



## MINUTES

SAN RAFAEL CITY COUNCIL - MONDAY, MAY 20, 2024

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

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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.

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### **OPEN SESSION- THIRD FLOOR CONFERENCE ROOM - 4:00 PM**

1. Mayor Kate to announce Closed Session items.

### **CLOSED SESSION - THIRD FLOOR CONFERENCE ROOM - 4:00 PM**

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
- b. Conference with Real Property Negotiators - Government Code § 54956.8  
Properties: 1) San Rafael City Schools Corp Yard Site, approximately 1.1 acre of land (portion of APN 014-101-09), located at corner of Union Street and Mission Ave., San Rafael; 2) San Rafael City Schools Glenwood Site, approximately 16.87 acres of land (southern portion of APNs 185-020-02 and 185-020-04), located south of Glenwood Elementary School (25 W. Castlewood Dr.) and northeast of Main Dr., San Rafael.  
Agency Negotiators: Cristine Alilovich, City Manager; John Stefanski, Assistant City Manager; Micah Hinkle, Director of Community and Economic Development  
Negotiating Party: San Rafael City Schools District  
Under Negotiation: Price and terms of payment

Present: Councilmember Bushey  
Vice Mayor Hill  
Councilmember Kertz  
Councilmember Llorens Gulati  
Mayor Kate  
Absent: None  
Also Present: City Manager Cristine Alilovich  
Assistant City Attorney Genevieve Coyle  
City Clerk Lindsay Lara

Mayor Kate called the meeting to order at 6:09 p.m. and invited City Clerk Lindsay Lara to call the roll. All members of the City Council were present.

Assistant City Attorney Genevieve Coyle announced that no reportable action was taken in closed session.

Mayor Kate provided opening remarks which included gratitude to City staff, National Public Works Week, Moms Demand Action: Wear Orange Golden Gate Bridge Walk 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:

- Police Advisory and Accountability Committee meeting to be held Wednesday, May 22 at City Hall at 6 p.m.
- San Rafael Pacifics home opener to be held Thursday, May 23 at Albert Park at 6 p.m. Mayor Kate to throw out the first pitch.
- Pride flag raising ceremony to be held Monday, June 3rd on the steps at City Hall at 5:45 p.m. (before the City Council meeting)
- Downtown Farmers Market to be held Thursday evenings from 5:30 to 8:30 p.m. (through August 29).

City Councilmember Reports:

- Vice Mayor Hill reported on the May Madness event, the C Street Celebration (sponsored by Youth in Arts) and the State of the City event.
- Councilmember Kertz reported on the State of the City event, the Homeless Policy Steering Committee, finalized the recommendations for the Community Development Block Grants (CDBG) and attended Laurel Dell's fifth grade class presentation on sea level rise.
- Councilmember Bushey reported on the San Rafael Sanitation District (SRSD), the Central Marin Sanitation Agency (CMSA), the Station 55 Open House, a meeting with a district developer about business opportunities, completed housing around Andy's Local Market and Walk for Moms (hosted by Postpartum Support Center).

- Councilmember Llorens Gulati reported on the State of the City event and a sea level rise subcommittee meeting.
- Mayor Kate reported on SMART, the State of the City event, the Farmers Market Ribbon-Cutting, the North Bay Leadership Luncheon, and the Marin Gun Safety Collaborative

Mayor Kate invited public comment.

**Speakers:** Eva Chrysanthe, Shinji S.

**CONSENT CALENDAR:**

Mayor Kate invited public comment on the Consent Calendar items.

**Speaker:** Name withheld

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 Regular City Council Meeting of May 6, 2024 (CC)**

*Approved minutes as submitted*

b. **Legal Services Agreement**

**Authorize the City Manager to Enter into the First Amendment to the Professional Services Agreement with Burke, Williams & Sorensen, LLP for General Municipal Legal Services, In an Amount of \$130,000, Increasing the Total Not-to-Exceed Amount of the Agreement to \$300,000 (CA)**

*Authorized the City Manager to enter into the first amendment to the professional services agreement with Burke, Williams & Sorensen, LLP for general municipal legal services, in an amount of \$130,000, increasing the total not-to-exceed amount of the agreement to \$300,000*

c. **City-Owned Property as Exempt Surplus Land, and Affordable Housing Development Exclusive Negotiating Agreement for City Property**

**Resolution Determining and Declaring the City-Owned Site Located at 519 4<sup>th</sup> Street (APN 014-123-06) to be Exempt Surplus Land Pursuant to Government Code Section 54221(f)(1)(A), and Authorizing the City Manager to Enter into an Exclusive Negotiating Agreement with Abode Housing Development (CED)**

*Resolution 15286 - Resolution Determining and Declaring the City-Owned Site Located at 519 4<sup>th</sup> Street (APN 014-123-06) to be Exempt Surplus Land Pursuant to Government Code Section 54221(f)(1)(A), and Authorizing the City Manager to Enter into an Exclusive Negotiating Agreement with Abode Housing Development*

d. **Authorized Agents for FEMA and CalOES Disaster and Grant Funds**

**California Office of Emergency Services Resolution Designating Authorized Agents to Execute on Behalf of the City of San Rafael Agreements to Obtain Federal Financial Assistance for Existing and Future Grant Programs (FD)**

*Resolution 15287 - California Office of Emergency Services Resolution Designating Authorized Agents to Execute on Behalf of the City of San Rafael Agreements to Obtain Federal Financial Assistance for Existing and Future Grant Programs*

- e. **Citywide Storm Drain Plan Project**  
**Authorize the City Manager to Enter into a Professional Services Agreement with Schaaf & Wheeler Consulting Civil Engineers (S&W) to Develop San Rafael's Citywide Storm Drain Plan, in the Amount Not to Exceed \$331,303, and Appropriate Funds for the Agreement (PW)**  
*Authorized the City Manager to enter into a Professional Services Agreement with Schaaf & Wheeler Consulting Civil Engineers to develop San Rafael's Citywide Storm Drain Plan, in the amount not to exceed \$331,303, and appropriate funds for the agreement*
  
- f. **Southern Heights / Courtright / Pearce Retaining Walls Project**  
**Accept Completion of the Southern Heights/Courtright/Pearce Retaining Walls Project, City Project No. 11371, and Authorize the City Clerk to File the Notice of Completion (PW)**  
*Accepted completion of the Southern Heights/Courtright/Pearce Retaining Walls Project and authorized the City Clerk to file the Notice of Completion*
  
- g. **Proclamation Supporting Public Works Week 2024**  
**Proclamation Supporting Public Works Week 2024 (PW)**  
*Received and filed*

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

**PUBLIC HEARINGS**

5. Public Hearings:

- a. **[Ordinance Amending Green Building Codes](#)**  
**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 (CED)**

Sustainability Program Manager Cory Bytof and Chief Building Official Don Jeppson presented the Staff Report.

Staff responded to questions from the City Council.

Mayor Kate invited public comment.

**Speakers:** Name withheld, Name Withheld, Name Withheld, Al Vetere

Staff responded to questions from the community.

Councilmembers provided comments.

Councilmember Bushey moved and Councilmember Llorens Gulati seconded to waive further reading of the Ordinance and refer to it by title only, and introduce the Ordinance.

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 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*

*Waived further reading of the Ordinance and referred to it by title only, and introduced the Ordinance*

**b. Planning Commission Membership Composition**

*\*\*\*Item Removed from the Agenda\*\*\**

**OTHER AGENDA ITEMS**

**6. Other Agenda Items:**

- a. [City Council FY 2023-2025 Goals and Objectives Annual Update and Introduction of Infrastructure and Transportation Workplan](#)  
**FY 2023-2025 Goals and Objectives Annual Update and Introduction of Infrastructure and Transportation Workplan (CM)**

City Manager Cristine Alilovich presented the Staff Report along with Product Manager of Data and Insights Vedika Ahuja, Public Works Director April Miller and Assistant Public Works Director Joanne Kwok.

Staff responded to questions from the City Council.

Mayor Kate invited public comment.

**Speakers:** Bob Mittelstaedt, Ross Bishop, Carsten Andersen, Coalition of Sensible Taxpayers (COST)

Councilmembers provided comments.

Councilmember Kertz moved and Councilmember Llorens Gulati seconded to receive the FY 2023-2025 Goals and Objectives Annual Update and Introduction of Infrastructure and Transportation Workplan.

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

*Received the report*

- b. [Successor Memorandum of Understanding with San Rafael Police Association \(SRPA\)](#)

**Resolution Approving a Successor Memorandum of Understanding Pertaining to Compensation and Working Conditions for San Rafael Police Association (SRPA) (June 1, 2024 through June 30, 2027) (CM/HR)**

Assistant City Manager Angela Robinson Piñon presented the Staff Report.

Staff responded to questions from the City Council.

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

Staff responded to questions from the community.

Councilmembers provided comments.

Councilmember Kertz moved and Vice Mayor Hill seconded to adopt the Resolution Approving a Successor Memorandum of Understanding Pertaining to Compensation and Working Conditions for San Rafael Police Association (SRPA) (June 1, 2024 through June 30, 2027).

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

*Resolution 15288 - Resolution Approving a Successor Memorandum of Understanding Pertaining to Compensation and Working Conditions for San Rafael Police Association (SRPA) (June 1, 2024 through June 30, 2027)*

c. [Successor Memorandum of Understanding with San Rafael Firefighters' Association \(SRFA\)](#)

**Resolution Approving a Successor Memorandum of Understanding Pertaining to Compensation and Working Conditions for San Rafael Firefighters' Association (SRFA) (June 1, 2024 Through June 30, 2027) (CM/HR)**

Assistant City Manager Angela Robinson Piñon presented the Staff Report.

Staff responded to questions from the City Council.

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

Staff responded to questions from the community.

Councilmembers provided comments.

Councilmember Kertz moved and Councilmember Llorens Gulati seconded to adopt the Resolution Approving a Successor Memorandum of Understanding Pertaining to Compensation and Working Conditions for San Rafael Firefighters' Association (SRFA) (June 1, 2024 Through June 30, 2027)

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

*Resolution 15289 - Resolution Approving a Successor Memorandum of Understanding Pertaining to Compensation and Working Conditions for San Rafael Firefighters' Association (SRFA) (June 1, 2024 Through June 30, 2027) (CM/HR)*

**OPEN TIME FOR PUBLIC EXPRESSION**

- Name Withheld addressed the city council regarding throttle motor bikes.
- Salamah Locks addressed the city council regarding Marin Commission on Aging's Annual Health Forum to be held Thursday, May 30 at the Embassy Suites, 9 a.m. – 2 p.m.
- The following speakers addressed the city council regarding SEIU labor negotiations:
  - Marty Lewis, James Dunn, Alma Hernandez, Omar Garcia, Pam Klein, Jocelyn Hallroan, Riley Hallroan
- Jana Blunt addressed the city council regarding Open Time for Public Expression and SEIU labor negotiations.
- Diane Dillon, Executive Director of Western Council of Engineers addressed the city council regarding Western Council of Engineers labor negotiations.
- Shinji S. addressed the city council regarding long work commutes to make more money, employee retention and recruitment.

**SAN RAFAEL SUCCESSOR AGENCY:**

1. Consent Calendar: - None.

**ADJOURNMENT:**

Mayor Kate adjourned the meeting at 9:29 p.m.

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LINDSAY LARA, City Clerk

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

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KATE COLIN, Mayor