



MINUTES

SAN RAFAEL CITY COUNCIL - MONDAY, JUNE 17, 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-2024-06-17>

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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.

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OPEN SESSION- THIRD FLOOR CONFERENCE ROOM - 4:30 PM

1. Mayor Kate to announce Closed Session items.

CLOSED SESSION - THIRD FLOOR CONFERENCE ROOM - 4:30 PM

2. Closed Session:

- a. CONFERENCE WITH LEGAL COUNSEL-EXISTING LITIGATION

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

1. Robin Casper v. City of San Rafael, et al. (Marin Superior Court, Case No. CIV2204042)
2. Shaleeta Boyd, et al. v. City of San Rafael, et al. (U.S. District Court, N.D. Cal., Case No. 23-cv-04085-EMC)

- b. 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 Mid-Management Employee Association; Unrepresented Executive Management

Present: Councilmember Bushey
Vice Mayor Hill
Mayor Kate

Absent: Councilmember Llorens Gulati
Councilmember Kertz

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

Mayor Kate called the meeting to order at 6:04 p.m. and invited City Clerk Lindsay Lara to call the roll. Councilmembers Llorens Gulati and Kertz were absent.

Legal Counsel Nira Doherty announced that no reportable action was taken in closed session.

Mayor Kate provided opening remarks which included gratitude to City Staff, the Employee Appreciation BBQ, recognition of City employees for their extended years of service 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 reported on:

- State of San Rafael Homelessness Update
- Terra Linda Park and Community Center Enhancement Plan Project - Community meetings and pop-up events set for June 18, June 22, June 23 and June 26
- Fire Station 57 Open House to celebrate the Fire Department's 150th Anniversary to be held Sunday, June 23, 10 to noon
- Golden Gate Transportation District to host two events on the design progress for the new San Rafael Transit Center on Monday, June 24 and Tuesday, June 25
- PG&E to host a wildfire prevention work and safety resources webinar on Wednesday, June 26, 5:30-6:30 p.m.
- City Administrative Offices to be closed on Wednesday, June 19, in observance of Juneteenth Holiday
- City Council Special Meeting to be held Friday, June 21 at 4 p.m.
- City Council Regular Meeting on Monday, July 1 is cancelled
- Next Regular City Council Meeting to be held Monday, July 15 at 6 p.m.
- City Council Regular Meeting on Monday, August 5 is cancelled

City Councilmember Reports:

- Councilmember Bushey announced an Ice Cream Social to be held Saturday, June 22 at Peacock Gap Park (for design outreach), 1-3 p.m.
- Mayor Kate reported on a Sea Level Rise Community Workshop & Open House hosted by Canal Alliance and SF Bay Conservation and Development Commission (BCDC), a meeting with Supervisor Rodoni, a Bicycle & Pedestrian Advisory Committee (BPAC) meeting, the Chamber of Commerce Leadership Institute graduation, a Center for Domestic Peace event honoring Executive Director Donna Garske, a Dominican Black Canyon Neighborhood Association meeting, the City Employee Appreciation BBQ, a Chamber Mixer at East Bay Tire, the Homeward Bound Grand Opening for their veterans housing, a Juneteenth celebration at Christ Presbyterian Church and a City/County Pride event on the library's lawn.

Mayor Kate invited public comment.

Speaker: Name withheld

CONSENT CALENDAR:

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

Councilmember Bushey moved and Vice Mayor Hill seconded to approve the Consent Calendar.

4. Consent Calendar Items:

- a. **Approval of Minutes**
Approve Minutes of the Regular City Council Meeting of June 3, 2024 (CC)
Approved minutes as submitted
- b. **Northgate Mall Redevelopment Project Environmental Consulting Services**
Authorize the City Manager to Execute the Second Amendment to the Professional Services Agreement with LSA Associates, Inc. for Environmental Consulting Services for the Northgate Mall Redevelopment Project in an Amount of \$175,895, for a Total Contract Amount of \$510,851 (CED)
Authorized the City Manager to execute the second amendment to the professional services agreement with LSA Associates, Inc. for environmental consulting services associated with the Northgate Mall Redevelopment Project, in the amount not to exceed \$175,895, for a total not to exceed contract amount of \$510,851
- c. **Agreement for On-Call Planning and Environmental Consulting Services**
Authorize the City Manager to Enter into a Professional Services Agreement with M-Group for On-Call Planning and Environmental Consulting Services in an Amount Not to Exceed \$250,000 (CED)
Authorized the City Manager to enter into a professional services agreement with M-Group for on-call planning and environmental consulting services in an amount not to exceed \$250,000
- d. **Agreement for Fiscal Impact Analysis and Real Estate Advisory Services**
Authorize the City Manager to Execute the First Amendment to the Agreement for Professional Services with Seifel Consulting for Continued Fiscal Impact Analysis and Real Estate Advisory Services Related to the Northgate Town Square Project in an Amount of \$30,000, for a Total Not to Exceed Contract Amount of \$104,900 (CED)
Authorized the City Manager to execute the first amendment to the agreement for professional services with Seifel Consulting for continued fiscal impact analysis and real estate advisory services related to the Northgate Town Square Project in an amount of \$30,000, for a total not to exceed contract amount of \$104,900
- e. **Library Parcel Tax Rate for Fiscal Year 2024-25**
Report Establishing the Annual Rate Adjustment for the Special Library Services Parcel Tax for the Fiscal Year 2024-25 as Authorized by San Rafael Municipal Code Chapter 3.36 (Voter-Approved Measure D) (Fin/Lib)
Accepted report
- f. **Paramedic Tax Rate for Fiscal Year 2024-25**
Resolution Maintaining Paramedic Service Special Tax Rates at Their Current Levels for Fiscal Year 2024-25 (FD)

Resolution 15296 - Resolution Maintaining Paramedic Service Special Tax Rates at Their Current Levels for Fiscal Year 2024-25

- g. Park and Recreation Month Proclamation**
Proclamation Designating July 2024 as Park and Recreation Month
Received and filed
- h. Recreation Events Unarmed Security Guard Services Agreement with Barbier Security Group**
Authorize the City Manager to Negotiate and Enter into a Professional Services Agreement with Barbier Security Group for Security Guard Services in an Amount Not to Exceed \$600,000 for a Five-Year Term (LR)
Authorized the City Manager to negotiate and enter into a professional services agreement with Barbier Security Group for security guard services in an amount not to exceed \$600,000 for a five-year term
- i. Special Event Street Closures in San Rafael**
Resolution Authorizing the Temporary Closure of Streets in San Rafael for Special Events (PD)
Resolution 15297 - Resolution Authorizing the Temporary Closure of Streets in San Rafael for Special Events
- j. Baypoint Lagoons Assessment District**
Baypoint Lagoons Landscaping and Lighting Assessment District Annual Assessment FY 2024-25 (PW):

 - i. Resolution Directing Filing of Engineer's Annual Report FY 2024-25**
 - ii. Resolution Approving Engineer's Annual Report FY 2024-25**
 - iii. Resolution Of Intention to Order Improvements and Setting a Public Hearing on the Annual Assessment for the City Council Meeting of July 15, 2024**
Resolution 15298 - Resolution Directing Filing of Engineer's Annual Report FY 2024-25
Resolution 15299 - Resolution Approving Engineer's Annual Report FY 2024-25
Resolution 15300 - Resolution Of Intention to Order Improvements and Setting a Public Hearing on the Annual Assessment for the City Council Meeting of July 15, 2024
- k. Point San Pedro Road Median Landscaping Assessment District**
Point San Pedro Road Median Landscaping Assessment District Annual Assessment FY 2024-25 (PW):

 - i. Resolution Directing Filing of Engineer's Annual Report FY 2024-25**
 - ii. Resolution Approving Engineer's Annual Report FY 2024-25**
 - iii. Resolution Of Intention to Order Improvements and Setting a Public Hearing on the Annual Assessment for the City Council Meeting of July 15, 2024**
Resolution 15301 - Resolution Directing Filing of Engineer's Annual Report FY 2024-25
Resolution 15302 - Resolution Approving Engineer's Annual Report FY 2024-25
Resolution 15303 - Resolution Of Intention to Order Improvements and Setting a Public Hearing on the Annual Assessment for the City Council Meeting of July 15, 2024
- l. FY 2024-25 Road Maintenance and Rehabilitation Account Projects, Funded by Senate Bill 1**
Resolution Adopting a List of Projects for Fiscal Year 2024-25 Funded by Senate Bill 1: The Road Repair and Accountability Act of 2017 (PW)

Resolution 15304 - Resolution Adopting a List of Projects for Fiscal Year 2024-25 Funded by Senate Bill 1: The Road Repair and Accountability Act of 2017

m. PG&E Tower Easement Modification Agreement

Resolution Authorizing The City Manager to Execute an Easement Modification Agreement with Pacific Gas and Electric Company (PG&E) for the Tower Easement on APNs 009-032-06 and 009-032-07 (PW)

Resolution 15305 - Resolution Authorizing The City Manager to Execute an Easement Modification Agreement with Pacific Gas and Electric Company (PG&E) for the Tower Easement on APNs 009-032-06 and 009-032-07

n. Caltrans Maintenance Agreement

Resolution Approving and Authorizing the City Manager to Execute Amendment No. 1 to the Supplemental Freeway Maintenance Agreement with Caltrans (PW)

Resolution 15306 - Resolution Approving and Authorizing the City Manager to Execute Amendment No. 1 to the Supplemental Freeway Maintenance Agreement with Caltrans

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

SPECIAL PRESENTATIONS

5. Special Presentations:

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

a. [Presentation of Proclamation Supporting Juneteenth \(HR\)](#)

Mayor Kate presented the proclamation to Damien Oyobio, Diversity Equity Inclusion and Belonging (DEIB) Committee member who received the proclamation and made comments.

OTHER AGENDA ITEMS

6. Other Agenda Items:

a. [General Fund Reserve Policy](#)

Resolution Updating the City's General Fund Reserve Policy (Fin)

Finance Director Paul Navazio presented the Staff Report.

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

Councilmembers provided comments.

Councilmember Bushey moved and Vice Mayor Hill seconded to adopt the resolution updating the City's General Fund Reserve Policy.

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

Resolution 15307 - Resolution Updating the City's General Fund Reserve Policy

b. [City Investment Policy](#)
Resolution Approving the City of San Rafael Investment Policy (Fin)

Finance Director Paul Navazio 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 Bushey moved and Vice Mayor Hill seconded to adopt the resolution approving the City of San Rafael Investment Policy.

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

Resolution 15308 - Approving the City of San Rafael Investment Policy

c. [Final Citywide Budget for Fiscal Year 2024-25, Gann Legal Spending Limit; Measure A Workplan, Capital Improvement Program, and Capital and Infrastructure Workplan](#)

- i. **Resolution Approving the Citywide Budget and Capital Improvement Program Budget for the Fiscal Year 2024-25; Providing for the Appropriations and Expenditure of All Sums Set Forth in the Budget in the Amount of \$211,121,633, with Net Appropriations of \$179,844,098**
- ii. **Resolution Approving Fiscal Year 2024-25 Gann Appropriations Limit at \$185,036,651**
- iii. **Resolution Approving the Measure A Work Plan for Proposed Expenditure of Measure A Funds for FY 2024-25**
- iv. **Approval of the Capital Improvement Program – FY 2024-25 through FY 2026-27 and Related Capital and Transportation Infrastructure Workplan (Fin)**

Finance Director Paul Navazio 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 Bushey moved and Vice Mayor Hill seconded to adopt the resolution approving the Citywide Budget and Capital Improvement Program Budget for the Fiscal Year 2024-25; Providing for the appropriations and expenditure of all sums set forth in the budget in the amount of \$211,121,633, with net appropriations of \$179,844,098.

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

Resolution 15309 - Resolution Approving the Citywide Budget and Capital Improvement Program Budget for the Fiscal Year 2024-25; Providing for the Appropriations and Expenditure of All Sums Set Forth in the Budget in the Amount of \$211,121,633, with Net Appropriations of \$179,844,098

Councilmember Bushey moved and Vice Mayor Hill Bushey seconded to adopt the resolution approving Fiscal Year 2024-25 Gann Appropriations Limit at \$185,036,651.

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

Resolution 15310 - Resolution Approving Fiscal Year 2024-25 Gann Appropriations Limit at \$185,036,651

Councilmember Bushey moved and Vice Mayor Hill seconded to adopt the resolution approving the Measure A Work Plan for proposed expenditure of Measure A Funds for FY 2024-25.

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

Resolution 15311 - Resolution Approving the Measure A Work Plan for Proposed Expenditure of Measure A Funds for FY 2024-25

Councilmember Bushey moved and Vice Mayor Hill seconded to approve the Capital Improvement Program – FY 2024-25 through FY 2026-27 and related Capital and Transportation Infrastructure Workplan FY 2023-25.

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

Approved the Capital Improvement Program – FY 2024-25 through FY 2026-27 and related Capital and Transportation Infrastructure Workplan FY 2023-25

d. [Successor Memorandum of Understanding with American Federation of State, County & Municipal Employees, Local 1 \(AFSCME/Local 1\)](#)

Resolution Approving a Successor Memorandum of Understanding Pertaining to Compensation and Working Conditions for American Federation of State, County & Municipal Employees, Local 1 (AFSCME/Local 1), Beginning July 1, 2024 through June 30, 2027 (CM/HR)

Human Resources Director Marissa Sanchez 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 Bushey moved and Vice Mayor Hill seconded to adopt the resolution approving a Successor Memorandum of Understanding pertaining to compensation and working conditions for American Federation of State, County & Municipal Employees, Local 1 (AFSCME/Local 1), beginning July 1, 2024 through June 30, 2027.

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

Resolution 15312 - Resolution Approving a Successor Memorandum of Understanding Pertaining to Compensation and Working Conditions for American Federation of State, County & Municipal Employees, Local 1 (AFSCME/Local 1), Beginning July 1, 2024 through June 30, 2027

- e. [Successor Memorandum of Understanding with Western Council of Engineers' \(WCE\)](#)
Resolution Approving a Successor Memorandum of Understanding Pertaining to Compensation and Working Conditions for Western Council of Engineers' (WCE), Beginning July 1, 2024 through June 30, 2027 (CM/HR)

Human Resources Director Marissa Sanchez presented the Staff Report.

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

Councilmembers provided comments.

Councilmember Bushey moved and Vice Mayor Hill seconded to adopt the resolution approving a Successor Memorandum of Understanding pertaining to compensation and working conditions for Western Council of Engineers' (WCE), beginning July 1, 2024 through June 30, 2027.

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

Resolution 15313 - Resolution Approving a Successor Memorandum of Understanding Pertaining to Compensation and Working Conditions for Western Council of Engineers' (WCE), Beginning July 1, 2024 through June 30, 2027

PUBLIC HEARINGS

7. Public Hearings:

- a. [Amendments to Title 18 of the San Rafael Municipal Code "Protection of Flood Hazard Areas"](#)
Introduction of An Ordinance Amending Title 18 of the San Rafael Municipal Code "Protection of Flood Hazard Areas", to Meet or Exceed the Federal Emergency Management Agency's Minimum Standards for Development in Flood Hazard Areas (PW)

Assistant Director of Public Works Joanna Kwok 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 introduce the Ordinance, waive further reading of the Ordinance, and refer to it by title only.

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

The City Clerk read the title of the Ordinance:

An Ordinance Amending Title 18 of the San Rafael Municipal Code "Protection of Flood Hazard Areas", to Meet or Exceed the Federal Emergency Management Agency's Minimum Standards for Development in Flood Hazard Areas

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

b. [Stipend Compensation Program for Boards, Commissions and Committees; And City Council Compensation](#)

Resolution Amending Bylaws for Boards, Commissions and Committees to Include Stipends and Introduction of an Ordinance Adjusting the Compensation for the Mayor and City Council (CM)

City Clerk Lindsay Lara and Assistant City Manager Angela Robinson Piñon presented the Staff Report.

Staff responded to questions from the City Council.

Mayor Kate invited public comment.

Speakers: Name withheld, Name withheld

Staff responded to questions from the community.

Councilmembers provided comments.

Vice Mayor Hill moved and Councilmember Bushey seconded to adopt the resolution amending bylaws for Boards, Commissions and Committees to include stipends.

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

Resolution 15314 - Resolution Amending Bylaws for Boards, Commissions and Committees to Include Stipends

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

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

The City Clerk read the title of the Ordinance:
An Ordinance of the City Council of the City of San Rafael to Adjust the Compensation for the Mayor and City Council

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

OPEN TIME FOR PUBLIC EXPRESSION

- Shinji Sakai-Egi addressed the City Council regarding sea level rise.
- Eva Chrysanthe addressed the City Council regarding her California Public Records Act (CPRA).

SAN RAFAEL SUCCESSOR AGENCY:

1. Consent Calendar:

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

Vice Chair Hill moved and Member Bushey seconded to approve the Consent Calendar.

- a. **Dissolution of the Successor Agency to the Former San Rafael Redevelopment Agency Resolution of the Successor Agency to the Redevelopment Agency of the City of San Rafael in the Matter of Approving a Request to Formally Dissolve the Successor Agency (Fin)**

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

Resolution 2024-01 - Resolution of the Successor Agency to the Redevelopment Agency of the City of San Rafael in the Matter of Approving a Request to Formally Dissolve the Successor Agency

ADJOURNMENT:

Mayor Kate adjourned the meeting at 7:49 p.m.

LINDSAY LARA, City Clerk

APPROVED THIS ____ DAY OF _____, 2024

KATE COLIN, Mayor