



AGENDA

SAN RAFAEL CITY COUNCIL - MONDAY, JULY 15, 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-2024-07-15>

Watch on YouTube: www.youtube.com/cityofsanrafael

Listen by phone: (669) 444-9171

ID: 860-6190-5675#

One Tap Mobile: +16694449171,,86061905675# US

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 - 4:40 PM

1. Mayor Kate to announce Closed Session items.

CLOSED SESSION - THIRD FLOOR CONFERENCE ROOM - 4:40 PM

2. Closed Session:
 - a. CONFERENCE WITH LEGAL COUNSEL - ANTICIPATED LITIGATION
Significant exposure to litigation (Paragraph (2) of subdivision (d) of Government Code Section 54956.9): 1 potential case
 - b. CONFERENCE WITH LEGAL COUNSEL-EXISTING LITIGATION
Paragraph (1) of subdivision (d) of Government Code Section 54956.9: 1 case
 1. Shaleeta Boyd, et al. v. City of San Rafael, et al. (U.S. District Court, N.D. Cal., Case No. 23-cv-04085-EMC)

CITY MANAGER AND COUNCILMEMBER REPORTS:

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

3. City Manager and Councilmember Reports:

CONSENT CALENDAR:

The opportunity for public comment on consent calendar items will occur prior to the City Council's vote on the Consent Calendar. The City Council may approve the entire consent calendar with one action. In the alternative, items on the Consent Calendar may be removed by any City Council or staff member, for separate discussion and vote.

4. Consent Calendar Items:

a. **Approval of Minutes**

Approve Minutes of the Regular City Council Meeting of June 17, 2024 and the Special City Council Meeting of June 21, 2024 (CC)

Recommended Action - Approve minutes as submitted

b. **Amendments to Title 18 of the San Rafael Municipal Code “Protection of Flood Hazard Areas”**

Final Adoption of Ordinance No. 2037: 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 (CC)

Recommended Action - Final Adoption of Ordinance No. 2037

c. **Stipend Compensation Program for Boards, Commissions and Committees; And City Council Compensation**

Final Adoption of Ordinance No. 2038: An Ordinance Adjusting the Compensation for the Mayor and City Council (CC)

Recommended Action - Final Adoption of Ordinance No. 2038

d. **Planning Commission and Design Review Board Consolidation**

Final Adoption of Ordinance No. 2039: An Ordinance Amending Title 2 – Administration of the San Rafael Municipal Code to Add Design Professionals to the Planning Commission Membership Composition, and Amend Titles 14 – Zoning, and 15 – Subdivisions of the San Rafael Municipal Code, to Dissolve the Design Review Board and Transfer Existing Duties of the Design Review Board to the Planning Commission, or Zoning Administrator, or Director of Community and Economic Development (CC)

Recommended Action - Final Adoption of Ordinance No. 2039

e. **Planning Commission Bylaw Amendment**

Resolution Amending the Planning Commission’s Bylaws (CC)

Recommended Action - Adopt Resolution

f. **Acceptance of Grant from Marin Community Foundation**

Resolution Accepting the Grant of Funds from the Marin Community Foundation for a Two-Year Climate Justice and Engagement Manager and Appropriating Funds in the Amount of \$297,960 (CM)

Recommended Action - Adopt Resolution

g. **West End Block Party 2024 Temporary Street Closure**

Resolution Authorizing the Temporary Closure of Streets in San Rafael for the West End Block Party 2024 (CED)

Recommended Action - Adopt Resolution

h. **San Rafael Public Library Foundation Donation for Constructing a New Library**

Resolution Establishing a San Rafael Public Library Foundation Donation Account (LR)

Recommended Action - Adopt Resolution

- i. **Third Street Rehabilitation Project**
 Accept Completion of the Third Street Rehabilitation Project, City Project No. 11315, and Authorize the City Clerk to File the Notice of Completion (PW)
Recommended Action - Accept Completion and authorize the City Clerk to file the Notice of Completion

- j. **Third Street Safety Improvements Project**
 Accept Completion of the Third Street Safety Improvements Project, City Project No. 11362, and Authorize the City Clerk to File the Notice of Completion (PW)
Recommended Action - Accept Completion and authorize the City Clerk to file the Notice of Completion

- k. **Pickleweed Park Enhancement Project**
 Authorize and Award Agreements for the Pickleweed Park Enhancement Project, Including (PW):
 - i. Construction Agreement to Bauman Landscape and Construction, Inc. and Authorize \$7,120,000 for Project Construction
Recommended Action - Award the Construction Agreement to Bauman Landscape and Construction, Inc. in the amount of \$6,031,641.50; And, authorize the City Manager to execute the construction agreement not to exceed the amount of \$7,120,000 including contingency funds of \$1,088,358.50

 - ii. Professional Services Agreement with Coastland Civil Engineering, Inc. for Construction Management, Inspection, and Testing Services in the Amount Not to Exceed \$644,575
Recommended Action - Authorize the City Manager to enter into a Professional Services Agreement with Coastland Civil Engineering, Inc. for construction management, inspection, and testing services in the amount not to exceed \$644,575

 - iii. Second Amendment to Professional Services Agreement with Gates + Associates for Construction Administration Services, in an Additional Amount of \$19,450, Increasing the Total Not-To-Exceed Amount of the Agreement to \$565,784
Recommended Action - Authorize the City Manager to enter into a second amendment to the Professional Services Agreement with Gates + Associates for construction administration services in an additional amount of \$19,450, increasing the total not-to-exceed amount of the agreement to \$565,784

 - iv. Approve the Plans and Specifications for the Pickleweed Park Enhancement Project, Deemed Reasonable by the City Engineer, for City Project No. 11376, on File in the Department of Public Works
Recommended Action - Approve the Plans and Specifications for the Pickleweed Park Enhancement Project, deemed reasonable by the City Engineer, for City Project No. 11376, on File in the Department of Public Works

- l. **Special Tax on Properties at Loch Lomond 10 - Mello-Roos District No. 1992-1**
 Resolution Setting the Special Tax for Community Facilities District No. 1992-1 (Loch Lomond #10) for Fiscal Year 2024-25 (PW)
Recommended Action - Adopt Resolution

- m. **The Village at Loch Lomond Marina – Mello-Roos District No. 2**
Resolution Setting the Special Tax for City of San Rafael Community Facilities District No. 2 (The Village at Loch Lomond Marina) for Fiscal Year 2024-25 (PW)
Recommended Action – Adopt Resolution

PUBLIC HEARINGS

5. Public Hearings:

- a. **Baypoint Lagoons Assessment District**
Resolution Confirming the Engineer’s Annual Report for the Baypoint Lagoons Assessment District and the Assessment Diagram Connected Therewith and Ordering the Levy and Collection of Assessments for FY 2024-25 (PW)
Recommended Action – Adopt Resolution
- b. **Point San Pedro Road Median Landscaping Assessment District**
Resolution Confirming the Engineer’s Annual Levy Report for the Point San Pedro Road Median Landscaping Assessment District and the Assessment Diagram Connected Therewith and Ordering the Levy and Collection of Assessments for FY 2024-25 (PW)
Recommended Action – Adopt Resolution

OTHER AGENDA ITEMS

6. Other Agenda Items:

- a. **Response to the Grand Jury Report on E-Bike Safety**
Resolution Approving and Authorizing the Mayor to Execute the Response to the Marin County Civil Grand Jury Report Titled “With Power Comes Responsibility - Youths Under Age 16 Operating Class 2 E-Bikes: A Safety Risk” (PD)
Recommended Action – Adopt Resolution
- b. **Response to Grand Jury Report – Cyber Preparedness – Are We There Yet?**
Resolution Approving and Authorizing the Mayor to Execute the Response to the Marin County Civil Grand Jury Report Entitled – Cyber Preparedness – Are We There Yet? (DS)
Recommended Action – Adopt Resolution
- c. **Proposed Update to Master Fee Schedule – Childcare**
Resolution Authorizing an Update to the Master Fee Schedule to Establish Childcare Program Rates for the 2024-25 School Year (LR)
Recommended Action – Adopt Resolution
- d. **Salary and Benefit Plans for Temporary Employees**
Resolutions Regarding Salary and Benefit Plans for Temporary Employees (HR)
 - i. Resolution Rescinding Resolution No. 15020 and Establishing a Salary and Benefit Plan for Temporary, Seasonal and Retiree Employees
Recommended Action – Adopt Resolution
 - ii. Resolution Establishing a Salary and Benefit Plan for Non-Exempt Fixed-Term Employees
Recommended Action – Adopt Resolution
 - iii. Resolution Establishing a Salary and Benefit Plan for Exempt Fixed-Term Employees
Recommended Action – Adopt Resolution

- e. **Successor Memorandum of Understanding with the Service Employees International Union, Local 1021 (SEIU Local 1021)**
Resolution Approving a Successor Memorandum of Understanding Pertaining to Compensation and Working Conditions for the Service Employees International Union, Local 1021 (July 1, 2024, Through June 30, 2027)
Recommended Action - Adopt Resolution

- f. **Salary Resolution for Unrepresented Executive Management Employees**
Resolution Establishing the Compensation and Working Conditions for Unrepresented Executive Management Employees (July 1, 2024 through June 30, 2027) and Authorizing the City Manager to Enter into Employment Agreements with the Unrepresented Executive Management Employees
Recommended Action - Adopt Resolution

- g. **Compensation For Elected City Clerk and Elected Part-Time City Attorney Compensation**
Resolution Establishing the Compensation and Working Conditions for the Elected City Clerk and Elected Part-Time City Attorney (July 1, 2021 Through June 30, 2024) (HR)
Recommended Action - Adopt Resolution

OPEN TIME FOR PUBLIC EXPRESSION

The public is welcome to address the City Council at this time on matters not on the agenda that are within its jurisdiction. Please be advised that pursuant to Government Code Section 54954.2, the City Council is not permitted to discuss or take action on any matter not on the agenda unless it determines that an emergency exists, or that there is a need to take immediate action which arose following posting of the agenda. Comments may be no longer than two minutes and should be respectful to the community.

ADJOURNMENT:

Any records relating to an agenda item, received by a majority or more of the Council less than 72 hours before the meeting, shall be available for inspection online and at City Hall, 1400 Fifth Avenue, and placed with other agenda-related materials on the table in front of the Council Chamber prior to the meeting. Sign Language interpreters may be requested by calling (415) 485-3066 (voice), emailing city.clerk@cityofsanrafael.org or using the California Telecommunications Relay Service by dialing "711", at least 72 hours in advance of the meeting. Copies of documents are available in accessible formats upon request. To request Spanish language interpretation, please submit an online form at <https://www.cityofsanrafael.org/request-for-interpretation/>.