axon Enterprise, Inc. in the Total Amount Not to Exceed \$1,215,531.82 (PD)

Authorized the City Manager to enter into a five-year agreement with Axon Enterprise, Inc. in the total amount not to exceed \$1,215,531.82

g. Lincoln Avenue Corridor Safety Improvements Project Funding Agreement

Resolution Approving and Authorizing the City Manager to Execute a Program Supplement Agreement with Caltrans to Receive State Funds (PW)

Resolution 15291 - Resolution Approving and Authorizing the City Manager to Execute a Program Supplement Agreement with Caltrans to Receive State Funds

AYES: Councilmembers: Bushey, Hill, Kertz & Mayor Kate

NOES: Councilmembers: None

ABSENT: Councilmembers: Llorens Gulati

PUBLIC HEARINGS

5. Public Hearings:

- a. [AB 481 Military Equipment Annual Report and Renewal of Military Equipment Use Policy Resolution Renewing the Ordinance Approving San Rafael Police Department Military Equipment Use Policy 706 \(PD\)](#)

Lieutenant Scott Eberle presented the Staff Report.

Staff responded to questions from the City Council.

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

Councilmembers provided comments.

Vice Mayor Hill moved and Councilmember Bushey seconded to adopt the resolution Renewing the Ordinance Approving San Rafael Police Department Military Equipment Use Policy 706

AYES: Councilmembers: Bushey, Hill, Kertz & Mayor Kate

NOES: Councilmembers: None

ABSENT: Councilmembers: Llorens Gulati

Resolution 15292 - Resolution Renewing the Ordinance Approving San Rafael Police Department Military Equipment Use Policy 706

OTHER AGENDA ITEMS

6. Other Agenda Items:

- a. [Preliminary Citywide Proposed Budget for Fiscal Year 2024-25 Preliminary Citywide Proposed Budget and Proposed Capital Improvement Program for Fiscal Year 2024-25 \(Fin\)](#)

City Manager Cristine Alilovich introduced the item.

Finance Director Paul Navazio and Assistant Director of Public Works Joanna Kwok presented the Staff Report.

Staff responded to questions from the City Council.

Mayor Kate invited public comment.

Speakers: Zoe Neil, Downtown Streets Team, Shinji Sakai-Egi

Staff responded to questions from the community.

Councilmembers provided comments.

Councilmember Kertz moved and Councilmember Bushey seconded to receive the report on the Preliminary Citywide Proposed Budget and Proposed Capital Improvement Program for Fiscal Year 2024-25

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

Received report related to the Preliminary Citywide Proposed Budget for Fiscal Year 2024-25 and provided direction to staff to inform preparation of the Final Proposed FY 2024-25 Budget for adoption at the City Council meeting of June 17, 2024

b. [Economic Development Strategic Plan](#)

Economic Development Strategic Plan Annual Report (CED)

Community & Economic Development Director Micah Hinkle and Economic Development Program Manager Stacey Loughman presented the Staff Report.

Staff responded to questions from the City Council.

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

Councilmembers provided comments.

Councilmember Bushey moved and Vice Mayor Hill seconded to accept the Economic Development Strategic Plan Annual Report.

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

Accepted report

c. [Successor Memorandum of Understanding with San Rafael Police Mid-Management Association \(SRPMMA\)](#)

Resolution Approving a Successor Memorandum of Understanding Pertaining to Compensation and Working Conditions for San Rafael Police Mid-Management Association (SRPMMA), Beginning June 1, 2024 Through June 30, 2027) (CM/HR)

Nick Biss, Principal Human Resources Analyst presented the Staff Report.

Staff responded to questions from the City Council.

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

Councilmembers provided comments.

Vice Mayor Hill moved and Councilmember Kertz seconded to adopt the resolution Approving a Successor Memorandum of Understanding Pertaining to Compensation and Working Conditions for San Rafael Police Mid-Management Association (SRPMMA), Beginning June 1, 2024 Through June 30, 2027)

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

Resolution 15293 - Resolution Approving a Successor Memorandum of Understanding Pertaining to Compensation and Working Conditions for San Rafael Police Mid-Management Association (SRPMMA), Beginning June 1, 2024 Through June 30, 2027)

d. [Successor Memorandum of Understanding with San Rafael Fire Chief Officers' Association \(SRFCOA\)](#)

Resolution Approving a Successor Memorandum of Understanding Pertaining to Compensation and Working Conditions for San Rafael Fire Chief Officers' Association (SRFCOA), Beginning June 1, 2024 Through June 30, 2027) (CM/HR)

Nick Biss, Principal Human Resources Analyst presented the Staff Report.

Staff responded to questions from the City Council.

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

Councilmembers provided comments.

Councilmember Kertz moved and Councilmember Bushey seconded to adopt the resolution Approving a Successor Memorandum of Understanding Pertaining to Compensation and Working Conditions for San Rafael Fire Chief Officers' Association (SRFCOA), Beginning June 1, 2024 Through June 30, 2027)

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

Resolution 15294 - Resolution Approving a Successor Memorandum of Understanding Pertaining to Compensation and Working Conditions for San Rafael Fire Chief Officers' Association (SRFCOA), Beginning June 1, 2024 Through June 30, 2027)

e. [An Initiative Measure to Provide Funding for the Construction of a New Main Library and Community Center at Albert Park](#)

I. **Certificate of Sufficiency of the Petition for the Proposed Initiative Measure Amending the City of San Rafael's Municipal Code to Provide Funding for Construction of a New Main Library and Community Center at Albert Park**

II. **Resolution Ordering the Submission to the Qualified Electors of the City of San Rafael a Citizen-Sponsored Initiative Measure to Amend the Municipal Code to Provide Funding for Construction of a New Main Library and Community Center at Albert Park in Downtown San Rafael, at the Consolidated General Election on Tuesday November 5, 2024; Establishing the Schedule for Submission of Ballot Arguments; and Authorizing and Requesting the County of Marin Conduct the Election (CC)**

City Clerk Lindsay Lara and City Attorney Robert Epstein presented the Staff Report.

Staff responded to questions from the City Council.

Mayor Kate invited public comment.

Speakers: Joe O'Hare, San Rafael Public Library Foundation Board & Revitalize San Rafael Library and Community Center Campaign, Kingston Cole, Coalition of Sensible Tax Payers (COST), Chuck Stuckey, Gary Ragghianti, San Rafael Public Library Foundation, Brad Sears

Councilmembers provided comments.

Councilmember Bushey moved and Vice Mayor Hill seconded to Accept Certificate of Sufficiency of the petition for the proposed Initiative Measure amending the City of San Rafael's Municipal Code to provide funding for construction of a new main library and community center at Albert Park

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

Accepted Certificate of Sufficiency of the petition for the proposed Initiative Measure amending the City of San Rafael's Municipal Code to provide funding for construction of a new main library and community center at Albert Park

Councilmember Bushey moved and Vice Mayor Hill seconded to Adopt the Resolution Ordering the Submission to the Qualified Electors of the City of San Rafael a Citizen-Sponsored Initiative Measure to Amend the Municipal Code to Provide Funding for Construction of a New Main Library and Community Center at Albert Park in Downtown San Rafael, at the Consolidated General Election on Tuesday November 5, 2024; Establishing the Schedule for Submission of Ballot Arguments; and Authorizing and Requesting the County of Marin Conduct the Election.

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

Resolution 15295 - Resolution Ordering the Submission to the Qualified Electors of the City of San Rafael a Citizen-Sponsored Initiative Measure to Amend the Municipal Code to Provide Funding for Construction of a New Main Library and Community Center at Albert Park in Downtown San Rafael, at the Consolidated General Election on Tuesday November 5, 2024; Establishing the Schedule for Submission of Ballot Arguments; and Authorizing and Requesting the County of Marin Conduct the Election

OPEN TIME FOR PUBLIC EXPRESSION

The following people addressed the City Council regarding the City's labor agreements:

- The following speakers addressed the city council regarding SEIU labor negotiations:
 - Jocelyn, Joe, Jana Blunt, Trisha Cerutti-Saylors, Kenny

SAN RAFAEL SUCCESSOR AGENCY:

1. Consent Calendar: - None.

ADJOURNMENT:

Mayor Kate adjourned the meeting at 9:36 p.m. in honor of Cyr Miller, former City Councilmember.

LINDSAY LARA, City Clerk

APPROVED THIS ____ DAY OF _____, 2024

KATE COLIN, Mayor

DRAFT