



AGENDA

SAN RAFAEL CITY COUNCIL - TUESDAY, SEPTEMBER 3, 2024

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

Watch Online:

Watch on Zoom Webinar: <https://tinyurl.com/cc-2024-09-03>

Watch on YouTube: www.youtube.com/cityofsanrafael

Listen by phone: (669) 444-9171

ID: 844-3204-9611#

One Tap Mobile: +16694449171,,84432049611# 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 - 4:45 PM

1. Mayor Kate to announce Closed Session items.

CLOSED SESSION - THIRD FLOOR CONFERENCE ROOM - 4:45 PM

2. Closed Session:
 - a. Personnel Matters - Government Code Section 54957
Public Employee Performance Evaluation - City Manager

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 the Regular City Council Meeting Minutes of July 15, 2024 and the Regular and Special City Council Meeting Minutes of August 19, 2024 (CC)

Recommended Action - Approve as submitted

- b. **Conflict of Interest Code Update**
Resolution Repealing Resolution No. 15117, Re-Adopting the Fair Political Practices Commission Model Conflict of Interest Code as the City's Conflict of Interest Code, and Adopting a Revised List of Designated Employee Positions and Disclosure Categories, to be Incorporated into the City's Conflict of Interest Code (CC)
Recommended Action - Adopt Resolution
- c. **Public Art Review Board Bylaws Amendment**
Resolution Amending the Public Art Review Board Bylaws (CC)
Recommended Action - Adopt Resolution
- d. **Camping Ordinance Amendment Adoption**
Adoption of Ordinance 2040: An Ordinance Amending San Rafael Municipal Code Chapter 19.50 -- Camping on Public Property (CC)
Recommended Action - Final Adoption of Ordinance No. 2040
- e. **Proclamation**
Proclamation Supporting National Preparedness Month 2024 (HR)
Recommended Action - Receive and File
- f. **Urban Lot Split Ordinance Adoption**
Adoption of Ordinance 2041: An Ordinance Amending Chapter 15.155 (Urban Lot Splits) and Chapter 15.03 (Minor Subdivisions (Four or Fewer Lots)) of the San Rafael Municipal Code to Clarify and Improve the Procedure for Implementation of Government Code Section 66411.7 (Senate Bill 9) Related to Urban Lot Splits (CC)
Recommended Action - Final Adoption of Ordinance No. 2041
- g. **Medi-Cal Intergovernmental Transfer Cost Recovery Program Agreement**
Authorize the City Manager to Execute an Agreement Allowing the San Rafael Fire Department to Participate in a Medi-Cal Intergovernmental Transfer (IGT) Program with the California Department of Health Care Services (DHCS) for the Service Period of January 1, 2023, Through December 31, 2023 (FD)
Recommended Action - Authorize the City Manager to execute an agreement allowing the San Rafael Fire Department to participate in a Medi-Cal Intergovernmental Transfer (IGT) Program with the California Department of Health Care Services (DHCS) for the service period of January 1, 2023, Through December 31, 2023
- h. **Fleet Replacement Fiscal Year 2024-2025**
Authorize City Manager to Purchase Three (3) Vehicles for Replacement in an Amount Not to Exceed \$330,000 (PW)
Recommended Action - Authorize the City Manager to purchase three (3) vehicles to replace aging and operationally inadequate vehicles for the City's vehicle fleet in an amount not to exceed \$330,000, which includes a \$30,000 (10%) contingency for unexpected cost increases
- i. **B Street Culvert Replacement Project**
Authorize the City Manager to Enter into the First Amendment to the Task Order with Park Engineering, Inc. for Inspection Services Associated with the B Street Culvert Replacement Project, in an Additional Amount of \$54,122.34, Increasing the Total Not-To-Exceed Amount of the Agreement to \$127,560.34 (PW)
Recommended Action - Authorize the City Manager to enter into the First Amendment to the Task Order with Park Engineering, Inc. for inspection services associated with the B Street Culvert

Replacement Project, in an additional amount of \$54,122.34, increasing the total not-to-exceed amount of the agreement to \$127,560.34

j. Stormwater Pump Station Repair Agreement

Approve and Authorize the City Manager to Waive Competitive Bidding and Enter into a Maintenance Agreement with Pump Repair Service Company to Repair Two Stormwater Pumps, in an Amount Not to Exceed \$720,000 (PW)

Recommended Action - Authorize the City Manager to waive competitive bidding and enter into a maintenance agreement with Pump Repair Service Company to repair two stormwater pumps in an amount not to exceed \$720,000; And, appropriate \$360,000 from the Capital Fund (401) to supplement the previously appropriated amount of \$520,000 from the Stormwater Fund (205) included in the FY 2024-25 adopted budget approved on June 17, 2024

k. Citywide Safety Electrical Services Contract Award

Award of Citywide Safety Electrical Services Agreement to DC Electric and Authorize the City Manager to Negotiate and Enter into an Agreement, for up to Five (5) Years for Services in the Total Not-To-Exceed Amount of \$550,000 per Fiscal Year

Recommended Action - Award of Citywide Safety Electrical Services agreement to DC Electric and authorize the City Manager to negotiate and enter into an agreement, for up to five (5) years for services in the total not-to-exceed amount of \$550,000 per fiscal year

l. Special Event Street Closure in San Rafael

Resolution Authorizing the Temporary Closure of Neame Avenue in San Rafael for a Special Event (PD)

Recommended Action - Adopt Resolution

SPECIAL PRESENTATIONS

5. Special Presentations:

a. Proclamation Supporting Hispanic Heritage Month

b. Proclamation Supporting Suicide Prevention Awareness Month

OTHER AGENDA ITEMS

6. Other Agenda Items:

a. Smoking Ordinance Amendment

Introduction of an Ordinance Amending Sections 9.04.120 of the San Rafael Municipal Code to Allow for a Private Right of Action for Violations of the City's Smoking Ordinance (CM)

Recommended Action - Introduce the Ordinance, waive further reading of the Ordinance, and refer to it by title only

b. Affordable Housing Trust Fund Application Processes

Affordable Housing Trust Fund Rolling Application Process Implementation and Aligning City's Notice of Funding Availability (NOFA) with County of Marin's NOFA Process

Recommended Action - Approve the implementation of the rolling application process for the Affordable Housing Trust Fund, as authorized in the Guidelines for the Administration of the Affordable Housing Trust Fund

c. Personnel Changes

Resolution Approving the Following Personnel Changes: Retitling of the Assistant Director of Community Development Job Classification, Retitling of the Childcare Director Job Classification, Correcting the Operations & Maintenance Superintendent Salary Range; and Adding the Senior Human Resources Analyst, Wildfire Mitigation Program Manager, Chief Assistant City Attorney Positions; and Amending the San Rafael Mid-Management Employee Association, Service Employees International Union Local 1021, and Unrepresented Mid-Management and Executive Salary Schedules; and Updating the Unrepresented Mid-Management Salary Resolution (HR)

Recommended Action - Adopt Resolutions

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/>.

Minutes subject to approval at the September 3, 2024 meeting



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:

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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)

Present: Councilmember Bushey
Councilmember Kertz
Mayor Kate

Absent: Vice Mayor Hill
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 6:01 p.m. and invited City Clerk Lindsay Lara to call the roll. Vice Mayor Hill and Councilmember Llorens Gulati were absent.

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

Mayor Kate provided opening remarks which included gratitude to City Staff, an announcement of the Employee of the Quarter John Olmos, San Rafael Parking Attendant, the recent loss of community member Rich Nave, 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:

- November 5, 2024 General Municipal Election Nomination Period (opened today, July 15 and will run through August 9) to run for Office for Mayor, City Councilmember Districts 1 & 4, City Attorney, City Clerk and San Rafael City Schools Board of Education Trustee Areas 1, 3, & 5 - If incumbents fail to file, those seats will extend through Wednesday, August 14
- Police Advisory and Accountability Committee meeting to be held Wednesday, July 17 at 6pm in San Rafael City Council Chambers
- San Rafael Police Department "Touch-a-Truck" event to be held Saturday, July 27, from 10am to 2pm at Al Boro Community Center and Pickleweed Park
- 41st Annual National Night Out (NNO) crime prevention event to be held Tuesday, August 6, from 6-8pm
- San Rafael Chamber of Commerce and Downtown Business Improvement District to host First Annual Dancing Under the Lights, Friday, August 9, from 5-9pm on Fourth Street, from A Street to Lootens Place
- August 5 City Council meeting to be cancelled - Regular meeting to resume on August 19
- All Things Homelessness Update scheduled for the August 19 City Council meeting

City Councilmember Reports:

- Councilmember Bushey reported on a Fire Station 57 event, a San Rafael Sanitation District (SRSD) meeting, a Marin County Council of Mayors & Councilmembers (MCCMC) meeting, a Local Agency Formation Commission (LAFCO) representative meeting and a Central Marin Sanitation Agency (CMSA) meeting.
- Mayor Kate reported on Sonoma Marin Area Rapid Transit (SMART), two Transportation Authority of Marin (TAM) meetings, a Bay Area Climate Adaptation Network (BayCAN) meeting and the Marin County Fair.

Mayor Kate invited public comment.

Speakers: Eva Chrysanthe, Name withheld

CONSENT CALENDAR:

Mayor Kate invited public comment on the Consent Calendar items.

Speakers: Name withheld, Joel Eis, Name withheld

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

Approved 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)

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)

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)

Final Adoption of Ordinance No. 2039

e. **Planning Commission Bylaw Amendment**

Resolution Amending the Planning Commission’s Bylaws (CC)

Resolution 15317 - Resolution Amending the Planning Commission’s Bylaws

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)

Resolution 15318 - 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

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)

Resolution 15319 - Resolution Authorizing the Temporary Closure of Streets in San Rafael for the West End Block Party 2024

- h. **San Rafael Public Library Foundation Donation for Constructing a New Library Resolution Establishing a San Rafael Public Library Foundation Donation Account (LR)**
Resolution 15320 - Resolution Establishing a San Rafael Public Library Foundation Donation Account
- 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)
Accepted Completion and authorized 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)
Accepted Completion and authorized 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**
Awarded the Construction Agreement to Bauman Landscape and Construction, Inc. in the amount of \$6,031,641.50; And, authorized 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**
Authorized 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**
Authorized 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**
Approved 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)**
Resolution 15321 - Resolution Setting the Special Tax for Community Facilities District No. 1992-1 (Loch Lomond #10) for Fiscal Year 2024-25

- 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)**
Resolution 15322 - 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

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

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)**

Deputy Director of Administrative Services (Public Works) Jonathan Schellin presented the Staff Report.

Staff responded to questions from the City Council.

Mayor Kate invited public comment.

Speaker: Michael Glasner

Staff responded to questions raised during public comment.

Councilmembers provided comments.

Councilmember Bushey moved and Councilmember Kertz seconded to adopt the 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.

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

Resolution 15323 - 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

- 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)

Deputy Director of Administrative Services (Public Works) Jonathan Schellin 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 Councilmember Kertz seconded to adopt the 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.

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

Resolution 15324 - 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

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)

Chief of Police David Spiller presented the Staff Report.

Staff responded to questions from the City Council.

Mayor Kate invited public comment.

Speakers: Mahmoud Shirazi, Michael Glasner, Name withheld, Name withheld, Name withheld

Staff responded to questions raised during public comment.

Councilmembers provided comments.

Councilmember Kertz moved and Councilmember Bushey seconded to adopt the 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."

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

Resolution 15325 - 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"

- 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)

Director of Digital Service and Open Government Sean Mooney presented the Staff Report.

Staff responded to questions from the City Council.

Mayor Kate invited public comment.

Speaker: Name withheld

Staff responded to questions raised in public comment.

Councilmembers provided comments.

Councilmember Kertz moved and Councilmember Bushey seconded to adopt the 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?

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

Resolution 15326 - 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?

- 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)

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 Councilmember Kertz seconded to adopt the resolution authorizing an update to the Master Fee Schedule to establish childcare program rates for the 2024-25 school year.

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

Resolution 15327 - Resolution Authorizing an Update to the Master Fee Schedule to Establish Childcare Program Rates for the 2024-25 School Year

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**

ii. **Resolution Establishing a Salary and Benefit Plan for Non-Exempt Fixed-Term Employees**

iii. **Resolution Establishing a Salary and Benefit Plan for Exempt Fixed-Term Employees**

City Manager Cristine Alilovich provided opening comments.

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 Councilmember Kertz seconded to adopt the resolution rescinding Resolution No. 15020 and establishing a salary and benefit plan for temporary, seasonal and retiree employees.

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

Resolution 15328 - Resolution Rescinding Resolution No. 15020 and Establishing a Salary and Benefit Plan for Temporary, Seasonal and Retiree Employees

Councilmember Kertz moved and Councilmember Bushey seconded to adopt the resolution establishing a salary and benefit plan for non-exempt fixed-term employees.

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

Resolution 15329 - Resolution Establishing a Salary and Benefit Plan for Non-Exempt Fixed-Term Employees

Councilmember Bushey moved and Councilmember Kertz seconded to adopt the resolution establishing a salary and benefit plan for exempt fixed-term employees.

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

Resolution 15330 - Resolution Establishing a Salary and Benefit Plan for Exempt Fixed-Term Employees

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)

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 Councilmember Kertz seconded to adopt the 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).

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

Resolution 15331 - 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)

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

City Manager Cristine Alilovich provided opening comments.

Human Resources Consultant Angela Nicholson presented the Staff Report.

Mayor Kate invited public comment.

Speaker: Name withheld

Staff responded to questions raised in public comment.

Councilmembers provided comments.

Councilmember Kertz moved and Councilmember Bushey seconded to adopt the 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.

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

Resolution 15332 - 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

- 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 \(July 1, 2021 Through June 30, 2024\) \(HR\)](#)

Assistant City Manager Angela Robinson-Pinon presented the Staff Report and noted the clerical error in the dates on the title of the Staff Report.

Mayor Kate invited public comment.

Speaker: Name withheld

Councilmembers provided comments.

Councilmember Bushey moved and Councilmember Kertz seconded to adopt the resolution establishing the Compensation and Working Conditions for the Elected City Clerk and Elected Part-Time City Attorney (July 1, 2024 Through June 30, 2027) (HR)

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

Resolution 15333 - Resolution Establishing the Compensation and Working Conditions for the Elected City Clerk and Elected Part-Time City Attorney (July 1, 2024 Through June 30, 2027) (HR)

OPEN TIME FOR PUBLIC EXPRESSION

- Susan Kay Gilbert addressed the City Council regarding pedestrian safety at Vivalon crosswalk and expressed her appreciation to City staff for their prompt response to her emails.
- Suzanne Becker, Captain's Cove Homeowners Association addressed the City Council regarding the fire located behind the Regency Theater.
- Victor Fridman addressed the City Council regarding the fire located behind the Regency Theater.
- Peter addressed the City Council regarding an incident where someone threw a fentanyl pipe into his moving vehicle and other public safety concerns.

- Name withheld addressed the City Council regarding the fire located behind the Regency Theater and pedestrian safety in front of Vivalon.
- Name withheld addressed the City Council regarding the public comments from others and Gaza.

ADJOURNMENT:

Mayor Kate adjourned the meeting at 8:40 p.m. in honor of Richard Nave (former councilmember) who recently passed away.

LINDSAY LARA, City Clerk

APPROVED THIS ____ DAY OF _____, 2024

KATE COLIN, Mayor

DRAFT

Minutes subject to approval at the September 3, 2024 meeting



MINUTES

SAN RAFAEL CITY COUNCIL - MONDAY, AUGUST 19, 2024

SPECIAL MEETING AT 4:45 P.M.

REGULAR MEETING AT 6:00 P.M.

This meeting will be held in-person. This meeting is being streamed to YouTube at www.youtube.com/cityofsanrafael.

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SPECIAL MEETING AT 4:45 P.M.

**San Rafael Third Floor Conference Room
1400 Fifth Avenue, San Rafael, CA 94901**

Watch Online:

Watch on Zoom Webinar: <https://tinyurl.com/sm-2024-08-19>

Listen by phone: (669) 900-9128

ID: 879-9873-4798#

One Tap Mobile: +16699009128,,87998734798# US

Present: Councilmember Bushey
Councilmember Kertz
Councilmember Llorens Gulati
Mayor Kate

Absent: Vice Mayor Hill

Mayor Kate called the meeting to order at 4:46 p.m., and Vice Mayor Hill was absent. Mayor Kate invited public comment; however, there was none.

1. Planning Commission Interviews

Interview Applicants and Make Appointments to One Four-Year Term and Two Alternate Member Four-Year Term Licensed Architect Seats on the Planning Commission to the End of October 2028; And Appoint Current Planning Commissioners to Specific Seats on the Planning Commission to Finalize Membership on the Commission (CC)

Recommended Action - Interview applicants and make appointments

City Clerk Lindsay Lara presented the staff report.

Staff responded to questions from the city council.

The City Council interviewed the following applicants: Sharon Kovalsky, Stewart Summers

and Donald Blayney. Jeff Kent withdrew his application.

Councilmember Kertz moved and Councilmember Llorens Gulati seconded to appoint Stewart Summers to the Planning Commission regular voting member seat.

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

The City Council provided direction to staff to continue city-wide recruitment for additional design professional alternate member terms.

Mayor Kate adjourned the Special meeting at 5:32 p.m.

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

Watch Online:

Watch on Zoom Webinar: <https://tinyurl.com/cc-2024-08-19>

Watch on YouTube: www.youtube.com/cityofsanrafael

Listen by phone: (669) 444-9171

ID: 860-6190-5675#

One Tap Mobile: +16694449171,,86061905675# US

Present: Councilmember Bushey
Councilmember Kertz
Councilmember Llorens Gulati
Mayor Kate
Absent: Vice Mayor Hill
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. Vice Mayor Hill was absent.

Mayor Kate provided opening remarks which included gratitude to City Staff, an announcement of the Team of the Quarter Police Training Field officers, school starting, 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 reported on:

- Quarterly Climate Action Plan Community Forum to be held Thursday, August 22, at City Hall, 3rd Floor Conference Room at 4 p.m.
- Free Movie in the Park event to be held Friday, August 23, at Pickleweed Park at 7 p.m. Movie to start at 8 p.m.
- Northgate Project Open House (with Developer) to be held Monday, August 26 inside Northgate Mall at 6 p.m.
- West End Block Party, every Friday night through October on Fourth Street, between F & G Streets
- PorchFest to be held Sunday, September 15 in Gerstle Park Neighborhood at noon

City Clerk Lindsay Lara provided an update on the November 5, 2024 General Election.

City Councilmember Reports:

- Councilmember Kertz expressed appreciation for Police Department for National Night Out and Fire Department for Open Houses.
- Councilmember Bushey reported on the Fire Station 52 Open House, a Marin Transit Board meeting representing the Marin County Council of Mayors and Councilmembers (MCCMC), a Central Marin Sanitation Agency (CMSA) meeting and a San Rafael Sanitation Board meeting.
- Councilmember Llorens Gulati reported on a Marin Board of Supervisors meeting with a Marin Transit update, a Voces del Canal meeting, a Parking Task Force meeting, National Night Out, Dancing Under the Lights and a MCE Board meeting.
- Mayor Kate reported on Sonoma Marin Area Rail Transit (SMART), a BayWAVE presentation, Transportation Authority of Marin (TAM) meetings, the Gun Safety Collaborative and a Bicycle Pedestrian Advisory Committee (BPAC) meeting.

Mayor Kate invited public comment.

Speaker: Gina Sylvestri, Gerstle Park Neighborhood Association & San Rafael PorchFest Event Committee

CONSENT CALENDAR:

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

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

4. Consent Calendar Items:

a. **City Quarterly Investment Report**

Acceptance of City of San Rafael Quarterly Investment Report for the Quarter Ending June 30, 2024 (Fin)

Accepted report

- b. **Caltrans Maintenance Agreement Amendment**
Rescind Resolution 15306 and Adopt Resolution Approving and Authorizing the City Manager to Execute Amendment No. 1 to the Supplemental Freeway Maintenance Agreement with Caltrans (PW)
Rescinded Resolution 15306 and Adopted Resolution 15334 - Resolution Approving and Authorizing the City Manager to Execute Amendment No. 1 to the Supplemental Freeway Maintenance Agreement with Caltrans

- c. **Caltrans Property Relinquishment**
Resolution Approving and Authorizing the City Manager to Send a Letter to Request that Caltrans Relinquishes the Property East of Redwood Highway and Civic Center Drive (PW)
Resolution 15335 - Resolution Approving and Authorizing the City Manager to Send a Letter to Request that Caltrans Relinquishes the Property East of Redwood Highway and Civic Center Drive

- d. **Grand Avenue Cycle Track Project**
Accept Completion of the Grand Ave Cycle Track Project, City Project No. 11393, and Authorize the City Clerk to File the Notice of Completion (PW)
Accepted completion of the Grand Ave Cycle Track Project and authorized the City Clerk to file the Notice of Completion

- e. **Large Trash Capture Device Projects**
Authorize the City Manager to Enter into Professional Services Agreements to Provide Design Services for Large Trash Capture Devices with:
 - i. **Schaaf & Wheeler Consulting Civil Engineers (S&W) in the Amount Not to Exceed \$476,565**
Authorized the City Manager to enter into a professional services agreement with Schaaf & Wheeler Consulting Civil Engineers ("S&W") to provide design services for large trash capture devices at three locations, in the amount not to exceed \$476,565

 - ii. **BKF Engineers (BKF) in the Amount Not to Exceed \$421,300**
Authorized the City Manager to enter into a professional services agreement with BKF Engineers ("BKF") to provide design services for large trash capture devices at two locations, in the amount not to exceed \$421,300

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

PUBLIC HEARINGS

5. Public Hearings:

- a. [Proposed Camping Ordinance Amendments, and Informational Report on Homelessness, Including Sanctioned Camping Program, Homeless Program Contracts and Appropriation of Funds](#)
 - i. **Introduction of an Ordinance Amending San Rafael Municipal Code Chapter 19.50 -- Camping on Public Property**

 - ii. **Resolution Appropriating \$2,256,400 From the Grants Fund 283 to Support the Initial Costs and Contracts Associated with the Sanctioned Camping Program and Authorizing the City Manager to Execute Contracts in the Amount of \$2,002,400 for the First Phase**

of the Encampment Resolution Fund Round 3 (ERF3) Grant Program and Other Homelessness Program Services (CM)

City Manager Cristine Alilovich introduced the item. Assistant City Manager John Stefanski, legal counsel Scott Emblidge, Police Captain Roy Leon, and Homelessness and Housing Analyst Mel Burnette who presented the Staff Report.

Marin County Executive Derek Johnson and St. Vincent De Paul Executive Director Christine Paquette provided comments.

Staff responded to questions from the City Council.

Mayor Kate invited public comment.

Speakers: Robbie Powelson, Mark Rivera, Molly Blauvelt, Katie Fleet, Kevin Bruner, Lauren McCarthy, Jason, Laurel Halvorson, Name Withheld, Stephen Bingham, Lucie Hollingsworth, Legal Aid of Marin, Stuart Watson, Colin Taylor, Shinji Sakai-Egi, Tara Evans, Karen Strolia, San Rafael Chamber of Commerce, Al Vetere, Mahmoud Shirazi, Wes White, Salinas/ Monterey County Homeless Union & Lived Experience Advisory Directive (LEAD) Committee (Monterey County) & National Association for the Advancement of Colored People (NAACP) (Monterey County)

Staff responded to questions raised during public comment.

Councilmembers provided comments.

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

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

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

City Clerk Lindsay Lara read the title of the Ordinance:

Ordinance No. 2040: 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

Councilmember Kertz moved and Councilmember Bushey seconded to adopt the resolution appropriating \$2,256,400 from the Grants Fund 283 to support the initial costs and contracts associated with the Sanctioned Camping Program and authorizing the City Manager to execute contracts in the amount of \$2,002,400 for the first phase of the Encampment Resolution Fund Round 3 (ERF3) Grant Program and other homelessness program services.

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

Resolution 15336 - Resolution Appropriating \$2,256,400 From the Grants Fund 283 to Support the Initial Costs and Contracts Associated with the Sanctioned Camping Program and Authorizing the City Manager to Execute Contracts in the Amount of \$2,002,400 for the First Phase of the Encampment Resolution Fund Round 3 (ERF3) Grant Program and Other Homelessness Program Services

Mayor Kate called a recess at 8:42 p.m., and called the meeting to order at 8:51 p.m.

b. [Amendments to Chapter 15.155 \(Urban Lot Splits\) and Chapter 15.03 \(Minor Subdivisions \(Four or Fewer Lots\)\) of the San Rafael Municipal Code](#)

Introduction of an Ordinance Amending Chapter 15.155 (Urban Lot Splits) and Chapter 15.03 (Minor Subdivisions (Four or Fewer Lots)) of the San Rafael Municipal Code to Clarify and Improve the Procedure for Implementation of Government Code Section 66411.7 (Senate Bill 9) Related to Urban Lot Splits (PW)

Assistant Public Works Director 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.

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

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

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

City Clerk Lindsay Lara read the title of the Ordinance:
Ordinance No. 2041: An Ordinance of the City Council of the City of San Rafael amending Chapter 15.155 (Urban Lot Splits) and Chapter 15.03 (Minor Subdivisions (Four or Fewer Lots)) of Title 15 (Subdivisions) of the San Rafael Municipal Code to clarify and improve the procedure for implementation of Government Code Section 66411.7 (Senate Bill 9) related to Urban Lot Splits

OTHER AGENDA ITEMS

6. Other Agenda Items:

a. [Response to the Grand Jury Report on Sea Level Rise](#)

Resolution Approving and Authorizing the Mayor to Execute the Response to the Marin County Civil Grand Jury Report Titled “Sea Level Rise: The Water is Upon Us We Cannot Run – We Cannot Hide” (CM)

Climate Adaptation and Resilience Planner Kate Hagemann presented the Staff Report.

Mayor Kate invited public comment.

Speaker: Al Vetere

Councilmembers provided comments.

Councilmember Llorens Gulati moved and Councilmember Bushey seconded to adopt the resolution approving and authorizing the mayor to execute the response to the Marin County Civil Grand Jury Report Titled “Sea Level Rise: The Water is Upon Us We Cannot Run – We Cannot Hide.”

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

Resolution 15337 - Resolution Approving and Authorizing the Mayor to Execute the Response to the Marin County Civil Grand Jury Report Titled “Sea Level Rise: The Water is Upon Us We Cannot Run – We Cannot Hide”

b. [Sidewalk Repair Program Update](#)

Approve the Sidewalk Repair Program as a Permanent Program and Authorize a \$1,000 Increase in Allowable Reimbursement Amount, for a New Total Reimbursement up to \$2,000 in Fiscal Year 2024-25, With an Allowable Yearly Increase Tied to the Consumer Price Index, Up to a Maximum of 3.5% a Year (CM)

Deputy Public Works Director Jonathan Schellin presented the Staff Report.

Staff responded to questions from the City Council.

Mayor Kate invited public comment.

Speakers: Al Vetere, Name Withheld

Staff responded to questions raised during public comment.

Councilmembers provided comments.

Councilmember Bushey moved and Councilmember Kertz seconded to approve the Sidewalk Repair Program as a permanent program and authorize a \$1,000 increase in allowable reimbursement amount, for a new total reimbursement up to \$2,000 in fiscal year 2024-25, with an allowable yearly increase tied to the Consumer Price Index, up to a maximum of 3.5% a year.

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

Approved the Sidewalk Repair Program as a permanent program and authorized a \$1,000 Increase in allowable reimbursement amount, for a new total reimbursement up to \$2,000 in fiscal year 2024-25, with an allowable yearly increase tied to the Consumer Price Index, up to a maximum of 3.5% a year

c. [Fiscal Year 2023-2024 Budget Amendments](#)
Resolution Adopting Amendments to the City of San Rafael Budget for Fiscal Year 2023-2024 for the Purpose of Confirming Authorized Appropriations and Transfers (Fin)

Finance Manager Shawn Plate presented the Staff Report.

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

Councilmembers provided comments.

Councilmember Kertz moved and Councilmember Llorens Gulati seconded to Adopt the Resolution Adopting Amendments to the City of San Rafael Budget for Fiscal Year 2023-2024 for the Purpose of Confirming Authorized Appropriations and Transfers.

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

Resolution 15338 - Resolution Adopting Amendments to the City of San Rafael Budget for Fiscal Year 2023-2024 for the Purpose of Confirming Authorized Appropriations and Transfers

d. [Pavement Maintenance Project Fiscal Year 2024-25](#)
Award the Construction Agreement for the Pavement Maintenance Project FY 2024-25 to Pavement Coatings Co. and Authorize \$1,900,000 for Project Construction (PW)

Associate Civil Engineer (Public Works) Grey Melgard presented the Staff Report.

Staff responded to questions from the City Council.

Mayor Kate invited public comment.

Speaker: Name Withheld

Staff responded to questions raised during public comment.

Councilmembers provided comments.

Councilmember Llorens Gulati moved and Councilmember Kertz seconded to approve plans and specifications for the Pavement Maintenance Project FY 2024-25 (also referred to as "City Project No. 11454" and "the Project") deemed reasonable by the City Engineer, on file in the Department of Public Works; and, award a construction agreement (the "Construction Agreement") for the project to Pavement Coatings Co., authorize the City Manager to execute the construction agreement in the amount of \$1,655,880 and authorize the City Manager to amend the contract amount using contingency funds of \$244,120 for a total not to exceed amount of \$1,900,000 for the Project; And, Appropriate \$400,000 from the Gas Tax Fund (206) for the construction agreement to supplement the previously appropriated amount of \$1,500,000 from the Gas Tax Fund (206) included in the FY 2024-25 adopted budget approved on June 17, 2024.

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

Approved plans and specifications for the Pavement Maintenance Project FY 2024-25 (also referred to as "City Project No. 11454" and "the Project") deemed reasonable by the City Engineer, on file in the Department of Public Works; And, awarded a construction agreement (the "Construction Agreement") for the project to Pavement Coatings Co., authorized the City Manager to execute the construction agreement in the amount of \$1,655,880 and authorized the City Manager to amend the contract amount using contingency funds of \$244,120 for a total not to exceed amount of \$1,900,000 for the Project; And, appropriated \$400,000 from the Gas Tax Fund (206) for the construction agreement to supplement the previously appropriated amount of \$1,500,000 from the Gas Tax Fund (206) included in the FY 2024-25 adopted budget approved on June 17, 2024

OPEN TIME FOR PUBLIC EXPRESSION

- Al Vetere addressed the city council expressing thanks to Public Works for street maintenance.

ADJOURNMENT:

Mayor Kate adjourned the meeting at 9:55 p.m.

LINDSAY LARA, City Clerk

APPROVED THIS ____ DAY OF _____, 2024

KATE COLIN, Mayor



SAN RAFAEL CITY COUNCIL AGENDA REPORT

Department: City Clerk

Prepared by: Lindsay Lara, City Clerk

City Manager Approval: 

TOPIC: CONFLICT OF INTEREST CODE UPDATE

SUBJECT: RESOLUTION REPEALING RESOLUTION NO. 15117, RE-ADOPTING THE FAIR POLITICAL PRACTICES COMMISSION MODEL CONFLICT OF INTEREST CODE AS THE CITY'S CONFLICT OF INTEREST CODE, AND ADOPTING A REVISED LIST OF DESIGNATED EMPLOYEE POSITIONS AND DISCLOSURE CATEGORIES, TO BE INCORPORATED INTO THE CITY'S CONFLICT OF INTEREST CODE

RECOMMENDATION:

Adopt a resolution repealing Resolution 15117, re-adopting the [Fair Political Practices Commission](#) (FPPC) Model Conflict of Interest Code as the City's Conflict of Interest Code, and adopting a revised list of designated employee positions and disclosure categories to be incorporated into the City's Conflict of Interest Code.

BACKGROUND:

FPPC regulations require that, in every even-numbered year, each public agency review and, if necessary, revise that portion of the Conflict of Interest Code containing the agency's lists of designated positions and disclosure categories. These lists have been formulated using the criteria from FPPC regulations requiring that all local officials, who foreseeably may materially affect their private financial interests through their public duties, disclose their economic interests by filing a Statement of Economic Interest (Form 700). Some officials must file disclosure statements because of their position, and others are required to file because of their duties.

In compliance with this FPPC requirement, the City Clerk worked with City departments to review and, if necessary, revise their lists of designated positions and disclosure categories to reflect the City's current organizational structure.

In addition, the FPPC has interpreted the Political Reform Act (PRA) to apply to members of those City boards and commissions with "decision-making authority," as well as certain consultants. Boards and commissions are considered to have "decision-making authority" if, historically their recommendations have been routinely adopted by the City Council. Consultants are considered "public officials" for purposes of the PRA if they either serve as staff members or make recommendations that the City routinely adopts. City departments provided updated information about the applicability of these regulations to their respective consultants as well as their boards and commissions. That information has been used to update the Conflict of Interest Code. Everyone who is required to file for the first time will receive a copy of this staff report.

FOR CITY CLERK ONLY

Council Meeting:

Disposition:

Copies of all statements of economic interest are kept on file in the City Clerk's office for public review.

ANALYSIS:

The City Clerk's office collaborated with the executive department director team to determine which positions in their department should be either added or removed from the previously adopted list of designated employees. All recommended changes are included in the red-lined Appendix A.

The disclosure requirements for the Mayor, City Councilmembers, City Manager, City Attorney, City Treasurer, and Planning Commissioners are set forth in Government Code sections 87200-87210. They are not included in the City's Code. These officials are covered under separate regulations, and their disclosure statements are filed with the FPPC in Sacramento, with copies kept on file in the City Clerk's office for public review.

FISCAL IMPACT:

There is no fiscal impact associated with this item.

RECOMMENDED ACTION:

Adopt a resolution repealing Resolution 15117, re-adopting the [Fair Political Practices Commission](#) (FPPC) Model Conflict of Interest Code as the City's Conflict of Interest Code, and adopting a revised list of designated employee positions and disclosure categories to be incorporated into the City's Conflict of Interest Code.

ATTACHMENTS:

1. Resolution for adoption, including
 - a. Appendix A (redlined)
 - b. Appendix B
2. Model FPPC Conflict of Interest Code (2 CCR Section 18730)

RESOLUTION NO.

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAN RAFAEL REPEALING RESOLUTION NO. 15117, RE-ADOPTING THE FAIR POLITICAL PRACTICES COMMISSION MODEL CONFLICT OF INTEREST CODE AS THE CITY'S CONFLICT OF INTEREST CODE, AND ADOPTING A REVISED LIST OF DESIGNATED EMPLOYEE POSITIONS AND DISCLOSURE CATEGORIES, TO BE INCORPORATED INTO THE CITY'S CONFLICT OF INTEREST CODE

WHEREAS, pursuant to California Government Code Sections 81000, et seq. (the Political Reform Act, or PRA), the City Council has adopted by Resolution from time to time the Fair Political Practices Commission's (FPPC) model Conflict of Interest Code, contained in Title 2, California Code of Regulations, Section 18730, as the City's Conflict of Interest Code, and adopted therewith designated employee positions and disclosure categories for incorporation into the City's Conflict of Interest Code, most recently by Resolution No. 15117; and

WHEREAS, every even-numbered year every state agency and local governmental agency is required to review and, if necessary, revise its Conflict of Interest Code, including reviewing and revising its list of designated employee positions and its list of disclosure categories, so as to incorporate such changes as the new titles of recently hired employees, deleted positions, and other organizational restructuring; and

WHEREAS, the City Council has determined that the attached Appendices A and B accurately set forth those designated employee positions (Appendix A - Designated Employees) and disclosure categories of financial interest (Appendix B - Disclosure Categories), which should be made reportable under the City's Conflict of Interest Code; and

WHEREAS, the City Council desires to continue to use the FPPC's model Conflict of Interest Code, as set forth in Title 2, California Code of Regulations Section 18730, as the City's Conflict of Interest Code, a copy of which is available for public review in the City Clerk's office.

NOW THEREFORE, THE CITY COUNCIL OF THE CITY OF SAN RAFAEL RESOLVES AS FOLLOWS:

APPENDIX A
Designated Employees

Position	Disclosure Category
All Departments	
Associate Management Analyst.....	1, 2
Management Analyst.....	1, 2
Senior Management Analyst.....	1, 2
Administrative Analyst.....	1, 2
Professional Analyst (Fixed Term)	1, 2
Business Systems Analyst (Fixed Term)	1, 2
Data Analyst.....	1, 2
Network Analyst.....	1, 2

City Attorney	
Assistant City Attorney.....	1, 2
Deputy City Attorney II.....	1, 2

City Clerk	
City Clerk.....	1, 2
Deputy City Clerk.....	1, 2

City Manager	
Assistant City Manager.....	1, 2
Director of Economic Development and Innovation.....	1, 2
Economic Development Program Coordinator.....	1, 2
Sustainability and Volunteer Program Coordinator.....	1, 2
Sustainability Program Manager.....	1, 2
Parking Services Manager.....	1, 2
Parking Operations Supervisor.....	2, 3a, 3d, 3g

Community & Economic Development	
Community & Economic Development Director.....	1, 2
Assistant Community & Economic Development Director.....	1, 2
Planning Manager.....	1, 2

Senior Planner.....	1, 2
Associate Planner.....	1, 2
Assistant Planner.....	1, 2
Senior / Code Enforcement Supervisor.....	1, 2
Code Enforcement Official III.....	1, 2
Code Enforcement Official II.....	1, 2
Code Enforcement Official I.....	1, 2
Chief Building Official.....	1, 2
<u>Deputy Building Official.....</u>	<u>1, 2</u>
Permit Services Coordinator.....	1, 2
Permit Technician.....	1, 2
Permit Services Supervisor.....	1, 2
Housing Program Manager.....	1, 2
Senior Building Inspector.....	1, 2
Building Inspector II.....	1, 2
Building Inspector I.....	1, 2

Digital Service and Open Government	
Director of Digital Service and Open Government.....	1, 2
Data & Infrastructure Manager.....	1, 2
Civic Design Manager.....	1, 2
Product Manager.....	1, 2

<u>Finance Department</u>	
<u>Accounting Manager.....</u>	<u>1, 2</u>
<u>Principal Accountant.....</u>	<u>1, 2</u>
<u>Senior Accountant.....</u>	<u>1, 2</u>
<u>Payroll Technician.....</u>	<u>3a, 3c, 3g</u>

Fire Department	
Fire Chief.....	1, 2
Deputy Fire Chief.....	1, 2
Battalion Chief —Operations.....	1, 2
Battalion Chief — Administration.....	1, 2
<u>Administrative Fire Captain.....</u>	<u>2, 3d, 3e, 3g</u>
<u>Deputy Fire Marshal.....</u>	<u>1, 2</u>

Deputy Director of Emergency Management.....	1, 2
Fire Prevention Specialist.....	2, 3d, 3e, 3g
Fire Prevention Inspector II.....	2, 3d, 3e, 3g
Fire Prevention Inspector I.....	2, 3d, 3e, 3g
Environmental Management Coordinator.....	2, 3d, 3e, 3g
Emergency Management Coordinator.....	2, 3d, 3e, 3g
Open Space/Hazard Coordinator.....	1, 2
Wildfire Mitigation Specialist.....	2, 3d, 3e, 3g
Wildfire Mitigation Project Coordinator.....	1, 2
Vegetation Management Specialist.....	2, 3d, 3e, 3g

Human Resources	
<u>Human Resources Director.....</u>	<u>1, 2</u>
<u>Human Resources Operations Manager.....</u>	<u>1, 2</u>

Library and Recreation	
Library and Recreation Director.....	1, 2
Assistant Library and Recreation Director.....	1, 2
Senior Recreation Supervisor.....	3a , 3b, 3f, 3g
Recreation Supervisor.....	3a , 3b, 3f, 3g
Supervising Librarian.....	3a , 3b, 3f, 3g

Police Department	
Chief of Police.....	1, 2
Police Captain	1, 2
Police Lieutenant.....	1, 2

Department of Public Works	
Public Works Director.....	1, 2
Assistant Public Works Director / City Engineer.....	1, 2
Deputy Public Works Director.....	1, 2
Senior Civil Engineer.....	1, 2
Associate Civil Engineer.....	1, 2
Assistant Civil Engineer.....	1, 2

Jr. Engineer.....	3e, 3g
Engineering Technician I.....	3e, 3g
Engineering Technician II.....	3e, 3g
Traffic Engineer.....	1, 2
Traffic Engineering Technician I.....	3e, 3g
Traffic Engineering Technician II.....	3e, 3g
<u>Street Maintenance Superintendent</u>	
Streets Maintenance Supervisor.....	1, 2
<u>Parks Superintendent</u>	
Parks Maintenance Supervisor.....	1, 2
<u>Operations and Maintenance Superintendent</u>	
Operations and Maintenance Manager.....	1, 2
Facility Repair Supervisor.....	3d, 3e, 3f
Shop & Equipment Supervisor.....	3d, 3e, 3f
Senior Project Manager.....	1, 2

Sanitation District	
District Manager / District Engineer.....	1, 2
<u>Principal Civil Engineer</u>	
Sr. Civil Engineer.....	1, 2
Associate Civil Engineer.....	1, 2
Jr. Engineer.....	1, 2
<u>Operations and Maintenance Manager</u>	
Sewers Maintenance Supervisor.....	3d, 3e, 3f
Sewer Maintenance Superintendent.....	3d, 3e, 3f

Boards & Commissions	
<u>Design Review Board.....</u>	<u>1, 2</u>
<u>Park & Recreation Commission.....</u>	<u>1, 2</u>

Consultants	
Consultants **	1, 2

*** With respect to Consultants, the relevant department director may determine in writing that a particular consultant is hired to perform a range of duties that are limited in scope and thus is not required to comply with the disclosure requirements described in these categories. Such determination shall include a description of the consultant's duties and, based upon that description, a statement of the extent of*

disclosure requirements. The department director shall forward a copy of this determination to the City Clerk. Nothing herein excuses any such consultant from any other provision of this Conflict of Interest Code.

APPENDIX B

Disclosure Categories

Category 1: All investments and sources of income.

Category 2: All interests in real property in the jurisdiction of San Rafael or within 2 miles of the jurisdiction of San Rafael.

Category 3: Investments in business entities and sources of income of the type which have or foreseeably could contract with the City to provide services, supplies, materials, machinery, or equipment; or which could be enhanced when a designated employee makes or participates in making a decision.

- a. Personnel agencies or personnel consultants;
- b. Municode and Marin County newspapers;
- c. Financial institutions;
- d. Department record forms, communications equipment, safety equipment, firefighting or fire detection equipment, automotive or rolling stock sales, automotive parts or equipment, general departmental supplies or equipment;
- e. Building supplies or building, contractor, or construction firms;
- f. Travel agencies, recreation and athletic supplies, building maintenance and cleaning supplies;
- g. Book, software, and audio-visual publishers and distributors; computer equipment manufacturers and distributors.

NOTE: PENALTY FOR LATE FILING:

As required under the Political Reform Act of 1974, as amended, section 91013, if any person files an original statement after any deadline, he shall be liable in the amount of \$10.00 per day after the deadline until the statement is filed, up to a maximum of \$100.00, whichever is greater.

(Regulations of the Fair Political Practices Commission, Title 2, Division 6, California Code of Regulations)

§ 18730. Provisions of Conflict of Interest Codes.

(a) Incorporation by reference of the terms of this regulation along with the designation of employees and the formulation of disclosure categories in the Appendix referred to below constitute the adoption and promulgation of a conflict of interest code within the meaning of Section 87300 or the amendment of a conflict of interest code within the meaning of Section 87306 if the terms of this regulation are substituted for terms of a conflict of interest code already in effect. A code so amended or adopted and promulgated requires the reporting of reportable items in a manner substantially equivalent to the requirements of article 2 of chapter 7 of the Political Reform Act, Sections 81000, et seq. The requirements of a conflict of interest code are in addition to other requirements of the Political Reform Act, such as the general prohibition against conflicts of interest contained in Section 87100, and to other state or local laws pertaining to conflicts of interest.

(b) The terms of a conflict of interest code amended or adopted and promulgated pursuant to this regulation are as follows:

(1) Section 1. Definitions.

The definitions contained in the Political Reform Act of 1974, regulations of the Fair Political Practices Commission (Regulations 18110, et seq.), and any amendments to the Act or regulations, are incorporated by reference into this conflict of interest code.

(2) Section 2. Designated Employees.

The persons holding positions listed in the Appendix are designated employees. It has been determined that these persons make or participate in the making of decisions which may foreseeably have a material effect on economic interests.

(3) Section 3. Disclosure Categories.

This code does not establish any disclosure obligation for those designated employees who are also specified in Section 87200 if they are designated in this code in that same capacity or if the geographical jurisdiction of this agency is the same as or is wholly included within the jurisdiction in which those persons must report their economic interests pursuant to article 2 of chapter 7 of the Political Reform Act, Sections 87200, et seq.

In addition, this code does not establish any disclosure obligation for any designated employees who are designated in a conflict of interest code for another agency, if all of the following apply:

(A) The geographical jurisdiction of this agency is the same as or is wholly included within the jurisdiction of the other agency;

(B) The disclosure assigned in the code of the other agency is the same as that required under article 2 of chapter 7 of the Political Reform Act, Section 87200; and

(C) The filing officer is the same for both agencies.¹

Such persons are covered by this code for disqualification purposes only. With respect to all other designated employees, the disclosure categories set forth in the Appendix specify which kinds of economic interests are reportable. Such a designated employee shall disclose in the employee's statement of economic interests those economic interests the employee has which are of the kind described in the disclosure categories to which the employee is assigned in the Appendix. It has been determined that the economic interests set forth in a designated employee's

disclosure categories are the kinds of economic interests which the employee foreseeably can affect materially through the conduct of the employee's office.

(4) Section 4. Statements of Economic Interests: Place of Filing.

The code reviewing body shall instruct all designated employees within its code to file statements of economic interests with the agency or with the code reviewing body, as provided by the code reviewing body in the agency's conflict of interest code.²

(5) Section 5. Statements of Economic Interests: Time of Filing.

(A) Initial Statements. All designated employees employed by the agency on the effective date of this code, as originally adopted, promulgated and approved by the code reviewing body, shall file statements within 30 days after the effective date of this code. Thereafter, each person already in a position when it is designated by an amendment to this code shall file an initial statement within 30 days after the effective date of the amendment.

(B) Assuming Office Statements. All persons assuming designated positions after the effective date of this code shall file statements within 30 days after assuming the designated positions, or if subject to State Senate confirmation, 30 days after being nominated or appointed.

(C) Annual Statements. All designated employees shall file statements no later than April 1. If a person reports for military service as defined in the Servicemember's Civil Relief Act, the deadline for the annual statement of economic interests is 30 days following the person's return to office, provided the person, or someone authorized to represent the person's interests, notifies the filing officer in writing prior to the applicable filing deadline that the person is subject to that federal statute and is unable to meet the applicable deadline, and provides the filing officer verification of the person's military status.

(D) Leaving Office Statements. All persons who leave designated positions shall file statements within 30 days after leaving office.

(5.5) Section 5.5. Statements for Persons Who Resign Prior to Assuming Office.

Any person who resigns within 12 months of initial appointment, or within 30 days of the date of notice provided by the filing officer to file an assuming office statement, is not deemed to have assumed office or left office, provided the person did not make or participate in the making of, or use the person's position to influence any decision and did not receive or become entitled to receive any form of payment as a result of the person's appointment. Such persons shall not file either an assuming or leaving office statement.

(A) Any person who resigns a position within 30 days of the date of a notice from the filing officer shall do both of the following:

(1) File a written resignation with the appointing power; and

(2) File a written statement with the filing officer declaring under penalty of perjury that during the period between appointment and resignation the person did not make, participate in the making, or use the position to influence any decision of the agency or receive, or become entitled to receive, any form of payment by virtue of being appointed to the position.

(6) Section 6. Contents of and Period Covered by Statements of Economic Interests.

(A) Contents of Initial Statements.

Initial statements shall disclose any reportable investments, interests in real property and business positions held on the effective date of the code and income received during the 12 months prior to the effective date of the code.

(B) Contents of Assuming Office Statements.

Assuming office statements shall disclose any reportable investments, interests in real property and business positions held on the date of assuming office or, if subject to State Senate confirmation or appointment, on the date of nomination, and income received during the 12 months prior to the date of assuming office or the date of being appointed or nominated, respectively.

(C) Contents of Annual Statements. Annual statements shall disclose any reportable investments, interests in real property, income and business positions held or received during the previous calendar year provided, however, that the period covered by an employee's first annual statement shall begin on the effective date of the code or the date of assuming office whichever is later, or for a board or commission member subject to Section 87302.6, the day after the closing date of the most recent statement filed by the member pursuant to Regulation 18754.

(D) Contents of Leaving Office Statements.

Leaving office statements shall disclose reportable investments, interests in real property, income and business positions held or received during the period between the closing date of the last statement filed and the date of leaving office.

(7) Section 7. Manner of Reporting.

Statements of economic interests shall be made on forms prescribed by the Fair Political Practices Commission and supplied by the agency, and shall contain the following information:

(A) Investment and Real Property Disclosure.

When an investment or an interest in real property³ is required to be reported,⁴ the statement shall contain the following:

1. A statement of the nature of the investment or interest;

2. The name of the business entity in which each investment is held, and a general description of the business activity in which the business entity is engaged;
3. The address or other precise location of the real property;
4. A statement whether the fair market value of the investment or interest in real property equals or exceeds \$2,000, exceeds \$10,000, exceeds \$100,000, or exceeds \$1,000,000.

(B) Personal Income Disclosure. When personal income is required to be reported,⁵ the statement shall contain:

1. The name and address of each source of income aggregating \$500 or more in value, or \$50 or more in value if the income was a gift, and a general description of the business activity, if any, of each source;

2. A statement whether the aggregate value of income from each source, or in the case of a loan, the highest amount owed to each source, was \$1,000 or less, greater than \$1,000, greater than \$10,000, or greater than \$100,000;

3. A description of the consideration, if any, for which the income was received;

4. In the case of a gift, the name, address and business activity of the donor and any intermediary through which the gift was made; a description of the gift; the amount or value of the gift; and the date on which the gift was received;

5. In the case of a loan, the annual interest rate and the security, if any, given for the loan and the term of the loan.

(C) Business Entity Income Disclosure. When income of a business entity, including income of a sole proprietorship, is required to be reported,⁶ the statement shall contain:

1. The name, address, and a general description of the business activity of the business entity;

2. The name of every person from whom the business entity received payments if the filer's pro rata share of gross receipts from such person was equal to or greater than \$10,000.

(D) Business Position Disclosure. When business positions are required to be reported, a designated employee shall list the name and address of each business entity in which the employee is a director, officer, partner, trustee, employee, or in which the employee holds any position of management, a description of the business activity in which the business entity is engaged, and the designated employee's position with the business entity.

(E) Acquisition or Disposal During Reporting Period. In the case of an annual or leaving office statement, if an investment or an interest in real property was partially or wholly acquired or disposed of during the period covered by the statement, the statement shall contain the date of acquisition or disposal.

(8) Section 8. Prohibition on Receipt of Honoraria.

(A) No member of a state board or commission, and no designated employee of a state or local government agency, shall accept any honorarium from any source, if the member or employee would be required to report the receipt of income or gifts from that source on the member's or employee's statement of economic interests.

(B) This section shall not apply to any part-time member of the governing board of any public institution of higher education, unless the member is also an elected official.

(C) Subdivisions (a), (b), and (c) of Section 89501 shall apply to the prohibitions in this section.

(D) This section shall not limit or prohibit payments, advances, or reimbursements for travel and related lodging and subsistence authorized by Section 89506.

(8.1) Section 8.1. Prohibition on Receipt of Gifts in Excess of \$520.

(A) No member of a state board or commission, and no designated employee of a state or local government agency, shall accept gifts with a total value of more than \$520 in a calendar year from any single source, if the member or employee would be required to report the receipt of income or gifts from that source on the member's or employee's statement of economic interests.

(B) This section shall not apply to any part-time member of the governing board of any public institution of higher education, unless the member is also an elected official.

(C) Subdivisions (e), (f), and (g) of Section 89503 shall apply to the prohibitions in this section.

(8.2) Section 8.2. Loans to Public Officials.

(A) No elected officer of a state or local government agency shall, from the date of the election to office through the date that the officer vacates office, receive a personal loan from any officer, employee, member, or consultant of the state or local government agency in which the elected officer holds office or over which the elected officer's agency has direction and control.

(B) No public official who is exempt from the state civil service system pursuant to subdivisions (c), (d), (e), (f), and (g) of Section 4 of Article VII of the Constitution shall, while he or she holds office, receive a personal loan from any officer, employee, member, or consultant of the state or local government agency in which the public official holds office or over which the public official's agency has direction and control. This subdivision shall not apply to loans made to a public official whose duties are solely secretarial, clerical, or manual.

(C) No elected officer of a state or local government agency shall, from the date of the election to office through the date that the officer vacates office, receive a personal loan from

any person who has a contract with the state or local government agency to which that elected officer has been elected or over which that elected officer's agency has direction and control. This subdivision shall not apply to loans made by banks or other financial institutions or to any indebtedness created as part of a retail installment or credit card transaction, if the loan is made or the indebtedness created in the lender's regular course of business on terms available to members of the public without regard to the elected officer's official status.

(D) No public official who is exempt from the state civil service system pursuant to subdivisions (c), (d), (e), (f), and (g) of Section 4 of Article VII of the Constitution shall, while the official holds office, receive a personal loan from any person who has a contract with the state or local government agency to which that elected officer has been elected or over which that elected officer's agency has direction and control. This subdivision shall not apply to loans made by banks or other financial institutions or to any indebtedness created as part of a retail installment or credit card transaction, if the loan is made or the indebtedness created in the lender's regular course of business on terms available to members of the public without regard to the elected officer's official status. This subdivision shall not apply to loans made to a public official whose duties are solely secretarial, clerical, or manual.

(E) This section shall not apply to the following:

1. Loans made to the campaign committee of an elected officer or candidate for elective office.

2. Loans made by a public official's spouse, child, parent, grandparent, grandchild, brother, sister, parent-in-law, brother-in-law, sister-in-law, nephew, niece, aunt, uncle, or first cousin, or the spouse of any such persons, provided that the person making the loan is not acting as an agent or intermediary for any person not otherwise exempted under this section.

3. Loans from a person which, in the aggregate, do not exceed \$500 at any given time.
4. Loans made, or offered in writing, before January 1, 1998.

(8.3) Section 8.3. Loan Terms.

(A) Except as set forth in subdivision (B), no elected officer of a state or local government agency shall, from the date of the officer's election to office through the date the officer vacates office, receive a personal loan of \$500 or more, except when the loan is in writing and clearly states the terms of the loan, including the parties to the loan agreement, date of the loan, amount of the loan, term of the loan, date or dates when payments shall be due on the loan and the amount of the payments, and the rate of interest paid on the loan.

(B) This section shall not apply to the following types of loans:

1. Loans made to the campaign committee of the elected officer.
2. Loans made to the elected officer by his or her spouse, child, parent, grandparent, grandchild, brother, sister, parent-in-law, brother-in-law, sister-in-law, nephew, niece, aunt, uncle, or first cousin, or the spouse of any such person, provided that the person making the loan is not acting as an agent or intermediary for any person not otherwise exempted under this section.

3. Loans made, or offered in writing, before January 1, 1998.

(C) Nothing in this section shall exempt any person from any other provision of Title 9 of the Government Code.

(8.4) Section 8.4. Personal Loans.

(A) Except as set forth in subdivision (B), a personal loan received by any designated employee shall become a gift to the designated employee for the purposes of this section in the following circumstances:

1. If the loan has a defined date or dates for repayment, when the statute of limitations for filing an action for default has expired.

2. If the loan has no defined date or dates for repayment, when one year has elapsed from the later of the following:

a. The date the loan was made.

b. The date the last payment of \$100 or more was made on the loan.

c. The date upon which the debtor has made payments on the loan aggregating to less than \$250 during the previous 12 months.

(B) This section shall not apply to the following types of loans:

1. A loan made to the campaign committee of an elected officer or a candidate for elective office.

2. A loan that would otherwise not be a gift as defined in this title.

3. A loan that would otherwise be a gift as set forth under subdivision (A), but on which the creditor has taken reasonable action to collect the balance due.

4. A loan that would otherwise be a gift as set forth under subdivision (A), but on which the creditor, based on reasonable business considerations, has not undertaken collection action. Except in a criminal action, a creditor who claims that a loan is not a gift on the basis of this paragraph has the burden of proving that the decision for not taking collection action was based on reasonable business considerations.

5. A loan made to a debtor who has filed for bankruptcy and the loan is ultimately discharged in bankruptcy.

(C) Nothing in this section shall exempt any person from any other provisions of Title 9 of the Government Code.

(9) Section 9. Disqualification.

No designated employee shall make, participate in making, or in any way attempt to use the employee's official position to influence the making of any governmental decision which the employee knows or has reason to know will have a reasonably foreseeable material financial effect, distinguishable from its effect on the public generally, on the official or a member of the official's immediate family or on:

(A) Any business entity in which the designated employee has a direct or indirect investment worth \$2,000 or more;

(B) Any real property in which the designated employee has a direct or indirect interest worth \$2,000 or more;

(C) Any source of income, other than gifts and other than loans by a commercial lending institution in the regular course of business on terms available to the public without regard to official status, aggregating \$500 or more in value provided to, received by or promised to the designated employee within 12 months prior to the time when the decision is made;

(D) Any business entity in which the designated employee is a director, officer, partner, trustee, employee, or holds any position of management; or

(E) Any donor of, or any intermediary or agent for a donor of, a gift or gifts aggregating \$500 or more provided to, received by, or promised to the designated employee within 12 months prior to the time when the decision is made.

(9.3) Section 9.3. Legally Required Participation.

No designated employee shall be prevented from making or participating in the making of any decision to the extent the employee's participation is legally required for the decision to be made.

The fact that the vote of a designated employee who is on a voting body is needed to break a tie does not make the employees' participation legally required for purposes of this section.

(9.5) Section 9.5. Disqualification of State Officers and Employees.

In addition to the general disqualification provisions of section 9, no state administrative official shall make, participate in making, or use the official's position to influence any governmental decision directly relating to any contract where the state administrative official knows or has reason to know that any party to the contract is a person with whom the state administrative official, or any member of the official's immediate family has, within 12 months prior to the time when the official action is to be taken:

(A) Engaged in a business transaction or transactions on terms not available to members of the public, regarding any investment or interest in real property; or

(B) Engaged in a business transaction or transactions on terms not available to members of the public regarding the rendering of goods or services totaling in value \$1,000 or more.

(10) Section 10. Disclosure of Disqualifying Interest.

When a designated employee determines that the employee should not make a governmental decision because the employee has a disqualifying interest in it, the determination not to act may be accompanied by disclosure of the disqualifying interest.

(11) Section 11. Assistance of the Commission and Counsel.

Any designated employee who is unsure of the duties under this code may request assistance from the Fair Political Practices Commission pursuant to Section 83114 and Regulations 18329 and 18329.5 or from the attorney for the employee's agency, provided that nothing in this section requires the attorney for the agency to issue any formal or informal opinion.

(12) Section 12. Violations.

This code has the force and effect of law. Designated employees violating any provision of this code are subject to the administrative, criminal and civil sanctions provided in the Political Reform Act, Sections 81000-91014. In addition, a decision in relation to which a violation of the disqualification provisions of this code or of Section 87100 or 87450 has occurred may be set aside as void pursuant to Section 91003.

¹ Designated employees who are required to file statements of economic interests under any other agency's conflict of interest code, or under article 2 for a different jurisdiction, may expand their statement of economic interests to cover reportable interests in both jurisdictions, and file copies of this expanded statement with both entities in lieu of filing separate and distinct statements, provided that each copy of such expanded statement filed in place of an original is signed and verified by the designated employee as if it were an original. See Section 81004.

² See Section 81010 and Regulation 18115 for the duties of filing officers and persons in agencies who make and retain copies of statements and forward the originals to the filing officer.

³ For the purpose of disclosure only (not disqualification), an interest in real property does not include the principal residence of the filer.

⁴ Investments and interests in real property which have a fair market value of less than \$2,000 are not investments and interests in real property within the meaning of the Political Reform Act. However, investments or interests in real property of an individual include those held by the individual's spouse and dependent children as well as a pro rata share of any investment or interest in real property of any business entity or trust in which the individual, spouse and dependent children own, in the aggregate, a direct, indirect or beneficial interest of 10 percent or greater.

⁵ A designated employee's income includes the employee's community property interest in the income of the employee's spouse but does not include salary or reimbursement for expenses received from a state, local or federal government agency.

⁶ Income of a business entity is reportable if the direct, indirect or beneficial interest of the filer and the filer's spouse in the business entity aggregates a 10 percent or greater interest. In addition, the disclosure of persons who are clients or customers of a business entity is required only if the clients or customers are within one of the disclosure categories of the filer.

Note: Authority cited: Section 83112, Government Code. Reference: Sections 87103(e), 87300-87302, 89501, 89502 and 89503, Government Code.

HISTORY

1. New section filed 4-2-80 as an emergency; effective upon filing (Register 80, No. 14).
Certificate of Compliance included.
2. Editorial correction (Register 80, No. 29).
3. Amendment of subsection (b) filed 1-9-81; effective thirtieth day thereafter (Register 81, No. 2).
4. Amendment of subsection (b)(7)(B)1. filed 1-26-83; effective thirtieth day thereafter (Register 83, No. 5).
5. Amendment of subsection (b)(7)(A) filed 11-10-83; effective thirtieth day thereafter (Register 83, No. 46).
6. Amendment filed 4-13-87; operative 5-13-87 (Register 87, No. 16).
7. Amendment of subsection (b) filed 10-21-88; operative 11-20-88 (Register 88, No. 46).
8. Amendment of subsections (b)(8)(A) and (b)(8)(B) and numerous editorial changes filed 8-28-90; operative 9-27-90 (Reg. 90, No. 42).

9. Amendment of subsections (b)(3), (b)(8) and renumbering of following subsections and amendment of Note filed 8-7-92; operative 9-7-92 (Register 92, No. 32).
10. Amendment of subsection (b)(5.5) and new subsections (b)(5.5)(A)-(A)(2) filed 2-4-93; operative 2-4-93 (Register 93, No. 6).
11. Change without regulatory effect adopting Conflict of Interest Code for California Mental Health Planning Council filed 11-22-93 pursuant to title 1, section 100, California Code of Regulations (Register 93, No. 48). Approved by Fair Political Practices Commission 9-21-93.
12. Change without regulatory effect redesignating Conflict of Interest Code for California Mental Health Planning Council as chapter 62, section 55100 filed 1-4-94 pursuant to title 1, section 100, California Code of Regulations (Register 94, No. 1).
13. Editorial correction adding History 11 and 12 and deleting duplicate section number (Register 94, No. 17).
14. Amendment of subsection (b)(8), designation of subsection (b)(8)(A), new subsection (b)(8)(B), and amendment of subsections (b)(8.1)-(b)(8.1)(B), (b)(9)(E) and Note filed 3-14-95; operative 3-14-95 pursuant to Government Code section 11343.4(d) (Register 95, No. 11).
15. Editorial correction inserting inadvertently omitted language in footnote 4 (Register 96, No. 13).
16. Amendment of subsections (b)(8)(A)-(B) and (b)(8.1)(A), repealer of subsection (b)(8.1)(B), and amendment of subsection (b)(12) filed 10-23-96; operative 10-23-96 pursuant to Government Code section 11343.4(d) (Register 96, No. 43).
17. Amendment of subsections (b)(8.1) and (9)(E) filed 4-9-97; operative 4-9-97 pursuant to Government Code section 11343.4(d) (Register 97, No. 15).

18. Amendment of subsections (b)(7)(B)5., new subsections (b)(8.2)-(b)(8.4)(C) and amendment of Note filed 8-24-98; operative 8-24-98 pursuant to Government Code section 11343.4(d) (Register 98, No. 35).

19. Editorial correction of subsection (a) (Register 98, No. 47).

20. Amendment of subsections (b)(8.1), (b)(8.1)(A) and (b)(9)(E) filed 5-11-99; operative 5-11-99 pursuant to Government Code section 11343.4(d) (Register 99, No. 20).

21. Amendment of subsections (b)(8.1)-(b)(8.1)(A) and (b)(9)(E) filed 12-6-2000; operative 1-1-2001 pursuant to the 1974 version of Government Code section 11380.2 and Title 2, California Code of Regulations, section 18312(d) and (e) (Register 2000, No. 49).

22. Amendment of subsections (b)(3) and (b)(10) filed 1-10-2001; operative 2-1-2001.

Submitted to OAL for filing pursuant to *Fair Political Practices Commission v. Office of Administrative Law*, 3 Civil C010924, California Court of Appeal, Third Appellate District, nonpublished decision, April 27, 1992 (FPPC regulations only subject to 1974 Administrative Procedure Act rulemaking requirements) (Register 2001, No. 2).

23. Amendment of subsections (b)(7)(A)4., (b)(7)(B)1.-2., (b)(8.2)(E)3., (b)(9)(A)-(C) and footnote 4. filed 2-13-2001. Submitted to OAL for filing pursuant to *Fair Political Practices Commission v. Office of Administrative Law*, 3 Civil C010924, California Court of Appeal, Third Appellate District, nonpublished decision, April 27, 1992 (FPPC regulations only subject to 1974 Administrative Procedure Act rulemaking requirements) (Register 2001, No. 7).

24. Amendment of subsections (b)(8.1)-(b)(8.1)(A) filed 1-16-2003; operative 1-1-2003.

Submitted to OAL for filing pursuant to *Fair Political Practices Commission v. Office of Administrative Law*, 3 Civil C010924, California Court of Appeal, Third Appellate District,

nonpublished decision, April 27, 1992 (FPPC regulations only subject to 1974 Administrative Procedure Act rulemaking requirements) (Register 2003, No. 3).

25. Editorial correction of History 24 (Register 2003, No. 12).

26. Editorial correction removing extraneous phrase in subsection (b)(9.5)(B) (Register 2004, No. 33).

27. Amendment of subsections (b)(2)-(3), (b)(3)(C), (b)(6)(C), (b)(8.1)-(b)(8.1)(A), (b)(9)(E) and (b)(11)-(12) filed 1-4-2005; operative 1-1-2005 pursuant to Government Code section 11343.4 (Register 2005, No. 1).

28. Amendment of subsection (b)(7)(A)4. filed 10-11-2005; operative 11-10-2005 (Register 2005, No. 41).

29. Amendment of subsections (a), (b)(1), (b)(3), (b)(8.1), (b)(8.1)(A) and (b)(9)(E) filed 12-18-2006; operative 1-1-2007. Submitted to OAL pursuant to *Fair Political Practices Commission v. Office of Administrative Law*, 3 Civil C010924, California Court of Appeal, Third Appellate District, nonpublished decision, April 27, 1992 (FPPC regulations only subject to 1974 Administrative Procedure Act rulemaking requirements) (Register 2006, No. 51).

30. Amendment of subsections (b)(8.1)-(b)(8.1)(A) and (b)(9)(E) filed 10-31-2008; operative 11-30-2008. Submitted to OAL for filing pursuant to *Fair Political Practices Commission v. Office of Administrative Law*, 3 Civil C010924, California Court of Appeal, Third Appellate District, nonpublished decision, April 27, 1992 (FPPC regulations only subject to 1974 Administrative Procedure Act rulemaking requirements and not subject to procedural or substantive review by OAL) (Register 2008, No. 44).

31. Amendment of section heading and section filed 11-15-2010; operative 12-15-2010. Submitted to OAL for filing pursuant to *Fair Political Practices Commission v. Office of*

Administrative Law, 3 Civil C010924, California Court of Appeal, Third Appellate District, nonpublished decision, April 27, 1992 (FPPC regulations only subject to 1974 Administrative Procedure Act rulemaking requirements and not subject to procedural or substantive review by OAL) (Register 2010, No. 47).

32. Amendment of section heading and subsections (a)-(b)(1), (b)(3)-(4), (b)(5)(C), (b)(8.1)-(b)(8.1)(A) and (b)(9)(E) and amendment of footnote 1 filed 1-8-2013; operative 2-7-2013.

Submitted to OAL for filing pursuant to *Fair Political Practices Commission v. Office of Administrative Law*, 3 Civil C010924, California Court of Appeal, Third Appellate District, nonpublished decision, April 27, 1992 (FPPC regulations only subject to 1974 Administrative Procedure Act rulemaking requirements and not subject to procedural or substantive review by OAL) (Register 2013, No. 2).

33. Amendment of subsections (b)(8.1)-(b)(8.1)(A), (b)(8.2)(E)3. and (b)(9)(E) filed 12-15-2014; operative 1-1-2015 pursuant to section 18312(e)(1)(A), title 2, California Code of Regulations.

Submitted to OAL for filing and printing pursuant to *Fair Political Practices Commission v. Office of Administrative Law*, 3 Civil C010924, California Court of Appeal, Third Appellate District, nonpublished decision, April 27, 1992 (FPPC regulations only subject to 1974 Administrative Procedure Act rulemaking requirements) (Register 2014, No. 51).

34. Redesignation of portions of subsection (b)(8)(A) as new subsections (b)(8)(B)-(D), amendment of subsections (b)(8.1)-(b)(8.1)(A), redesignation of portions of subsection (b)(8.1)(A) as new subsections (b)(8.1)(B)-(C) and amendment of subsection (b)(9)(E) filed 12-1-2016; operative 12-31-2016 pursuant to Cal. Code Regs. tit. 2, section 18312(e). Submitted to OAL for filing pursuant to *Fair Political Practices Commission v. Office of Administrative Law*, 3 Civil C010924, California Court of Appeal, Third Appellate District, nonpublished decision,

April 27, 1992 (FPPC regulations only subject to 1974 Administrative Procedure Act rulemaking requirements and not subject to procedural or substantive review by OAL) (Register 2016, No. 49).

35. Amendment of subsections (b)(8.1)-(b)(8.1)(A) and (b)(9)(E) filed 12-12-2018; operative 1-11-2019 pursuant to Cal. Code Regs., tit. 2, section 18312(e). Submitted to OAL for filing and printing pursuant to *Fair Political Practices Commission v. Office of Administrative Law*, 3 Civil C010924, California Court of Appeal, Third Appellate District, nonpublished decision, April 27, 1992 (FPPC regulations only subject to 1974 Administrative Procedure Act rulemaking requirements and not subject to procedural or substantive review by OAL) (Register 2018, No. 50).

36. Amendment of subsections (b)(8.1)-(8.1)(A) filed 12-23-2020; operative 1-1-2021 pursuant to Cal. Code Regs., tit. 2, section 18312(e). Submitted to OAL for filing pursuant to *Fair Political Practices Commission v. Office of Administrative Law*, 3 Civil C010924, California Court of Appeal, Third Appellate District, nonpublished decision, April 27, 1992 (FPPC regulations only subject to 1974 Administrative Procedure Act rulemaking requirements and not subject to procedural or substantive review by OAL) (Register 2020, No. 52).

37. Amendment of subsections (b)(3)(C), (b)(5)(C), (b)(5.5), (b)(5.5)(A)(2), (b)(7)(D), (b)(8)(A), (b)(8.1)(A), (b)(8.2)(A), (b)(8.2)(C)-(D), (b)(8.3)(A), (b)(9), (b)(9.3), (b)(9.5), (b)(10) and (b)(11) and footnote 5 filed 5-12-2021; operative 6-11-2021 pursuant to Cal. Code Regs., tit. 2, section 18312(e). Submitted to OAL for filing pursuant to *Fair Political Practices Commission v. Office of Administrative Law*, 3 Civil C010924, California Court of Appeal, Third Appellate District, nonpublished decision, April 27, 1992 (FPPC regulations only subject to 1974

Administrative Procedure Act rulemaking requirements and not subject to procedural or substantive review by OAL) (Register 2021, No. 20).



SAN RAFAEL CITY COUNCIL AGENDA REPORT

Department: City Clerk

Prepared by: Lindsay Lara, City Clerk

City Manager Approval: _____

A handwritten signature in blue ink, appearing to be 'CL'.

TOPIC: PUBLIC ART REVIEW BOARD BYLAWS AMENDMENT

SUBJECT: RESOLUTION AMENDING THE PUBLIC ART REVIEW BOARD BYLAWS

RECOMMENDATION:

Adopt a resolution amending the Public Art Review Board Bylaws.

BACKGROUND / ANALYSIS:

In [May 2022](#), the City Council established the Public Art Review Board consisting of three community members, one representative from the Park and Recreation Commission and one representative from the Design Review Board. On [June 17, 2024](#), the City Council approved an amendment to the Public Art Review Board Bylaws to include a stipend for serving on the Board. On July 15, 2024, the City Council adopted an ordinance dissolving the Design Review Board and consolidating it with the Planning Commission.

Since the Design Review Board function has been consolidated into the Planning Commission, staff recommends the bylaws of the Public Art Review Board be amended to state that the City Council shall appoint a member of the Planning Commission, instead of a member of the Design Review Board. The number of representatives on the Public Art Review Board would remain the same. If approved, the Public Art Review Board would be comprised of three community members, one representative from the Park and Recreation Commission and one representative from the Planning Commission.

FISCAL IMPACT:

There is no fiscal impact associated with this item.

OPTIONS:

The City Council has the following options to consider on this matter:

1. Approve the resolution as proposed.
2. Approve the resolution with modifications.
3. Direct staff to return with more information.
4. Take no action.

ATTACHMENTS:

1. Resolution, including Exhibit A: Bylaws of the Public Art Review Board

FOR CITY CLERK ONLY

Council Meeting:

Disposition:

RESOLUTION NO.

**RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAN RAFAEL
AMENDING THE PUBLIC ART REVIEW BOARD BYLAWS TO UPDATE THE DESIGN
REVIEW BOARD REPRESENTATIVE TO THE PLANNING COMMISSION REPRESENTATIVE**

WHEREAS, the City Council has voted to dissolve the Design Review Board and consolidate the Design Review Board with the Planning Commission; and

WHEREAS, the Bylaws of the Public Art Review Board require that one member of the Public Art Review Board be a member of the Design Review Board; and

WHEREAS, the Bylaws of the Public Art Review Board must be updated to require that one member of the Public Art Review Board be a member of the Planning Commission instead of a member of the Design Review Board; and

WHEREAS, the bylaws in Exhibit A attached hereto are recommended by staff and include changing the term “Design Review Board” to “Planning Commission” throughout the Bylaws of the Public Art Review Board.

NOW, THEREFORE, BE IT RESOLVED, that the City Council hereby repeals and replaces the City of San Rafael Bylaws of the Public Art Review Board with the version of the Bylaws attached hereto and incorporated herein as Exhibit A.

I, **LINDSAY LARA**, Clerk of the City of San Rafael, hereby certify that the foregoing Resolution was duly and regularly introduced and adopted at a regular meeting of the City Council of the City of San Rafael, held on Tuesday, the 3rd day of September 2024, by the following vote, to wit:

AYES: COUNCILMEMBERS:

NOES: COUNCILMEMBERS:

ABSENT: COUNCILMEMBERS:

LINDSAY LARA, City Clerk

EXHIBIT A: PUBLIC ART REVIEW BOARD BYLAWS

PUBLIC ART REVIEW BOARD BYLAWS

ARTICLE I. NAME AND PURPOSE

Section 1.1. Name. The name of this body shall be the City of San Rafael Public Art Review Board, hereinafter referred to as the "Public Art Review Board," or the "Board."

Section 1.2. Purpose. The Public Art Review Board's purpose is to help administer the public art review process and to advise the City Council on public art installations.

Section 1.3. Committee Responsibility. The Public Art Review Board's authority over long-term art proposals (greater than one year) is advisory only and the Board will issue a recommendation to City Council to approve or reject a proposal. For short-term art proposals, the Public Art Review Board has the authority to approve exhibitions. At staff's discretion, certain short-term projects may be required to obtain City Council approval, depending on project impact.

The Public Art Advisory Committee's responsibilities shall be in accord with these Bylaws, as amended from time-to-time by the City Council.

The responsibilities and duties of the Public Art Review Board shall be as follows:

1. Work with Staff in the review and approval of public art projects.
2. Review all proposals for public art and recommend select projects to City Council for approval.
3. Monitor the overall development of public art projects, encouraging balance over time with respect to background, gender, and other identities of artists selected and also with respect to styles of expression, media, and genre.
4. Provide opportunities for community input and resident participation.
5. To use the following Public Art Review Criteria in evaluating all public art proposals:
 - a. Project Readiness: Projects can demonstrate readiness through completeness of design, skill/experience of the artist(s) or project manager(s), secured funding for art piece and cost of installation, successful community engagement, identification of an appropriate site, and proposed schedule. The Public Art Review Board may encourage an applicant to reapply, if they deny a proposal as not sufficiently ready but with specific promise to demonstrate future readiness.
 - b. Qualifications: Artists, artist teams, or project manager must be able to demonstrate, through past work – as evidenced in a resume, portfolio, and reference – their ability to create quality artwork and act with the utmost professionalism. In most cases, artists have considerable training and experience working professionally at and have been

- compensated for their art. For certain projects, the City will consider emerging or non-professional artists, who are working under the guidance of a professional mentor or art teacher.
- c. Funding: Projects should have a funding source identified and project implementation will be contingent upon receipt of full funding for the project. The City does not provide project funding for public art.
 - d. Community Engagement: Proposed projects that have completed their own public engagement process will be prioritized.
 - i. For long-term projects (installation planned for more than one (1) year): A minimum of one (1) public meeting and three (3) letters of support are recommended. Successful public meetings might involve the local homeowner's association (HOA), neighborhood associations, or business owners. The Public Art Review Board must be informed of these meetings ahead of time and allowed to opportunity to attend.
 - ii. For short-term projects that are viewable within the public right-of-way: A minimum of two (2) letters of support is recommended.
 - iii. In both instances, it is recommended that one of the letters of support be from the local homeowners' association (HOA) or neighborhood association, if applicable.
 - iv. Short-term projects inside a public facility are not required to conduct community engagement, outside of that undertaken through the Public Art Review Board process.
 - e. Maintenance: Works of art will have reasonable maintenance requirements and these requirements shall be compatible with routine City maintenance procedures. For projects that require more maintenance than current City budgets and staffing allow or a specific expertise, the project must set aside sufficient maintenance funding for the duration of the project and must develop an agreement for maintenance to be performed by private parties, as approved by City staff.
 - f. Design: Works of art will be designed in consideration of the relevance and appropriateness of the work to the context of the site and in alignment with public safety and decency.
 - i. The artwork will not portray themes that may be interpreted as derogatory as to race, religion, sexual orientation, natural origin, or physical or mental disability. The artwork will not contain content, signage, names, logos, or subject matter that could be construed as advertising or as religious or sexual in nature nor will it promote a political candidate or include political text. Any content considered obscene or indecent by community standards will be denied.
 - ii. The design of the artworks will take into consideration issues associated with public spaces such as security, theft, vandalism, etc.
 - iii. The design of the artworks will consider the specific needs and use patterns of the public space in which they will be located. For example, in parks, works of art will not block critical view corridors

- or impede public usage of key open space.
- g. Diversity: Artists and the City's public art collection should reflect the diversity of San Rafael's community. The Public Art Review Board shall monitor the overall development of public art projects, encouraging balance in the City's collection over time with respect to background, gender, and other identities of artists selected and also with respect to styles of expression, media, and genre.

ARTICLE II. MEMBERSHIP

Section 2.1. Number of Members. The Public Art Review Board shall consist of five (5) voting members as follows: three (3) at-large members, one (1) representative from the Planning Commission and one (1) representative from the Park and Recreation Commission. The Councilmember in whose district the public art is proposed will participate as a non-voting liaison to the City Council as part of the selection process.

Section 2.2. Eligibility. Members of the Committee shall be at least 18 years of age and reside within the City limits. The three (3) at-large members shall reflect the diversity of San Rafael, with professional qualifications in the visual arts and/or civic design, such as artists, architects, landscape architects, arts educators, arts administrators, urban designers, urban planners, or owners/managers of a creative business.

Section 2.3. Compensation. Committee Members may apply for stipends through the Stipend Program at \$50 per month, not to exceed \$600 per year per member..

Section 2.4. Appointment of Committee Members. The representatives from the Planning Commission and the Park and Recreation Commission will be selected by the Planning Commission and the Park and Recreation Commission, respectively, on a biannual basis. The at-large members will be selected by the City Council.

Section 2.5. Terms of Appointment. The at-large Board members will serve a maximum of two (2) four (4) year terms. The representatives from the Planning Commission and the Park and Recreation Commission shall serve a term of two (2) years, but not more than two consecutive terms. However, if there is a vacancy, the Planning Commission and the Park and Recreation Commission have the authority to extend the current representative's term at their discretion. Board Members serve at will and are subject to appointment and/or removal at the discretion of City Council.

Section 2.6. Absence and Removal. An unexcused absence from two (2) consecutive Committee meetings without notification to the Staff Liaison, or six absences (whether excused or unexcused) in any term, shall be considered a voluntary resignation from the Committee. Committee members who had previously resigned may be eligible for reappointment to the Committee.

Section 2.7. Conflict of Interest. A member of the Board who has a financial, business, familial or romantic relationship regarding a matter coming before the Board

shall disqualify themselves from all participation in that matter.

ARTICLE III. MEETINGS

Section 3.1. Time and date of Regular Meeting. Notification of meeting place, date, and time shall be rendered to the public through posting on the City of San Rafael website. Public meetings shall be held a minimum of four (4) times per year but may meet more frequently or on an ad hoc basis, as needed. Quarterly meetings shall be scheduled annually with the quarterly meeting schedule for the upcoming year will be set by November of the previous year.

Revised September 3, 2024

ORDINANCE NO. 2040

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

SECTION 1. FINDINGS

WHEREAS, the purpose of this Ordinance is to enact regulations to address camping in or on public property in the City of San Rafael. The City Council has authority to adopt this Ordinance pursuant to the California Constitution Article XI, section 7; and

WHEREAS, the City Council recognizes that camping in the City by persons with no alternative shelter, and the activities often attendant with camping, have created adverse public health, safety, and welfare conditions for the public, including those who live in the City’s encampments; and

WHEREAS, the City, along with the County of Marin and community partners, has been and is undertaking extensive actions to assist unsheltered persons in the City and region to find shelter and needed services; and

WHEREAS, on June 28, 2024, the Supreme Court issued its decision reversing the Ninth Circuit Court of Appeals in *Grants Pass v. Johnson* finding that the City of Grants Pass had not violated the “Cruel and Unusual Punishments” clause of the Eighth Amendment to the United States Constitution by prohibiting camping on public property when the City could not establish that there was enough alternative shelter available to accommodate the number of individuals experiencing homelessness in the community; and

WHEREAS, on July 25, 2024, Governor Gavin Newsom issued Executive Order N-1-24 instructing State agencies to prioritize the humane removal of encampments, including conducting site assessments, providing advance notice, offering outreach services, and personal property storage for at least 60 days, and encouraging local governments to adopt policies consistent with the order; and

WHEREAS, the City Council recognizes and finds that there are public health and safety hazards and public nuisance activities and conditions frequently associated with camping on public property, and that there are certain public properties where the existence of campsites is incompatible with the necessary use of the property by the public, or where camping presents unacceptable hazards and/or costs to the City’s operations and to the public; and

WHEREAS, some unsheltered persons in the City live in temporary shelters on public property, such as tents and tarps, and accumulate, store, or leave behind personal property, garbage, waste, and biohazards; and

WHEREAS, camping on public property can lead to damage to public property, or hindrance of the operation or protection of public infrastructure and utilities, creating a potential health and safety hazard; and

WHEREAS, camping on public property can have a deleterious impact on the public use of public property, businesses, private real property, and economic development within the City; and

WHEREAS, in July 2023, the City Council adopted Ordinance No. 2030, setting new spacing and density rules and other restrictions for camping on public property by persons with no

alternative shelter available; and

WHEREAS, in the case of Boyd et al. v. City of San Rafael, N.D. Cal., Case No. 23-cv-04085- EMC (“Boyd”), the Court issued a Preliminary Injunction Order under which the City was permitted to enforce Ordinance No. 2030 under Court-modified rules which were operationally impractical to implement, particularly as they involved procedures to administer the Ordinance’s spacing and density requirements; and

WHEREAS, in May 2024, the City Council adopted Ordinance No. 2035, which modified the regulations adopted through Ordinance No. 2030 by allowing campsites of up to 200 square feet for one person and 400 square feet for up to 4 persons camping together; eliminating the 200-foot spacing requirement; requiring a 10-foot safety clearance around each campsite and 10-foot setbacks from other campsites, public utility infrastructure, and private real property; specifying enforcement notice and due process requirements; and making other language changes set forth in the Ordinance; and

WHEREAS, by this Ordinance, the City Council seeks to modify the regulations adopted in Ordinance Nos. 2030 and 2035 to make amendments in light of the recent Supreme Court decision in Grants Pass v. Johnson, to clarify prohibitions against the construction of unpermitted structures and use of building materials for camping on public property, to provide additional safety setbacks from roadways, to update enforcement provisions to align with Governor Newsom’s Executive Order 1-N-24, and making other language changes set forth in the Ordinance; and

WHEREAS, by amending the City’s camping regulations, the City’s goal is to effectively regulate and enforce camping laws for the health and safety of all of the public, including residents who are experiencing homelessness; and

WHEREAS, for the reasons set forth above, this Ordinance is declared by the City Council to be necessary to protect public health, safety, and welfare; preserve public property for the enjoyment and safety of all members of the public; enhance and preserve the orderly administration and management of public property; and preserve, protect, and prevent damage to public resources, and the recitals above taken together constitute the City Council’s statement of the reasons for adopting this Ordinance.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF SAN RAFAEL DOES ORDAIN AS FOLLOWS:

SECTION 2. AMENDMENTS TO SAN RAFAEL MUNICIPAL CODE CHAPTER 19.50

Chapter 19.50 of the San Rafael Municipal Code, entitled “Camping of Public Property” is hereby amended in its entirety to read as follows:

Chapter 19.50 - CAMPING ON PUBLIC PROPERTY

19.50.010. - Purpose.

The purposes of this chapter include but are not limited to: protecting public health, safety, and welfare; preserving public property for the enjoyment and safety of all members of the public; enhancing and preserving the orderly administration and management of public property; and preserving, protecting, and preventing damage to public resources. This chapter prohibits conduct that unreasonably interferes with the administration and lawful uses of public property by establishing reasonable time, place, and manner conditions related to camping on public property.

19.50.020 - Definitions.

As used in this chapter, the following terms shall have the following meanings:

- A. "Camp" or "Camping" means use of space on public property for living accommodation purposes such as sleeping activities, or making preparations to sleep (including the laying down of bedding for the purpose of sleeping), or storing personal belongings, or using any tents or shelter or other structure or vehicle for sleeping. The above-listed activities constitute camping when it reasonably appears, in light of all the circumstances, that the participants, in conducting these activities, are using the area as a living accommodation regardless of the nature of any other activities in which they may also be engaging.
- B. "Camp paraphernalia" means implements and equipment used for camping, including tents, cots, beds, hammocks, vehicles, other temporary physical shelters, tarpaulins, mattresses, sleeping bags, bedrolls, blankets, sheets, pillows, and cookware or cooking equipment.
- C. "Campsite" means the primary physical area of occupation of one person camping or up to four persons camping together, inclusive of camp facilities, camp paraphernalia, and personal property.
- D. "Open space property" means any area described in San Rafael Municipal Code Section 19.10.020. The city will maintain on its public website and in hard copy at the City Clerk's office a map of all open space property meeting this definition.
- E. "Playground" means an improved outdoor area designed, equipped, and set aside for children's play in a park or school that is not intended for use as an athletic playing field or athletic court, and also includes any playground equipment, fall zones, surface materials, access ramps, and all areas within and including any designated enclosure and barriers.
- F. "Public facility" means any building or structure on public property, whether secured, unsecured, locked, unlocked, open, or enclosed, as well as any area of public property enclosed by a locked fence.
- G. "Public property" means any real property within the jurisdiction of the City of San Rafael, which is owned, managed, or controlled by the City of San Rafael.
- H. "Public right-of-way" means land which by written instrument, usage or process of law is owned by, reserved for or dedicated to the public use for street or highway purposes, or other transportation purposes, whether or not such land is actually being used or developed specifically for those purposes.
- I. "Public utility infrastructure" means public bathrooms or infrastructure and equipment used to provide public utility services, including electricity, gas, water, stormwater, telecommunications, and sanitation services.

- J. "School" means any public or private institution of educational learning up to and including grade 12.
- K. "Sidewalk" means any area in the city provided for the use of pedestrians, including planting areas, driveway approaches, and parking strips, between the public vehicular roadway and the edge of public right-of-way bordering, fronting, or adjacent to private real property.
- L. "Store" means to put aside or accumulate for use when needed, to put for safekeeping, or to place or leave in a location.
- M. "Vehicle" means any wheeled conveyance, whether motor-powered or self-propelled, and includes any trailer in tow of any size, kind, or description.

19.50.030 - Prohibited Camping on Certain Public Property.

A. Prohibited Camping

1. Open space property. No person or persons shall camp in or on any open space property, or portion thereof.
 2. Parking garages. No person or persons shall camp in or on the premises of any parking garage, or portion thereof, owned or operated by the city.
 3. Public facilities. No person or persons shall camp in or on any public facility, or portion thereof, or in a manner that obstructs, blocks, or otherwise interferes with access to a public facility or private real property.
 4. Playgrounds. No person or persons shall camp within 100 feet of any playground.
 5. Schools. No person or persons shall camp within 250 feet of the property boundary of any school.
 6. Public right-of-way and sidewalks. No person or persons shall camp in or on any public right-of-way or sidewalk, or portion thereof, or in a manner that obstructs, blocks, or otherwise interferes with use of or access to a public right-of-way or sidewalk.
- B. The city council or city manager may, by resolution or administrative order, absolutely prohibit camping, or adopt time, place, or manner conditions on camping, at any time in or on one or more public properties, or portion thereof.
- C. The city shall maintain on its public website and in hard copy at the city clerk's office a current citywide map of all public property parcels prohibited to camping by subsections (A)(1), (A)(2), (A)(4), (A)(5), and (B) of this section 19.50.030.

19.50.040 - Prohibited Camping on Other Public Property; Exception.

A. As to public property not listed as prohibited for camping under Section 19.50.030, no person shall camp on such other public property, except as set forth below.

B. Time, place, and manner conditions:

1. Campsite size and occupancy.

- a. No campsite occupied by one person shall exceed an area of 200 sq. ft., inclusive of camp paraphernalia, and personal property.
- b. No campsite occupied by more than one person shall i) exceed an occupancy of four persons or ii) exceed an area of 400 sq. ft., inclusive of camp paraphernalia, and personal property.
- c. All camp paraphernalia, and other personal property shall be stored and kept within the maximum permitted campsite area.
- d. Items stored or discarded outside of the maximum permitted campsite area shall be presumed to be unattended personal property or trash or debris and may be stored or discarded by the city.
- e. No person shall establish or occupy more than one campsite.

2. Clearance and setbacks.

- a. A minimum clearance of 10 feet around all sides of any campsite allowed under this section shall be maintained free and clear of trash, debris, and personal property, including but not limited to camp facilities and camp paraphernalia. Items stored or discarded within the 10-foot clearance area shall be presumed to be unattended personal property or trash or debris and may be stored or discarded by the city.
- b. No campsite may be established or occupied within 10 feet of any other campsite allowed by this section, public utility infrastructure, or private real property, including a fence of such property.
- c. No campsite may be established or occupied within 5 feet of the edge of pavement of a roadway open to the use of the public for purposes of vehicular traffic.

3. Unpermitted structures and building materials. No person shall occupy, construct, or erect on public property, or affix or tie to public or private property, any building, shed, shack, fence, or other structure made of building material, or store any building material on public property for camping. For purposes of this paragraph, "building material" includes wood, steel, concrete, stone, brick, masonry, plastic, cement composites, glass, sand, or other similar material of a type and quantity normally used for construction purposes.

- a. Exception: Fabric tents, fabric tarps, or other similar non-permanent, removable items may be used for temporary shelter within a campsite, provided they are not affixed or tied to any public property, private real property, vegetation, or infrastructure, except for the use of removable stakes to secure the item to unimproved ground on public property.
- b. Exception: Removable plastic pallets or sandbags may be used to temporarily raise a tent or other camp facility off of the ground, provided that such items are not affixed or tied to any public property, private real property, vegetation, or infrastructure.

19.50.050 - Violations; Enforcement.

- A. In addition to enforcement as described below, the City may enforce this chapter pursuant to chapters 1.42, 1.44, and 1.46; provided, however, that no person shall be charged with a criminal violation unless their unlawful conduct is knowing or willful.
- B. The city manager or their designee shall be responsible for enforcement of this chapter.
- C. For a violation of section 19.50.030(A)-(B), the city manager or their designee may require the person in violation to immediately cease the prohibited camping.
- D. For violation of section 19.50.040(B)(1)-(2), related to the size, occupancy, and clearance or setbacks of a campsite, the person camping shall be given 48 hours to come into compliance with this chapter. The city manager or their designee shall provide upon request a physical demarcation of the allowed boundary to assist the person camping to comply with this chapter.
- E. Unpermitted structure. For a violation of section 19.50.040(B)(3), related to an unpermitted structure, the structure shall be tagged with a notice to remove the structure from public property within 48 hours. If the noticed structure is not removed from public property within 48 hours of notice, the city manager or their designee may immediately remove such structure and restore the public property.
- F. Exigent Circumstances. For a violation of section 19.50.040(B)(1)-(2) whereby there is an imminent threat to life, health, safety or infrastructure such that exigent circumstances require immediate action, the City Manager or their designee may require the person in violation to immediately cure the violation. The City Manager or their designee shall provide as much advance notice as reasonable under the circumstances.

19.50.060 - Conflict with Other Regulations.

To the extent that there is any conflict with any other provisions of this code, the standards and regulations of this chapter shall prevail.

SECTION 3. COMPLIANCE WITH CEQA

This Ordinance was assessed in accordance with the authority and criteria contained in the California Environmental Quality Act (CEQA), the State CEQA Guidelines, and the environmental regulations of the city. The city council hereby finds that under section 15061(b)(3) of the State CEQA Guidelines, this Ordinance is exempt from the requirements of CEQA because it can be seen with certainty that the provisions contained herein would not have the potential for causing a significant effect on the environment. It also finds the Ordinance is exempt from the requirements of CEQA pursuant to CEQA Guidelines sections 15307 and 15308 as an action by a regulatory agency taken to protect the environment and natural resources.

SECTION 4. SEVERABILITY

Every section, paragraph, clause, and phrase of this Ordinance is hereby declared to be severable. If for any reason, any section, paragraph, clause, or phrase is held to be invalid or unconstitutional, such invalidity or unconstitutionality shall not affect the validity or constitutionality of the remaining sections, paragraphs, clauses or phrases, and the remaining portions of this Ordinance shall continue in full force and effect unless amended or modified by the city.

SECTION 5. EFFECTIVE DATE AND PUBLICATION

This Ordinance shall be published once, in full or in summary form, before its final passage, in a newspaper of general circulation, published and circulated in the City of San Rafael and shall be in full force and effect 30 days after its adoption. If published in summary form, the summary shall also be published within fifteen (15) days after the adoption, together with the names of those Councilmembers voting for or against same, in a newspaper of general circulation published and circulated in the City of San Rafael, County of Marin, State of California.

Within fifteen (15) days after adoption, the City Clerk shall also post in the office of the City Clerk, a certified copy of the full text of this Ordinance along with the names of those Councilmembers voting for and against the Ordinance.

THE FOREGOING ORDINANCE was first read and introduced at a regular meeting of the San Rafael City Council on the 19th day of August 2024, and was passed and adopted at a regular meeting of the San Rafael City Council on the 3rd of September 2024, by the following vote, to wit:

AYES: COUNCILMEMBERS:
NOES: COUNCILMEMBERS:
ABSENT: COUNCILMEMBERS:

Kate Colin, Mayor

ATTEST:

Lindsay Lara, City Clerk

SUMMARY OF ORDINANCE NO. 2040

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”

This Summary concerns a proposed ordinance of the City of San Rafael, designated as Ordinance No. 2040, which will amend Chapter 19.50 to the San Rafael Municipal Code. Ordinance No. 2040 is scheduled for adoption by the San Rafael City Council at its regular meeting of September 3, 2024. The City Clerk has been directed to publish this Summary pursuant to City Charter and California Government Code section 36933(c)(1).

SUMMARY OF AMENDMENT TO MUNICIPAL CODE

Ordinance No. 2040 will amend regulations governing camping on public property in the City of San Rafael. The amended regulations include providing greater flexibility for the City to prohibit camping or set time, place, or manner conditions on camping on public property. The ordinance includes clarification of prohibition on occupying, constructing, or affixing structures made of building materials on public property. Temporary shelters like fabric tents or tarps, provided they are not affixed to public or private property, except with removable stakes on unimproved ground would be permitted. The amended regulations will require a 5-ft. setback from the edge of pavement of a roadway open to the use of public for purposes of vehicular traffic. The ordinance includes a new enforcement section specifying notice and due process requirements. Other existing rules will stay in effect. With these changes, the City’s goal is to effectively regulate and enforce camping laws for the health, safety, and welfare of the public.

Copies of Ordinance No. 2040 are available for public review on the City’s website: <https://www.cityofsanrafael.org>. You may also contact the City Clerk at (415) 485-3066 for information.

LINDSAY LARA
San Rafael City Clerk
Dated: 08/23/24

**City of San Rafael
In Recognition of
National Preparedness Month 2024**

- WHEREAS, in San Rafael, our community is susceptible to human-caused and natural disasters, including earthquakes, wildland fires, floods, pandemics, and other large-scale emergencies we cannot predict; and
- WHEREAS, recent events, including drought, wildfires, and a pandemic, have emphasized environmental, structural, and social vulnerabilities; and
- WHEREAS, when large-scale emergencies occur, Professional First Responders and Disaster Workers will be overwhelmed and need the support of prepared and trained residents; and
- WHEREAS, government agencies and disaster organizations cannot bear the sole responsibility to prepare for and respond to disasters; and
- WHEREAS, working in partnership with our community members, Community Emergency Response Teams (CERT), Neighborhood Response Groups (NRGs), community organizations, and others, we can minimize injuries and the loss of lives, reduce the impact to property and the natural environment, and more quickly help our community find a new normal, post-emergency; and
- WHEREAS, as a culturally diverse City committed to being inclusive and accessible while providing its people with tools to prepare themselves and their loved ones, San Rafael will join the nation in emphasizing this year's theme, "Empowering Asian American, Native Hawaiian and Pacific Islander (AANHPI) communities to act today to prepare for future risks and disasters"; and
- WHEREAS, the City of San Rafael and partner organizations will design and provide a variety of customized trainings, resources, and outreach to encourage residents and staff of different backgrounds and cultures to take steps to be better prepared for all emergencies and disasters; and
- WHEREAS, the time, energy, and effort that residents, business owners, and San Rafael employees invest in preparing now will create more resilient communities that can better prevent, navigate, and recover from a disaster.

NOW, THEREFORE, I, Kate Colin, Mayor of San Rafael, do hereby proclaim the month of September 2024 as
National Preparedness Month
and in doing so, urge all residents and community members to take emergency preparation steps to increase our community's resiliency to large scale emergencies or disasters.





Kate Colin
Mayor

ORDINANCE NO. 2041

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SAN RAFAEL AMENDING CHAPTER 15.155 (URBAN LOT SPLITS) AND CHAPTER 15.03 (MINOR SUBDIVISIONS (FOUR OR FEWER LOTS)) OF TITLE 15 (SUBDIVISIONS) OF THE SAN RAFAEL MUNICIPAL CODE TO CLARIFY AND IMPROVE THE PROCEDURE FOR IMPLEMENTATION OF GOVERNMENT CODE SECTION 66411.7 (SENATE BILL 9) RELATED TO URBAN LOT SPLITS

SECTION 1. FINDINGS

WHEREAS, Senate Bill 9 (Chapter 162, Statutes of 2021) enacted Section 66411.7 to the Government Code, effective January 1, 2022; and

WHEREAS, these provisions require the City to provide ministerial approval of urban lot splits; and

WHEREAS, the City Council adopted Ordinance No. 2013 on July 18, 2022 to add Chapter 15.155 (Urban Lot Splits) to Title 15 (Subdivisions) of the San Rafael Municipal Code to implement the provisions of Government Code Section 66411.7; and

WHEREAS, the application process for urban lot splits projects outlined in Chapter 15.155 does not include preparation of a tentative map prior to the parcel map; and

WHEREAS, requiring preparation of a tentative map prior to the parcel map will provide consistency with other City processes for review of subdivisions and is permitted pursuant to Government Code Section 66428(a); and

WHEREAS, modification to the City's ordinance as provided in the subject ordinance amendments is intended clarify and improve the application process for urban lot splits while continuing to implement the provisions of Government Code section 66411.7.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF SAN RAFAEL DOES ORDAIN AS FOLLOWS:

SECTION 2. AMENDMENTS TO SAN RAFAEL MUNICIPAL CODE CHAPTER 15.155 OF TITLE 15

Section 15.155.020 of Chapter 15.155 (Urban Lot Splits) of Title 15 (Subdivisions) of the San Rafael Municipal Code is hereby amended to read as follows. Additions are shown in underline, and deletions are shown in ~~strike through~~. All other provisions of Chapter 15.155 are unaffected by these amendments.

15.155.020 Filing, processing, and action.

- A. Ministerial Review. An urban lot split shall be ministerially approved, without discretionary review or hearing, if the proposed subdivision meets all provisions of this chapter and conforms to all applicable objective requirements of the Subdivision Map Act (Division 2) commencing with Section 66410 of the Government Code.

- B. Tentative Parcel Map. Applicants for urban lot splits shall submit a parcel map application. Pursuant to Government Code Section 66428(a), a tentative map and parcel map shall be required for all proposed urban lots splits. Tentative map applications shall be filed with the Department of Community Development by the property owner(s) of record or representatives of the property owner (subdivider) and must include all information specified in Section 15.02.020(a)-(f) of this title. The tentative map shall be reviewed and approved prior to submittal of the parcel map application. As part of the tentative map application, the property owner shall provide signed affidavits, all in a form approved by the City Attorney:
1. A statement that the property owner intends to occupy one of the housing units on the newly created lots as its principal residence for a minimum of three years from the date of the approval of the urban lot split. This subsection shall not apply to a property owner that is a "community land trust," as defined in clause (ii) of subparagraph (C) of paragraph (11) of subdivision (a) of Section 402.1 of the Revenue and Taxation Code or is a "qualified nonprofit corporation" as described in Section 214.15 of the Revenue and Taxation Code.
 2. If any existing housing is proposed to be altered or demolished, the owner of the property's statement that none of the conditions listed in Section 15.155.020(E)(3) exist. This affidavit shall include a comprehensive history of the occupancy of the units to be altered or demolished for the past three years (five years if an existing unit is to be demolished).
 3. The property owner shall also sign an affidavit stating that neither the property owner nor any person acting in concert with the property owner, has previously subdivided an adjacent parcel using an urban lot split.
- C. Completeness Review of Tentative Map Application by Department of Community Development. Applications for a tentative map for an urban lot split shall be reviewed and processed by the Department of Community Development as follows:
1. Within thirty (30) days of receipt of the application, the Department of Community Development shall review the materials to determine if all information has been submitted to deem the application complete for processing; and shall advise the property owner and/or subdivider, in writing, whether the application is complete or is incomplete, listing the additional information needed for processing.
- ~~DC.~~ Action by Department of Community Development. The city-Department of Community Development shall act on a parcel tentative map application for an urban lot split within sixty (60) days of receipt of a complete application. If the applicant requests a delay in writing, the sixty-day time period shall be tolled for the period of the delay. The city Department of Community Development has acted on the application if it:
1. Approves or denies a parcel tentative map application for an urban lot split; or
 2. Informs the applicant in writing that changes to the proposed project are necessary to comply with this chapter or other applicable laws and regulations.
- D. ~~Parcel maps for urban lot splits shall not be conditioned on dedication of right-of-way or construction of offsite improvements.~~

~~E. Adverse Impact Upon Health and Safety. A proposed urban lot split shall be denied if the building official makes a written finding, based upon a preponderance of the evidence, that the proposed urban lot split would have a specific, adverse impact, as defined and determined in paragraph (2) of subdivision (d) of Section 65589.5 of the Government Code, upon public health and safety or the physical environment and for which there is no feasible method to satisfactorily mitigate or avoid the specific, adverse impact.~~

EF. Limitations on Tentative Map Approval. A proposed tentative map for an urban lot split shall not be eligible for approval pursuant to this chapter if any of the following circumstances apply:

1. The proposed map is not consistent with the development standards as specified in Section 15.155.030 of this chapter.

2. The building official makes a written finding, based upon a preponderance of the evidence, that the proposed urban lot split would have a specific, adverse impact, as defined and determined in paragraph (2) of subdivision (d) of Section 65589.5 of the Government Code, upon public health and safety or the physical environment and for which there is no feasible method to satisfactorily mitigate or avoid the specific, adverse impact.

34.The proposed urban lot split would require demolition or alteration of "protected housing." Protected housing includes:

- a. Housing that is subject to a recorded covenant, ordinance or law that restricts rents to levels affordable to persons and families of moderate, low, or very low income.
- b. Housing that is subject to rent control through valid local rent control provisions.
- c. A parcel on which the owner of residential real property has withdrawn accommodations from rent or lease pursuant to Section 7060 of the Government Code within fifteen (15) years preceding the development application (i.e., an exit of the rental housing business pursuant to the Ellis Act).
- d. Housing that has been occupied by a tenant in the last three (3) years.

42.The parcel to be subdivided is located within a historic district, is included on the State Historic Resources Inventory, or is within a site that is legally designated or listed as a city or county landmark or historic property or district.

53.The parcel to be subdivided is located in any of the specified designated areas set forth in subparagraphs (B) to (K), inclusive, of paragraph (6) of subdivision (a) of Section 65913.4 of the Government Code and does not satisfy the eligibility requirements therein.

64.The parcel to be subdivided has been established through prior exercise of an urban lot split pursuant to this chapter.

75.Either the owner of the parcel to be subdivided or any person acting in concert with

the owner has previously subdivided an adjacent parcel using an urban lot split pursuant to this chapter. "Acting in concert" means the owner, or a person acting as an agent or representative of the owner, knowingly participated with another person in joint activity or parallel action toward a common goal of subdividing the adjacent parcel.

F. Tentative Map Conditions of Approval. A tentative map for an urban lot split may be approved subject to conditions of approval. Conditions of approval may include the imposing of restrictions and easements, consistent with the provisions of this title, and compliance with specific permit requirements such as set forth in Section 14.16.282. Tentative maps for urban lot splits shall not be conditioned on dedication of right-of-way or construction of offsite improvements. Tentative maps shall be conditioned to require approval of a parcel map by the Department of Public Works.

G. Review of Parcel Map Application. Parcel maps shall conform to the requirements of, and shall be reviewed and approved pursuant to, Sections 15.03.090 through 15.03.140, with the following additional requirements:

1. The parcel map created pursuant to an urban lot split shall contain a note on the map indicating that both new parcels were created using the provision of this chapter and Government Code Section 66411.7, and that no further subdivision of the parcels is permitted.

2. Prior to the approval and recordation of the parcel map, the applicant shall record a restrictive covenant and agreement in the form prescribed by the City Attorney, which shall run with the land and shall contain the provisions listed below.

a. A prohibition against further subdivision of the parcel using the urban lot split procedures as provided for in this chapter;

b. A limitation restricting the property to residential uses only; and

c. A requirement that dwelling units on the property may be rented or leased only for a period longer than thirty days.

SECTION 3. AMENDMENTS TO SAN RAFAEL MUNICIPAL CODE CHAPTER 15.03 OF TITLE 15

Sections 15.03.050 and 15.03.120 of Chapter 15.03 (Minor Subdivisions (Four or Fewer Lots)) of Title 15 (Subdivisions) of the San Rafael Municipal Code are hereby amended to read as follows. Additions are shown in underline, and deletions are shown in ~~strikethrough~~. All other provisions of Chapter 15.03 are unaffected by these amendments.

15.03.050 Referral to planning commission.

When the tentative map application is determined to be complete, the department of community development shall determine if the minor subdivision application is to be reviewed and acted on by the community development director or the planning commission, except for tentative maps submitted pursuant to Government Code 66411.7 and Chapter 15.155 of this

title, which shall be reviewed ministerially. All minor subdivision applications shall be referred to the planning commission when:

- (a) The application is determined to be subject to environmental review and the preparation of an initial study is required to assess the potential environmental impacts of the minor subdivision;
- (b) The application includes a request for an exception from one or more of the provisions of this title;
- (c) The property proposed for subdivision is located in a hillside area and is subject to the provisions of Chapter 15.07 of this title;
- (d) The application is being processed concurrently with other applications requiring planning commission or city council approval;
- (e) The application involves a division of land where one or more of the created lots or parcels does not have frontage on an existing public street;
- (f) The director of community development determines that there is extraordinary public concern about the proposed division; or
- (g) The director of community development determines that the proposed division is of a size, importance or unique nature such that it is judged not to be a routine matter.

All minor subdivision applications referred to the planning commission for review and action shall be processed consistent with the major subdivision procedures set forth in Chapter 15.02 of this title.

15.03.120 Review by city engineer.

- (a) Upon receipt of the parcel map application, the city engineer shall have sixty (60) calendar days to review and approve the parcel map and all supportive improvements plans and reports. Following initial review, the city engineer shall provide written comments and corrections on these materials to the subdivider's engineer, who shall, in turn, make corrections and/or additions until the map and supportive documents are acceptable to the city engineer, unless the project is approved pursuant to Government Code 66411.7 and Chapter 15.155 of this title, in which case the review shall adhere strictly to ministerial standards without requiring further modifications. The sixty (60) calendar days shall not include any days in which the improvement plans have been returned to the subdivider's engineer for correction or those days for which the plans are subject to review by agencies other than the city.
- (b) Upon making all final corrections and additions, the subdivider's engineer shall submit the original parcel map to the city engineer. This original shall be submitted with the signatures of all parties required to execute the statements on the parcel map.

SECTION 4. SEVERABILITY

Every section, paragraph, clause, and phrase of this Ordinance is hereby declared to be

severable. If for any reason, any section, paragraph, clause, or phrase is held to be invalid or unconstitutional, such invalidity or unconstitutionality shall not affect the validity or constitutionality of the remaining sections, paragraphs, clauses or phrases, and the remaining portions of this Ordinance shall continue in full force and effect unless amended or modified by the city.

SECTION 5. COMPLIANCE WITH CEQA

Pursuant to Government Code Section 66411.7(n), enactment of this Ordinance is not considered a project under the California Environmental Quality Act (CEQA) as this action is to adopt an ordinance to implement the provisions of Section 66411.7 of the Government Code.

SECTION 6. EFFECTIVE DATE AND PUBLICATION

This Ordinance shall be published once, in full or in summary form, before its final passage, in a newspaper of general circulation, published and circulated in the City of San Rafael and shall be in full force and effect thirty (30) days after its adoption. If published in summary form, the summary shall also be published within fifteen (15) days after the adoption, together with the names of those Councilmembers voting for or against same, in a newspaper of general circulation published and circulated in the City of San Rafael, County of Marin, State of California.

Within fifteen (15) days after adoption, the City Clerk shall also post in the office of the City Clerk, a certified copy of the full text of this Ordinance along with the names of those Councilmembers voting for and against the Ordinance.

THE FOREGOING ORDINANCE was first read and introduced at a regular meeting of the San Rafael City Council on the 19th day of August 2024, and was passed and adopted at a regular meeting of the San Rafael City Council on the 3rd of September by the following vote, to wit:

AYES: COUNCILMEMBERS:
NOES: COUNCILMEMBERS:
ABSENT: COUNCILMEMBERS:

KATE COLIN, Mayor

ATTEST:

LINDSAY LARA, City Clerk

SUMMARY OF ORDINANCE NO. 2041

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SAN RAFAEL AMENDING CHAPTER 15.155 (URBAN LOT SPLITS) AND CHAPTER 15.03 (MINOR SUBDIVISIONS (FOUR OR FEWER LOTS)) OF TITLE 15 (SUBDIVISIONS) OF THE SAN RAFAEL MUNICIPAL CODE TO CLARIFY AND IMPROVE THE PROCEDURE FOR IMPLEMENTATION OF GOVERNMENT CODE SECTION 66411.7 (SENATE BILL 9) RELATED TO URBAN LOT SPLITS

This Summary concerns a proposed Ordinance of the City Council of the City of San Rafael, designated as Ordinance No. 2041 which will amend Section 15.155.020 of Chapter 15.155 and Sections 15.03.050 and 15.03.120 of Chapter 15.03 of the City of San Rafael Municipal Code. Ordinance No. 2041 is scheduled for adoption by the San Rafael City Council at its regular meeting of September 3, 2024. The City Clerk has been directed to publish this Summary pursuant to City Charter and California Government Code section 36933(c)(1).

SUMMARY OF AMENDMENT TO MUNICIPAL CODE

This Ordinance would amend the San Rafael Municipal Code by amending Chapter 15.155 (Urban Lot Splits), which provides procedures necessary for implementation of Section 66411.7 of the Government Code pertaining to urban lot splits. The amendments would modify Chapter 15.155 to require the submittal and approval of a tentative map prior to submittal of the parcel map and require the recordation of a restrictive covenant and agreement prior to approval of the parcel map. This Ordinance would also amend Chapter 15.03 (Minor Subdivisions (Four or Fewer Lots)) to clarify that tentative maps and parcel maps for urban lot splits submitted pursuant to Chapter 15.155 shall be reviewed ministerially.

For a complete copy of the text of the Ordinance amending the Municipal Code, please contact the City Clerk's Office at city.clerk@cityofsanrafael.org or by phone at (415) 485-3066. Copies of the Ordinance containing this Municipal Code amendment are also available for public review at the San Rafael City Clerk's office, 1400 Fifth Avenue, 2nd Floor, Room 209, Monday through Thursday from 9:00 a.m. to 4:00 p.m., and on Fridays by appointment only.

/s/ _____
LINDSAY LARA, City Clerk
San Rafael City Clerk
Dated: 08/23/24



SAN RAFAEL
THE CITY WITH A MISSION

Agenda Item No: 4.g

Meeting Date: September 3, 2024

SAN RAFAEL CITY COUNCIL AGENDA REPORT

Department: Fire

**Prepared by: Abe Roman, Fire Chief
Thomas Wong, Sr. Mgmt. Analyst II**

City Manager Approval: _____

TOPIC: MEDI-CAL INTERGOVERNMENTAL TRANSFER COST RECOVERY PROGRAM AGREEMENT

SUBJECT: AUTHORIZE THE CITY MANAGER TO EXECUTE AN AGREEMENT ALLOWING THE SAN RAFAEL FIRE DEPARTMENT TO PARTICIPATE IN A MEDI-CAL INTERGOVERNMENTAL TRANSFER (IGT) PROGRAM WITH THE CALIFORNIA DEPARTMENT OF HEALTH CARE SERVICES (DHCS) FOR THE SERVICE PERIOD OF JANUARY 1, 2023, THROUGH DECEMBER 31, 2023.

RECOMMENDATION:

Authorize the City Manager to execute an agreement allowing the San Rafael Fire Department to participate in a Medi-Cal Intergovernmental Transfer (IGT) program with the California Department of Health Care Services (DHCS) for the service period of January 1, 2023, through December 31, 2023.

EXECUTIVE SUMMARY:

The proposed agreement for participation in a Medi-Cal Intergovernmental Transfer (IGT) for the service period of January 1, 2023, through December 31, 2023, represents the tenth year of the City's participation in the IGT program. The IGT program is administered the following year to allow for statewide ambulance data to be calculated, which sets the IGT rate for each agency. The program assists the City in recovering costs associated with the provision of emergency medical services (EMS) to individuals who are covered by Medi-Cal. Participation in the IGT program provides an important opportunity for the City to collect ambulance transport fees that would not otherwise be available. Currently, the Medi-Cal program reimburses far less than the actual cost to provide the service.

BACKGROUND:

Since 2006, DHCS has offered public healthcare providers the opportunity to participate in a program that increases reimbursement for services provided to Medi-Cal Managed Care plan members. The DHCS Voluntary Rate Range Intergovernmental Transfer program (Welfare and Institutions Code §§14164, 14301.4) provides a way for Medi-Cal Managed Care Health Plan providers to gain access to federal matching funds for Medi-Cal reimbursements. In 2015, this program was expanded to include public emergency medical services (EMS) providers like the San Rafael Fire Department, who provide health care/ambulance services to Medi-Cal managed care enrollees. This made public EMS providers eligible to receive increased reimbursements from Medi-Cal Managed Care Health Plan providers.

FOR CITY CLERK ONLY

Council Meeting: August 19, 2024

Disposition:

Under the IGT program, counties and other governmental entities in the State may choose to transfer funds to the State in support of the Medi-Cal program. These funds are used as a match for federal funds, which are eventually returned to the EMS providers through their respective Medi-Cal Managed Care Health Plan providers. In Marin County, the Medi-Cal Managed Care Health Plan provider is called Partnership HealthPlan of California.

Transport data is collected from each agency on a quarterly basis to calculate the program's total size and share of the reimbursement. Once collected, letters of interest are sent to each eligible agency to determine if they intend to participate. Using the letters of interest, DHCS then calculates each agency's share of the program based on the number of returned letters of interest. Since Q4 2023 transport data is not submitted until Q1 2024, the calendar year 2023 program is administered in 2024.

ANALYSIS:

Overview of IGT Program: The IGT program requires the transfer of eligible local dollars from the City to DHCS. DHCS, in turn, uses transferred funds from local governments to increase monthly capitation rates it previously paid Medi-Cal Managed Care Health Plan providers in the prior fiscal year, thus allowing DHCS to receive additional federal funding from the Centers for Medicare and Medicaid Services (CMS) for payment to the Medi-Cal Managed Care Health Plan providers. The Medi-Cal Managed Care Health Plan providers then pay most of their IGT-funded rate increases to the local governments that transferred the funds. Ultimately, each participating local government receives back the funding it provided to participate in the program, plus the federal match in return.

In June 2024, DHCS notified the City that a non-binding letter of interest must be submitted in order for the City to participate in the program for the service period of January 1, 2023, through December 31, 2023. Since the IGT program is voluntary, the non-binding letter allows DHCS to better estimate how many agencies will participate, which sets the IGT contribution rate for each agency.

Staff submitted the non-binding letter of interest and has been working with DHCS to develop the necessary agreement for participation. In July 2024, DHCS provided an estimated transfer amount based on the returned letters of interest from participating agencies with a standard agreement that all participating agencies must sign (Attachment 1). DHCS is requesting the agreement be returned by September 16, 2024.

Transfer from the City to the State: Once CMS has approved the entire IGT transaction, and the Plan rate contracts have been signed by DHCS and the Medi-Cal Managed Care Health Plans throughout the State, DHCS will submit a request to participating agencies to transfer funds to the State. With the City Council's approval, the City will transfer an estimated \$214,265 to DHCS. Additionally, the City will make a separate estimated payment of \$42,853 (20%) to DHCS as authorized in Welfare and Institutions Code Section 14301.4, to cover the administrative costs (assessment fee) of operating the IGT program for the service period of January 1, 2023, through December 31, 2023. If the State is unable to use all the transferred funds to increase plan rates, it will return any used funds and the associated 20% administrative fee.

Payment to the City: Federal matching funds received by the City will be used to promote the well-being of Partnership HealthPlan of California beneficiaries by maintaining the current service levels of the paramedic program. Although DHCS and the Partnership HealthPlan of California cannot provide the City a revenue estimate until they receive all participants signed IGT Agreements. The Fire Department expects to net roughly \$452,000 for the service period of January 1, 2023, through December 31, 2023, based on prior year revenues.

Using the most recent calendar year (CY) 2022 cycle, the City received \$796,792, which consists of the original contributions and the federal matched funds. When the 20% pre-paid administrative fee is considered, the resulting net revenue received by the City was \$468,392 for FY 2023-24. The City expects net revenue of a similar amount for calendar year 2023, as discussed below.

FISCAL IMPACT:

The IGT will support the Emergency Medical Services Fund in recovering a greater portion of its ambulance transport costs.

The DHCS agreement provides approximate transfer amounts based on information provided to the City by Partnership HealthPlan of California, the County’s Medi-Cal Managed Health Care Plan provider. A summary of the amount the City expects to transfer to DHCS and receive back through participation in this program is outlined below.

Time Period	Funding Source	Transfer Amount to DHCS	Admin Fee to DHCS	Estimated Funds Returned to City	Estimated Net New Funds
2023 Calendar Year	Fund 210	\$214,265	\$42,853	\$710,000	\$452,882

The proposed funds to be transferred to the State will be allocated from the City’s Paramedic Services Fund (210) and are expected to be transferred in November 2024.

OPTIONS:

1. Authorize the City Manager to execute an agreement allowing the San Rafael Fire Department to participate in a Medi-Cal Intergovernmental Transfer (IGT) program with the California Department of Health Care Services (DHCS) for the service period of January 1, 2023, through December 31, 2023.
2. Direct staff to return with more information.
3. Take no action.

RECOMMENDED ACTION:

Authorize the City Manager to execute an agreement allowing the San Rafael Fire Department to participate in a Medi-Cal Intergovernmental Transfer (IGT) program with the California Department of Health Care Services (DHCS) for the service period of January 1, 2023, through December 31, 2023.

ATTACHMENTS:

1. IGT Agreement for 2023 Calendar Year with San Rafael Fire Department Allocation Estimates

**INTERGOVERNMENTAL AGREEMENT REGARDING
TRANSFER OF PUBLIC FUNDS**

This Agreement is entered into between the CALIFORNIA DEPARTMENT OF HEALTH CARE SERVICES (“DHCS”) and CITY OF SAN RAFAEL (“GOVERNMENTAL FUNDING ENTITY”) with respect to the matters set forth below.

The parties agree as follows:

AGREEMENT

1. Transfer of Public Funds

1.1 The GOVERNMENTAL FUNDING ENTITY agrees to make a transfer of funds to DHCS pursuant to sections 14164 and 14301.4 of the Welfare and Institutions Code. The amount transferred shall be based on the sum of the applicable rate category per member per month (“PMPM”) contribution increments multiplied by member months, as reflected in Exhibit 1. The GOVERNMENTAL FUNDING ENTITY agrees to initially transfer amounts that are calculated using the Estimated Member Months in Exhibit 1, which will be reconciled to actual enrollment for the service period of January 1, 2023 through December 31, 2023 in accordance with Sub-Section 1.3 of this Agreement. The funds transferred shall be used as described in Sub-Section 2.2 of this Agreement. The funds shall be transferred in accordance with the terms and conditions, including schedule and amount, established by DHCS.

1.2 The GOVERNMENTAL FUNDING ENTITY shall certify that the funds transferred qualify for Federal Financial Participation pursuant to 42 C.F.R. part 433, subpart B, and are not derived from impermissible sources such as recycled Medicaid payments, Federal money excluded from use as State match, impermissible taxes, and non-bona fide provider-

related donations. Impermissible sources do not include patient care or other revenue received from programs such as Medicare or Medicaid to the extent that the program revenue is not obligated to the State as the source of funding.

1.3 DHCS shall reconcile the “Estimated Member Months,” in Exhibit 1, to actual enrollment in HEALTH PLAN(S) for the service period of January 1, 2023 through December 31, 2023 using actual enrollment figures taken from DHCS records. Enrollment reconciliation will occur on an ongoing basis as updated enrollment figures become available. Actual enrollment figures will be considered final two years after December 31, 2023. If reconciliation results in an increase to the total amount necessary to fund the nonfederal share of the payments described in Sub-Section 2.2, the GOVERNMENTAL FUNDING ENTITY agrees to transfer any additional funds necessary to cover the difference. If reconciliation results in a decrease to the total amount necessary to fund the nonfederal share of the payments described in Sub-Section 2.2, DHCS agrees to return the unexpended funds to the GOVERNMENTAL FUNDING ENTITY. If DHCS and the GOVERNMENTAL FUNDING ENTITY mutually agree, amounts due to or owed by the GOVERNMENTAL FUNDING ENTITY may be offset against future transfers.

2. Acceptance and Use of Transferred Funds

2.1 DHCS shall exercise its authority under section 14164 of the Welfare and Institutions Code to accept funds transferred by the GOVERNMENTAL FUNDING ENTITY pursuant to this Agreement as Intergovernmental Transfer (IGTs), to use for the purpose set forth in Sub-Section 2.2.

2.2 The funds transferred by the GOVERNMENTAL FUNDING ENTITY pursuant to Section 1 and Exhibit 1 of this Agreement shall be used to fund the non-federal share

of Medi-Cal Managed Care actuarially sound capitation rates described in section 14301.4(b)(4) of the Welfare and Institutions Code as reflected in the contribution PMPM and rate categories reflected in Exhibit 1. The funds transferred shall be paid, together with the related Federal Financial Participation, by DHCS to HEALTH PLAN(S) as part of HEALTH PLAN(S)' capitation rates for the service period of January 1, 2023 through December 31, 2023, in accordance with section 14301.4 of the Welfare and Institutions Code.

2.3 DHCS shall seek Federal Financial Participation for the capitation rates specified in Sub-Section 2.2 to the full extent permitted by federal law.

2.4 The parties acknowledge that DHCS will obtain any necessary approvals from the Centers for Medicare and Medicaid Services.

2.5 DHCS shall not direct HEALTH PLAN(S)' expenditure of the payments received pursuant to Sub-Section 2.2.

3. Assessment Fee

3.1 DHCS shall exercise its authority under section 14301.4 of the Welfare and Institutions Code to assess a 20 percent fee related to the amounts transferred pursuant to Section 1 of this Agreement, except as provided in Sub-Section 3.2. GOVERNMENTAL FUNDING ENTITY agrees to pay the full amount of that assessment in addition to the funds transferred pursuant to Section 1 of this Agreement.

3.2 The 20-percent assessment fee shall not be applied to any portion of funds transferred pursuant to Section 1 that are exempt in accordance with sections 14301.4(d) or 14301.5(b)(4) of the Welfare and Institutions Code. DHCS shall have sole discretion to determine the amount of the funds transferred pursuant to Section 1 that will not be subject to a

20 percent fee. DHCS has determined that \$ 0.00 of the transfer amounts will not be assessed a 20 percent fee, subject to Sub-Section 3.3.

3.3 The 20-percent assessment fee pursuant to this Agreement is non-refundable and shall be wired to DHCS simultaneously with the transfer amounts made under Section 1 of this Agreement. If at the time of the reconciliation performed pursuant to Sub-Section 1.3 of this Agreement, there is a change in the amount transferred that is subject to the 20-percent assessment in accordance with Sub-Section 3.1, then a proportional adjustment to the assessment fee will be made.

4. Amendments

4.1 No amendment or modification to this Agreement shall be binding on either party unless made in writing and executed by both parties.

4.2 The parties shall negotiate in good faith to amend this Agreement as necessary and appropriate to implement the requirements set forth in Section 2 of this Agreement.

5. Notices. Any and all notices required, permitted, or desired to be given hereunder by one party to the other shall either be sent via secure email or submitted in writing to the other party personally or by United States First Class, Certified or Registered mail with postage prepaid, addressed to the other party at the address as set forth below:

To the GOVERNMENTAL FUNDING ENTITY:

Thomas Wong, Sr. Mgmt Analyst II
1375 5th Ave.
San Rafael, CA 94901
(415) 458-5360
Thomas.wong@cityofsanrafael.org

With copies to:

Abraham Roman, Fire Chief
1375 5th Ave.
San Rafael, CA 94901
(415) 458-3306
abraham.roman@cityofsanrafael.org

Jason Hatfield, Battalion Chief
1375 5th Ave.
San Rafael, CA 94901
(415) 458-3368
jason.hatfield@cityofsanrafael.org

To DHCS:

Vivian Beeck
California Department of Health Care Services
Capitated Rates Development Division
1501 Capitol Ave., MS 4413
Sacramento, CA 95814
Vivian.Beeck@dhcs.ca.gov

6. Other Provisions

6.1 This Agreement contains the entire Agreement between the parties with respect to the Medi-Cal payments described in Sub-Section 2.2 of this Agreement that are funded by the GOVERNMENTAL FUNDING ENTITY, and supersedes any previous or contemporaneous oral or written proposals, statements, discussions, negotiations or other agreements between the GOVERNMENTAL FUNDING ENTITY and DHCS relating to the subject matter of this Agreement. This Agreement is not, however, intended to be the sole agreement between the parties on matters relating to the funding and administration of the Medi-Cal program. This Agreement shall not modify the terms of any other agreement, existing or entered into in the future, between the parties.

6.2 The non-enforcement or other waiver of any provision of this Agreement shall not be construed as a continuing waiver or as a waiver of any other provision of this Agreement.

6.3 Sections 2 and 3 of this Agreement shall survive the expiration or termination of this Agreement.

6.4 Nothing in this Agreement is intended to confer any rights or remedies on any third party, including, without limitation, any provider(s) or groups of providers, or any right to medical services for any individual(s) or groups of individuals. Accordingly, there shall be no third party beneficiary of this Agreement.

6.5 Time is of the essence in this Agreement.

6.6 Each party hereby represents that the person(s) executing this Agreement on its behalf is duly authorized to do so. Any required signature(s) on any documents must be in compliance with California Government Code section 16.5 and any other applicable state or federal regulations.

7. State Authority. Except as expressly provided herein, nothing in this Agreement shall be construed to limit, restrict, or modify the DHCS' powers, authorities, and duties under Federal and State law and regulations.

8. Approval. This Agreement is of no force and effect until signed by the parties.

9. Term. This Agreement shall be effective as of January 1, 2023 and shall expire as of June 30, 2026 unless terminated earlier by mutual agreement of the parties.

SIGNATURES

IN WITNESS WHEREOF, the parties hereto have executed this Agreement, on the date of the last signature below.

City of San Rafael Fire Department:

By: _____

Date: _____

(Funding Entity Signer)

THE STATE OF CALIFORNIA, DEPARTMENT OF HEALTH CARE SERVICES:

By: _____

Date: _____

David Bishop, Division Chief, Capitated Rates Development Division

Exhibit 1

Health Plan	Funding Entity	County	Service Period	Participation %
Partnership Health Plan of California	City of San Rafael Fire Department	Regional	1/2023 - 12/2023	0.40%
Category of Aid	SIS/UIS	Contribution PMPM	Estimated Member Months*	Estimated Contribution (Non-Federal Share)
Child	SIS	\$ 0.01	2,591,827	\$ 25,918
Child	UIS	\$ 0.01	97,541	\$ 975
Adult	SIS	\$ 0.04	1,198,291	\$ 47,932
Adult	UIS	\$ 0.03	165,873	\$ 4,976
ACA Optional Expansion	SIS	\$ 0.01	2,436,431	\$ 24,364
ACA Optional Expansion	UIS	\$ 0.01	216,291	\$ 2,163
SPD	SIS	\$ 0.11	439,967	\$ 48,396
SPD	UIS	\$ 0.09	30,489	\$ 2,744
SPD/Full-Dual	SIS	\$ 0.04	912,959	\$ 36,518
SPD/Full-Dual	UIS	\$ 0.02	2,680	\$ 54
LTC	SIS	\$ 0.11	1,081	\$ 119
LTC	UIS	\$ 0.09	372	\$ 33
LTC/Full-Dual	SIS	\$ 0.04	29,751	\$ 1,190
LTC/Full-Dual	UIS	\$ 0.02	27	\$ 1
Whole Child Model	SIS	\$ 0.19	98,440	\$ 18,704
Whole Child Model	UIS	\$ 0.08	2,227	\$ 178
Est. FE Total			8,224,247	\$ 214,265

* Note that Estimated Member Months are subject to variation, and the actual total Contribution (Non-Federal Share) may differ from the amount listed here.

* FMAP is a weighted blend of multiple FMAPs.



SAN RAFAEL
THE CITY WITH A MISSION

Agenda Item No: 4.h

Meeting Date: September 3, 2024

SAN RAFAEL CITY COUNCIL AGENDA REPORT

Department: Public Works

**Prepared by: April Miller, Public Works Director
Ryan Montes, O&M Manager**

City Manager Approval: _____

TOPIC: FLEET REPLACEMENT FISCAL YEAR 2024-2025

SUBJECT: AUTHORIZE CITY MANAGER TO PURCHASE THREE (3) VEHICLES FOR REPLACEMENT IN AN AMOUNT NOT TO EXCEED \$330,000

RECOMMENDATION:

Authorize the City Manager to purchase three (3) vehicles to replace aging and operationally inadequate vehicles for the City’s vehicle fleet in an amount not to exceed \$330,000, which includes a \$30,000 (10%) contingency for unexpected cost increases.

BACKGROUND:

The Department of Public Works has identified three (3) vehicles across City departments that need to be replaced in the fleet. This includes one vehicle from the Fire Department, one from the Police Department, and one from the Parking Services Division. In the past three fiscal years, Public Works has replaced 44 fleet vehicles, including twenty-four (24) from the Police Department, nine (9) from the Public Works Department, eight (8) from the Fire Department and two (2) from the Parking Services Division. This has brought most of the City’s high-use vehicles, such as police patrol cars and ambulances, up to date, which will allow Public Works to analyze the fleet and work with other City Departments to develop a strategic replacement plan that meets the City’s financial, environmental, and operational goals. Staff recommendations for the replacement plan of vehicles by department are listed below.

Fire Department

The San Rafael Fire Department (SRFD) replacement recommendations include one sport utility vehicle (SUV). Table 1 shows the vehicle number, recommended replacement, and associated cost. Vehicle number 50-16 is assigned to the fire chief. It is currently a mid-size gasoline-powered SUV. The vehicle is minimally upfitted and does not meet the operation needs of the SRFD. Upfitting is the process of customizing a vehicle to meet specific operational needs. Emergency vehicles used by police and fire are commonly upfitted with sirens, emergency lighting, communications, equipment, etc. It is recommended to replace it with a full-size SUV with a small diesel engine. The full-size SUV will allow the vehicle to be upfitted to the needs of the SRFD, and the diesel engine will be more efficient with the weight of the larger SUV and added emergency equipment and supplies. It will also be able to use renewable diesel, which the City stocks at the Public Works Corporation Yard.

FOR CITY CLERK ONLY

Council Meeting: _____

Disposition: _____

Police Department

The San Rafael Police Department (SRPD) replacement recommendations include one SUV. Table 1 shows the vehicle number, recommended replacement, and associated cost. Vehicle 145-04 is a cargo van used by the department’s Crisis Response Unit. The current vehicle cannot accommodate the combined weight of occupants and necessary equipment. Also, equipment does not fit within the vehicle when occupied by personnel and requires a trailer to haul all necessary equipment. It is recommended that a Ford Transit HD Cargo Van. This van has the payload capacity and size to safely accommodate all staff and equipment and allow the Crisis Response Unit to efficiently mobilize personnel when needed. The van will not be armored, but its design and functionality will significantly enhance the team’s readiness and operational effectiveness.

Parking Services

The Parking Services Division replacement recommendations include one EV (electric vehicle) Parking Buggy. Table 1 shows the vehicle number, recommended replacement, and associated cost. Vehicle 215-07 is the last gas-powered parking buggy in the Parking Services Division. It has reached its end of life due to age, mileage, and overall condition. It is recommended to replace it with a GO4 EV Buggy. Parking Services uses two other GO4 EV parking buggies approved in the fiscal year FY 2021-22 budget. The buggies play a crucial role in parking enforcement throughout the City and have proven to be the best option for these duties. Replacing the remaining gas buggy with a new EV buggy aligns with the City’s approved [Climate Change Action Plan 2030](#), which recommends the City move towards low-emission city vehicles (Recommendation LCT-M1). It will also reduce operational costs and provide City Parking Enforcement Officers with a safe and reliable vehicle.

ANALYSIS:

Table 1 summarizes the recommended replacement vehicles for FY 2024-25. The fleet manager and finance department verified the vehicles. Over the next fiscal year, the vehicle replacement fund balance and replacement strategy will be discussed citywide.

Table 1- Summary of recommended replacement vehicles and total anticipated costs

Department	Vehicle Number	Recommended Replacement	Associated Cost (includes upfitting costs)
Fire Department	50-16	Chevrolet Tahoe SUV	\$120,000
Police Department	145-04	Ford Transit HD Cargo	\$120,000
Parking Services	215-07	GO4 EV Buggy	\$60,000
		Total	\$300,000
		Total with 10% Contingency	\$330,000

The City plans to purchase the vehicles using State cooperative purchasing programs and is exempt from competitive bidding per [San Rafael Municipal Code 2.55.100 \(E\)](#).

Cooperative purchasing programs: Purchases of supplies, material, equipment or services and sales of surplus property made under a cooperative purchasing program, such as by utilizing purchasing agreements maintained by the United States government or any agency or division thereof, the State of California, County of Marin, or other public agencies, are exempt from the competitive bidding requirements of this chapter. Documentation of the cooperative purchase should be made.

City's Commitment to Zero-Emission Vehicles

The City has a commitment to transition its fleet to zero-emission vehicles over the next several years as part of the [Electric Vehicle Acceleration Strategy Workplan](#) adopted by Council in 2023. Whenever possible when a vehicle meets functional needs the City will purchase electric vehicles. In many cases there are not electric options available yet to serve the necessary functionality. In those cases, vehicle procurement will be delayed if possible until such time as an EV or other zero-emission vehicle is available. In addition, when EV's are purchased, the City also needs to have adequate electrical infrastructure and EV chargers, and PG&E must have infrastructure available to handle the additional electrical load. The City recently conducted a facility analysis and is developing its plan to transition the fleet. A significant amount of infrastructure improvements will be necessary to accommodate this transition and there are numerous incentives available to the City to do so. Staff anticipates completion of the planning phase this fall with intention to conduct a procurement process soon thereafter which will enable more EV purchases in the coming fiscal years.

FISCAL IMPACT:

These expenditures have been planned, and appropriations are provided in the approved FY 2024-25 budget (Vehicle Replacement Fund #600) to replace three (3) vehicles recommended for replacement for an amount not to exceed \$330,000. This includes a 10% contingency due to the fluctuation in supply chain that has been experienced the last few years.

OPTIONS:

1. Authorize the City Manager to purchase three (3) vehicles to replace aging vehicles for the City's vehicle fleet.
2. Do not authorize the purchase and provide direction to staff.

RECOMMENDED ACTION:

Authorize the City Manager to purchase three (3) vehicles to replace aging and operationally inadequate vehicles for the City's vehicle fleet in an amount not to exceed \$330,000, which includes a \$30,000 (10%) contingency for unexpected cost increases.

ATTACHMENTS:

1. Fleet Management Policy and Procedures



CITY OF SAN RAFAEL POLICIES AND PROCEDURES

Policy No.	
Subject:	Fleet Management Policy
Resolution No.	
Issue Date:	September 6, 2012
Revision Date:	
Prepared By	Richard Landis
Approved By:	<i>Nancy Marshall</i>

FLEET MANAGEMENT POLICY AND PROCEDURES

PURPOSE: The City of San Rafael establishes this policy to govern the management of the City's vehicle fleet.

SCOPE: The acquisition, outfitting and replacement of all City vehicles.

DEFINITIONS: "City vehicle" shall include all automobiles, trucks, motorcycles, or any other equipment registered with the Department of Motor Vehicles and owned, leased, or rented by the City. "Fleet Manager" shall be the Director of Public Works or his/her designee.

POLICY:

General Provisions

Fleet Manager

The role of the Fleet Manager is to advise the City Manager and City Council on matters relating to the City's vehicle fleet. The Fleet Manager shall communicate with all department directors regarding vehicle needs and submit timely reports to the City Manager. The Fleet Manager is committed to the following principles:

1. The size and nature of the City's fleet is governed primarily by need and function, i.e., the number of vehicles should be no greater than what is necessary to provide public services in an efficient manner. Each vehicle within the fleet should be minimally specified to fulfill its intended function, providing operators with a comfortable and modestly-appointed vehicle with which to deliver services in a cost-effective manner.
2. Vehicles should be selected with a strong preference for fuel efficiency and hybrid and alternative fuel technology. The City will strive to reduce the negative impact of its fleet upon the environment by reducing greenhouse gas emissions.
3. Vehicles with the lowest long-term maintenance and repair costs and occupant safety are preferable.

Department Budgeting for Additional Vehicle Acquisition

Before a department determines the need to add a vehicle to its inventory, it shall first check with the Fleet Manager and the Finance Department to determine whether an existing vehicle is available elsewhere in the fleet that may meet the department's needs. If none is available, the requesting

department shall submit a vehicle addition request to the Fleet Manager with the following information:

- The purpose for which the vehicle is needed
- The type of vehicle requested and the total estimated purchase price
- The estimated total cost of any special auxiliary equipment or equipment packages above what might be considered standard equipment. The cost of adding a new vehicle to the fleet shall be paid by the requesting department. Internal service charges to that department's budget shall be established at the time of vehicle purchase to ensure adequate future funding for the vehicle's eventual replacement.

Vehicle Acquisition

All departments shall submit vehicle purchase requests to the Fleet Manager. The Fleet Manager will consider requests, consult with the Finance Department to ensure that there are sufficient funds for the new vehicle request, and review vehicle specifications for conformance with the provisions and intent of the Fleet Policies and Procedures. All vehicle purchases shall be administered by the Fleet Manager and shall comply with bidding procedures, when applicable, to ensure competitive pricing. Invoices for new vehicle purchases and equipment installation shall be administered by the Fleet Manager with pre-approved departmental account codes established to meet the invoice totals.

Vehicle Replacement Funding

Funding for vehicle acquisition and supplemental equipment shall be established through monthly internal service charges to the department operating the vehicle, over the projected useable life of that vehicle. An annual inflation factor is applied to the department's internal service charge to account for anticipated increases in future vehicle costs.

Vehicle Replacement Schedule

City vehicles are eligible for replacement on the basis of the following established useable life recommendations:

Vehicle Description	Useable Life
Sedans, SUV's, vans, light and medium duty trucks (up to 8,600 gross vehicle weight)	10 years
Heavy duty trucks (over 8,600 gross vehicle weight)	15 years
Police patrol/traffic vehicles	5 years
Police unmarked vehicles	8 years
Police motorcycles	4 years
Parking enforcement buggies	5 years
Fire command vehicles	7 years
Fire pumper engines	15 years
Fire ladder trucks	20 years
Ambulances	5 years

Off-road maintenance and construction equipment shall be replaced when economically or operationally justified. When a vehicle in this group approaches the end of its anticipated life cycle, a cost/benefit analysis shall be performed to justify vehicle replacement.

These useable life standards are for vehicle replacement financial estimating purposes only. When a vehicle reaches the end of its established useable life and the department operating the vehicle requests replacement, each vehicle shall be assessed by the Fleet Manager and Vehicle Maintenance Division to determine if replacement is justified, given general vehicle condition, mileage, maintenance and repair history, safety considerations, etc. Extension of the useable life of any vehicle shall be at the discretion of the Fleet Manager and the requesting department. Likewise, a department may request a vehicle replacement prior to the end of its established useable life. The Fleet Manager shall review all such requests in consultation with the Finance Department and Vehicle Maintenance Division. Requests for early replacement shall be accompanied by a thorough justification, including objective criteria supporting the request. The cost of early replacement, if any, shall be borne by the requesting department.

If a department determines that an assigned vehicle is no longer needed, the vehicle shall be returned to the Vehicle Maintenance Division for re-allocation within the fleet or disposition as surplus.

Disposition of Surplus Vehicles

All vehicles accepted by the Vehicle Maintenance Division for replacement or permanent elimination from the fleet shall be consigned to public auction with the City's designated auction service. Departments shall deliver vehicles being replaced to the Vehicle Maintenance Division prior to accepting the new replacement vehicle.

Maintenance and Repair of Vehicles

Preventive and Routine Maintenance and Repairs

The Vehicle Maintenance Division shall notify departments of upcoming scheduled maintenance for vehicles operated by that department and will schedule the date and anticipated duration of the scheduled maintenance. If possible, the department operating the vehicle shall deliver it to the Vehicle Maintenance Division. If necessary, Vehicle Maintenance will pick up the vehicle at its customary parking location and return it when scheduled maintenance is complete.

Unscheduled Repairs

In the event a vehicle requires immediate or unscheduled repair during normal work hours, operators should call the Vehicle Maintenance Division (458-5345), or take the vehicle to the Public Works facility at 111 Morphew Street for assessment. If the vehicle cannot be operated or is unsafe to operate, the driver should call the Vehicle Maintenance Division for road service, towing, or advice. After normal working hours, vehicle operators should call the non-emergency Police Department dispatch number (485-3000) for towing or road assistance. Vehicle operators must notify their supervisors, as well as the Fleet Maintenance Division, in the event of a vehicle failure.

Reimbursement for Personal Expense for City Vehicle Repair

Certain emergencies may occur during non-working hours that can be easily remedied at a service station (for example, a flat tire or radiator hose). Department Directors whose employees routinely work outside of normal working hours shall develop appropriate policies governing the authority of vehicle operators to affect emergency repairs during non-working hours with the intended goal of delivering uninterrupted public service. These departmental policies shall be forwarded to the Fleet Manager for reference.



SAN RAFAEL
THE CITY WITH A MISSION

Agenda Item: 4.i

Meeting Date: September 3, 2024

SAN RAFAEL CITY COUNCIL AGENDA REPORT

Department: Public Works

Prepared by: Adeel Shaikh, Junior Engineer
April Miller, Public Works Director

City Manager Approval: _____

A handwritten signature in blue ink, appearing to be the initials 'CS' or similar, written over a horizontal line.

TOPIC: B STREET CULVERT REPLACEMENT PROJECT

SUBJECT: AUTHORIZE THE CITY MANAGER TO ENTER INTO THE FIRST AMENDMENT TO THE TASK ORDER WITH PARK ENGINEERING, INC. FOR INSPECTION SERVICES ASSOCIATED WITH THE B STREET CULVERT REPLACEMENT PROJECT, IN AN ADDITIONAL AMOUNT OF \$54,122.34, INCREASING THE TOTAL NOT-TO-EXCEED AMOUNT OF THE AGREEMENT TO \$127,560.34

RECOMMENDATION:

Authorize the City Manager to enter into the first amendment to the task order with Park Engineering, Inc. for inspection services associated with the B Street Culvert Replacement Project, in an additional amount of \$54,122.34, increasing the total not-to-exceed amount of the agreement to \$127,560.34.

BACKGROUND:

The B Street Culvert Replacement Project proposes replacing part of the existing concrete box culvert underneath B Street near the intersection of Woodland Avenue.

On November 29, 2021, the City entered into a task order under the City's Service Level Agreement for inspection services associated with the B Street Culvert Replacement Project with Park Engineering, Inc. for \$73,438.

ANALYSIS:

The B Street Culvert Replacement Project was originally expected to start construction in 2021. At that time, the amount of the task order agreement for Park Engineering, Inc. was below the \$75,000 threshold for City Council approval. However, construction was significantly delayed due to coordination issues with utility companies to hold joint poles in place. The construction contract was put back out to bid, and City Council approved the construction contract to Maggiora & Ghilotti, Inc. on [April 15, 2024](#). Due to an increase in rates over the years, increases in expected working days for the project, and the addition of materials testing to the scope, Park Engineering, Inc. submitted a revised proposal for their services, prompting the need for City Council approval.

FOR CITY CLERK ONLY

Council Meeting:

Disposition:

FISCAL IMPACT:

The revised proposal from Park Engineering, Inc. to provide inspection services and materials testing totals \$127,560.34, an increase of \$54,122.34 from the original contract amount of \$73,438.

The B Street Culvert Replacement Project (City Project Number 11380) is identified in the 2024-25 Capital Improvement Program. Appropriations supporting this project were included in the FY 2024-25 Budget (Gas Tax Fund - #206) approved by the City Council on [June 17, 2024](#).

OPTIONS:

The City Council has the following options to consider on this matter:

1. Authorize the City Manager to enter into the first amendment to the agreement as recommended.
2. Do not authorize the City Manager to enter into the first amendment to the agreement and provide further direction to staff.

RECOMMENDED ACTION:

Authorize the City Manager to enter into the first amendment to the task order with Park Engineering, Inc. for inspection services associated with the B Street Culvert Replacement Project, in an additional amount of \$54,122.34, increasing the total not-to-exceed amount of the agreement to \$127,560.34.

ATTACHMENT:

1. First Amendment to the Task Order with Park Engineering, Inc.

City of San Rafael
SERVICE LEVEL AGREEMENT
DATED DECEMBER 17, 2019
WITH PARK ENGINEERING, INC.

TASK ORDER NO. 61.1
(Amendment to Task Order No. 61)

Construction Inspection and Material Testing Services for the B Street Culvert Repair
Amendment Amount: \$54,122.34

THIS AMENDMENT TO TASK ORDER No. 61 is entered into on _____,
between the City of San Rafael, a municipal corporation ("City"), and Park Engineering, Inc.,
("Contractor").

RECITALS

A. Whereas Master Consultant Services Agreement is hereby renamed Service Level Agreement; and

B. The City and Contractor (as may be identified as "Consultant" in the original Agreement) have entered into a Service Level Agreement ("Agreement") dated December 17, 2019 under which Contractor has agreed to perform certain contract services for the City; and

C. Pursuant to the Agreement, on November 29, 2021, the City and Contractor entered into "Task Order No. 61" under which Contractor agreed to perform contract services in connection with City's Construction Inspection Services for the B Street Culvert Repair (the "Project"), for a total not to exceed \$73,438; and

D. City now requires additional services for the Project, and the Contractor is willing to provide such services.

NOW, THEREFORE, City and Contractor agree to amend Task Order No. 61 as follows:

AGREEMENT TO AMEND TASK ORDER

1. Section 1 entitled "Scope of Services," is hereby amended to include the additional services set forth in Exhibit A of this Task Order Amendment.

2. Section 2 entitled "Date of completion; Work hours estimate; Cost estimate and budget; Fee schedule" is hereby amended to include the additional services, work hours estimate, cost estimate and budget set forth in Exhibit A, for an amount not to exceed \$54,122.34, changing the total not to exceed to \$127,560.34.

3. Except as specifically amended herein, all of the other provisions, terms and obligations of Task Order No. 61 shall remain valid and shall be in full force.

*City of San Rafael Service Level Agreement
Amendment to Task Order*

4. Signatures. The parties have executed this Amendment as of the date first written above.

<p>CITY OF SAN RAFAEL</p> <p>By: _____ Cristine Alilovich, City Manager</p> <p>Reviewed By</p> <p>By: _____ Robert F. Epstein, City Attorney</p>	<p>CONTRACTOR</p> <p>By: _____</p> <p>Name: _____</p> <p>Title: _____</p> <p>(if Contractor is a corporation, add signature of second corporate officer)</p> <p>By: _____</p> <p>Name: _____</p> <p>Title: _____</p>
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Exhibits:

A – Scope of Work



Exhibit A

May 2, 2024

Adeel Shaikh
City of San Rafael
111 Morphew Street
San Rafael, CA 94901

RE: Construction Inspection Services for B Street Culvert Repair Project
City Project No. 11380

Dear Adeel,

Park Engineering, Inc. is pleased to submit this proposal to provide construction inspection services for the City's B Street Culvert Repair Project. We appreciate the opportunity to continue to work with the City on this project.

Kevin Dickens will be the Construction Inspector for the City. Kevin has spent over 40 years in the construction industry working for many Bay Area city and county public works departments and transportation agencies. He has a significant background specific to underground and rehabilitation projects. Kevin has excellent public relation skills and will work closely with local business and homeowners.

SCOPE OF SERVICES

Park Engineering will support the City by providing construction inspection for this Culvert Replacement Project. We will perform all the duties required, including, but not limited to the following:

- Perform all field inspection activities to monitor compliance with the contract plans and specifications. Record all items of work, labor, equipment, materials incorporated, materials tested, traffic control utilized and any other pertinent information in a daily diary for permanent record.
- Monitor all field work for contract compliance and document with daily reports and pictures
- Coordinating with the contractor for all aspects of the work including traffic control, utility work, safety, and ensuring contract for acceptance of completed work by the City
- Work closely with City staff on project schedule, field progress and issues
- Prepare supporting quantity calculations for work performed, including any contract change orders, and progress pay estimates on a monthly basis
- Maintain and enforce safety awareness for the protection of workers and public
- Review all necessary sampling and testing of materials for the project, performed by the Contractor, in accordance with the specifications and ensure that all materials meet the contract requirements
- Attend any progress or public meetings as requested
- Conduct interviews of field personnel for EEO/Labor Compliance monitoring as requested
- Work closely with City Staff on final punchlist and acceptance of the contract work
- Assist City Staff as needed on various project administration tasks

Orinda Office
372 Village Square
Orinda, CA 94563
Tel: 925-257-2508
Fax: 925-401-7030

Emeryville Office
3960 Adeline Street, #3
Emeryville, CA 94608
Tel: 925-257-2508
Fax: 925-401-7030

As principal in charge, I will provide oversight to the construction inspector as well as provide any other needed support to the City.

We have enclosed a brief resume for Kevin and a cost proposal with estimated hours and rates.

Please let me know if you have any questions or if any additional information is needed. I am available on my mobile at 510-701-0319 or e-mail: spatterson@park-eng.com.

Sincerely,

A handwritten signature in blue ink, appearing to read "Steve Patterson". The signature is fluid and cursive, with the first name "Steve" and last name "Patterson" clearly distinguishable.

Steve Patterson, P.E.
Vice President

KEVIN DICKENS, CONSTRUCTION MANAGER / CONSTRUCTION INSPECTOR**Years of Experience**

40+

Education

San Jose City College - San Jose, CA
Gavilan Community College – Gilroy, CA
High School Diploma, Milpitas High School, 1979

Certifications and Training

Public Works-Utilities-Waterworks Management Institute- Management & Leadership Training Program

Key Qualifications

Kevin has over 40 years of experience in the construction of public works and water infrastructure projects. He has acted in the role of Construction Supervisor and Inspector on behalf of cities and utility agencies providing clear direction and explaining plans and contract terms in a clear and understandable way. He is safety conscious and detail oriented, as well as innovative, adept at finding engaging ways to motivate construction teams to exceed expectations and maintain high standards. Kevin has extensive experience with underground utilities, storm drain and roadway improvements including failure repairs, HMA overlay and paving, water systems, pipelines, tanks, mechanical and electrical systems, and signalized intersections. As a supervisor on construction sites, Kevin collaborated successfully with engineers, owners, city officials and construction staff to complete multi-million-dollar projects.

Representative Project Experience

- **City of Palo Alto On-call, Gas Main Replacement**
Kevin provided inspection services for the Gas Main Replacement 24B (GMR 24B) project. The GMR-24B project replaced approximately 18,000 linear feet of new PE gas mains. Various tasks included pre-CCTV and post-CCTV inspections, installation of new gas main and services, compaction testing, and pavement restoration of the excavated roadways.
- **San Jose Water Company, San Jose**
Kevin was working as project manager providing management services for multiple projects – both new developments and maintenance projects – for funding, overseeing design, coordinating permits and utilities, reviewing and awarding construction contract, and overseeing the construction management team. He was also involved with the project funding and close-out procedures. Projects include: San Jose Mineta, Prospect Road Main Replacement, Lombard Main Replacement, Entrada Cedros Tract #10319, Hillsdale Main Replacement and Cadillac Drive Main Replacement.
- **Poplar Corridor Safety Improvement Project, City of San Mateo**
The project constructed a median island on Poplar Ave from Amphlett Blvd to Idaho St, as well as traffic calming improvements along Humboldt St. from Peninsula Ave to E. Poplar Ave as a result of the traffic diversion. Traffic calming improvements included: bulbouts at College/ Humboldt intersection and mid-block in front of the court house, landscaping with new trees, pedestrian level lighting, radar feedback signs, and signal upgrades at Humboldt/Poplar. Kevin performed construction inspection and daily documentation of contractor's activities. He was a backup inspector to the primary inspector on the project.
- **Iron Horse Lane Water Main Replacement Project – Alameda County Water District (ACWD), Fremont**
Kevin was the construction inspector for this \$2 million Alameda County Water District, Iron Horse Lane Water Main Replacement Project. The work included installation of over 1,000-feet of new 6-

inch diameter steel pipe and PVC water main, along with a number of service laterals, to meet current ACWD standards. The work also included rehabilitation of the roadway sections upon completion of the water main and service lateral replacements. The three-block water main replacement project is located in Niles Community of Fremont. The items of work included:

- Installation of new 6-inch water main pipe and service laterals
- Potholing of existing utilities
- Trench backfill & HMA paving
- Traffic control – both for vehicles and pedestrians
- Water Pollution Control
- Public relations and outreach

- **Saratoga Avenue Water Main Replacement, San Jose Water Company, San Jose CA**

The scope of this \$650K project included the installation of 1800 LF of 12" Ductile Iron water main and appurtenances. Kevin was the Project Manager and Inspector representing San Jose Water Company, responsible for all inquiries from the public, jurisdictional representatives and contractors. He ensured compliance with state or local guidelines in traffic control, SWPPP and safety regulations and was also responsible for the notification of all service interruptions to consumers in conjunction with this project and to resolve any conflicts with residents or businesses. In addition to field duties, Kevin was responsible for receiving, tracking and approving or negotiating all progress billing and change orders, as well as review of as-built drawings and submitting RFI's to the contractor prior to submittal to the engineer.

- **Johansen Avenue Water Main Replacement, San Jose Water Company, Cupertino CA**

Kevin provided construction oversight for this \$375K project that included the installation of 2200 LF of 6" Ductile Iron water main and appurtenances, 6" zone separation valve and pressure reducing valves on high pressure service laterals. One in-home Child Care facility and one special needs resident were within the project parameters. Kevin's responsibilities were to ensure project timelines were kept intact while accommodating the needs of the residents. This project required field changes to be made to remedy unforeseen conflicts and obstructions and to document and submit changes to the Engineer. Kevin also insured all State, Local and Federal conditions were met and maintained throughout the project.

- **Water Main Developer Installation, San Jose Water Company, San Jose CA**

Kevin trained and supervised consultant inspectors for this \$1.25 million project that installed daily water main throughout a new housing tract. Kevin ensured SJWC material standards were met through submittals and visual inspection, checked grade staking by engineer's surveyors to ensure proper depth and layout, coordinated start dates with developer's contractor, made sure all safety protocols were in place, and conducted daily site visits to check on progress and answer any questions from the inspector or developer's contractor. Kevin also supervised the disinfection and testing of the new water main to ensure the water quality meets state standards. Kevin was responsible for reviewing and correcting the contractors and inspectors as-built drawings. He also coordinated all off site water main installations by SJWC's contractor, met with permitting agency or agencies to insure compliance with permit conditions, inspected off site installations, coordinated service interruptions and notified consumers affected, and reviewed and approved SJWC contractor billing for processing.



City of San Rafael
B Street Culvert Replacement Project
 Cost Proposal for Inspection Services
 City Project No. 11380

Name / Classification	Rates		Hours		Total Regular Hours	Total Overtime Hours	Cost
	Regular Loaded Rate	Overtime Rate	Construction	Close-out			
Kevin Dickens Construction Inspector	\$ 168.13	\$ 252.20	560	20	580	20	\$ 102,560.34
Applied Materials & Engineering Materials Testing	As-needed (see attached Rate Schedule)						\$ 25,000.00
Total =							\$ 127,560.34

1. Rate includes vehicle, mobile phone, laptop and all equipment required to perform required duties.
2. Based on full-time inspection for 70 Working Days per Contract Documents - only one inspector.



2024 RATE SHEET -

Various Improvement Projects

MATERIAL TESTING FEES - QUALITY ASSURANCE

A. HOURLY AND UNIT COSTS & BASIS OF CHARGES

The estimated fees are based on the following State and Federally mandated prevailing hourly inspection rates and unit tests costs. Rates will be adjusted in accordance with DIR prevailing wage adjustments; certified payroll, if required, will be billed at higher rates.

INSPECTION RATES

	<u>Per Hour</u>
1 HMA Sampling, Group 3	\$125.00
2 Compaction Testing, Group 3	\$125.00

UNIT TEST COSTS

	<u>Per Set</u>
1 Concrete Compression, per set of 5 (includes pick-up)	\$450.00
2 Sieve Analysis, each	\$240.00
3 Sand Equivalent, each	\$125.00
4 Cleanness Value, each	\$280.00
5 Moisture Content, each	\$55.00
6 Durability Index, each	\$280.00
7 LA Abrasion	\$750.00
8 Concrete Aggregate Tests (2 Sieves, 1 Cleanness value, 2 moisture content, 1 sand eq.)	\$995.00
9 HMA JMF Verification or Production Startup, each	\$8,000.00
10 HMA Production Testing, each	\$4,500.00
11 Moisture-Density Curve or Cal Impact Test, each	\$650.00
12 Core Density, each	\$120.00
13 CIR IDT	\$800.00

OTHER COSTS

1 Project Management, per hour	\$195.00
2 Final Affidavit, each	\$400.00

BASIS OF CHARGES

Minimum charge per call-out, show-up:	4 Hours
Work from 4-8 hours:	Actual Time
Travel to job site:	Portal-to-Portal
Mileage to shop & jobsite:	\$0.75 per mile
Parking:	To be provided
Work over 8 and up to 12 hours per day, or on Saturday, per hour	Time & One Half
Work over 12 hours per day, or on Sundays and Holidays, per hour	Double Time



SAN RAFAEL CITY COUNCIL AGENDA REPORT

Department: Public Works

**Prepared by: Ryan Montes, Operation and Maintenance Manager
April Miller, Public Works Director**

City Manager Approval: _____

TOPIC: STORMWATER PUMP STATION REPAIR AGREEMENT

SUBJECT: APPROVE AND AUTHORIZE THE CITY MANAGER TO WAIVE COMPETITIVE BIDDING AND ENTER INTO A MAINTENANCE AGREEMENT WITH PUMP REPAIR SERVICE COMPANY TO REPAIR TWO STORMWATER PUMPS, IN AN AMOUNT NOT TO EXCEED \$720,000

RECOMMENDATION:

1. Authorize the City Manager to waive competitive bidding and enter into a maintenance agreement with Pump Repair Service Company to repair two stormwater pumps in an amount not to exceed \$720,000.
2. Appropriate \$360,000 from the Capital Fund (401) to supplement the previously appropriated amount of \$520,000 from the Stormwater Fund (205) included in the FY 2024-25 adopted budget approved on June 17, 2024.

BACKGROUND:

The City of San Rafael has twelve storm water pump stations that serve as the backbone of the City’s flood control system. Most storm drain inlets are located along roadways throughout the City and drain into one of the twelve pump stations running thirty-four pumps. The pump stations have the combined ability to discharge \$2M gallons of water per minute during significant storm events. The importance of well-functioning pump stations cannot be overstated, as hillsides surround many parts of San Rafael and are in low-lying areas susceptible to flooding during major rain events.

While the Department of Public Works maintenance staff performs day-to-day maintenance at the stations under the direction of the Operations and Maintenance Manager, the City annually contracts for thorough inspections and repairs to the pump stations through more specialized companies to ensure the pumps and control systems are properly functioning ahead of the upcoming winter storm season.

It is important to note that all but three of the stormwater pump stations (Lindaro, North Francisco, and Rossi) were constructed in the 1950s and 1960s and continue to rely on original equipment, including pumps and control systems. During heavy rain events, garbage, rocks, and other debris

FOR CITY CLERK ONLY

Council Meeting:

Disposition:

often enter the stormwater pump station system, causing significant damage to the pumps and piping system over time.

Damaged pumps must be pulled using large construction equipment and taken to an outside facility specializing in pump repair to perform the repairs and rebuilds. In many cases, replacement of the pump components is required, as they can be completely damaged from debris. Because the pumps are submerged when installed at the pump station, it is nearly impossible to determine the full extent of the damage on the inside of the fully enclosed pump system. Removal and disassembly of the pump are needed to fully assess the damage.

ANALYSIS:

The City has bid these repairs competitively several times over the years. However, inadequate services and exorbitant prices led the City to work exclusively with Pump Repair Service Company of San Francisco. Few repair companies have the expertise required to service pumps from the 1950s and 1960s, most of which were manufactured by Cascade Pump or Peerless Pump. Pump Repair Service Company is an exception which therefore provides the business case for a sole source contract. They are quite familiar with these types of pumps and have successfully repaired other City stormwater pumps on several occasions. Staff recommends the waiver of competitive bidding for the work described above, as described in section 2.55.100(C) of the San Rafael Municipal Code:

“Supplies, materials, equipment, and services that can only be obtained from a sole source or that are specialty in nature. If limitations on the source of supply, necessary restrictions in specifications, necessary standardization, quality considerations, or other valid reasons for waiving competition appear, then purchases may be made without recourse to the competitive bidding provisions of this chapter. Approval of waiver of competitive bidding shall be given by the same level of authority as set forth in the section for award authority.”

The following pumps and motors need to be replaced:

Storm Water Pump Station	Schedule	Cost
Kerner Pump Station- Replace #2 Pump and Motor	12-16 Weeks	\$314,492.05
Canal Pump Station- Replace #3 Pump and Motor	12-16 Weeks	\$338,549.89
Total		\$653,042.94
10% Contingency		\$66,957.06
Total With Contingency		\$720,000

Kerner Pump Station: The #2 pump at Kerner Pump Station was rebuilt last year, but during winter storms, it ingested a piece of debris that caused catastrophic damage. The pump now needs total replacement. It is recommended that it is replaced with a Cascade pump that meets or exceeds current pumping requirements. It is also recommended that the motor be replaced with a US Motor due to its age and compatibility with the new pump. The recommended Cascade pump and US Motor can be seen in the estimate provided by Pump Repair Service Company (Attachment 1).

Canal Pump Station: The #3 pump at the Canal Pump Station had a catastrophic failure this past winter. This was primarily due to the age of the pump, which has been rebuilt many times since its installation. It is recommended that it is replaced with a new Cascade pump that meets

or exceeds current pumping requirements. It is also recommended that the motor be replaced with a US Motor at the same time due to its age and compatibility with the new pump. The recommended Cascade pump and US Motor can be seen in the estimate provided by Pump Repair Service Company (Attachment 2).

The recommendation to purchase the Cascade pump and US Motor manufactured motor for the replacement work at both pump stations is based on the staff's thorough research regarding the most appropriate equipment needed for the pump station replacement, which determined that:

1. Both the Cascade pump and US Motor are required because the specialized nature, quality, and unique suitability of the equipment meets the City's needs.
2. Both manufacturers maintain a reputation for specialization, quality, and durability and are uniquely suited to assist with standardizing pumps and motors at City stormwater pump stations.
3. Based on the above determinations and as such, waiver of the City's competitive bidding procedures is appropriate per section 2.55.100C of the San Rafael Municipal Code.

Both the Cascade pumps and US Motors are manufactured in the USA and include warranties.

FISCAL IMPACT:

The recommendation would result in expenditures totaling an amount not to exceed \$720,000. The FY 2024-25 approved budget includes \$520,000 in appropriations from Storm Water Fund (#205) to support this project. Staff is requesting an additional \$200,000 from the Capital Fund balance (#401) to cover costs associated with the recommended maintenance agreement, as well as an additional \$160,000 in supplemental appropriations to cover costs of other minor repairs planned and typical unplanned repairs for this fiscal year. As a result, the total request for additional appropriations from the Capital Fund for stormwater repairs is \$360,000.

OPTIONS:

1. Authorize the City Manager to enter into the agreement as recommended and appropriate additional funds from the Capital Fund (401).
2. Direct the City staff to solicit additional bids. This option will take additional time and may significantly impact the functionality of the pump stations for the coming winter season if the pumps are not replaced in time for the winter storm season.

RECOMMENDED ACTION:

1. Authorize the City Manager to waive competitive bidding and enter into a maintenance agreement with Pump Repair Service Company to repair two stormwater pumps in an amount not to exceed \$720,000.
2. Appropriate \$360,000 from the Capital Fund (401) to supplement the previously appropriated amount of \$520,000 from the Stormwater Fund (205) included in the FY 2024-25 adopted budget approved on June 17, 2024.

ATTACHMENTS:

1. Pump Repair Service Estimate, Kerner Pump Station, Pump #2
2. Pump Repair Service Estimate, 400 Canal Pump Station, Pump #3



PUMP REPAIR SERVICE CO.

August 5, 2024

City of San Rafael
111 Morphew Street
San Rafael, CA 94915-1560

Attn: Ryan Montes

**SUBJECT: KERNER PUMP STATION PUMP #2
CASCADE 42AP PROPELLER PUMP**

Dear Ryan,

We are pleased to provide you with an updated pricing on the following pumping equipment.

Design Conditions: 31,000 GPM @ 18' TDH

1 – Cascade 42AP axial flow 1 stage, 36" diameter above base plan- end discharge, oil lubrication 580 RPM, 15 feet base to bell propeller pump, coat tar epoxy coating per original s/n 5776.....	\$157,031.00
1 – US 200 HP , 600 RPM, 460 volt, 3 phase, WP-1 Enclosure, NRR, 120 volts space heater, Inverter duty premium efficiency motor	84,152.00
Misc. hardware	<u>250.00</u>
Materials.....	241,433.00
Factory freight (estimated)	15,000.00
Sales tax 9 1/4%.....	23,720.05
Shop labor to disassemble and inspect Old pump.....	5,220.00
Estimated field labor to remove and reinstall	6,960.00
Estimated electrical labor and materials To replace existing conduit and wires From the control panel to new motor if Needed.....	6,000.00
Crane Truck/service truck/flatbed	7,000.00
Performance Bond.....	<u>9,160.00</u>
Total.....	\$314,493.05
Delivery	40 to 42 Weeks

If you have any questions on the above, please give me a call.

Sincerely,

Wayne Archer

WA/dm

Waynea-24/City of San Rafael Kerner Pump Station-080124



PUMP REPAIR SERVICE CO.

August 5, 2024

City of San Rafael
111 Morphew Street
San Rafael, CA 94915-1560
Attn: Ryan Montes

SUBJECT: 400 CANAL PUMP STATION PUMP #3

Dear Ryan,

We are pleased to provide you with updated pricing on the following pumping equipment.

Design Conditions: 31,000 GPM @ 18' TDH

1 – Cascade 36AF 1 stage axial flow propeller pump 416 SS bowl shaft, 36" plain end below plate discharge, balance propeller, oil tubes, epoxy coated	\$177,393.00
1 – US 200 HP, 600 RPM, 460 volts, 3 phase, WP-1 enclosure, NRR, 120 volts space heaters, inverter duty, premium efficiency motor	84,152.00
1 – 36" Dresser coupling epoxy coated	2,970.00
Misc. hardware	500.00
Materials	265,015.00
Freight estimated	12,000.00
Sales tax 9 ¼%	25,623.89
Shop labor to disassemble and inspect the existing pump	7,250.00
Estimated field labor to remove and reinstall	5,800.00
Estimated electrical labor and materials to replace Existing conduit and wires from control panel to new motor if needed	6,000.00
Crane truck/service truck/flatbed	7,000.00
Performance Bond	9,861.00
Total	\$338,549.89
Delivery	30 Weeks

If you have any questions on the above, please give me a call.

Sincerely,

Wayne Archer



SAN RAFAEL
THE CITY WITH A MISSION

Agenda Item No: 4.k

Meeting Date: September 3, 2024

SAN RAFAEL CITY COUNCIL AGENDA REPORT

Department: Public Works

Prepared by: Jonathan Schellin, Deputy
Director

City Manager Approval:  _____

TOPIC: CITYWIDE SAFETY ELECTRICAL SERVICES CONTRACT AWARD

SUBJECT: AWARD OF CITYWIDE SAFETY ELECTRICAL SERVICES AGREEMENT TO DC ELECTRIC AND AUTHORIZE THE CITY MANAGER TO NEGOTIATE AND ENTER INTO AN AGREEMENT, FOR UP TO FIVE (5) YEARS FOR SERVICES IN THE TOTAL NOT-TO-EXCEED AMOUNT OF \$550,000 PER FISCAL YEAR.

RECOMMENDATION:

Award of Citywide Safety Electrical Services agreement to DC Electric and authorize the City Manager to negotiate and enter into an agreement, for up to five (5) years for services in the total not-to-exceed amount of \$550,000 per fiscal year.

BACKGROUND:

The City of San Rafael has nearly 100 signalized intersections that require regular maintenance and repairs by technically certified technicians. This work includes monthly, quarterly, and annual preventative maintenance service, repairs and equipment replacement when needed, remote digital servicing, and 24/7 emergency response when a traffic signal becomes inoperable. DC Electric has been the City's contractor for these services for several years and has been an excellent partner in performing these vital services. DC Electric is also the primary contractor for these services for nearby jurisdictions, including the County of Marin. Requirements for this service include special certification as a Signal Maintenance Technician, the ability to respond to calls within 30-60 minutes (depending on the time of day), and access to specialized tools and equipment that the City does not have. Since 2021, the cost of these services has continued to increase, nearing \$300,000 last year alone. Major factors driving this cost increase include aging equipment needing more maintenance and replacement, increased technological complexity with controller systems, and the City's necessary implementation of battery backup systems (BBS) for traffic lights to ensure power supply during power outages.

The City of San Rafael is also responsible for over 4,500 street and pathway lights. The routine maintenance and inspection of these lights are covered under the [Street Light Maintenance and Repair Services Agreement](#) through the Marin General Services Authority (MGSA) agreement authorized in

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Council Meeting:

Disposition

2020 and in effect through June 30, 2027. While this agreement covers the routine maintenance of the City's lights, it does not cover other streetlight-related work such as emergency response, knockdown repair, and replacement work. Over the past three years, the City has averaged \$85,000 in work per year, which is not covered by the MGSA agreement. This category of work is highly variable as it's impossible to predict how often a car might hit and damage a streetlight. The City has experienced several months of no collisions, followed by multiple collisions in a single month. The cost of each knockdown can range from a couple of thousand dollars up to \$60,000-\$70,000 per incident, depending on the equipment that's damaged. It's important to note that while these costs are deducted from the Public Works budget, the City often seeks reimbursement from the party that caused the property damage. Still, these costs need to be included in contract authorization and budget appropriations.

Additionally, the City often receives utility location and marking requests, otherwise known as USA (Underground Service Alerts), as part of the State's "Call Before You Dig" service. This service is governed by [California Government Code Section 4216](#), which requires agencies with underground installations, such as power lines, to respond within two working days to any requests submitted to the regional service. The City received over 3,600 requests last year and has averaged over 3,000 requests per year for the last three years. Most requests are investigated and responded to by a staff member in the Public Works Department. Requests requiring more complex investigation or marking are contracted out to DC Electric for their expertise and wider knowledge of the subsurface installations in our region. As the City continues to receive a growing number of requests, including an increase of over 25% since 2021, the demand for staff time has exceeded capacity. Therefore, the City has needed to contract out a growing number of these requests. The portion of tickets contracted out over the past two years has averaged over \$50,000 annually. If a jurisdiction does not respond to a USA ticket, it is liable for any damage to subsurface installations because of excavation at that site, along with civil penalties ranging from \$10,000 up to \$100,000, depending on the incident.

When combined, the traffic light, streetlight, and utility location and marking services total over \$425,000 annually. In addition to these services, the City needs more Battery Back-up Systems (BBS) installations and remote software management services to improve our traffic signal reliability and extend the useful life of the installations. This is estimated to cost \$75,000 per year, bringing the current total cost to approximately \$500,000.

ANALYSIS:

Per the [San Rafael Municipal Code 11.50](#), the Public Works Department issued a Request for Proposal (RFP) on July 8, 2024, with advertisements online and in the Marin Independent Journal. Three contractors expressed interest, and the City received two fully responsive proposals by the July 22, 2024, RFP deadline. Proposals were evaluated according to the City's competitive bidding process by a committee of engineering, operations, and administrative staff, as well as the requirements stated in the RFP.

After carefully reviewing each proposal, staff determined DC Electric was the lowest responsive and responsible bidder. Staff proposes to award a service agreement in the annual not-to-exceed amount of \$550,000 per fiscal year, for an initial term of 3 years, with the option to extend two times, for one year each. The \$550,000 amount is estimated to cover the three categories of service included in the RFP when projected out to the final year of the potential five-year term of the contract. DC Electric has gained deep institutional knowledge of the City's safety traffic signal and lighting systems and securing them for up to five years benefits the City with long-term reliability on these vital electrical systems.

FISCAL IMPACT:

Funding for Public Works services under this contract will come from multiple funds as determined by the type and location of work. The funding sources are the following:

- General Fund for citywide work for streetlights (001-44-33001-9232)
- Gas Tax Fund for traffic signal routine maintenance (206-44-33002-9231)
- Gas Tax Fund for traffic signal non-routine repairs and USA marking (206-44-3302-9270)
- Recreation Revolving Fund for lighting related to Community Services operations (222-66-42001-9222)
- Parking Services Fund for lighting related to Parking Services operations (501-14-52155-9222)
- When appropriate, various assessment district funds will be used if the work is in support of obligations for those districts.

Work planned under the proposed agreement for FY 2024-25 is within current budgeted amounts, and no additional appropriations are required for FY 2024-25. The FY 2024-25 adopted budget was approved on [June 17, 2024](#). Appropriation recommendations beyond FY 2024-25 will be included in the regular budgeting process each fiscal year.

OPTIONS:

The City Council has the following options to consider on this matter:

1. Authorize the City Manager to enter into the agreement as recommended.
2. Do not authorize the City Manager to enter into the agreement and provide further direction to staff.

RECOMMENDED ACTION:

Award of Citywide Safety Electrical Services agreement to DC Electric and authorize the City Manager to negotiate and enter into an agreement for up to five (5) years for services in the total not-to-exceed amount of \$550,000 per fiscal year.

ATTACHMENTS:

1. Draft Services Agreement

CITY OF SAN RAFAEL

Department of Public Works
111 Morphew Street
San Rafael, CA 94901

Public Works Contract

This public works contract ("Contract") is entered into by and between the City of San Rafael ("City") and DC Electric Group, Inc. ("Contractor"), a California corporation, for work on the City's Citywide Safety Electrical Services Project ("Project"), and is effective on _____ ("Effective Date").

The parties agree as follows:

1. Scope of Work. Contractor will perform and provide all labor, materials, equipment, supplies, transportation, and any and all other items or services necessary to perform and complete the work required for the Project ("Work"), as specified in **Exhibit A, Scope of Work**, and according to the terms and conditions of this Contract, including all attachments to the Contract and any other documents and statutes incorporated by reference. To the extent that any attachment contains provisions that conflict or are inconsistent with the terms set forth in the body of this Contract, the Contract terms will control. This Project requires a valid California contractor's license for the following classification(s): C-10, C-31, C-61/D31

2. Contract Documents. The Contract Documents incorporated into this Contract include and are comprised of all of the documents listed below:

- 2.1 Notice Inviting Bids;
- 2.2 Contract;
- 2.3 Addenda, if any;
- 2.4 Exhibit A – Scope of Work;
- 2.5 Exhibit B – Payment, Performance, and Bid Bonds;
- 2.6 Exhibit C – Noncollusion Declaration;
- 2.7 Exhibit D – Bid Schedule;
- 2.8 Exhibit E – Subcontractor List.

3. Annual Not-to-Exceed Contract Amount. As full and complete compensation for Contractor's timely performance and completion of the Work in strict accordance with the terms and conditions of the Contract Documents, City will pay Contractor a not-to-exceed amount of \$550,000 per year (the "Contract Price") for all of Contractor's direct and indirect costs to perform the Work, including all labor, materials, supplies, equipment, taxes, insurance, bonds and all overhead costs, in accordance with the payment provisions contained herein.

3.1 Annual Rate Increases. Contractor shall not increase its rates throughout the Term of this Contract, except that Contractor may adjust its rates no more than once annually at a maximum amount equal to the percentage change through December in the prior calendar year to the consumer price index ("CPI") for California, All Urban Consumers, San Francisco-Oakland-San Jose areas, not to exceed five percent (5%).

3.2 Payment. Contractor must submit an invoice on the first day of each month during the Contract Time, defined in Section 4 below, and/or upon completion, for the Work performed during the preceding month, itemizing labor, materials, equipment and any incidental costs incurred. Contractor warrants that title to all work, materials and equipment incorporated into the Work will pass to City free of any claims, liens, or encumbrances upon payment to Contractor.

3.3 Payment and Performance Bonds. If the Contract Price is over \$25,000, then Contractor must provide City with a payment bond and a performance bond using the bond forms included in this Contract as **Exhibit B, Bond Forms**, and submit the bonds with the executed Contract. Each bond must be issued by a surety admitted in California. If an issuing surety cancels a bond or becomes insolvent, Contractor must provide a substitute bond from a surety acceptable to City within seven days after written notice from City. If Contractor fails to substitute an acceptable surety within the specified time, City may, in its sole discretion and without prior notice to Contractor, purchase such bond(s) at Contractor's expense and deduct the cost from payments otherwise due to Contractor, or terminate the Contract.

4. Term. The term of this Contract shall be for three (3) years from the Effective Date. At the City's election, the Contract may be extended two times, each for a period not to exceed one (1) year.

5. Liquidated Damages. If Contractor fails to complete the Work within the Contract Time, Contractor must pay liquidated damages in the amount of **\$0** per day for each day of unexcused delay in completion.

6. Standard of Care. All Work must be provided in a manner that meets or exceeds the standard of care applicable to the same type of work in the City of San Rafael. Contractor must promptly correct, at Contractor's sole expense, any Work that the City determines is deficient or defective.

7. Permits and Licenses. Contractor, at its sole expense, must obtain and maintain during the term of this Contract, all appropriate permits, certificates and licenses including, but not limited to, the required California contractor's license and a City business license.

8. Indemnification. Contractor will indemnify, defend with counsel acceptable to City, and hold harmless to the full extent permitted by law, City, its governing body, officers, agents, employees, and volunteers (the "Indemnitees") from and against any and all liability, demands, loss, damage, claims, settlements, expenses, and costs (including, without limitation, attorney fees, expert witness fees, and costs and fees of litigation) (collectively, "Liability") of every nature arising out of or in connection with the acts or omissions of Contractor, its employees, subcontractors, representatives, or agents in performing the Work of failing to comply with any obligation of Contractor under this Contract, except such Liability caused by the active negligence, sole negligence, or willful misconduct of an Indemnitee. This indemnification obligation is not limited by any limitation on the amount or type of damages or compensation payable under Workers' Compensation or other employee benefit acts, or by insurance coverage limits, and will survive the expiration or early termination of this Contract. City will notify Contractor of any third-party claim pursuant to Public Contract Code section 9201.

9. Insurance. Contractor will, at all times under this Contract, maintain the insurance coverage required in this section to cover the activities of Contractor and any subcontractors relating to or arising from performance of the Work. Each policy must be issued by a company licensed to do business in California, and with a strength and size rating from A.M. Best Company of A-VIII or better. Contractor must provide City with certificates of insurance and required endorsements as evidence of coverage with the executed Contract, or through the PINSAdvantage website <https://www.pinsadvantage.com/> upon request by the City, and before the City authorizes Contractor to proceed with the Work.

9.1 Workers' Compensation. Statutory coverage is required by the California Workers' Compensation Insurance and Safety Act. If Contractor is self-insured, it must provide its duly authorized Certificate of Permission to Self-Insure. In addition, Contractor must provide employer's liability insurance with limits of no less than one million dollars (\$1,000,000) per accident for bodily injury or disease.

9.2 Liability. Commercial General Liability ("CGL") insurance issued on an occurrence basis, including coverage for liability arising from Contractor's or its subcontractor's acts or omissions in performing the Work, including Contractor's protected coverage, blanket contractual, products and

completed operations, broad form property damage, vehicular coverage, and employer's non-ownership liability coverage, with limits of at least \$1,000,000 per occurrence and \$2,000,000 general aggregate.

9.3 Automotive. Commercial automotive liability coverage for owned, non-owned and hired vehicles must provide coverage of at least \$1,000,000 combined single limit per accident for bodily injury, death, or property damage.

9.4 Subrogation Waiver. Each required policy must include an endorsement that the insurer waives any right of subrogation it may have against the City or the City's insurers.

9.5 Required Endorsements. The CGL policy and the automotive liability policy must include the following specific endorsements:

- (1) The City, including its Council, officials, officers, employees, agents, volunteers and consultants (collectively, "Additional Insured") must be named as an additional insured for all liability arising out of the operations by or on behalf of the named insured, and the policy must protect the Additional Insured against any and all liability for personal injury, death or property damage or destruction arising directly or indirectly in the performance of the Contract.
- (2) The inclusion of more than one insured will not operate to impair the rights of one insured against another, and the coverages afforded will apply as though separate policies have been issued to each insured.
- (3) The insurance provided is primary and no insurance held or owned by City may be called upon to contribute to a loss ("primary and non-contributory").
- (4) Any umbrella or excess insurance must contain or be endorsed to contain a provision that such coverage will also apply on a primary or non-contributory basis for the benefit of City before the City's own insurance or self-insurance will be called upon to protect it as a named insured.
- (5) This policy does not exclude explosion, collapse, underground excavation hazard, or removal of lateral support.

10. Labor Code Compliance. Unless the Contract Price is \$1,000 or less, the Contract is subject to all applicable requirements of Chapter 1 of Part 7 of Division 2 of the Labor Code, beginning at section 1720, and the related regulations, including but not limited to requirements pertaining to wages, working hours and workers' compensation insurance. Contractor must also post all job site notices required by laws or regulations pursuant to Labor Code section 1771.4.

10.1 Prevailing Wages. Each worker performing Work under this Contract that is covered under Labor Code section 1720 or 1720.9, must be paid at a rate not less than the prevailing wage as defined in sections 1771 and 1774 of the Labor Code. The prevailing wage rates are on file with the City Engineer's office and are available online at <http://www.dir.ca.gov/DLSR>. Pursuant to Labor Code section 1775, Contractor and any subcontractor will forfeit to City as a penalty up to \$200 for each calendar day, or portion of a day, for each worker paid less than the applicable prevailing wage rate, in addition to paying each worker the difference between the applicable wage rate and the amount actually paid.

10.2 Working Day. Pursuant to Labor Code section 1810, eight hours of labor consists of a legal day's work. Pursuant to Labor Code section 1813, Contractor will forfeit to City as a penalty the sum of \$25 for each day during which a worker employed by Contractor or any subcontractor is required or permitted to work more than eight hours during any one calendar day, or more than 40 hours per calendar week, unless such workers are paid overtime wages under Labor Code section 1815. All Work

must be carried out during regular City working days and hours unless otherwise specified in Exhibit A or authorized in writing by City.

10.3 Payroll Records. Contractor and its subcontractors must maintain certified payroll records in compliance with Labor Code sections 1776 and 1812, and all implementing regulations promulgated by the Department of Industrial Relations (“DIR”). For each payroll record, Contractor and its subcontractors must certify under penalty of perjury that the information in the record is true and correct, and that it has complied with the requirements of Labor Code sections 1771, 1811, and 1815. Unless the Contract Price is under \$25,000, Contractor must electronically submit certified payroll records to the Labor Commissioner as required under California law and regulations.

10.4 Apprentices. If the Contract Price is \$30,000 or more, Contractor must comply with the apprenticeship requirements in Labor Code section 1777.5.

10.5 DIR Monitoring, Enforcement, and Registration. This Project is subject to compliance monitoring and enforcement by the DIR pursuant to Labor Code section 1725.5, and, subject to the exception set forth below, Contractor and any subcontractors must be registered with the DIR to perform public works projects. The registration requirements of Labor Code section 1725.5 do not apply if the Contract Price is for under \$25,000.

11. Workers’ Compensation Certification. Under Labor Code section 1861, by signing this Contract, Contractor certifies as follows: “I am aware of the provisions of Labor Code section 3700 which require every employer to be insured against liability for workers’ compensation or to undertake self-insurance in accordance with the provisions of that code, and I will comply with such provisions before commencing the performance of the Work on this Contract.”

12. Termination.

12.1 Termination for Convenience. City reserves the right to terminate all or part of the Contract for convenience upon written notice to Contractor. Upon receipt of such notice, Contractor must: immediately stop the Work, including under any terms or conditions that may be specified in the notice; comply with City’s instructions to protect the completed Work and materials; and use its best efforts to minimize further costs. In the event of City’s termination for convenience, Contractor waives any claim for damages, including for loss of anticipated profits from the Project. If City terminates the Contract for convenience, City will only owe Contractor payment for the Work satisfactorily performed before Contract termination, as well as five percent of the total value of the Work performed as of the date of notice of termination or five percent of the value of the Work yet to be completed, whichever is less, which is deemed to cover all overhead and profit to date.

12.2 Termination for Default. The City may terminate this Contract for cause for any material default. Contractor may be deemed in default for a material breach of or inability to perform the Contract, including Contractor’s refusal or failure to supply sufficient skilled workers, proper materials, or equipment to perform the Work within the Contract Time; refusal or failure to make prompt payment to its employees, subcontractors, or suppliers or to correct rejected work; disregard of laws, regulations, ordinances, rules, or orders of any public agency with jurisdiction over the Project; lack of financial capacity to complete the Work within the Contract Time; or responsibility for any other material breach of the Contract requirements. If City terminates the Contract for cause, City will only owe Contractor payment for the Work satisfactorily performed before Contract termination.

13. Dispute Resolution. Any dispute arising under or related to this Contract is subject to the dispute resolution procedures of Public Contract Code sections 9401 and 20104 et. seq., which are incorporated by reference.

14. Waiver. A waiver by City of any breach of any term, covenant, or condition in this Contract will not be deemed a waiver of any subsequent breach of the same or any other term, covenant, or condition contained herein, regardless of the character of any such breach.

15. Warranty. Contractor guarantees and warrants the Work and the materials used or provided for the Project for a period of one year, beginning upon City's acceptance of the Work for the Project as complete ("Warranty Period"). During the Warranty Period, upon notice from the City of any defect in the Work or the materials, Contractor must, at its sole expense, promptly repair or replace the defective Work or materials, including repair or replacement of any other Work or materials that is or are displaced or damaged during the warranty work, excepting any damage resulting from ordinary wear and tear.

16. Worksite Conditions.

16.1 Clean and Safe. Contractor must maintain the Work site and staging and storage areas in a clean and neat condition and must ensure it is safe and secure. On a daily basis the Contractor must remove and properly dispose of debris and waste materials from the Work site.

16.2 Inspection. Contractor will make the Work accessible at all times for inspection by the City.

16.3 Hazardous Materials. Unless otherwise specified in the Contract documents, this Contract does not include the removal, handling, or disturbance of any asbestos or other hazardous materials, as identified by any federal, state, or local law or regulation. If Contractor encounters materials on the Project site that Contractor reasonably believes to be asbestos or other hazardous materials, and the asbestos or other hazardous materials have not been rendered harmless, Contractor may continue Work in unaffected areas reasonably believed to be safe, but must immediately cease Work on the area affected and report the condition to City. No asbestos, asbestos-containing products or other hazardous materials may be used in performance of the Work.

16.4 Utilities, Trenching and Excavation. As required by Government Code section 4215, if, during the performance of the Work, Contractor discovers utility facilities not identified by City in the Contract documents, Contractor must immediately provide written notice to City and the utility. In performing any excavations or trenching work, Contractor must comply with all applicable operator requirements in Government Code sections 4216 through 4216.5. If the trenching or excavation extends deeper than four feet below the surface, then it must also comply with Public Contract Code section 7104.

17. Records. Unless otherwise specified in Exhibit A, Contractor must maintain and update a separate set of as-built drawings while the Work is being performed, showing changes from the Work as planned in Exhibit A, or any drawings incorporated into this Contract. The as-built drawings must be updated as changes occur, on a daily basis if necessary.

18. Conflicts of Interest. Contractor, its employees, subcontractors and agents, may not have, maintain or acquire a conflict of interest in relation to this Contract in violation of any City ordinance or policy or in violation of any California law, including under Government Code section 1090 et seq. and under the Political Reform Act as set forth in Government Code section 81000 et seq. and its accompanying regulations. Any violation of this Section constitutes a material breach of the Contract.

19. Non-Discrimination. No discrimination will be made in the employment of persons under this Contract because of the race, color, national origin, ancestry, religion, gender or sexual orientation of such person.

20. Independent Contractor. City and Contractor intend that Contractor will perform the Work under this Contract as an independent contractor. Contractor is solely responsible for its means and methods in performing the Work. Contractor is not an employee of City and is not entitled to participate in health, retirement or any other employee benefits from City.

21. Assignment of Unfair Business Practice Claims. Under Public Contract Code section 7103.5, Contractor and its subcontractors agree to assign to City all rights, title, and interest in and to all causes of action it may have under section 4 of the Clayton Act (15 U.S.C. section 15) or under the Cartwright Act (Chapter 2 (commencing with section 16700) of Part 2 of Division 7 of the Business and Professions Code), arising from purchases of goods, services, or materials pursuant to the Contract or any subcontract. This assignment will be effective at the time City tenders final payment to Contractor, without further acknowledgement by the parties.

22. Notice. Any notice, billing, or payment required by or pursuant to the Contract documents must be made in writing, signed, dated and sent to the other party by personal delivery, U.S. Mail, a reliable overnight delivery service, or by email as a PDF (or comparable) file. Notice is deemed effective upon delivery unless otherwise specified. Notice for each party must be given as follows:

City:
Address: 111 Morphew Street
City/State/Zip: San Rafael, CA 94901
Phone: 415-485-5063
Attn: Joanna Kwok, Assistant Director of Public Works
Email: Joanna.kwok@cityofsanrafael.org

Contractor:
Name: DC Electric Group, Inc.
Address: P.O. Box 7525; 605 W. Sierra Ave
City/State/Zip: Cotati, CA 94931
Phone: 707-992-0141
Attn: Tim Carter
Email: Tim@dcelectricgroup.com

23. General Provisions.

23.1 Compliance with All Laws. Contractor will comply with all applicable federal, state, and local laws and regulations including, but not limited to, unemployment insurance benefits, FICA laws, conflict of interest laws, and local ordinances. Work may only be performed by qualified and experienced workers who are not employed by the City and who do not have any contractual relationship with City, with the exception of this Contract.

23.2 Provisions Deemed Inserted. Every provision of law required to be inserted in the Contract is deemed to be inserted, and the Contract will be construed and enforced as though such provision has been included. If it is discovered that through mistake or otherwise that any required provision was not inserted, or not correctly inserted, the Contract will be deemed amended accordingly.

23.3 Assignment and Successors. Contractor may not assign its rights or obligations under this Contract, in part or in whole, without City's written consent. This Contract is binding on Contractor's and City's lawful heirs, successors and permitted assigns.

23.4 Third Party Beneficiaries. There are no intended third-party beneficiaries to this Contract.

23.5 Governing Law and Venue. This Contract will be governed by California law and venue will be in the Superior Court of Marin County, and no other place.

23.6 Amendment. No amendment or modification of this Contract will be binding unless it is in a writing duly authorized and signed by the parties to this Contract.

23.7 Integration; Severability. This Contract and the Contract documents incorporated herein, including authorized amendments or change orders thereto, constitute the final, complete, and exclusive terms of the agreement between City and Contractor. If any provision of the Contract documents, or portion of a provision, is determined to be illegal, invalid, or unenforceable, the remaining provisions of the Contract documents will remain in full force and effect.

23.8 Authorization. Each individual signing below warrants that he or she is authorized to do so by the party that he or she represents, and that this Contract is legally binding on that party. If Contractor is a corporation, signatures from two officers of the corporation are required pursuant to California Corporation Code section 313.

[Signatures are on the following page.]

The parties agree to this Contract as witnessed by the signatures below:

CITY:

Approved as to form:

s/ _____
CRISTINE ALILOVICH, City Manager

s/ _____
ROBERT F. EPSTEIN, City Attorney

Date: _____

Date: _____

Attest:

s/ _____
LINDSAY LARA, City Clerk

Date: _____

CONTRACTOR: _____
Business Name

s/ _____

Seal:

Name/Title

Date: _____

s/ _____

Name/Title

Date: _____

Contractor's California License Number(s) and Expiration Date(s)

- Exhibit A: Scope of Work**
- Exhibit B: Bond Forms**
- Exhibit C: Noncollusion Declaration**
- Exhibit D: Bid Schedule**
- Exhibit E: Subcontractor List**

END OF CONTRACT

Exhibit A
SCOPE OF WORK

Exhibit A

General Info

Total:

Number	Description
Citywide Safety Electrical Service - Traffic and Street Lighting	The City of San Rafael (City) hereby requests proposals for Safety Electrical Services for traffic and street lights. It is the intent of the City to hire a fully-licensed contractor. The City requires that the Contractor provide monthly, quarterly, semi-annual, and annual maintenance on all signals, flashing beacons, and other related safety lighting as listed below. Maintenance includes emergency, routine, USA Locate & Mark services, and preventative work.
Deadline 07/22/2024 11:00 AM PDT	Proposals shall be submitted by businesses that have a capable and demonstrable performance in the type of work described in this Request for Proposals document, including all Attachments (hereafter together referred to as the "RFP"). In addition, all interested businesses shall have sufficient, readily available resources, in the form of trained personnel, support services and financial resources to carry out the work without delay or shortcomings. The Contractor will be required to perform and complete electrical services janitorial services by providing all labor, tools, transportation, equipment, materials, and supplies necessary to complete all work. Work must be completed in a professional, thorough and timely manner, in accordance with the standards and specifications as contained in this RFP or stated by the City Representative. The term of the initial contract will be two years. At the City's discretion, the contract can be extended twice for a period not to exceed one (1) year each time upon proper authorization by the Parties.
Vendor DC Electric Group, Inc.	The City will retain submitted bids for the duration of this service to build a list of available vendors should the City need to secure a new contractor. All submitted bid pricing shall be good for up to one year from the date of bid closing. Subsequent year's rate increases are limited to a maximum of five percent (5%) per year. Interested businesses are invited to submit proposals in accordance with the requirements of this RFP summarized in Section 6.
Submitted 07/22/2024 10:48 AM PDT	Electronic submittals must be completed using the Bid Express platform containing this solicitation. Information including the project documents and a how-to guide for first time Bid Express users can be found on the San Rafael Bid Express home page at https://www.bidexpress.com/businesses/39341/home . Please note that you will have to register for a free Bid Express account to view project solicitations and download documents, and Bid Express may charge a fee to submit you proposal.
Signed by Timothy Carter Account Holder Timothy Carter	Allows zero unit prices and labor Yes Allows negative unit prices and labor Yes
Opened 07/23/2024 10:41 AM PDT By jonathan.schellin@cityofsanrafael.org	

Attachment List

RFP Safety Electrical Services Citywide 2024.docx (88.6 KB)

Attachment A - Citywide Safety Electrical SOW.pdf (288 KB)

Attachment B - RFP Electrical Services Bid Schedule.pdf (229 KB)

Attachment C - Formal Construction Agreement Template.docx (252 KB)

RFP Citywide Electrical Pre Bid Meeting Q&A.docx (32.3 KB)

BID SCHEDULE - DIRECTIONS

The monthly cost or unit cost for each item must be inclusive of all labor costs, whether direct or indirect, transportation, profit and any other overhead. **A pre-bid meeting will be held virtually, attendance is optional. All questions presented during the meeting will be posted and answered on Bid Express platform.**

The City will retain submitted bids for the duration of this service to build a list of available vendors should the City need to secure a new contractor. All submitted bid pricing shall be good for up to one year from the date of bid closing. Subsequent year's rate increases are limited to a maximum of five percent (5%) per year. Selection and award of contract is for a not-to-exceed (NTE) amount, and does not guarantee the amount stated in the contract will be met during the term of the contract.

Bid is awarded based on who is the lowest, responsive and responsible bidder. In determining the lowest responsive and responsible bidder, the following shall be taken into consideration:

1. The quality, suitability and efficiency of the supplies, materials, equipment or services;
2. The total or life cycle cost of the supplies, materials, equipment or services;
3. The delivery, discount terms, and all other conditions submitted in the bid;
4. The reputation of the supplies, materials, equipment, the service reputation of the bidder, and all other information and data required to prove the responsibility of the supplier.

BID SCHEDULE

\$8,165.00

Bid Item No.	Item Description	Quantity	Unit	Optional	Unit Cost	Monthly Total	Annual Total	Extension
(Hidden Banner) Component is not included in bid total.								
Alternates are not included in bid total.								
1	Signalized Intersection	94.00	Ea/ Month	No	\$78.00	\$7332	\$87984	\$7,332.00
2	RRFB	6.00	Ea/ Month	No	\$39.00	\$234.00	\$2808.00	\$234.00
3	Signal Maintenance Technician (straight time)	1.00	Hour	No	\$130.00	130	130	\$130.00
4	Signal Maintenance Technician (over time)	1.00	Hour	No	\$180.00	180	180	\$180.00
5	Signal Maintenance Technician (double time)	1.00	Hour	No	\$220.00	220	220	\$220.00
6	Bucket Truck	1.00	Hour	No	\$34.00	34	34	\$34.00
7	Percent Markup on Materials	1.00	%	No	\$15.00	15	15	\$15.00
8	USA Ticket Discount	1.00	%	Yes	\$20.00	20	20	\$20.00
								Total: \$8,165.00

Required Document List

Name	Omission Terms	Submitted File
<p>Cover Letter Includes name, address, point of contract and phone number on the first page. Any qualifying statements regarding the proposal, contractor's approach to the work, summary of licenses/certifications, qualifications, subcontractors, and references per RFP.</p>		<p>Proposal for Citywide Safety Electrical Services - 7-22-24 (DC Electric Group Inc.).pdf</p>
<p>List of Key Personnel Includes name, position, applicable licenses, experience at position, employer, dates of employment), the assigned POC(s), and include list of equipment available for use under the Contract</p>		<p>Proposal for Citywide Safety Electrical Services - 7-22-24 (DC Electric Group Inc.).pdf</p>
<p>2 Required Documents</p>		

NON-COLLUSION DECLARATION

TO BE EXECUTED BY BIDDER AND SUBMITTED WITH BID

The undersigned declares:

I am the *

Regional Vice President

of: *

DC Electric Group, Inc.

the party making the foregoing bid.

The bid is not made in the interest of, or on behalf of, any undisclosed person, partnership, company, association, organization, or corporation. The bid is genuine and not collusive or sham. The bidder has not directly or indirectly induced or solicited any other bidder to put in a false or sham bid. The bidder has not directly or indirectly colluded, conspired, connived, or agreed with any bidder or anyone else to put in a sham bid, or to refrain from bidding. The bidder has not in any manner, directly or indirectly, sought by agreement, communication, or conference with anyone to fix the bid price of the bidder or any other bidder, or to fix any overhead, profit, or cost element of the bid price, or of that of any other bidder. All statements contained in the bid are true. The bidder has not, directly or indirectly, submitted his or her bid price or any breakdown thereof, or the contents thereof, or divulged information or data relative thereto, to any corporation, partnership, company, association, organization, bid depository, or to any member or agent thereof, to effectuate a collusive or sham bid, and has not paid and will not pay, any person or entity for such purpose.

This declaration is intended to comply with California Public Contract Code § 7106 and Title 23 U.S.C § 112.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct and that this declaration is executed on

[date], *

07/22/2024

[city] *

Cotati

[state] *

California

I agree that my digital or electronic signature applies to this form

*

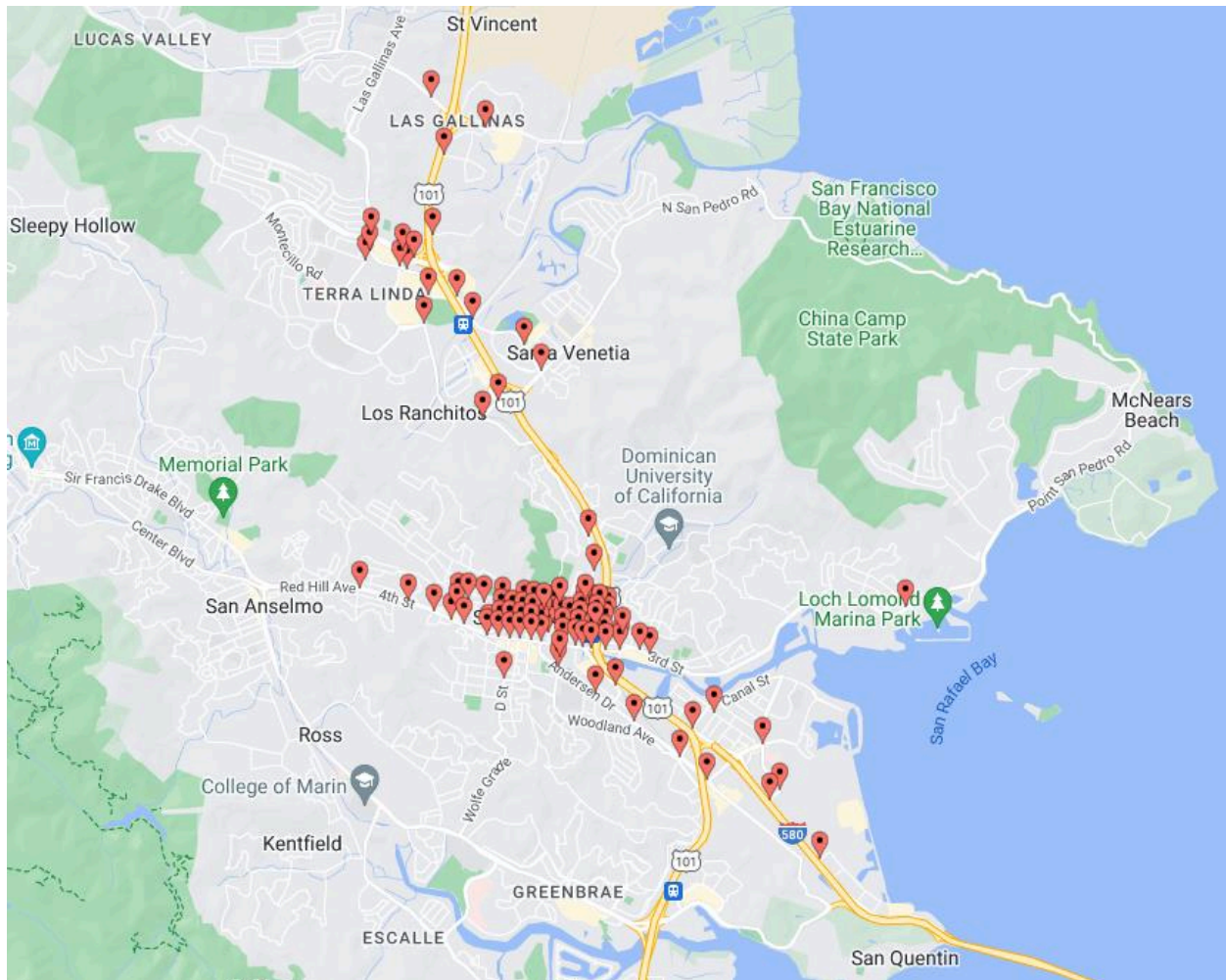
Name *

Timothy Carter



Exceeding Industry Expectations

City of San Rafael



Proposal for

Citywide Safety Electrical Services

Due by July 22, 2024, by 11:00 AM



Exceeding Industry Expectations

July 22, 2024

City of San Rafael
Department of Public Works
Attn: Jonathan Schellin
111 Morpheus St
San Rafael, CA 94901

RE: Request for Proposals (RFP) for Citywide Safety Electrical Services

Mr. Schellin,

We are pleased to provide this Proposal for Citywide Safety Electrical Services for the City of San Rafael.

DC Electric Group, Inc. (“DC Electric”) is a local North Bay-based California corporation specializing in municipal electrical and lighting contracting with a core focus on traffic signal and streetlight maintenance and related services for all Marin County agencies. We are licensed and bonded in the State of California (DIR# 1000003395 & CA License #949934), and hold **Class A (General Engineering), Class B (General Building), C-10 (Electrical), C-31 (Traffic Control), C-61/D-31 (Pole Installation & Maintenance) contractor’s licenses**. Our highly experienced office and field staff are locally recognized as experts in the street lighting and traffic signal industry. **Our local operations facilities in Cotati and Novato are ideally located to provide the City with rapid response times.** With our many years of local municipal experience, our dedication to customer satisfaction, and our in-depth firsthand knowledge of the electrical infrastructure within San Rafael, we are confident we can provide exemplary service and quality craftsmanship to the City.

Please contact Tim Carter with questions:

Contact:	Tim Carter, Regional Vice President
Corporate Headquarters & Yard:	605 W. Sierra Ave, Cotati CA 94931
Marin County Yard:	8121 Binford Rd, Novato, CA 94945
Mailing Address:	P.O. Box 7525, Cotati, CA 94931
Office Phone (24/7/365 Emergency #):	(707) 992-0141
Office Fax:	(888) 525-8419
Email Address:	Tim@dcelectricgroup.com
Tax ID #:	46-3612010

DC Electric has reviewed the requirements of the RFP documents including the insurance requirements and has conducted the necessary due diligence required to submit this proposal. In general, we do not anticipate using any subcontractors for this routine maintenance work. Please feel free to contact any of our references listed below. Thank you for considering DC Electric as the best partner for Citywide Safety Electrical Services.

Respectfully,

Tim Carter, Regional Vice President

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- A. Mission Statement
- B. Approach to the Work
- C. Qualifications: Staffing, Team Experience and Understanding of Requested Services and Objectives.
- D. Client References
- E. Resumes
- F. Acknowledgement of City's Agreement and Insurance Requirements
- G. Attachments:
 - 1.) Contractor's License
 - 2.) Corporate W9
 - 3.) Business License (City of San Rafael)
 - 4.) Insurance Certificate



Exceeding Industry Expectations

A. MISSION STATEMENT

In a world where indifference and insincerity have become the status quo, individual needs have been forgotten and the customer reduced to a mere number, it is DC Electric Group, Inc.'s focus to restore the spirit of exceptional service by establishing personal accountability for our customers' experience and satisfaction during the course of business. Our customers count on our dependability, our drive, and our integrity. In this capacity, we hold a responsibility to nurture, retain and maintain the customer confidence that is necessary to our existence. **It is our Mission** to deliver high-quality, cost-effective Traffic Signal and Streetlight services, on schedule, by employing and supporting a motivated, flexible, and focused team. We value the importance of our relationships and will continue to remain fair and true in our dealings with all employees, customers and vendors. We take great pride in our accomplishments and continue to build on them every day.

B. APPROACH TO THE WORK

DC Electric's core business is Traffic Signal and Streetlight maintenance services. DC Electric currently performs traffic signal maintenance, streetlight maintenance, and electrical safety services like those requested for approximately thirty (30) agencies throughout the Bay Area. DC Electric is currently responsible for the ongoing maintenance of approximately **six hundred (600) signalized intersections** and **twenty thousand (20,000) streetlights**, including all signals, streetlights, flashing crosswalks, RRFBs, flashing beacons, and radar speed feedback signs in the City of San Rafael and surrounding Marin County agencies. DC Electric is also the current streetlight maintenance provider under contract with the Marin General Services Authority (MGSA). In addition to routine maintenance and repairs, we have staff on-call 24/7/365 to respond to emergency response for all our customers. The most important criterion that sets DC Electric apart is our primary focus on maintenance and operations. Our traffic signal and streetlight maintenance services are not simply a division of a larger construction or manufacturing operation. We often operate as an extension of City staff and perform inspection services on new signals, assist in the design and planning of new infrastructure projects, locate and mark existing infrastructure, and serve as integrators for new equipment installations.

Emergency Response Ability

DC Electric acknowledges the City's requirement for a thirty (30) minute emergency response time on weekdays (7:00 AM to 5:00 PM) and sixty (60) minute response time on weekday evenings (5:00 PM to 7:00 AM), weekends, and holidays. ***We have technicians throughout Marin County Monday through Friday, and we are fully committed to responding immediately to these emergencies.***

Commitment to Managing City's Network & ATMS

DC Electric worked with City IT department to update traffic signal network IP scheme for scalability. We configured and deployed network switches utilizing fiber optics, ethernet over copper and broadband radios to connect more than 60 intersections and modernize the City's ITS system. DC Electric currently helps monitor and maintain the City's network and ATMS system as the primary users of the system.

Engineering & Testing:

DC Electric has longstanding relationships with virtually all local Traffic Engineering firms, with the ability to contract with and/or assist with development, modification, and implementation of any signal project, including evaluating/testing signal timing and coordination plans. Our traffic labs allow for cabinet/controller testing for our customers.

Facilities & Inventory

DC Electric maintains offices, warehouse space and operation yards in Cotati, CA, Novato, CA and Pacheco, CA. Our facilities house the necessary materials for the maintenance and repair of traffic signal and streetlight infrastructure including signal hardware, LEDs, cabinets, components, poles, fixtures, photocells, fuses, pull-boxes, wire, and other miscellaneous traffic signal and streetlight materials. The appropriate spare inventory necessary for the proper operations of the City infrastructure will be maintained. We continually monitor as material is used and maintain adequate inventory levels.

Equipment:

DC Electric has access to all of the necessary equipment to properly maintain the traffic signal and streetlight infrastructure for the City. All of our field technicians use Altec AT235 or Altec 37G aerial lift "bucket trucks." DC Electric staff have more than 20 years of experience working directly with Altec to support our fleet operations. In addition to the standard bucket trucks, DC Electric has all material handling, aerial crane, service body, and traffic control equipment at our disposal for any need that should arise. If necessary, we also have the ability to contract for 24/7/365 emergency crane services allowing us operational flexibility and access to a wide variety of crane assets at a moment's notice.

Complete List of Services:

In addition to the services being requested DC Electric provides a wide variety of traffic signal, streetlight, and related electrical services to municipal agencies in the following areas:

Transportation

- Complete traffic signal installations, modifications, repairs & maintenance
- Video system installation and repair – CCTV & video detection
- Fiber Optic cabling installation, splicing, troubleshooting and repair
- Network switch configuration, installation and troubleshooting
- ITS system operation and maintenance
- Emergency Vehicle Pre-emption
- Battery Back-up Systems (BBS)
- Radar Speed Feedback Signs
- Audible Pedestrian Signals (APS)
- Integrated Corridor Mobility Equipment
- Microwave Vehicle Detection Station
- ADA pedestrian upgrades
- Underground utility installation & repair
- Utility locating and marking
- Lighted x-walk installation and repair
- After hours and emergency response
- Live Electronic Records Management System

Street Lighting & General Services

- Street lighting – Installations, repair & maintenance – Parallel and series systems
- Parks lighting and ball field lighting
- Building electrical – (interior and exterior) Installations, repair & maintenance
- Parking lot lighting
- Holiday and decorative lighting & banner installations
- Fountain, pool & spa electrical
- Electrical control work – energy management systems, time clock & photo control
- After hours and emergency response

Lighting & Energy Efficiency Services

- Audits
- Upgrades – LED & Induction Lighting
- Electric vehicle charging stations
- Smart parking meters
- Energy management system installation & repair

Heavy Electrical Services

- Generator installation, maintenance, and repairs
- Storm water pump and sanitary lift station maintenance, and repairs

C. QUALIFICATIONS: STAFFING, TEAM EXPERIENCE, AND UNDERSTANDING OF REQUESTED SERVICES AND OBJECTIVES.

Since traffic signal maintenance and emergency repair work is a service, a key qualification when contracting for these services is the quality and experience of the management and field staff. The employees at DC Electric have successfully maintained hundreds of signalized intersections and thousands of streetlights, and have managed, designed, and/or constructed many tens of millions of dollars' worth of community-based traffic signal and streetlight projects. We have earned a strong reputation for consistent and creative problem solving through a solid technical base and exemplary work performance. We have demonstrated our capability in providing exceptional workmanship, flexibility in the field, and the ability to make decisions and act independently while providing field support services. We also focus on maintaining up to date training and knowledge of industry standards, specifications, applicable certifications, and continued education to continue to serve our clients in the future. We are 100% customer focused and driven to provide the highest quality services to satisfy our customers' needs. With more than 15 field technicians dedicated to maintenance and installation operations, along with a robust administrative team, DC Electric is well staffed to support the City's needs. Below are the proposed key management for the City of San Rafael's Citywide Safety Electrical Services.

Experience of Key Management Staff

DC Electric's Key Management Team members have a combined **100+ years** of direct involvement in the traffic signal and streetlight maintenance industry in the Bay Area, including the City of San Rafael. Our Key Management Team members are listed below.

- **Dave D'Elicio**, DC Electric's CEO, has 20+ years of experience in traffic signal and street light maintenance and construction throughout the Bay Area. He holds a Class "A" General Engineering and Class "C10" Electrical Contractors license. Dave has been with DC Electric since its inception in 2011.
- **Jeff Asch**, DC Electric's COO, has 20+ years' experience in streetlight and traffic signal maintenance and holds a Class "B" General Building, Class "C10" Electrical, Class "C31" Construction Zone Traffic Control, and Class "C61/D31" Pole Installation & Maintenance contractors' licenses. Jeff has been with DC Electric since 2015.
- **Tim Carter** serves as Regional Vice President and has over 20 years of experience managing traffic signal construction and maintenance projects throughout Northern CA. Tim is an expert at Estimating and proposal writing, Bid preparation, Contract Review/Execution, Purchasing, Subcontracting, Scheduling, Traffic Control Plans, Obtaining Permits, Job tracking and reporting, and Billing review. Tim has been with DC Electric Group since 2012.
- **Justin Calkins** serves as our ITS Project Manager and has 20+ years of experience in the traffic signal industry working for local agencies, equipment manufacturers, suppliers, and contractors. He specializes in the design, implementation and operation of ITS devices and services including ATMS, SPM and networking systems. Justin has been with DC Electric since 2018.
- **John Abraham** serves as Regional Manager and was Contra Costa County's traffic signal and streetlight maintenance division for more than 20 years, maintaining over 750 signalized intersections for 11 different agencies. John has been with DC Electric since 2016 and manages our East Bay office in Pacheco, CA.

Please see Section E: Resumes for a complete list of Key Management Team members' qualifications.

Experience of Key Field Staff

A successful traffic signal maintenance program is dependent on the quality of the technical staff in the field. In addition to the key management team members, DC Electric has highly skilled field technicians.

DC Electric is an IBEW signatory Union contractor. All of our field technicians have received extensive general electrical training, as well as years of on-the-job training in traffic signal and streetlight maintenance and operations. Our field technicians have International Municipal Signal Association (IMSA) Certifications in Work Zone Safety, Traffic Signal Level I, Traffic Signal Level II, and Traffic Signal Level III. Our team currently maintains more than 22,000 streetlights and 550 signalized intersections for more than 30 different municipal agencies.

It is this level of training and experience that enable DC Electric staff to quickly assess problems in the field, make necessary repairs with a minimum of time and cost, and make decisions independently in the field. Our technical staff know how to perform the work, can perform it safely, and understand their responsibility to public safety and to satisfying constituent and customer needs.

DC Electric has reviewed the applicable prevailing wage classifications for this project, and will comply with all prevailing wage requirements, as well as all federal, state, and local wage and labor laws, OSHA requirements, and appropriate safety measures. DC Electric is registered with the California Department of Industrial Relations, DIR#1000003395.

Please see Section E: Resumes of selected DC Electric Field Staff members assigned to the City.

D. CLIENT REFERENCES

Customer Satisfaction & References:

In order to succeed as a traffic signal and streetlight maintenance company, not only do we have to be experts in traffic signal and streetlight maintenance, but we must also satisfy our customers. From our perspective, successfully completing large construction projects is easy relative to achieving total customer satisfaction year-after-year while performing thousands of routine maintenance tasks for dozens of agencies. It is our mission to provide exceptional service and 100% customer satisfaction. In the traffic signal and streetlight maintenance industry, there is no better way to judge the quality of a maintenance service provider than by asking their customers. For traffic signal and streetlight maintenance, emergency response, and repairs where public safety is at issue and the reputation of a municipality is at stake, it is absolutely critical that the City be 100% satisfied with the quality, timeliness, expertise, and level of service provided by your maintenance contractor.

This is why DC Electric holds customer satisfaction as the single most important measure of our success. In addition to DC Electric's staff regularly checking with all of our customers to ensure they are satisfied; we also engage a 3rd party consultant to periodically contact our customers and provide feedback regarding their experience. We are pleased to say that based on the results of our 3rd party interviewing; DC Electric is proud to continually achieve 100% customer satisfaction. DC Electric feels so strongly about customer satisfaction that we have provided reference information below for *every* agency we perform streetlight or traffic signal maintenance services. It is easy for a contractor to hand pick 3 positive references. It is much more difficult to have confidence that every agency we support can act as a positive reference. We encourage you to contact any of them for information about our technical expertise, customer service, and company qualifications.

Customer Reference List

Agency	Contact	Contact #:	Email
City of Benicia	Ted Corder	707-580-5888	tcorder@ci.benicia.ca.us
City of Berkeley	Tom Salkowitz	510-517-3361	tsalkowitz@cityofberkeley.info
City of Cloverdale	Derrick Montanye	707-894-1728	DMontanye@ci.cloverdale.ca.us
City of Concord	Virenda Patel	925-671-3129	Virendra.Patel@cityofconcord.org
City of Cotati	Craig Scott	707-665-3620	cscott@cotaticity.org
City of Emeryville	Ryan O'Connell	510-596-4346	roconnell@emeryville.org
City of Healdsburg	Jarrod Dericco	707-799-2623	jderrico@ci.healdsburg.ca.us
City of Lafayette	Mike Moran	925-935-1238	mmoran@ci.lafayette.ca.ua
City of Larkspur	Bob Quinn	707-246-2152	rquinn@cityoflarkspur.org
City of Livermore	Jason Calkins	925-960-8042	jwcalkins@cityoflivermore.net
City of Mill Valley	Andrew Poster	415-384-4848	APoster@cityofmillvalley.org
City of Novato	Petr Skala	415-899-8237	PSkala@novato.org
City of Oakley	Billilee Saengchalern	925-625-7154	Saengchalern@ci.oakley.ca.us
City of Orinda	Kevin McCourt	925-253-4251	kmccourt@cityoforinda.org
City of Petaluma	Jeff Stutsman	707-776-3673	jstutsman@ci.petaluma.ca.us
City of Rohnert Park	Tom Kelley	707-304-2880	tkelley@rpcity.org
City of San Pablo	Daniel Gomez	510-215-3077	danielg@sanpabloca.gov
City of San Rafael	Willie Lagleva	415-485-3496	Willie.Lagleva@cityofsanrafael.org
City of San Ramon	Greg Bender	925-973-2694	gbender@sanramon.ca.gov
City of Sausalito	Kevin McGowan	415-289-4176	KMcGowan@sausalito.gov
City of Sebastopol	Dante Del Prete	707-823-5331	ddelprete@cityofsebastopol.org
City of Ukiah	Andrew Stricklin	707-463-6297	astricklin@cityofukiah.com
City of Walnut Creek	Karlan Larson	925-943-5899	klarson@walnut-creek.org
Contra Costa County	Dave Lavelle	925-383-8982	dave.lavelle@pw.cccounty.us
County of Marin	Dan Dawson	415-473-6287	ddawson@marincounty.org
County of Mendocino	Bill Wood	707-234-2823	woodw@mendocinocounty.org
County of Sonoma	Joe Pease	707-565-2231	Joe.Pease@sonoma-county.org
GGNRA	Nick Geitner	(415) 740-4090	john_geitner@nps.gov
The Presidio Trust	Petey (Vaega) Ulufatu	(415) 850-5657	VUlufatu@presidiotrust.gov
Town of Corte Madera	R.J. Suokko	415-927-5120	RSuokko@tcmmail.org
Town of Fairfax	Loren Umbertis	415-453-2370	LUmbertis@townoffairfax.org
Town of Ross	Richard Simonitch	415-453-1453	rsimonitch@townofross.org
Town of San Anselmo	Sean Condry	415-258-4676	scondry@townofsananselmo.org
Town of Windsor	Tod Ceruti	707-536-3489	tceruti@townofwindsor.com

E. RESUMES (Key Personnel)

Timothy Carter, Regional Vice President

- 20 years of local experience in traffic signal and street light maintenance industry.
- Bachelor of Arts Degree in Environmental Studies and Planning, Energy Management and Design from Sonoma State University.
- IMSA Certified - Work Zone Safety, Traffic Signal Level I & Level II
- 16 years of experience as a Project Manager for traffic signal and street light maintenance and construction management in the North Bay Area Region.

Employment:

- **DC Electric Group, Inc.** (2012 – Present)
Regional Vice President
- **Republic Intelligent Transportation Services, Inc.** (2003 – 2012)
Project Manager & Service Operations Manager (2003 – 2012)

Experience:

- Project Manager, Service Operations Manager, and primary contact person for all public agencies in Marin, Sonoma, Mendocino, Solano, Napa, Alameda, Contra Costa counties for all traffic signal maintenance, streetlight maintenance, and associated construction projects.
- **Currently responsible for the project management (maintenance, repair and after- hours emergency services) of signal and street light infrastructure for the following local agencies:** Cities of Novato, Petaluma, San Rafael, Mill Valley, Larkspur, Sausalito, Rohnert Park, Cotati, Sebastopol, Benicia, and Ukiah, Counties of Marin and Sonoma, Towns of Corte Madera, San Anselmo, Fairfax, Ross, and Windsor, as well as the Bel Marin Keys and Marinwood Community Services Districts.
- Specific knowledge of the geography and electrical infrastructure in the City of Novato and surrounding areas, including traffic signal and street light maintenance history.
- Managed a wide-variety of traffic signal, streetlight, and pedestrian improvement projects with excellent customer service, satisfaction, and safety:
- Expert in the installation and maintenance of Signalized Intersections, Street Lighting, Sport Lighting, Facility Lighting, Vehicle Detection (Video, Loops, Sensys™, etc.), Adaptive Traffic Control Systems, Battery back-up systems, CCTV Cameras, Emergency Vehicle Pre-emption (EVP), Signal interconnect and GPS time-clock installations, RRFBs, Lighted Crosswalks, Flashing Beacons, Radar Feedback Signs, Service Pedestals, Pedestrian (ADA) Upgrades/Improvements, Undergrounding and overhead utility and infrastructure, and Energy Efficiency Upgrades.
- Development and execution of traffic signal maintenance contracts and construction projects in the San Francisco Bay Area Region, with a concentration in the North Bay.
- Project manage from initial development through project completion including Estimating and proposal writing, Bid preparation, Contract Review/Execution, Purchasing, Subcontracting, Scheduling, Traffic Control Plans, Obtaining Permits, Job tracking and reporting, and Billing review
- Responsibility for Training and Safety as well as Fleet Management

Tim Carter is the assigned point of contact for this proposal.

Justin Calkins, ITS Project Manager

- 20+ years of experience in Traffic Signal maintenance, operations, sales and support
- *IMSA Certified – Workzone Safety, Traffic Signal Field Technician Level III*
- Consortium for ITS Training and Education (C.I.T.E) – Traffic Engineering and Operations certification
- ITE - Northern California Section board member 2015-2017

Experience:

- Traffic Signal Technician - City of Livermore, 9 years
- Engineering Technician – Aegis ITS, 2 Years
- Technical Sales / Technical Support – Econolite Control Products Inc., 5 Years
- ITS Project Manager – DC Electric 2017 - Present
- Video detection systems installation, configuration and troubleshooting including Autoscope, Iteris, Miovision, Gridsmart and Trafficon systems.
- CCTV installation, configuration, and operation
- Fiber optic and Ethernet over copper cabling and network switch configuration, troubleshooting and repair.
- Wireless communications equipment installation, configuration and troubleshooting
- Installation, modification and repair of NEMA TS-1, TS-2 and 332 cabinets
- Controller programming and troubleshooting including McCain 233/2033/Omni, Intelight, Cubic/Trafficware, Econolite, and D4 software platforms.
- Central system management and operation including Cubic/Trafficware ATMS.Now, Econolite Centraacs and McCain Transparency platforms.
- Evaluation and adjustment of signal timings and coordination plans
- Implementation, testing, and fine tuning of hardware, software, and signal timings for Transit priority systems.
- Update traffic signal network IP schemes for scalability.
- Configure and deploy network switches utilizing fiber optics, ethernet over copper and broadband radios to connect and modernize City's ITS systems.

John Abraham, Regional Manager

- 38 years of total local experience in the electrical industry
- 27 years of experience in the traffic signal and street light maintenance industry
- Bachelor of the Arts Degree in Business Management
- IMSA Certified - Work Zone Safety, Traffic Signal Level I, Level II, Level III
- Other Certifications – Fiber Optic Technician, Airport Lighting Technician, Crane Operation and Asbestos Abatement

Experience:

- Contra Costa County - Lead Electrician of the Traffic Signal Shop maintaining over 750 traffic signals and all streetlights within County jurisdiction.
- Lead emergency, non-emergency, and preventative maintenance technician for the following local municipal clients for the past 27+ years: Antioch, Brentwood, Clayton, Concord, Danville, Hercules, Martinez, Moraga, Oakley, Orinda, Pinole, Pleasant Hill, San Pablo, other agencies throughout the greater bay area.
- Extensive operational knowledge of various types of traffic signal equipment, controller assemblies, and associated electrical component functions: 332 & NEMA Cabs, 2070 controllers, 170 & NEMA TS1 and TS2 controllers. Installation, repair, programming and general maintenance of total controller assemblies including malfunction management systems, battery back-up systems, output circuit drivers, vehicle and pedestrian detectors including, magnetometer - based vehicle detection, wireless (Sensys Networks), inductive loop detection, Piezo loop detection, various video detection systems (Iteris, Econolite and Trafficon), emergency vehicle pre-emption systems (Opticom & Emtrac), vehicle and pedestrian indications, red light camera systems and all associated wiring, Installation and repair of traffic calming devices, lighted cross-walk systems, and radar feed-back signs. Expertise in investigation and repair of both stand-alone systems and coordinated intersections. Development and implementation of signal timing and coordination plans. Installation and troubleshooting of hardwire and wireless telemetry systems, (spread spectrum, etc.).
- Repair of electrical, electronic, and microprocessor-based equipment to the component level in the Signal Shop.
- Fabrication of specialized equipment for testing existing equipment and troubleshooting performance of equipment in the field.
- Streetlight maintenance and lighting retrofit projects.
- Electrical maintenance of all County facilities including airport lighting, phone/data systems and HVAC/refrigeration maintenance.
- Primary contact person for all public agencies within the County.
- Specific knowledge of the geography and electrical infrastructure in the East Bay and surrounding areas, including traffic signal and street light maintenance history.
- Planning, layout, estimating, purchasing, cost control, scheduling, and personnel management.
- In depth understanding of industrial standards, codes, and safety practices.

Jeff Asch, Chief Operating Officer

- 22 years experience in streetlight and traffic signal maintenance, and 31 years of total experience in the electrical industry
- California State License Holder –Class B (General Building); C-10 (Electrical) C-31 (Construction Zone Traffic Control); C-61/D-31 (Pole Installation & Maintenance)
- Experienced executive with a proven track record of successfully operating and growing small businesses. Strengths include Operations, Project Development, Project Management, Accounting & Finance, Geographic Expansion, Information Technologies, Legal & Risk Management, and Contract Administration,
- Bachelor of Arts Degree in Government with High Honors, Wesleyan University, Middletown, CT
Certificate in Energy Management & Design, Sonoma State University, Rohnert Park, CA

Employment:

- **DC Electric Group, Inc.** (2015 – Present)
Chief Operating Officer
- **Cartelligent** (2013 – 2015)
Chief Executive Officer
- **Republic Intelligent Transportation Services, Inc.** (2002 – 2011)
Vice President & Chief Financial Officer (2002 – 2011)
- **Northeast Energy Services Company (NORESCO)**
Western Region Vice President (2000 – 2002)
Western Regional Manager (1997 – 2000)
Engineering & Project Management (1994 – 1997)

Experience:

- At Northeast Energy Services Company, oversaw western regional operations for the premier provider of energy efficiency services, including expansions to central and southern California, Hawaii, and the Pacific Northwest, growing the region from \$1M in annual construction to over \$30M. Key clients included Pacific Gas & Electric, Southern California Edison, Safeway, Rite-Aid, the County of Los Angeles, the California Army National Guard, as well as smaller cities throughout California.
- As the Vice President & Chief Financial Officer of Republic Intelligent Transportation Services, Inc., helped operate the nation’s leading traffic signal and streetlight maintenance services company with 10,000 intersections and over 170,000 streetlights under maintenance. Oversaw the expansion to New England, Southern California, Texas, and Arizona.
- As the Chief Operating Officer of DC Electric, Inc. has direct oversight for all operations. Responsible for all project management, management, and administrative functions such as accounting, fleet management, insurance, risk management, legal, and IT, including the creation and ongoing support for our web-based custom written streetlight and traffic signal work order management system.

Dave D'Elicio, CEO

- 20 years local experience in the traffic signal, street lighting, and electrical industry.
- 17 years Journeyman Electrician, IBEW Local #551
- D.I.R State Certified General Electrician
- California State License Holder – C-10
- *IMSA Certified – Traffic Signal Field Technician Level II*
- Exceptional training and understanding of electrical theory and its relation to practical application

Experience:

- Traffic Signal and Street Light Repair and Maintenance Technician
- Extensive knowledge of various types of traffic signal equipment, controller assemblies, and associated electrical component functions. Installation, repair, programming, and general maintenance of total controller assemblies including malfunction management systems, output circuit drivers, and vehicle and pedestrian detectors including inductive loop detection and video detection systems.
- Emergency, non-emergency, and preventative maintenance service for the following local municipal clients: City of Emeryville, City of San Rafael, City of Mill Valley, City of Petaluma, City of Rohnert Park, City of Novato, City of Sausalito, Town of San Anselmo, Town of Ross, Town of Corte Madera, and County of Marin.
- Industrial electrical design, installation, and repair with expertise in street light and traffic signal infrastructure installations and associated undergrounding. Extensive history in design, installation, programming, and maintenance of commercial energy management systems and smart systems.

Patrick Madden

Sr. Traffic Signal & Streetlight Technician

- 34 years Journeyman Electrician
- California State Certified – General Electrician
- IMSA Certified – Workzone Safety, Traffic Signal Field Technician Level I, II & III
- 14 years local experience in the traffic signal, street lighting industry including maintenance, repair, and on-call emergency services.
- General knowledge of the geography, history, and technical requirements of the electrical infrastructure system for the North Bay and surrounding areas.

Experience:

- Senior Traffic Signal Technician, Foreman and Superintendent
- Operational knowledge of various types of traffic signal equipment, controller assemblies and associated electrical component functions: 332 & NEMA Cabs, 170 & NEMA TS1, and TS2 controllers. Installation, repair, programming, and general maintenance of total controller assemblies including malfunction management systems, battery back-up systems, output circuit drivers, vehicle and pedestrian detectors including, magnetometer – based vehicle detection, wireless (Sensys Networks), inductive loop detection, Piezo loop detection, various video detection systems (Iteris, Econolite and Trafficon), emergency vehicle pre-emption systems (Opticom & Emtrac), vehicle and pedestrian indications, in pavement warning systems, traffic calming devices, red light camera systems, and all associated wiring.
- 10 years experience in complete operations (maintenance, repair and after – hours emergency services) of Traffic Signal infrastructure for the following local municipal agencies:
- Cities of Novato, San Rafael, Mill Valley, Larkspur, Sausalito, Rohnert Park, Cotati, Sebastopol, American Canyon, El Cerrito, Benicia, Emeryville and Ukiah. Counties of Marin and Sonoma. Towns of Corte Madera, San Anselmo, Fairfax, Ross, and Windsor.
- 10 years experience in complete operations (maintenance, repair and after-hours emergency services) of Streetlight infrastructure for the following local municipal agencies:
- El Cerrito, Emeryville, Windsor, Benicia and total inventories for all MGSA agencies (Cities of Novato, San Rafael, Mill Valley, Larkspur, Sausalito and Belvedere. County of Marin, Towns of Corte Madera, San Anselmo, Fairfax, Ross, Tiburon. Community Services Districts, Bel Marin Keys and Marinwood.
- On-Call utility locate and marking (USA)

Chris Wilson

Traffic Signal and Street Light Foreman

- 21 years of local experience in the traffic signal, street lighting, and electrical industry
- 16 years Journeyman Electrician, IBEW Local #551
- IBEW Local #551 Apprenticeship Program
- D.I.R State Certified General Electrician
- *IMSA Certified – Work Zone Safety, Traffic Signal Level I, Level II, & Level III*
- Tower climbing, aerial safety, and rescue training and certification
- Anritsu Site Master line sweep certification.
- Andrew Institute EZFIT and Positive Stop Series connectors certification
- Specific knowledge of the geography and the electrical infrastructure for the North Bay Area

Experience:

- Traffic signal and street light maintenance, repair – Journeyman Electrician and Field Superintendent
- Extensive knowledge of various types of traffic signal equipment, controller assemblies, and associated electrical component functions. Installation, repair, programming, and general maintenance of total controller assemblies including malfunction management systems, output circuit drivers, and vehicle and pedestrian detectors including inductive loop detection and video detection systems
- Expert underground utility location and repair
- Emergency, non-emergency, and preventative maintenance service for the following local municipal clients: Cities of Novato, San Rafael, Mill Valley, Larkspur, Sausalito, Rohnert Park, Cotati, Sebastopol, American Canyon, Benicia, Emeryville, Petaluma, and Ukiah. Counties of Marin and Sonoma. Towns of Corte Madera, San Anselmo, Fairfax, Ross and Windsor.

Jason Filippi

Traffic Signal and Street Light Technician

- 18 years traffic signal and streetlight maintenance technician for MGSA and surrounding agencies.
- 14 years Journeyman Electrician, IBEW Local #551
- IBEW 1245 Apprenticeship Program (4 years)
- 21 years local experience in the electrical construction industry with extensive underground and joint trenching experience for PG&E.
- D.I.R State Certified General Electrician
- *IMSA Certified – Work Zone Safety, Traffic Signal Level I, Level II, & Level III*
- OSHA 20 / Forklift Certified
- Specific knowledge of the geography and the electrical infrastructure for the North Bay Area

Experience:

- Traffic signal and street light maintenance, repair – Journeyman Electrician
- Extensive knowledge of various types of street light and traffic signal equipment, controller assemblies, and associated electrical component functions. Installation, repair, programming, and general maintenance of total controller assemblies including malfunction management systems, output circuit drivers, and vehicle and pedestrian detectors including inductive loop detection and video detection systems.
- Expert underground utility location and repair
- Emergency, non-emergency, and preventative maintenance service for the following local municipal clients: Cities of Novato, San Rafael, Mill Valley, Larkspur, Sausalito, Rohnert Park, Cotati, Sebastopol, American Canyon, Benicia, Berkeley, Emeryville, and Ukiah. Counties of Marin and Sonoma. Towns of Corte Madera, San Anselmo, Fairfax, Ross, and Windsor.

F. ACKNOWLEDGEMENT OF CITY'S AGREEMENT AND INSURANCE REQUIREMENTS

DC Electric Group, Inc. has reviewed the proposed Contract (Attachment C) and the associated insurance requirements. We hereby accept all terms and conditions contained in the agreement. Additionally, we acknowledge the amended bid schedule which includes the option for discount pricing on the hourly rate for USA ticket work. As the City of San Rafael's current signal maintenance provider, our insurance certificate is currently on file with the City and is ***attached to the end of this proposal.***

G. ATTACHMENTS

1.) Contractor's License

Contractor's License Detail for License # 949934

DISCLAIMER: A license status check provides information taken from the CSLB license database. Before relying on this information, you should be aware of the following limitations.

- ▶ CSLB complaint disclosure is restricted by law ([B&P 7124.6](#)) If this entity is subject to public complaint disclosure click on link that will appear below for more information. Click [here](#) for a definition of disclosable actions.
- ▶ Only construction related civil judgments reported to CSLB are disclosed ([B&P 7071.17](#)).
- ▶ Arbitrations are not listed unless the contractor fails to comply with the terms.
- ▶ Due to workload, there may be relevant information that has not yet been entered into the board's license database.

Business Information

D C ELECTRIC GROUP INC
 P O BOX 7525
 COTATI, CA 94931
 Business Phone Number:(707) 992-0141

Entity Corporation
Issue Date 07/14/2010
Reissue Date 10/17/2013
Expire Date 10/31/2025

License Status

This license is current and active.

All information below should be reviewed.

Classifications

- ▶ [A - GENERAL ENGINEERING](#)
- ▶ [C10 - ELECTRICAL](#)
- ▶ [C31 - CONSTRUCTION ZONE TRAFFIC CONTROL](#)
- ▶ [C-61 / D31 - POLE INSTALLATION AND MAINTENANCE](#)
- ▶ [B - GENERAL BUILDING](#)

2.) Corporate W9

Form W-9 (Rev. March 2024) Department of the Treasury Internal Revenue Service	Request for Taxpayer Identification Number and Certification Go to www.irs.gov/FormW9 for instructions and the latest information.	Give form to the requester. Do not send to the IRS.
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Before you begin. For guidance related to the purpose of Form W-9, see Purpose of Form, below.

Print or type. See Specific Instructions on page 3.	<p>1 Name of entity/individual. An entry is required. (For a sole proprietor or disregarded entity, enter the owner's name on line 1, and enter the business/disregarded entity's name on line 2.)</p> <p>DC Electric Group, Inc.</p> <p>2 Business name/disregarded entity name, if different from above.</p>	
	<p>3a Check the appropriate box for federal tax classification of the entity/individual whose name is entered on line 1. Check only one of the following seven boxes.</p> <p> <input type="checkbox"/> Individual/sole proprietor <input type="checkbox"/> C corporation <input checked="" type="checkbox"/> S corporation <input type="checkbox"/> Partnership <input type="checkbox"/> Trust/estate <input type="checkbox"/> LLC. Enter the tax classification (C = C corporation, S = S corporation, P = Partnership) <i>Note:</i> Check the "LLC" box above and, in the entry space, enter the appropriate code (C, S, or P) for the tax classification of the LLC, unless it is a disregarded entity. A disregarded entity should instead check the appropriate box for the tax classification of its owner. <input type="checkbox"/> Other (see instructions) </p>	<p>4 Exemptions (codes apply only to certain entities, not individuals; see instructions on page 3):</p> <p>Exempt payee code (if any) _____</p> <p>Exemption from Foreign Account Tax Compliance Act (FATCA) reporting code (if any) _____</p> <p>(Applies to accounts maintained outside the United States.)</p>
	<p>3b If on line 3a you checked "Partnership" or "Trust/estate," or checked "LLC" and entered "P" as its tax classification, and you are providing this form to a partnership, trust, or estate in which you have an ownership interest, check this box if you have any foreign partners, owners, or beneficiaries. See instructions <input type="checkbox"/></p>	
	<p>5 Address (number, street, and apt. or suite no.). See instructions.</p> <p>PO Box 7525; 605 W. Sierra Ave</p>	<p>Requester's name and address (optional)</p>
	<p>6 City, state, and ZIP code</p> <p>Cotati, CA 94931</p>	
	<p>7 List account number(s) here (optional)</p>	

Part I Taxpayer Identification Number (TIN)

Enter your TIN in the appropriate box. The TIN provided must match the name given on line 1 to avoid backup withholding. For individuals, this is generally your social security number (SSN). However, for a resident alien, sole proprietor, or disregarded entity, see the instructions for Part I, later. For other entities, it is your employer identification number (EIN). If you do not have a number, see *How to get a TIN*, later.

Note: If the account is in more than one name, see the instructions for line 1. See also *What Name and Number To Give the Requester* for guidelines on whose number to enter.

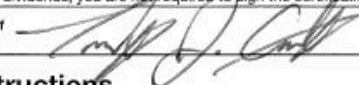
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4	6		3	6	1	2	0	1	0												

Part II Certification

Under penalties of perjury, I certify that:

- The number shown on this form is my correct taxpayer identification number (or I am waiting for a number to be issued to me); and
- I am not subject to backup withholding because (a) I am exempt from backup withholding, or (b) I have not been notified by the Internal Revenue Service (IRS) that I am subject to backup withholding as a result of a failure to report all interest or dividends, or (c) the IRS has notified me that I am no longer subject to backup withholding; and
- I am a U.S. citizen or other U.S. person (defined below); and
- The FATCA code(s) entered on this form (if any) indicating that I am exempt from FATCA reporting is correct.

Certification instructions. You must cross out item 2 above if you have been notified by the IRS that you are currently subject to backup withholding because you have failed to report all interest and dividends on your tax return. For real estate transactions, item 2 does not apply. For mortgage interest paid, acquisition or abandonment of secured property, cancellation of debt, contributions to an individual retirement arrangement (IRA), and, generally, payments other than interest and dividends, you are not required to sign the certification, but you must provide your correct TIN. See the instructions for Part II, later.

Sign Here	Signature of U.S. person 	Date 5/1/2024
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General Instructions

Section references are to the Internal Revenue Code unless otherwise noted.

Future developments. For the latest information about developments related to Form W-9 and its instructions, such as legislation enacted after they were published, go to www.irs.gov/FormW9.

What's New


Line 3a has been modified to clarify how a disregarded entity completes this line. An LLC that is a disregarded entity should check the appropriate box for the tax classification of its owner. Otherwise, it should check the "LLC" box and enter its appropriate tax classification.

New line 3b has been added to this form. A flow-through entity is required to complete this line to indicate that it has direct or indirect foreign partners, owners, or beneficiaries when it provides the Form W-9 to another flow-through entity in which it has an ownership interest. This change is intended to provide a flow-through entity with information regarding the status of its indirect foreign partners, owners, or beneficiaries, so that it can satisfy any applicable reporting requirements. For example, a partnership that has any indirect foreign partners may be required to complete Schedules K-2 and K-3. See the Partnership Instructions for Schedules K-2 and K-3 (Form 1065).

Purpose of Form

An individual or entity (Form W-9 requester) who is required to file an information return with the IRS is giving you this form because they

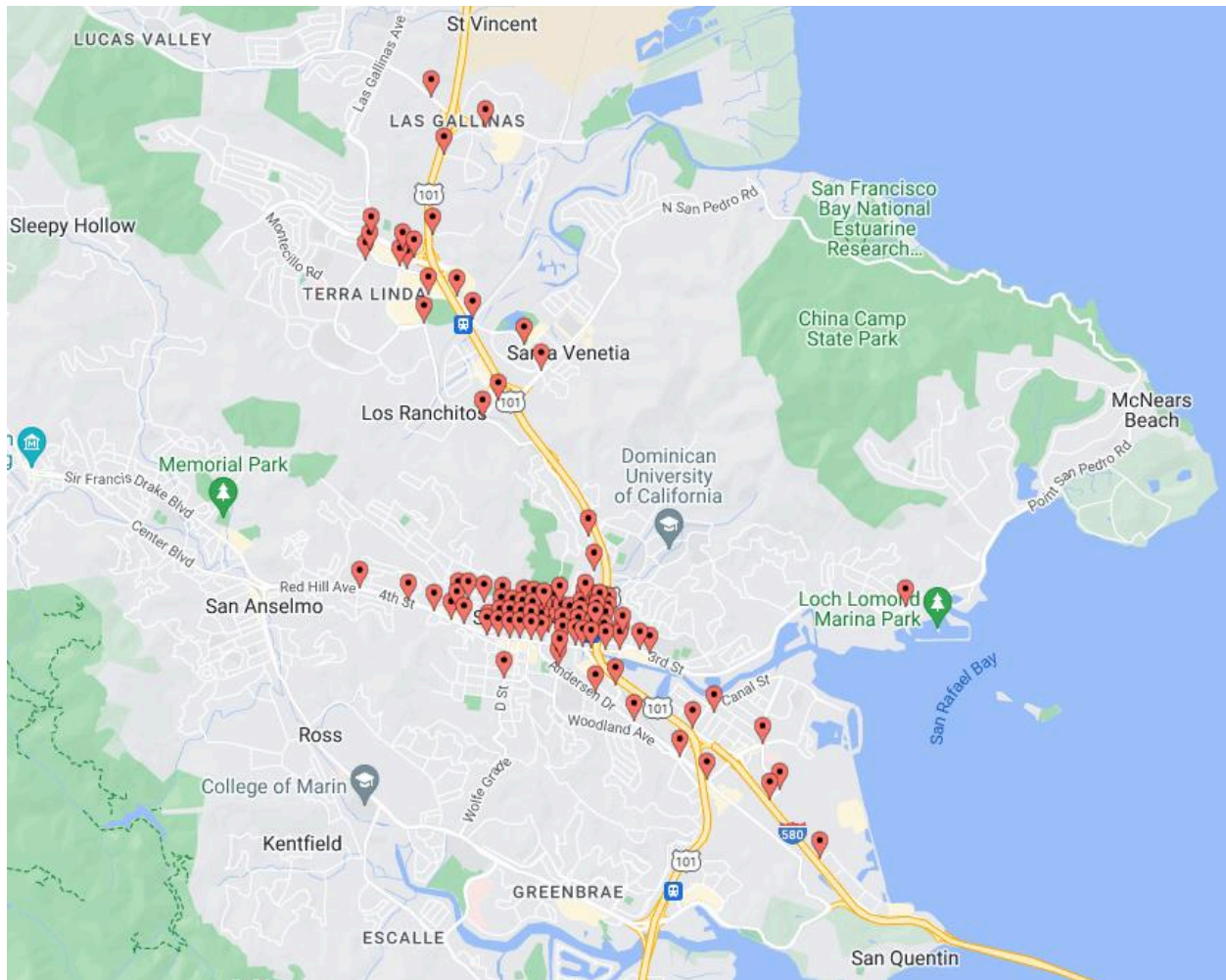
3.) Business License (City of San Rafael)

BUSINESS TAX CERTIFICATE #	052243	 SAN RAFAEL THE CITY WITH A MISSION 1400 Fifth Avenue San Rafael, CA 94901 www.cityofsanrafael.org/businesslicenses (415) 485-3053 - FAX (415) 485-3100						
<p>This certificate is issued for registration and revenue purposes only. It is issued without verification that the holder is subject to, exempt from, or in compliance with any other legal requirements, including City zoning or fire codes. Failure to receive a renewal notice does not relieve the holder's responsibility to maintain a current certificate while conducting business in the City.</p>								
BUSINESS NAME:	DC Electric Group, Inc.	<table border="1"><tr><td>Renewal Cycle:</td><td>Annual (end of Dec)</td></tr><tr><td colspan="2">To verify the validity of this certificate, please visit the above website.</td></tr><tr><td>Description:</td><td>CONTRACTOR OUT OF TOWN</td></tr></table> <p><small>Starting January 1, 2021, Assembly Bill 1607 requires the prevention of gender-based discrimination of business establishments. A full notice is available in English or other languages by going to: https://www.dca.ca.gov/publications/</small></p> <p>NOT TRANSFERABLE: REPORT CHANGES OF ADDRESS, OWNERSHIP, OR ACTIVITY.</p>	Renewal Cycle:	Annual (end of Dec)	To verify the validity of this certificate, please visit the above website.		Description:	CONTRACTOR OUT OF TOWN
Renewal Cycle:	Annual (end of Dec)							
To verify the validity of this certificate, please visit the above website.								
Description:	CONTRACTOR OUT OF TOWN							
BUSINESS LOCATION:	605 W SIERRA AVE COTATI, CA 94931-4279							
BUSINESS OWNER	DC Electric Group, Inc.							
<p>SHANNON LONG DC ELECTRIC GROUP, INC. PO BOX 7525 COTATI, CA 94931-7560</p>								
<p>KEEP AVAILABLE AT ALL TIMES WHILE WORKING IN SAN RAFAEL</p>								



Exceeding Industry Expectations

City of San Rafael



Proposal for

Citywide Safety Electrical Services

Due by July 22, 2024, by 11:00 AM



Exceeding Industry Expectations

July 22, 2024

City of San Rafael
Department of Public Works
Attn: Jonathan Schellin
111 Morphew St
San Rafael, CA 94901

RE: Request for Proposals (RFP) for Citywide Safety Electrical Services

Mr. Schellin,

We are pleased to provide this Proposal for Citywide Safet Electrical Services for the City of San Rafael.

DC Electric Group, Inc. (“DC Electric”) is a local North Bay-based California corporation specializing in municipal electrical and lighting contracting with a core focus on traffic signal and streetlight maintenance and related services for all Marin County agencies. We are licensed and bonded in the State of California (DIR# 1000003395 & CA License #949934), and hold **Class A (General Engineering), Class B (General Building), C-10 (Electrical), C-31 (Traffic Control), C-61/D-31 (Pole Installation & Maintenance) contractor’s licenses**. Our highly experienced office and field staff are locally recognized as experts in the street lighting and traffic signal industry. **Our local operations facilities in Cotati and Novato are ideally located to provide the City with rapid response times.** With our many years of local municipal experience, our dedication to customer satisfaction, and our in-depth firsthand knowledge of the electrical infrastructure within San Rafael, we are confident we can provide exemplary service and quality craftsmanship to the City.

Please contact Tim Carter with questions:

Contact:	Tim Carter, Regional Vice President
Corporate Headquarters & Yard:	605 W. Sierra Ave, Cotati CA 94931
Marin County Yard:	8121 Binford Rd, Novato, CA 94945
Mailing Address:	P.O. Box 7525, Cotati, CA 94931
Office Phone (24/7/365 Emergency #):	(707) 992-0141
Office Fax:	(888) 525-8419
Email Address:	Tim@dcelectricgroup.com
Tax ID #:	46-3612010

DC Electric has reviewed the requirements of the RFP documents including the insurance requirements and has conducted the necessary due diligence required to submit this proposal. In general, we do not anticipate using any subcontractors for this routine maintenance work. Please feel free to contact any of our references listed below. Thank you for considering DC Electric as the best partner for Citywide Safety Electrical Services.

Respectfully,

Tim Carter, Regional Vice President

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- B. Approach to the Work
- C. Qualifications: Staffing, Team Experience and Understanding of Requested Services and Objectives.
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- F. Acknowledgement of City's Agreement and Insurance Requirements
- G. Attachments:
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 - 2.) Corporate W9
 - 3.) Business License (City of San Rafael)
 - 4.) Insurance Certificate



Exceeding Industry Expectations

A. MISSION STATEMENT

In a world where indifference and insincerity have become the status quo, individual needs have been forgotten and the customer reduced to a mere number, it is DC Electric Group, Inc.'s focus to restore the spirit of exceptional service by establishing personal accountability for our customers' experience and satisfaction during the course of business. Our customers count on our dependability, our drive, and our integrity. In this capacity, we hold a responsibility to nurture, retain and maintain the customer confidence that is necessary to our existence. **It is our Mission** to deliver high-quality, cost-effective Traffic Signal and Streetlight services, on schedule, by employing and supporting a motivated, flexible, and focused team. We value the importance of our relationships and will continue to remain fair and true in our dealings with all employees, customers and vendors. We take great pride in our accomplishments and continue to build on them every day.

B. APPROACH TO THE WORK

DC Electric's core business is Traffic Signal and Streetlight maintenance services. DC Electric currently performs traffic signal maintenance, streetlight maintenance, and electrical safety services like those requested for approximately thirty (30) agencies throughout the Bay Area. DC Electric is currently responsible for the ongoing maintenance of approximately **six hundred (600) signalized intersections** and **twenty thousand (20,000) streetlights**, including all signals, streetlights, flashing crosswalks, RRFBs, flashing beacons, and radar speed feedback signs in the City of San Rafael and surrounding Marin County agencies. DC Electric is also the current streetlight maintenance provider under contract with the Marin General Services Authority (MGSA). In addition to routine maintenance and repairs, we have staff on-call 24/7/365 to respond to emergency response for all our customers. The most important criterion that sets DC Electric apart is our primary focus on maintenance and operations. Our traffic signal and streetlight maintenance services are not simply a division of a larger construction or manufacturing operation. We often operate as an extension of City staff and perform inspection services on new signals, assist in the design and planning of new infrastructure projects, locate and mark existing infrastructure, and serve as integrators for new equipment installations.

Emergency Response Ability

DC Electric acknowledges the City's requirement for a thirty (30) minute emergency response time on weekdays (7:00 AM to 5:00 PM) and sixty (60) minute response time on weekday evenings (5:00 PM to 7:00 AM), weekends, and holidays. ***We have technicians throughout Marin County Monday through Friday, and we are fully committed to responding immediately to these emergencies.***

Commitment to Managing City's Network & ATMS

DC Electric worked with City IT department to update traffic signal network IP scheme for scalability. We configured and deployed network switches utilizing fiber optics, ethernet over copper and broadband radios to connect more than 60 intersections and modernize the City's ITS system. DC Electric currently helps monitor and maintain the City's network and ATMS system as the primary users of the system.

Engineering & Testing:

DC Electric has longstanding relationships with virtually all local Traffic Engineering firms, with the ability to contract with and/or assist with development, modification, and implementation of any signal project, including evaluating/testing signal timing and coordination plans. Our traffic labs allow for cabinet/controller testing for our customers.

Facilities & Inventory

DC Electric maintains offices, warehouse space and operation yards in Cotati, CA, Novato, CA and Pacheco, CA. Our facilities house the necessary materials for the maintenance and repair of traffic signal and streetlight infrastructure including signal hardware, LEDs, cabinets, components, poles, fixtures, photocells, fuses, pull-boxes, wire, and other miscellaneous traffic signal and streetlight materials. The appropriate spare inventory necessary for the proper operations of the City infrastructure will be maintained. We continually monitor as material is used and maintain adequate inventory levels.

Equipment:

DC Electric has access to all of the necessary equipment to properly maintain the traffic signal and streetlight infrastructure for the City. All of our field technicians use Altec AT235 or Altec 37G aerial lift "bucket trucks." DC Electric staff have more than 20 years of experience working directly with Altec to support our fleet operations. In addition to the standard bucket trucks, DC Electric has all material handling, aerial crane, service body, and traffic control equipment at our disposal for any need that should arise. If necessary, we also have the ability to contract for 24/7/365 emergency crane services allowing us operational flexibility and access to a wide variety of crane assets at a moment's notice.

Complete List of Services:

In addition to the services being requested DC Electric provides a wide variety of traffic signal, streetlight, and related electrical services to municipal agencies in the following areas:

Transportation

- Complete traffic signal installations, modifications, repairs & maintenance
- Video system installation and repair – CCTV & video detection
- Fiber Optic cabling installation, splicing, troubleshooting and repair
- Network switch configuration, installation and troubleshooting
- ITS system operation and maintenance
- Emergency Vehicle Pre-emption
- Battery Back-up Systems (BBS)
- Radar Speed Feedback Signs
- Audible Pedestrian Signals (APS)
- Integrated Corridor Mobility Equipment
- Microwave Vehicle Detection Station
- ADA pedestrian upgrades
- Underground utility installation & repair
- Utility locating and marking
- Lighted x-walk installation and repair
- After hours and emergency response
- Live Electronic Records Management System

Street Lighting & General Services

- Street lighting – Installations, repair & maintenance – Parallel and series systems
- Parks lighting and ball field lighting
- Building electrical – (interior and exterior) Installations, repair & maintenance
- Parking lot lighting
- Holiday and decorative lighting & banner installations
- Fountain, pool & spa electrical
- Electrical control work – energy management systems, time clock & photo control
- After hours and emergency response

Lighting & Energy Efficiency Services

- Audits
- Upgrades – LED & Induction Lighting
- Electric vehicle charging stations
- Smart parking meters
- Energy management system installation & repair

Heavy Electrical Services

- Generator installation, maintenance, and repairs
- Storm water pump and sanitary lift station maintenance, and repairs

C. QUALIFICATIONS: STAFFING, TEAM EXPERIENCE, AND UNDERSTANDING OF REQUESTED SERVICES AND OBJECTIVES.

Since traffic signal maintenance and emergency repair work is a service, a key qualification when contracting for these services is the quality and experience of the management and field staff. The employees at DC Electric have successfully maintained hundreds of signalized intersections and thousands of streetlights, and have managed, designed, and/or constructed many tens of millions of dollars' worth of community-based traffic signal and streetlight projects. We have earned a strong reputation for consistent and creative problem solving through a solid technical base and exemplary work performance. We have demonstrated our capability in providing exceptional workmanship, flexibility in the field, and the ability to make decisions and act independently while providing field support services. We also focus on maintaining up to date training and knowledge of industry standards, specifications, applicable certifications, and continued education to continue to serve our clients in the future. We are 100% customer focused and driven to provide the highest quality services to satisfy our customers' needs. With more than 15 field technicians dedicated to maintenance and installation operations, along with a robust administrative team, DC Electric is well staffed to support the City's needs. Below are the proposed key management for the City of San Rafael's Citywide Safety Electrical Services.

Experience of Key Management Staff

DC Electric's Key Management Team members have a combined **100+ years** of direct involvement in the traffic signal and streetlight maintenance industry in the Bay Area, including the City of San Rafael. Our Key Management Team members are listed below.

- **Dave D'Elicio**, DC Electric's CEO, has 20+ years of experience in traffic signal and street light maintenance and construction throughout the Bay Area. He holds a Class "A" General Engineering and Class "C10" Electrical Contractors license. Dave has been with DC Electric since its inception in 2011.
- **Jeff Asch**, DC Electric's COO, has 20+ years' experience in streetlight and traffic signal maintenance and holds a Class "B" General Building, Class "C10" Electrical, Class "C31" Construction Zone Traffic Control, and Class "C61/D31" Pole Installation & Maintenance contractors' licenses. Jeff has been with DC Electric since 2015.
- **Tim Carter** serves as Regional Vice President and has over 20 years of experience managing traffic signal construction and maintenance projects throughout Northern CA. Tim is an expert at Estimating and proposal writing, Bid preparation, Contract Review/Execution, Purchasing, Subcontracting, Scheduling, Traffic Control Plans, Obtaining Permits, Job tracking and reporting, and Billing review. Tim has been with DC Electric Group since 2012.
- **Justin Calkins** serves as our ITS Project Manager and has 20+ years of experience in the traffic signal industry working for local agencies, equipment manufacturers, suppliers, and contractors. He specializes in the design, implementation and operation of ITS devices and services including ATMS, SPM and networking systems. Justin has been with DC Electric since 2018.
- **John Abraham** serves as Regional Manager and was Contra Costa County's traffic signal and streetlight maintenance division for more than 20 years, maintaining over 750 signalized intersections for 11 different agencies. John has been with DC Electric since 2016 and manages our East Bay office in Pacheco, CA.

Please see Section E: Resumes for a complete list of Key Management Team members' qualifications.

Experience of Key Field Staff

A successful traffic signal maintenance program is dependent on the quality of the technical staff in the field. In addition to the key management team members, DC Electric has highly skilled field technicians.

DC Electric is an IBEW signatory Union contractor. All of our field technicians have received extensive general electrical training, as well as years of on-the-job training in traffic signal and streetlight maintenance and operations. Our field technicians have International Municipal Signal Association (IMSA) Certifications in Work Zone Safety, Traffic Signal Level I, Traffic Signal Level II, and Traffic Signal Level III. Our team currently maintains more than 22,000 streetlights and 550 signalized intersections for more than 30 different municipal agencies.

It is this level of training and experience that enable DC Electric staff to quickly assess problems in the field, make necessary repairs with a minimum of time and cost, and make decisions independently in the field. Our technical staff know how to perform the work, can perform it safely, and understand their responsibility to public safety and to satisfying constituent and customer needs.

DC Electric has reviewed the applicable prevailing wage classifications for this project, and will comply with all prevailing wage requirements, as well as all federal, state, and local wage and labor laws, OSHA requirements, and appropriate safety measures. DC Electric is registered with the California Department of Industrial Relations, DIR#1000003395.

Please see Section E: Resumes of selected DC Electric Field Staff members assigned to the City.

D. CLIENT REFERENCES

Customer Satisfaction & References:

In order to succeed as a traffic signal and streetlight maintenance company, not only do we have to be experts in traffic signal and streetlight maintenance, but we must also satisfy our customers. From our perspective, successfully completing large construction projects is easy relative to achieving total customer satisfaction year-after-year while performing thousands of routine maintenance tasks for dozens of agencies. It is our mission to provide exceptional service and 100% customer satisfaction. In the traffic signal and streetlight maintenance industry, there is no better way to judge the quality of a maintenance service provider than by asking their customers. For traffic signal and streetlight maintenance, emergency response, and repairs where public safety is at issue and the reputation of a municipality is at stake, it is absolutely critical that the City be 100% satisfied with the quality, timeliness, expertise, and level of service provided by your maintenance contractor.

This is why DC Electric holds customer satisfaction as the single most important measure of our success. In addition to DC Electric's staff regularly checking with all of our customers to ensure they are satisfied; we also engage a 3rd party consultant to periodically contact our customers and provide feedback regarding their experience. We are pleased to say that based on the results of our 3rd party interviewing; DC Electric is proud to continually achieve 100% customer satisfaction. DC Electric feels so strongly about customer satisfaction that we have provided reference information below for *every* agency we perform streetlight or traffic signal maintenance services. It is easy for a contractor to hand pick 3 positive references. It is much more difficult to have confidence that every agency we support can act as a positive reference. We encourage you to contact any of them for information about our technical expertise, customer service, and company qualifications.

Customer Reference List

Agency	Contact	Contact #:	Email
City of Benicia	Ted Corder	707-580-5888	tcorder@ci.benicia.ca.us
City of Berkeley	Tom Salkowitz	510-517-3361	tsalkowitz@cityofberkeley.info
City of Cloverdale	Derrick Montanye	707-894-1728	DMontanye@ci.cloverdale.ca.us
City of Concord	Virenda Patel	925-671-3129	Virendra.Patel@cityofconcord.org
City of Cotati	Craig Scott	707-665-3620	cscott@cotaticity.org
City of Emeryville	Ryan O'Connell	510-596-4346	roconnell@emeryville.org
City of Healdsburg	Jarrod Dericco	707-799-2623	jderrico@ci.healdsburg.ca.us
City of Lafayette	Mike Moran	925-935-1238	mmoran@ci.lafayette.ca.ua
City of Larkspur	Bob Quinn	707-246-2152	rquinn@cityoflarkspur.org
City of Livermore	Jason Calkins	925-960-8042	jwcalkins@cityoflivermore.net
City of Mill Valley	Andrew Poster	415-384-4848	APoster@cityofmillvalley.org
City of Novato	Petr Skala	415-899-8237	PSkala@novato.org
City of Oakley	Billilee Saengchalern	925-625-7154	Saengchalern@ci.oakley.ca.us
City of Orinda	Kevin McCourt	925-253-4251	kmccourt@cityoforinda.org
City of Petaluma	Jeff Stutsman	707-776-3673	jstutsman@ci.petaluma.ca.us
City of Rohnert Park	Tom Kelley	707-304-2880	tkelley@rpcity.org
City of San Pablo	Daniel Gomez	510-215-3077	danielg@sanpabloca.gov
City of San Rafael	Willie Lagleva	415-485-3496	Willie.Lagleva@cityofsanrafael.org
City of San Ramon	Greg Bender	925-973-2694	gbender@sanramon.ca.gov
City of Sausalito	Kevin McGowan	415-289-4176	KMcGowan@sausalito.gov
City of Sebastopol	Dante Del Prete	707-823-5331	ddelprete@cityofsebastopol.org
City of Ukiah	Andrew Stricklin	707-463-6297	astricklin@cityofukiah.com
City of Walnut Creek	Karlan Larson	925-943-5899	klarson@walnut-creek.org
Contra Costa County	Dave Lavelle	925-383-8982	dave.lavelle@pw.cccounty.us
County of Marin	Dan Dawson	415-473-6287	ddawson@marincounty.org
County of Mendocino	Bill Wood	707-234-2823	woodw@mendocinocounty.org
County of Sonoma	Joe Pease	707-565-2231	Joe.Pease@sonoma-county.org
GGNRA	Nick Geitner	(415) 740-4090	john_geitner@nps.gov
The Presidio Trust	Petey (Vaega) Ulufatu	(415) 850-5657	VUlufatu@presidiotrust.gov
Town of Corte Madera	R.J. Suokko	415-927-5120	RSuokko@tcmmail.org
Town of Fairfax	Loren Umbertis	415-453-2370	LUmbertis@townoffairfax.org
Town of Ross	Richard Simonitch	415-453-1453	rsimonitch@townofross.org
Town of San Anselmo	Sean Condry	415-258-4676	scondry@townofsananselmo.org
Town of Windsor	Tod Ceruti	707-536-3489	tceruti@townofwindsor.com

E. RESUMES (Key Personnel)

Timothy Carter, Regional Vice President

- 20 years of local experience in traffic signal and street light maintenance industry.
- Bachelor of Arts Degree in Environmental Studies and Planning, Energy Management and Design from Sonoma State University.
- IMSA Certified - Work Zone Safety, Traffic Signal Level I & Level II
- 16 years of experience as a Project Manager for traffic signal and street light maintenance and construction management in the North Bay Area Region.

Employment:

- **DC Electric Group, Inc.** (2012 – Present)
Regional Vice President
- **Republic Intelligent Transportation Services, Inc.** (2003 – 2012)
Project Manager & Service Operations Manager (2003 – 2012)

Experience:

- Project Manager, Service Operations Manager, and primary contact person for all public agencies in Marin, Sonoma, Mendocino, Solano, Napa, Alameda, Contra Costa counties for all traffic signal maintenance, streetlight maintenance, and associated construction projects.
- **Currently responsible for the project management (maintenance, repair and after- hours emergency services) of signal and street light infrastructure for the following local agencies:** Cities of Novato, Petaluma, San Rafael, Mill Valley, Larkspur, Sausalito, Rohnert Park, Cotati, Sebastopol, Benicia, and Ukiah, Counties of Marin and Sonoma, Towns of Corte Madera, San Anselmo, Fairfax, Ross, and Windsor, as well as the Bel Marin Keys and Marinwood Community Services Districts.
- Specific knowledge of the geography and electrical infrastructure in the City of Novato and surrounding areas, including traffic signal and street light maintenance history.
- Managed a wide-variety of traffic signal, streetlight, and pedestrian improvement projects with excellent customer service, satisfaction, and safety:
- Expert in the installation and maintenance of Signalized Intersections, Street Lighting, Sport Lighting, Facility Lighting, Vehicle Detection (Video, Loops, Sensys™, etc.), Adaptive Traffic Control Systems, Battery back-up systems, CCTV Cameras, Emergency Vehicle Pre-emption (EVP), Signal interconnect and GPS time-clock installations, RRFBs, Lighted Crosswalks, Flashing Beacons, Radar Feedback Signs, Service Pedestals, Pedestrian (ADA) Upgrades/Improvements, Undergrounding and overhead utility and infrastructure, and Energy Efficiency Upgrades.
- Development and execution of traffic signal maintenance contracts and construction projects in the San Francisco Bay Area Region, with a concentration in the North Bay.
- Project manage from initial development through project completion including Estimating and proposal writing, Bid preparation, Contract Review/Execution, Purchasing, Subcontracting, Scheduling, Traffic Control Plans, Obtaining Permits, Job tracking and reporting, and Billing review
- Responsibility for Training and Safety as well as Fleet Management

Tim Carter is the assigned point of contact for this proposal.

Justin Calkins, ITS Project Manager

- 20+ years of experience in Traffic Signal maintenance, operations, sales and support
- *IMSA Certified – Workzone Safety, Traffic Signal Field Technician Level III*
- Consortium for ITS Training and Education (C.I.T.E) – Traffic Engineering and Operations certification
- ITE - Northern California Section board member 2015-2017

Experience:

- Traffic Signal Technician - City of Livermore, 9 years
- Engineering Technician – Aegis ITS, 2 Years
- Technical Sales / Technical Support – Econolite Control Products Inc., 5 Years
- ITS Project Manager – DC Electric 2017 - Present
- Video detection systems installation, configuration and troubleshooting including Autoscope, Iteris, Miovision, Gridsmart and Trafficon systems.
- CCTV installation, configuration, and operation
- Fiber optic and Ethernet over copper cabling and network switch configuration, troubleshooting and repair.
- Wireless communications equipment installation, configuration and troubleshooting
- Installation, modification and repair of NEMA TS-1, TS-2 and 332 cabinets
- Controller programming and troubleshooting including McCain 233/2033/Omni, Intelight, Cubic/Trafficware, Econolite, and D4 software platforms.
- Central system management and operation including Cubic/Trafficware ATMS.Now, Econolite Centraacs and McCain Transparency platforms.
- Evaluation and adjustment of signal timings and coordination plans
- Implementation, testing, and fine tuning of hardware, software, and signal timings for Transit priority systems.
- Update traffic signal network IP schemes for scalability.
- Configure and deploy network switches utilizing fiber optics, ethernet over copper and broadband radios to connect and modernize City's ITS systems.

John Abraham, Regional Manager

- 38 years of total local experience in the electrical industry
- 27 years of experience in the traffic signal and street light maintenance industry
- Bachelor of the Arts Degree in Business Management
- IMSA Certified - Work Zone Safety, Traffic Signal Level I, Level II, Level III
- Other Certifications – Fiber Optic Technician, Airport Lighting Technician, Crane Operation and Asbestos Abatement

Experience:

- Contra Costa County - Lead Electrician of the Traffic Signal Shop maintaining over 750 traffic signals and all streetlights within County jurisdiction.
- Lead emergency, non-emergency, and preventative maintenance technician for the following local municipal clients for the past 27+ years: Antioch, Brentwood, Clayton, Concord, Danville, Hercules, Martinez, Moraga, Oakley, Orinda, Pinole, Pleasant Hill, San Pablo, other agencies throughout the greater bay area.
- Extensive operational knowledge of various types of traffic signal equipment, controller assemblies, and associated electrical component functions: 332 & NEMA Cabs, 2070 controllers, 170 & NEMA TS1 and TS2 controllers. Installation, repair, programming and general maintenance of total controller assemblies including malfunction management systems, battery back-up systems, output circuit drivers, vehicle and pedestrian detectors including, magnetometer - based vehicle detection, wireless (Sensys Networks), inductive loop detection, Piezo loop detection, various video detection systems (Iteris, Econolite and Trafficon), emergency vehicle pre-emption systems (Opticom & Emtrac), vehicle and pedestrian indications, red light camera systems and all associated wiring, Installation and repair of traffic calming devices, lighted cross-walk systems, and radar feed-back signs. Expertise in investigation and repair of both stand-alone systems and coordinated intersections. Development and implementation of signal timing and coordination plans. Installation and troubleshooting of hardwire and wireless telemetry systems, (spread spectrum, etc.).
- Repair of electrical, electronic, and microprocessor-based equipment to the component level in the Signal Shop.
- Fabrication of specialized equipment for testing existing equipment and troubleshooting performance of equipment in the field.
- Streetlight maintenance and lighting retrofit projects.
- Electrical maintenance of all County facilities including airport lighting, phone/data systems and HVAC/refrigeration maintenance.
- Primary contact person for all public agencies within the County.
- Specific knowledge of the geography and electrical infrastructure in the East Bay and surrounding areas, including traffic signal and street light maintenance history.
- Planning, layout, estimating, purchasing, cost control, scheduling, and personnel management.
- In depth understanding of industrial standards, codes, and safety practices.

Jeff Asch, Chief Operating Officer

- 22 years experience in streetlight and traffic signal maintenance, and 31 years of total experience in the electrical industry
- California State License Holder –Class B (General Building); C-10 (Electrical) C-31 (Construction Zone Traffic Control); C-61/D-31 (Pole Installation & Maintenance)
- Experienced executive with a proven track record of successfully operating and growing small businesses. Strengths include Operations, Project Development, Project Management, Accounting & Finance, Geographic Expansion, Information Technologies, Legal & Risk Management, and Contract Administration,
- Bachelor of Arts Degree in Government with High Honors, Wesleyan University, Middletown, CT
Certificate in Energy Management & Design, Sonoma State University, Rohnert Park, CA

Employment:

- **DC Electric Group, Inc.** (2015 – Present)
Chief Operating Officer
- **Cartelligent** (2013 – 2015)
Chief Executive Officer
- **Republic Intelligent Transportation Services, Inc.** (2002 – 2011)
Vice President & Chief Financial Officer (2002 – 2011)
- **Northeast Energy Services Company (NORESCO)**
Western Region Vice President (2000 – 2002)
Western Regional Manager (1997 – 2000)
Engineering & Project Management (1994 – 1997)

Experience:

- At Northeast Energy Services Company, oversaw western regional operations for the premier provider of energy efficiency services, including expansions to central and southern California, Hawaii, and the Pacific Northwest, growing the region from \$1M in annual construction to over \$30M. Key clients included Pacific Gas & Electric, Southern California Edison, Safeway, Rite-Aid, the County of Los Angeles, the California Army National Guard, as well as smaller cities throughout California.
- As the Vice President & Chief Financial Officer of Republic Intelligent Transportation Services, Inc., helped operate the nation’s leading traffic signal and streetlight maintenance services company with 10,000 intersections and over 170,000 streetlights under maintenance. Oversaw the expansion to New England, Southern California, Texas, and Arizona.
- As the Chief Operating Officer of DC Electric, Inc. has direct oversight for all operations. Responsible for all project management, management, and administrative functions such as accounting, fleet management, insurance, risk management, legal, and IT, including the creation and ongoing support for our web-based custom written streetlight and traffic signal work order management system.

Dave D'Elicio, CEO

- 20 years local experience in the traffic signal, street lighting, and electrical industry.
- 17 years Journeyman Electrician, IBEW Local #551
- D.I.R State Certified General Electrician
- California State License Holder – C-10
- *IMSA Certified – Traffic Signal Field Technician Level II*
- Exceptional training and understanding of electrical theory and its relation to practical application

Experience:

- Traffic Signal and Street Light Repair and Maintenance Technician
- Extensive knowledge of various types of traffic signal equipment, controller assemblies, and associated electrical component functions. Installation, repair, programming, and general maintenance of total controller assemblies including malfunction management systems, output circuit drivers, and vehicle and pedestrian detectors including inductive loop detection and video detection systems.
- Emergency, non-emergency, and preventative maintenance service for the following local municipal clients: City of Emeryville, City of San Rafael, City of Mill Valley, City of Petaluma, City of Rohnert Park, City of Novato, City of Sausalito, Town of San Anselmo, Town of Ross, Town of Corte Madera, and County of Marin.
- Industrial electrical design, installation, and repair with expertise in street light and traffic signal infrastructure installations and associated undergrounding. Extensive history in design, installation, programming, and maintenance of commercial energy management systems and smart systems.

Patrick Madden

Sr. Traffic Signal & Streetlight Technician

- 34 years Journeyman Electrician
- California State Certified – General Electrician
- IMSA Certified – Workzone Safety, Traffic Signal Field Technician Level I, II & III
- 14 years local experience in the traffic signal, street lighting industry including maintenance, repair, and on-call emergency services.
- General knowledge of the geography, history, and technical requirements of the electrical infrastructure system for the North Bay and surrounding areas.

Experience:

- Senior Traffic Signal Technician, Foreman and Superintendent
- Operational knowledge of various types of traffic signal equipment, controller assemblies and associated electrical component functions: 332 & NEMA Cabs, 170 & NEMA TS1, and TS2 controllers. Installation, repair, programming, and general maintenance of total controller assemblies including malfunction management systems, battery back-up systems, output circuit drivers, vehicle and pedestrian detectors including, magnetometer – based vehicle detection, wireless (Sensys Networks), inductive loop detection, Piezo loop detection, various video detection systems (Iteris, Econolite and Trafficon), emergency vehicle pre-emption systems (Opticom & Emtrac), vehicle and pedestrian indications, in pavement warning systems, traffic calming devices, red light camera systems, and all associated wiring.
- 10 years experience in complete operations (maintenance, repair and after – hours emergency services) of Traffic Signal infrastructure for the following local municipal agencies:
- Cities of Novato, San Rafael, Mill Valley, Larkspur, Sausalito, Rohnert Park, Cotati, Sebastopol, American Canyon, El Cerrito, Benicia, Emeryville and Ukiah. Counties of Marin and Sonoma. Towns of Corte Madera, San Anselmo, Fairfax, Ross, and Windsor.
- 10 years experience in complete operations (maintenance, repair and after-hours emergency services) of Streetlight infrastructure for the following local municipal agencies:
- El Cerrito, Emeryville, Windsor, Benicia and total inventories for all MGSA agencies (Cities of Novato, San Rafael, Mill Valley, Larkspur, Sausalito and Belvedere. County of Marin, Towns of Corte Madera, San Anselmo, Fairfax, Ross, Tiburon. Community Services Districts, Bel Marin Keys and Marinwood.
- On-Call utility locate and marking (USA)

Chris Wilson

Traffic Signal and Street Light Foreman

- 21 years of local experience in the traffic signal, street lighting, and electrical industry
- 16 years Journeyman Electrician, IBEW Local #551
- IBEW Local #551 Apprenticeship Program
- D.I.R State Certified General Electrician
- *IMSA Certified – Work Zone Safety, Traffic Signal Level I, Level II, & Level III*
- Tower climbing, aerial safety, and rescue training and certification
- Anritsu Site Master line sweep certification.
- Andrew Institute EZFIT and Positive Stop Series connectors certification
- Specific knowledge of the geography and the electrical infrastructure for the North Bay Area

Experience:

- Traffic signal and street light maintenance, repair – Journeyman Electrician and Field Superintendent
- Extensive knowledge of various types of traffic signal equipment, controller assemblies, and associated electrical component functions. Installation, repair, programming, and general maintenance of total controller assemblies including malfunction management systems, output circuit drivers, and vehicle and pedestrian detectors including inductive loop detection and video detection systems
- Expert underground utility location and repair
- Emergency, non-emergency, and preventative maintenance service for the following local municipal clients: Cities of Novato, San Rafael, Mill Valley, Larkspur, Sausalito, Rohnert Park, Cotati, Sebastopol, American Canyon, Benicia, Emeryville, Petaluma, and Ukiah. Counties of Marin and Sonoma. Towns of Corte Madera, San Anselmo, Fairfax, Ross and Windsor.

Jason Filippi

Traffic Signal and Street Light Technician

- 18 years traffic signal and streetlight maintenance technician for MGSA and surrounding agencies.
- 14 years Journeyman Electrician, IBEW Local #551
- IBEW 1245 Apprenticeship Program (4 years)
- 21 years local experience in the electrical construction industry with extensive underground and joint trenching experience for PG&E.
- D.I.R State Certified General Electrician
- *IMSA Certified – Work Zone Safety, Traffic Signal Level I, Level II, & Level III*
- OSHA 20 / Forklift Certified
- Specific knowledge of the geography and the electrical infrastructure for the North Bay Area

Experience:

- Traffic signal and street light maintenance, repair – Journeyman Electrician
- Extensive knowledge of various types of street light and traffic signal equipment, controller assemblies, and associated electrical component functions. Installation, repair, programming, and general maintenance of total controller assemblies including malfunction management systems, output circuit drivers, and vehicle and pedestrian detectors including inductive loop detection and video detection systems.
- Expert underground utility location and repair
- Emergency, non-emergency, and preventative maintenance service for the following local municipal clients: Cities of Novato, San Rafael, Mill Valley, Larkspur, Sausalito, Rohnert Park, Cotati, Sebastopol, American Canyon, Benicia, Berkeley, Emeryville, and Ukiah. Counties of Marin and Sonoma. Towns of Corte Madera, San Anselmo, Fairfax, Ross, and Windsor.

F. ACKNOWLEDGEMENT OF CITY'S AGREEMENT AND INSURANCE REQUIREMENTS

DC Electric Group, Inc. has reviewed the proposed Contract (Attachment C) and the associated insurance requirements. We hereby accept all terms and conditions contained in the agreement. Additionally, we acknowledge the amended bid schedule which includes the option for discount pricing on the hourly rate for USA ticket work. As the City of San Rafael's current signal maintenance provider, our insurance certificate is currently on file with the City and is ***attached to the end of this proposal.***

G. ATTACHMENTS

1.) Contractor's License

Contractor's License Detail for License # 949934

DISCLAIMER: A license status check provides information taken from the CSLB license database. Before relying on this information, you should be aware of the following limitations.

- ▶ CSLB complaint disclosure is restricted by law ([B&P 7124.6](#)) If this entity is subject to public complaint disclosure click on link that will appear below for more information. Click [here](#) for a definition of disclosable actions.
- ▶ Only construction related civil judgments reported to CSLB are disclosed ([B&P 7071.17](#)).
- ▶ Arbitrations are not listed unless the contractor fails to comply with the terms.
- ▶ Due to workload, there may be relevant information that has not yet been entered into the board's license database.

Business Information

D C ELECTRIC GROUP INC
 P O BOX 7525
 COTATI, CA 94931
 Business Phone Number:(707) 992-0141

Entity Corporation
Issue Date 07/14/2010
Reissue Date 10/17/2013
Expire Date 10/31/2025

License Status

This license is current and active.

All information below should be reviewed.

Classifications

- ▶ [A - GENERAL ENGINEERING](#)
- ▶ [C10 - ELECTRICAL](#)
- ▶ [C31 - CONSTRUCTION ZONE TRAFFIC CONTROL](#)
- ▶ [C-61 / D31 - POLE INSTALLATION AND MAINTENANCE](#)
- ▶ [B - GENERAL BUILDING](#)

2.) Corporate W9

<p>Form W-9 (Rev. March 2024) Department of the Treasury Internal Revenue Service</p>	<p>Request for Taxpayer Identification Number and Certification Go to www.irs.gov/FormW9 for instructions and the latest information.</p>	<p>Give form to the requester. Do not send to the IRS.</p>																						
<p>Before you begin. For guidance related to the purpose of Form W-9, see <i>Purpose of Form</i>, below.</p>																								
<p>1 Name of entity/individual. An entry is required. (For a sole proprietor or disregarded entity, enter the owner's name on line 1, and enter the business/disregarded entity's name on line 2.)</p>	<p>DC Electric Group, Inc.</p>																							
<p>2 Business name/disregarded entity name, if different from above.</p>	<p> </p>																							
<p>3a Check the appropriate box for federal tax classification of the entity/individual whose name is entered on line 1. Check only one of the following seven boxes.</p> <p><input type="checkbox"/> Individual/sole proprietor <input type="checkbox"/> C corporation <input checked="" type="checkbox"/> S corporation <input type="checkbox"/> Partnership <input type="checkbox"/> Trust/estate</p> <p><input type="checkbox"/> LLC. Enter the tax classification (C = C corporation, S = S corporation, P = Partnership)</p> <p>Note: Check the "LLC" box above and, in the entry space, enter the appropriate code (C, S, or P) for the tax classification of the LLC, unless it is a disregarded entity. A disregarded entity should instead check the appropriate box for the tax classification of its owner.</p> <p><input type="checkbox"/> Other (see instructions)</p>	<p>4 Exemptions (codes apply only to certain entities, not individuals; see instructions on page 3):</p> <p>Exempt payee code (if any) _____</p> <p>Exemption from Foreign Account Tax Compliance Act (FATCA) reporting code (if any) _____</p> <p>(Applies to accounts maintained outside the United States.)</p>																							
<p>3b If on line 3a you checked "Partnership" or "Trust/estate," or checked "LLC" and entered "P" as its tax classification, and you are providing this form to a partnership, trust, or estate in which you have an ownership interest, check this box if you have any foreign partners, owners, or beneficiaries. See instructions <input type="checkbox"/></p>	<p>5 Address (number, street, and apt. or suite no.). See instructions. PO Box 7525; 605 W. Sierra Ave</p>																							
<p>6 City, state, and ZIP code Cotati, CA 94931</p>	<p>Requester's name and address (optional)</p>																							
<p>7 List account number(s) here (optional)</p>	<p> </p>																							
<p>Part I Taxpayer Identification Number (TIN)</p> <p>Enter your TIN in the appropriate box. The TIN provided must match the name given on line 1 to avoid backup withholding. For individuals, this is generally your social security number (SSN). However, for a resident alien, sole proprietor, or disregarded entity, see the instructions for Part I, later. For other entities, it is your employer identification number (EIN). If you do not have a number, see <i>How to get a TIN</i>, later.</p> <p>Note: If the account is in more than one name, see the instructions for line 1. See also <i>What Name and Number To Give the Requester</i> for guidelines on whose number to enter.</p>																								
<p>Social security number</p> <table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 30px; height: 20px;"> </td> <td style="width: 30px; height: 20px;"> </td> <td style="width: 30px; height: 20px;"> </td> <td style="width: 30px; height: 20px;"> </td> <td style="width: 30px; height: 20px;"> </td> <td style="width: 30px; height: 20px;"> </td> <td style="width: 30px; height: 20px;"> </td> <td style="width: 30px; height: 20px;"> </td> <td style="width: 30px; height: 20px;"> </td> <td style="width: 30px; height: 20px;"> </td> <td style="width: 30px; height: 20px;"> </td> <td style="width: 30px; height: 20px;"> </td> </tr> </table>														<p>or</p> <p>Employer identification number</p> <table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 30px; height: 20px;">4</td> <td style="width: 30px; height: 20px;">6</td> <td style="width: 30px; height: 20px;">-</td> <td style="width: 30px; height: 20px;">3</td> <td style="width: 30px; height: 20px;">6</td> <td style="width: 30px; height: 20px;">1</td> <td style="width: 30px; height: 20px;">2</td> <td style="width: 30px; height: 20px;">0</td> <td style="width: 30px; height: 20px;">1</td> <td style="width: 30px; height: 20px;">0</td> </tr> </table>	4	6	-	3	6	1	2	0	1	0
4	6	-	3	6	1	2	0	1	0															
<p>Part II Certification</p> <p>Under penalties of perjury, I certify that:</p> <ol style="list-style-type: none"> The number shown on this form is my correct taxpayer identification number (or I am waiting for a number to be issued to me); and I am not subject to backup withholding because (a) I am exempt from backup withholding, or (b) I have not been notified by the Internal Revenue Service (IRS) that I am subject to backup withholding as a result of a failure to report all interest or dividends, or (c) the IRS has notified me that I am no longer subject to backup withholding; and I am a U.S. citizen or other U.S. person (defined below); and The FATCA code(s) entered on this form (if any) indicating that I am exempt from FATCA reporting is correct. <p>Certification instructions. You must cross out item 2 above if you have been notified by the IRS that you are currently subject to backup withholding because you have failed to report all interest and dividends on your tax return. For real estate transactions, item 2 does not apply. For mortgage interest paid, acquisition or abandonment of secured property, cancellation of debt, contributions to an individual retirement arrangement (IRA), and, generally, payments other than interest and dividends, you are not required to sign the certification, but you must provide your correct TIN. See the instructions for Part II, later.</p>																								
<p>Sign Here</p>	<p>Signature of U.S. person</p> 	<p>Date</p> <p>5/1/2024</p>																						
<p>General Instructions</p> <p>Section references are to the Internal Revenue Code unless otherwise noted.</p> <p>Future developments. For the latest information about developments related to Form W-9 and its instructions, such as legislation enacted after they were published, go to www.irs.gov/FormW9.</p> <p>What's New</p> <p>Line 3a has been modified to clarify how a disregarded entity completes this line. An LLC that is a disregarded entity should check the appropriate box for the tax classification of its owner. Otherwise, it should check the "LLC" box and enter its appropriate tax classification.</p>																								
<p>New line 3b has been added to this form. A flow-through entity is required to complete this line to indicate that it has direct or indirect foreign partners, owners, or beneficiaries when it provides the Form W-9 to another flow-through entity in which it has an ownership interest. This change is intended to provide a flow-through entity with information regarding the status of its indirect foreign partners, owners, or beneficiaries, so that it can satisfy any applicable reporting requirements. For example, a partnership that has any indirect foreign partners may be required to complete Schedules K-2 and K-3. See the Partnership Instructions for Schedules K-2 and K-3 (Form 1065).</p> <p>Purpose of Form</p> <p>An individual or entity (Form W-9 requester) who is required to file an information return with the IRS is giving you this form because they</p>																								

3.) Business License (City of San Rafael)


BUSINESS TAX CERTIFICATE #	052243	 SAN RAFAEL THE CITY WITH A MISSION 1400 Fifth Avenue San Rafael, CA 94901 www.cityofsanrafael.org/businesslicenses (415) 485-3053 - FAX (415) 485-3100						
<p>This certificate is issued for registration and revenue purposes only. It is issued without verification that the holder is subject to, exempt from, or in compliance with any other legal requirements, including City zoning or fire codes. Failure to receive a renewal notice does not relieve the holder's responsibility to maintain a current certificate while conducting business in the City.</p> <p>BUSINESS NAME: DC Electric Group, Inc. BUSINESS LOCATION: 605 W SIERRA AVE COTATI, CA 94931-4279 BUSINESS OWNER: DC Electric Group, Inc.</p> <p>SHANNON LONG DC ELECTRIC GROUP, INC. PO BOX 7525 COTATI, CA 94931-7560</p> <p>KEEP AVAILABLE AT ALL TIMES WHILE WORKING IN SAN RAFAEL</p>								
		<table border="1"><tr><td>Renewal Cycle:</td><td>Annual (end of Dec)</td></tr><tr><td colspan="2">To verify the validity of this certificate, please visit the above website.</td></tr><tr><td>Description:</td><td>CONTRACTOR OUT OF TOWN</td></tr></table> <p><small>Starting January 1, 2021, Assembly Bill 1607 requires the prevention of gender-based discrimination of business establishments. A full notice is available in English or other languages by going to: https://www.dca.ca.gov/publications/</small></p> <p>NOT TRANSFERABLE: REPORT CHANGES OF ADDRESS, OWNERSHIP, OR ACTIVITY.</p>	Renewal Cycle:	Annual (end of Dec)	To verify the validity of this certificate, please visit the above website.		Description:	CONTRACTOR OUT OF TOWN
Renewal Cycle:	Annual (end of Dec)							
To verify the validity of this certificate, please visit the above website.								
Description:	CONTRACTOR OUT OF TOWN							

Exhibit A - Scope

SERVICES TO BE PROVIDED

BY CONTRACTOR

Safety Lighting, Traffic Signal Maintenance Tasks & ITS Support Services

The City requires that the Contractor provide monthly, quarterly, semi-annual, and annual maintenance on all signals, flashing beacons, and other related safety lighting as listed below. Maintenance includes emergency, routine preventative work, USA Locate & Mark services and Intelligent Transportation System (ITS) Support Services (Traffic Signal Operations & Network Support Services). Additionally, tasks may also include on-call servicing, repair, and replacement work to City's lighting fixtures and equipment, including, but not limited to street light work not already covered under another agreement.

The services provided by Contractor will include the following provision:

- Basic (Monthly, Quarterly, Semi-Annual, and Annual) preventative maintenance services on an ongoing basis.
- Respond and make corrective action to all daytime service requests within 30 minutes weekdays (7:00 A.M. to 5:00 P.M.) and 60 minutes on weekday evenings (5:00 P.M. to 7:00 A.M.), weekends, and holidays.
- Verification to City staff that emergency work has been completed.
- Semi-annually vacuum and cleaning of all cabinets.
- Monthly daylight (7:00 A.M. to 5:00 P.M.) inspection of all signals and related equipment.
- Monthly nighttime (5:00 P.M. to 7:00 A.M.) inspection of all signals and safety lighting.
- Repair or replacement of signal control devices.
- Prompt response and execution of USA Locate & Mark service requests as coordinated by City representative
- Warranty service for any and all equipment supplied by Contractor.
- Advance notification to City staff of planned service, which require intersection shutdowns or impacts to traffic.
- Submission to City of accurately maintained and detailed inventory records.
- Submission to City of monthly, quarterly, semi-annual, and annual preventative maintenance forms.
- Submission to City of accurate monthly activity reports and records.
- Professional and diligent performance of contract requirements.

The Contractor shall provide ongoing and regular emergency, routine, and preventative maintenance repairs of the City's traffic signal equipment, associated lighting, and other pertinent apparatus by duly trained and qualified personnel.

Throughout the term of this agreement, the Contractor shall provide and maintain emergency service response on a 24-hour, 365-day cycle, including all holidays. All personnel for Contractor shall be dispatched and have continuous communication access through two-way radio, pager, and/or cellular phone. The response time for initial evaluation, safety, and clean-up tasks is thirty (30) minutes from notification on weekdays (7:00 A.M. to 5:00 P.M.), and sixty (60) minutes on weekday evenings (5:00 P.M. to 7:00 A.M.), weekends, and holidays. The outside time limit for follow-up action is four (4) hours from notification. In cases of major malfunction and/or damage, the Contractor shall contact the Traffic Operations Engineer or their designee to receive further direction.

The Contractor shall follow Caltrans standards for traffic control and lane closures at all times while working on any City right-of-way. All vehicles that are used by the Contractor shall have the Contractor's identification markings. In addition, all Contractor's employees while working on a City service call shall wear Contractor's uniform and carry personal identification cards.

The Contractor shall not represent the City in matters of policy or procedures under this contract, shall not make any reference to City policy or procedures, and shall refer all questions or inquiries from the public regarding policy and procedures, or terms of this Agreement to the City Traffic Operations Engineer or their designee.

Preventative Maintenance Schedule (On-Site)

Monthly Preventative Maintenance Program

The monthly preventative maintenance program will consist of the following tasks:

1. Signal Controller
 - Visually inspect for proper operation
 - Controller display working
 - Proper timing and coordination
 - All phases on recall
2. Video Detection Cameras
 - Check the camera display from the cabinet to assure proper alignment of the camera.
 - Check the vehicle detection of the camera.
3. Detectors and Loops
 - Because of the video detection not all intersections have detector loops. If present, visually inspect for exposed wires, crack, and/or pot holes
 - Check and tune detector amplifiers.
4. Signal & Pedestrian Heads
 - Visually inspect all vehicular and pedestrian signals for proper operation and replace outages
 - Check overall intersection operation
 - Check that all pedestrian signals are in good condition and aimed properly

- Check all audible and tactile pedestrian signal are in good condition and properly positioned (where applicable)

5. Pedestrian Push Buttons

- Visually inspect and note condition
- Actuate each button for proper operation

6. Rapid Rectangular Flashing Beacon (RRFB) Sign

- Check the pedestrian push button actuation
- Visually inspect the operation of the RRFB sign

7. Radio Communication (where applicable)

- Check operation - is timing clock correct
- Visually Inspect cables, antenna, and other hardware

8. Pre-Emption

- Actuate pre-empt to check operation
- Visually inspect cables, antenna, and other hardware

9. Battery Backup Systems

- Test battery charge

10. Miscellaneous

- Check PG&E meter seal
- Inspect pull box lids
- Visually inspect mast arms, signal housings, and other signal hardware

11. Night Inspections

- Traffic signal heads
- Pedestrian signal heads
- Beacons
- Luminaires

Quarterly Preventative Maintenance Program

The quarterly preventative maintenance program will consist of the following tasks:

1. Controller Cabinet

- Check ground fault receptacle
- General Appearance

- Inspect door gasket condition
- Inspect door lock operation
- Operate and inspect ventilation fan and cabinet light (where applicable}
- Inspect for pests, including removing insects and critters that have taken up resident

2. Battery Backup System Testing

- Test Battery Backup System (BBS) for proper operation.
- Clean battery terminals and apply battery terminal and cable protector grease.
- Note if BBS batteries need replacement.

3. Miscellaneous

- Hand hole covers, present & secure
- Pull boxes
- Condition of splices
- Clear of debris

Semi-annual Preventative Maintenance Program

The semi-annual preventative maintenance program will consist of the following tasks:

1. Controller Cabinet

- Visually inspect ventilation filter
- Check wire schematics and records to make sure they are it he cabinet
- Measure voltage level at service entrance in cabinet and record
- Vacuum and clean controller cabinet and contents
- Inspect terminal blocks
- Prior to the start of the rainy season provide winter preparation by checking the cabinet seals and re-sealing where needed to provide a waterproof cabinet.

2. Road/Loop Condition

- Loop Sealant

3. Signal Heads

- Visually check integrity of splices
- Visually check for wear and function on electromechanical controllers
- Check overall intersection operation

4. Miscellaneous

- Condition of paint (frameworks, heads, cabinet, poles, and other appurtenances)

Annual Preventative Maintenance Program

The annual preventative maintenance program will consist of the following tasks:

1. Controller Cabinet

- Lubricate hinges and lock when necessary
- Replace cabinet air filter
- Check and replace (if necessary) weatherproof gasket seal

2. Signal System Assessment

- Check load switches
- Perform conflict monitor test and submit printout to City
- Check relays
- Check for water accumulation and duct sealant
- Check all connectors
- Clean and polish all lenses and reflectors
- Perform LED intensity evaluation for output compliance and replace LEDs as necessary
- Replace up to 10 bent visors and backplates
- Paint up to 10 signal and pedestrian heads per year as necessary
- Perform integrity test on all hardwire interconnect lines
- Inspect and align antennas for remote monitoring

3. Miscellaneous

- Anchor bolts tightened

Intelligent Transportation System (ITS) Support Services (Remote)

In addition to the on-site routine maintenance, the Contractor shall provide regular remote monitoring to all the ITS components and initiate actions to restore full functionality in a timely fashion to increase safety, improve efficiency, and maintain reliability. The timely restoration will reduce down-times for all traffic signals and save the public from unnecessary delays.

Daily ITS Support

The daily ITS support services will consist of the following tasks:

1. Traffic Operations Center (TOC) Operator to check ATMS System (Centrac) daily for:

- Controller Alarms
 - Signals in Flash
 - Communication outages or interruptions
 - Coordination failures
 - CMS sign messaging
 - Emergency Vehicle Preemption functionality
 - Transit Priority functionality
2. TOC Operator to check Miovision Signal Performance & Monitoring (SPM) daily for:
 - Detection Errors
 - System Hardware Issues
 - Communication Outages or Interruptions
 3. Setup systems to automatically alert users to potential issues off hours as-needed
 4. Any issues found will be automatically dispatched to technicians to resolve in the field (to be billed separately on T&M basis).

Weekly ITS Support

The weekly ITS support services will consist of the following tasks:

1. Check SPM system for “hot spot” traffic issues and format into weekly report for City review
2. Work with City Staff and on-call engineering service provider to implement solutions as needed (to be billed separately on T&M basis).
3. Support ongoing documentation and management of the field network including IP addressing, physical network layout and mapping, switch configuration, etc.

Monthly ITS Support

The monthly ITS support services will consist of the following tasks:

1. Meet with City staff and City signal timing and/or design consultants to discuss capital investment proposals needed to maintain and improve the ITS functionality and performance.

Quarterly ITS Support

The monthly ITS support services will consist of the following tasks:

1. TOC operator to check all CCTV cameras in the system for proper operation and communications
2. Observe all Miovision cameras in the system for proper operation, detection, and alignment to ensure accurate data collection
3. Present recommendations for improvements to signal operations (i.e. signal timing/phasing, communication improvements, signal hardware upgrade/replacement needs, etc.

Contract Pricing

Item No.	Item	Units	Qty	Unit Price	Total	Frequency	Annual Total
REQUIRED ITEMS INCLUDED IN SCOPE OF SERVICES							
1	Signalized Intersection	Ea/Month	94	\$78.00	\$7,332.00	12	\$87,984.00
2	RRFB	Ea/Month	6	\$38.00	\$228.00	12	\$2,736.00
3	BBS Testing	Ea/Quarter	94	\$78.00	\$7,332.00	4	\$29,328.00
4	ITS Support Services	Ea/Month	94	\$26.00	\$2,444.00	12	\$29,328.00
ADDITIONAL ITEMS IN SCOPE OF SERVICES (COMPENSATION FOR EXTRA WORK)							
		Units		Rate			
1	Signal Maintenance Technician (straight time)	Hour		\$ 130.00			
2	Signal Maintenance Technician (over time)	Hour		\$ 180.00			
3	Signal Maintenance Technician (double time)	Hour		\$ 220.00			
4	Bucket Truck	Hour		\$ 34.00			
5	Percent Markup on Materials	%		\$ 15.00			
6	USA Locate & Mark Technician (straight time) (20% Discount On Signal Tech Hourly Rate)	Hour		\$ 104.00			

List of Locations

	<u>Location</u>	<u>Location Type</u>
TS - 1	2nd & 4th	Signalized Intersection
TS - 2	2nd & A	Signalized Intersection
TS - 3	2nd & B	Signalized Intersection
TS - 4	2nd & C	Signalized Intersection
TS - 5	2nd & D	Signalized Intersection
TS - 6	2nd & E	Signalized Intersection
TS - 7	2nd & East St	Signalized Intersection
TS - 8	2nd & G	Signalized Intersection
TS - 9	2nd & Grand	Signalized Intersection
TS - 10	2nd & Hetherton	Signalized Intersection
TS - 11	2nd & Irwin	Signalized Intersection
TS - 12	2nd & Lincoln	Signalized Intersection
TS - 13	2nd & Lindaro	Signalized Intersection
TS - 14	2nd & Shaver	Signalized Intersection
TS - 15	2nd & W. Francisco/Tamalpais	Signalized Intersection
TS - 16	3rd & A	Signalized Intersection
TS - 17	3rd & B	Signalized Intersection
TS - 18	3rd & C	Signalized Intersection
TS - 19	3rd & D	Signalized Intersection
TS - 20	3rd & E	Signalized Intersection
TS - 21	3rd & Grand	Signalized Intersection
TS - 22	3rd & Hetherton	Signalized Intersection

TS - 23	3rd & Irwin	Signalized Intersection
TS - 24	3rd & Lincoln	Signalized Intersection
TS - 25	3rd & Lindaro	Signalized Intersection
TS - 26	3rd & Shaver	Signalized Intersection
TS - 27	3rd & Tamalpais	Signalized Intersection
TS - 28	3rd & Union	Signalized Intersection
TS - 29	3rd St & Brooks St	Signalized Intersection
TS - 30	3rd St & SRHS (HAWK Signal)	Signalized Intersection
TS - 31	4th & A	Signalized Intersection
TS - 32	4th & B	Signalized Intersection
TS - 33	4th & C	Signalized Intersection
TS - 34	4th & Cijos	Signalized Intersection
TS - 35	4th & City Plaza (used to be Court)	Signalized Intersection
TS - 36	4th & D	Signalized Intersection
TS - 37	4th & E	Signalized Intersection
TS - 38	4th & Grand Ave.	Signalized Intersection
TS - 39	4th & Greenfield	Signalized Intersection
TS - 40	4th & H	Signalized Intersection
TS - 41	4th & Hetherton	Signalized Intersection
TS - 42	4th & Irwin	Signalized Intersection
TS - 43	4th & Lincoln	Signalized Intersection
TS - 44	4th & Lootens	Signalized Intersection
TS - 45	4th & Ross Valley	Signalized Intersection
TS - 46	4th & Tamalpais	Signalized Intersection
TS - 47	5th & A St	Signalized Intersection
TS - 48	5th & B	Signalized Intersection
TS - 49	5th & C	Signalized Intersection
TS - 50	5th & Court	Signalized Intersection
TS - 51	5th & E	Signalized Intersection
TS - 52	5th & H (Flash Only)	Signalized Intersection
TS - 53	5th & Hetherton	Signalized Intersection
TS - 54	5th & Irwin	Signalized Intersection
TS - 55	5th & Lincoln	Signalized Intersection
TS - 56	5th & Tamalpais	Signalized Intersection
TS - 57	Andersen & DuBois	Signalized Intersection
TS - 58	Andersen & Irwin	Signalized Intersection
TS - 59	Andersen & Lindaro	Signalized Intersection
TS - 60	Andersen & W. Francisco	Signalized Intersection
TS - 61	Bellam & Andersen	Signalized Intersection

TS - 62	Bellam & Kerner	Signalized Intersection
TS - 63	Civic Center & McInnis	Signalized Intersection
TS - 64	Civic Center & Merrydale / Scettrini	Signalized Intersection
TS - 65	D & Bayview	Signalized Intersection
TS - 66	E. Francisco & Irene	Signalized Intersection
TS - 67	E. Francisco & Medway	Signalized Intersection
TS - 68	E. Francisco & Shoreline	Signalized Intersection
TS - 69	Francisco Blvd W & Rice Dr	Signalized Intersection
TS - 70	Kerner & Irene	Signalized Intersection
TS - 71	Las Gallinas & Del Presidio	Signalized Intersection
TS - 72	Las Gallinas & Merrydale	Signalized Intersection
TS - 73	Las Gallinas & Northgate	Signalized Intersection
TS - 74	Las Gallinas & Nova Albion	Signalized Intersection
TS - 75	Lincoln & Linden	Signalized Intersection
TS - 76	Lincoln & Paloma	Signalized Intersection
TS - 77	Lindaro & Corporate Ctr.	Signalized Intersection
TS - 78	Los Ranchitos & Northgate	Signalized Intersection
TS - 79	Lucas Valley Rd. & Los Gamos Dr.	Signalized Intersection
TS - 80	Mission & Hetherton	Signalized Intersection
TS - 81	Mission & Irwin	Signalized Intersection
TS - 82	Mission & Lincoln	Signalized Intersection
TS - 83	Mission & Tamalpais	Signalized Intersection
TS - 84	MTF & Del Presidio	Signalized Intersection
TS - 85	MTF & Las Gallinas	Signalized Intersection
TS - 86	MTF & Northgate	Signalized Intersection
TS - 87	N. San Pedro & Civic Center	Signalized Intersection
TS - 88	N. San Pedro & Los Ranchitos	Signalized Intersection
TS - 89	N. San Pedro & Merrydale	Signalized Intersection
TS - 90	Nova Albion & Arias	Signalized Intersection
TS - 91	Pt. San Pedro & Lochinvar/Loch Lomond Dr	Signalized Intersection
TS - 92	Redwood Hwy & Mitchell	Signalized Intersection
TS - 93	Redwood Hwy & Professional Center	Signalized Intersection
TS - 94	Redwood Hwy & Smith Ranch	Signalized Intersection
RRFB - 1	5th & Cottage	RRFB
RRFB - 2	5th Ave & G St	RRFB
RRFB - 3	Belvedere St & Vivian St	RRFB
RRFB - 4	Civic Center Dr & Armory DR	RRFB
RRFB - 5	Lincoln Ave & Laurel Pl	RRFB
RRFB - 6	Mission Ave & Court St	RRFB

Exhibit B
BOND FORMS

Required for contracts over \$25,000.

Payment Bond

City of San Rafael ("**City**") and DC Electric Group, Inc., ("**Contractor**") have entered into a contract, dated _____, 20____ ("**Contract**") for work on the Citywide Safety Electrical Services ("**Project**"). The Contract is incorporated by reference into this Payment Bond ("**Bond**").

- 1. General.** Under this Bond, Contractor as principal and _____, its surety ("**Surety**"), are bound to City as obligee in an amount not less than \$ _____, under California Civil Code sections 9550, et seq.
- 2. Surety's Obligation.** If Contractor or any of its subcontractors fails to pay any of the persons named in California Civil Code section 9100 amounts due under the Unemployment Insurance Code with respect to work or labor performed under the Contract, or for any amounts required to be deducted, withheld, and paid over to the Employment Development Department from the wages of employees of Contractor and its subcontractors, under California Unemployment Insurance Code section 13020, with respect to the work and labor, then Surety will pay for the same.
- 3. Beneficiaries.** This Bond inures to the benefit of any of the persons named in California Civil Code section 9100, so as to give a right of action to those persons or their assigns in any suit brought upon this Bond. Contractor must promptly provide a copy of this Bond upon request by any person with legal rights under this Bond.
- 4. Duration.** If Contractor promptly makes payment of all sums for all labor, materials, and equipment furnished for use in the performance of the Work required by the Contract, in conformance with the time requirements set forth in the Contract and as required by California law, Surety's obligations under this Bond will be null and void. Otherwise, Surety's obligations will remain in full force and effect.
- 5. Waivers.** Surety waives any requirement to be notified of alterations to the Contract or extensions of time for performance of the Work under the Contract. Surety waives the provisions of Civil Code sections 2819 and 2845. City waives requirement of a new bond for any supplemental contract under Civil Code section 9550. Any notice to Surety may be given in the manner specified in the Contract and delivered or transmitted to Surety as follows:

Attn: _____
Address: _____
City/State/Zip: _____
Phone: _____
Fax: _____
Email: _____

- 6. Law and Venue.** This Bond will be governed by California law, and any dispute pursuant to this Bond will be venued in the Superior Court of Marin County, and no other place. Surety will be responsible for City's attorneys' fees and costs in any action to enforce the provisions of this Bond.

7. **Effective Date; Execution.** This Bond is entered into and is effective on _____, 20___. Three identical counterparts of this Bond, each of which is deemed an original for all purposes, are hereby executed and submitted.

SURETY: _____
Business Name

s/ _____

Name/Title

(Attach Acknowledgment with Notary Seal and Power of Attorney)

CONTRACTOR: _____
Business Name

s/ _____

Name/Title

s/ _____

Name/Title

APPROVED BY CITY:

s/ _____ Date
ROBERT F. EPSTEIN, City Attorney

END OF PAYMENT BOND

Performance Bond

City of San Rafael (“**City**”) and DC Electric Group, Inc., (“**Contractor**”) have entered into a contract, dated _____, 20____ (“**Contract**”) for work on the Citywide Safety Electrical Services (“**Project**”). The Contract is incorporated by reference into this Performance Bond (“**Bond**”).

1. **General.** Under this Bond, Contractor as Principal and _____, its surety (“**Surety**”), are bound to City as obligee for an amount not less than \$ _____. By executing this Bond, Contractor and Surety bind themselves and their respective heirs, executors, administrators, successors and assigns, jointly and severally, to the provisions of this Bond.
2. **Surety’s Obligations; Waiver.** If Contractor fully performs its obligations under the Contract, including its warranty obligations under the Contract, Surety’s obligations under this Bond will become null and void upon City’s acceptance of the Project, provided Contractor has timely provided a warranty bond as required under the Contract. Otherwise Surety’s obligations will remain in full force and effect until expiration of the one year warranty period under the Contract. Surety waives any requirement to be notified of and further consents to any alterations to the Contract made under the applicable provisions of the Contract documents, including changes to the scope of Work or extensions of time for performance of Work under the Contract. Surety waives the provisions of Civil Code sections 2819 and 2845.
3. **Application of Contract Balance.** Upon making a demand on this Bond for completion of the Work prior to acceptance of the Project, City will make the Contract Balance available to Surety for completion of the Work under the Contract. For purposes of this provision, the Contract Balance is defined as the total amount payable by City to Contractor as the Compensation minus amounts already paid to Contractor, and minus any liquidated damages, credits, or backcharges to which City is entitled under the terms of the Contract.
4. **Contractor Default.** Upon written notification from City that Contractor is in default under the Contract, time being of the essence, Surety must act within seven calendar days of receipt of the notice to remedy the default through one of the following courses of action:
 - 4.1 Arrange for completion of the Work under the Contract by Contractor, with City’s consent, but only if Contractor is in default solely due to its financial inability to complete the Work;
 - 4.2 Arrange for completion of the Work under the Contract by a qualified contractor acceptable to City, and secured by performance and payment bonds issued by an admitted surety as required by the Contract documents, at Surety’s expense; or
 - 4.3 Waive its right to complete the Work under the Contract and reimburse City the amount of City’s costs to have the remaining services completed.
5. **Surety Default.** If Surety defaults on its obligations under the Bond, City will be entitled to recover all costs it incurs due to Surety’s default, including legal, design professional, or delay costs.
6. **Notice.** Notice to Surety must be given or made in writing and sent to the Surety via personal delivery, U.S. Mail, or a reliable overnight delivery service, or by email as a PDF (or comparable) file. Notice is deemed effective upon delivery unless otherwise specified. Notice for the Surety must be given as follows:

Attn: _____
Address: _____
City/State/Zip: _____
Phone: _____
Fax: _____
Email: _____

7. **Law and Venue.** This Bond will be governed by California law, and any dispute pursuant to this Bond will be venued in the Superior Court of Marin County, and no other place. Surety will be responsible for City's attorneys' fees and costs in any action to enforce the provisions of this Bond.
8. **Effective Date; Execution.** This Bond is entered into and effective on _____, 20____. Three identical counterparts of this Bond, each of which is deemed an original for all purposes, are hereby executed and submitted.

SURETY: _____
Business Name

s/ _____

Name/Title [print]

(Attach Acknowledgment with Notary Seal and Power of Attorney)

CONTRACTOR: _____
Business Name

s/ _____

Name/Title

s/ _____

Name/Title

APPROVED BY CITY:

s/ _____
ROBERT F. EPSTEIN, City Attorney

Date

END OF PERFORMANCE BOND

Bid Bond

_____ (“Bidder”) has submitted a bid, dated _____, 20____ (“Bid”), to the City of San Rafael (“City”) for work on the _____ (“Project”). Under this duly executed bid bond (“Bid Bond”), Bidder as Principal and _____, its surety (“Surety”), are bound to City as obligee in the penal sum of ten percent of the maximum amount of the Bid (the “Bond Sum”). Bidder and Surety bind themselves and their respective heirs, executors, administrators, successors and assigns, jointly and severally, as follows:

1. **General.** If Bidder is awarded the Contract for the Project, Bidder will enter into the Contract with City in accordance with the terms of the Bid.
2. **Submittals.** Within ten days following issuance of the Notice of Award to Bidder, Bidder must submit to City the following:
 - 2.1 **Contract.** The executed Contract, using the form provided by City in the Project contract documents (“Contract Documents”);
 - 2.2 **Payment Bond.** A payment bond for 100% of the maximum Contract Price, executed by a surety licensed to do business in the State of California using the Payment Bond form included with the Contract Documents;
 - 2.3 **Performance Bond.** A performance bond for 100% of the maximum Contract Price, executed by a surety licensed to do business in the State of California using the Performance Bond form included with the Contract Documents; and
 - 2.4 **Insurance.** The insurance certificate(s) and endorsement(s) required by the Contract Documents, and any other documents required by the Instructions to Bidders or Notice of Award.
3. **Enforcement.** If Bidder fails to execute the Contract and to submit the bonds and insurance certificates as required by the Contract Documents, Surety guarantees that Bidder forfeits the Bond Sum to City. Any notice to Surety may be given in the manner specified in the Contract and delivered or transmitted to Surety as follows:

Attn: _____
Address: _____
City/State/Zip: _____
Phone: _____
Fax: _____
Email: _____

4. **Duration and Waiver.** If Bidder fulfills its obligations under Section 2, above, then this obligation will be null and void; otherwise it will remain in full force and effect for 60 days following the bid opening or until this Bid Bond is returned to Bidder, whichever occurs first. Surety waives the provisions of Civil Code §§ 2819 and 2845.

[Signatures are on the following page.]

This Bid Bond is entered into and effective on _____, 20_____.

SURETY:

Business Name

s/ _____

Date

Name, Title

(Attach Acknowledgment with Notary Seal and Power of Attorney)

BIDDER:

Business Name

s/ _____

Date

Name, Title

END OF BID BOND

Exhibit C
NONCOLLUSION DECLARATION

TO BE EXECUTED BY BIDDER AND SUBMITTED WITH BID

The undersigned declares:

I am the _____ [title] of _____
[business name], the party making the foregoing bid.

The bid is not made in the interest of, or on behalf of, any undisclosed person, partnership, company, association, organization, or corporation. The bid is genuine and not collusive or sham. The bidder has not directly or indirectly induced or solicited any other bidder to put in a false or sham bid. The bidder has not directly or indirectly colluded, conspired, connived, or agreed with any bidder or anyone else to put in a sham bid, or to refrain from bidding. The bidder has not in any manner, directly or indirectly, sought by agreement, communication, or conference with anyone to fix the bid price of the bidder or any other bidder, or to fix any overhead, profit, or cost element of the bid price, or of that of any other bidder. All statements contained in the bid are true. The bidder has not, directly or indirectly, submitted his or her bid price or any breakdown thereof, or the contents thereof, or divulged information or data relative thereto, to any corporation, partnership, company, association, organization, bid depository, or to any member or agent thereof, to effectuate a collusive or sham bid, and has not paid and will not pay, any person or entity for such purpose.

This declaration is intended to comply with California Public Contract Code § 7106 and Title 23 U.S.C § 112.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct and that this declaration is executed on _____ [date], at
_____ [city], _____ [state].

s/ _____

Name [print]

END OF NONCOLLUSION DECLARATION

This Bid Proposal is hereby submitted on _____, 20__.

s/ _____

Name and Title

s/ _____

Name and Title

Company Name

License #, Expiration Date, and Classification

Address

DIR Registration #

City, State, Zip

Phone

Contact Name

Contact Email

Addenda. Bidder agrees that it has confirmed receipt of or access to, and reviewed, all addenda issued for this Bid. Bidder waives any claims it might have against the City based on its failure to receive, access, or review any addenda for any reason. Bidder specifically acknowledges receipt of the following addenda:

Addendum:	Date Received:
#01	_____
#02	_____
#03	_____
#04	_____

Addendum:	Date Received:
#05	_____
#06	_____
#07	_____
#08	_____

END OF BID SCHEDULE



SAN RAFAEL
THE CITY WITH A MISSION

Agenda Item No: 4.1

Meeting Date: September 3, 2024

SAN RAFAEL CITY COUNCIL AGENDA REPORT

Department: Police Department

Prepared by: Alex Holm, Lieutenant

City Manager Approval: _____

TOPIC: SPECIAL EVENT STREET CLOSURE IN SAN RAFAEL

SUBJECT: RESOLUTION AUTHORIZING THE TEMPORARY CLOSURE OF NEAME AVENUE IN SAN RAFAEL FOR A SPECIAL EVENT

RECOMMENDATION: Adopt a resolution authorizing the temporary closure of Neame Avenue in San Rafael for a neighborhood block party.

BACKGROUND:

The San Rafael Municipal Code requires City Council approval of all special events that cause the temporary closure of City streets. In addition, California Vehicle Code section 21101(e) authorizes the City to adopt a resolution temporarily closing a portion of any street for celebrations, parades, local special events, and other purposes. The San Rafael Police Department has received a special event application for a neighborhood association block party on Neame Avenue, which would require street closure and parking restrictions.

The applicant has submitted a complete special event application, fulfilled insurance requirements indemnifying the City from liability associated with the event, and provided detailed information regarding operation, logistics, and a street closure diagram. Additionally, the applicant has notified all residents on Neame Avenue of the event and submitted the signed notification document to the Police Department, with signatures obtained from representatives of each address. If approval is granted for the stated street closure, City staff will finalize the event application.

ANALYSIS:

The special event street closure details are as follows:

Event: **West End Neighborhood Association Block Party**

Date(s): **September 22, 2024** (Sunday)

FOR CITY CLERK ONLY

Council Meeting:

Disposition:

Closure

Location(s): Neame Avenue: Santa Margarita Avenue to West Crescent Drive

Event Time: 12:00 p.m. – 3:30 p.m.

Closure Time: 9:00 a.m. – 4:30 p.m.

COMMUNITY OUTREACH:

The applicant has notified all residents on Neame Avenue of the event and submitted the signed notification document to the Police Department, with signatures obtained from representatives of each address.

FISCAL IMPACT:

Pursuant to current City policy, the event organizer will reimburse the Police Department, Department of Public Works, and Parking Services fees and/or costs.

OPTIONS:

The City Council has the following options to consider on this matter:

1. Adopt the resolution authorizing the specified special event temporary street closure.
2. Adopt resolution with modifications.
3. Direct staff to return with more information.
4. Take no action.

RECOMMENDED ACTION:

Adopt a resolution authorizing the temporary closure of Neame Avenue in San Rafael for the West End Neighborhood Association Neighborhood Block Party.

ATTACHMENTS:

1. Resolution

RESOLUTION NO.

RESOLUTION OF THE SAN RAFAEL CITY COUNCIL AUTHORIZING THE TEMPORARY CLOSURE OF NEAME AVENUE IN SAN RAFAEL

WHEREAS, the San Rafael City Council has determined that it is in the best interests of the public health and safety to implement a modified Traffic Plan and Road Closure for all a special event in San Rafael; and

WHEREAS, after reviewing plans for the event and the traffic patterns, City staff has determined and recommended that, in the interest of the safety and welfare of pedestrian and auto traffic in the area, the street should be temporarily closed to through traffic for the date, time, and location as specified in the Staff Report; and

WHEREAS, the specific time periods for the temporary closure is described in the Staff Report shall be as determined by the City staff in consultation with the Police Department, and staff shall give timely notice to the public of those time periods by signage and/or other appropriate means.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF SAN RAFAEL HEREBY RESOLVES:

1. That all the above findings are true and correct; and
2. That pursuant to the authority of Vehicle Code section 21101(e), for the safety and protection of persons, both pedestrians and vehicle drivers, the City Council hereby authorizes the temporary closure of Neame Avenue for the following duration and purposes:

Event: West End Neighborhood Association Block Party

Date(s): **September 22, 2024** (Sunday)

Closure Location(s): Neame Avenue: Santa Margarita Avenue to West Crescent Drive

Event Time: 12:00 p.m. – 3:30 p.m.

Closure Time: 09:00 a.m. – 4:30 p.m.

3. CEQA. The City Council hereby determines that the proposed temporary street closure is exempt from the California Environmental Quality Act under Class 4 subsection (e), because the action involves the temporary use of land having negligible or no impact on the environment. The City Council directs staff to file a notice of exemption.

I, Lindsay Lara, City Clerk of the City of San Rafael, hereby certify that the foregoing resolution was duly and regularly introduced and adopted at a regular meeting of the City Council held on the 3rd day of September 2024 by the following vote, to wit:

AYES: COUNCILMEMBERS:
NOES: COUNCILMEMBERS:
ABSENT: COUNCILMEMBERS:

Lindsay Lara, City Clerk

City of San Rafael
Proclamation in Recognition of
Hispanic Heritage Month
September 15 – October 15, 2024

WHEREAS, The City of San Rafael proudly celebrates the vibrant contributions, rich cultures, and deep histories of Hispanic and Latino individuals, families, and communities across America, whose roots trace back to Guatemala, Honduras, El Salvador, and Mexico, and further to Spain, Africa, the Caribbean, Central America, and South America; and

WHEREAS, during National Hispanic Heritage Month, celebrated from September 15 to October 15, the anniversary of independence for many Latin American countries is celebrated, with Costa Rica, El Salvador, Guatemala, Honduras, and Nicaragua on September 15; Mexico and Chile's independence days on September 16 and September 18; and Día de la Raza on October 12; and

WHEREAS, we as a nation celebrate through a variety of events including festivals, music, art shows, conferences, and community gatherings to recognize the vibrant and enduring impact that Hispanic and Latino communities have made across American society, including in the arts, sciences, education, agriculture and farming, politics, law, politics, and industry; and

WHEREAS, we recognize and celebrate the contributions Hispanic and Latino residents to make to our local, regional, and national economies as local workers, entrepreneurs, athletes, artists, entertainers, scientists, public servants, and much more; and

WHEREAS, more than thirty percent of the population of San Rafael is of Hispanic, Latino, and Indigenous descent, and the City is proud to recognize its Hispanic and Latino leaders in the community and many partners that serve and support our local residents, individuals within our own City workforce, and all of the contributions from Hispanic and Latino residents, citizens, and communities to the economic, cultural, social, and historic fabric of our City.

THEREFORE, BE IT RESOLVED that the Mayor and City Council of the City of San Rafael, hereby proclaim September 15 through October 15, 2024, as Hispanic Heritage Month in the City of San Rafael, and acknowledges the strength and resilience of our Hispanic and Latino communities and encourages resident to increase their own cultural awareness, embrace the valuable contributions of Hispanic and Latino individuals and communities, and observe and recognize their past and continued accomplishments.



Kate Colin
Mayor

City of San Rafael
Proclamation in Recognition of
Suicide Prevention Awareness Month,
September 1 – 30, 2024

WHEREAS, National Suicide Prevention Month is recognized in September, and throughout the month mental health advocates, prevention organizations, survivors, allies, and community members unite to promote and raise awareness surrounding suicide prevention support and resources available; and

WHEREAS, suicidal thoughts and intrusions can affect anyone regardless of age, race, gender, sexual orientation, financial situation, religion and background, and suicide is a local, national, and international public health problem with far-reaching social, emotional and economic consequences; and

WHEREAS, in Marin County, 182 friends, neighbors, and family members died by suicide between 2018 and 2022, with an additional 962 self-harm injuries requiring visits to the Emergency Room during those years; and

WHEREAS, in the United States, suicide is the second leading cause of death among individuals between the ages of 10 to 34, and with every death there are over 25 suicide attempts; and when warning signs are recognized, learning the facts and having conversations with someone we are concerned about can lead to interventions and suicide can be prevented, and healing can begin; and

WHEREAS, over 90% of the people who die by suicide have an underlying, diagnosable mental health condition or substance abuse disorder, and destigmatization and resources for individuals and the supporters of those who are struggling with mental health and wellness is paramount in supporting personal harm reduction; and

WHEREAS, the City reminds all residents and community members that the National Alliance on Mental Illness and the 988 Suicide and Crisis Lifeline (dial 988) works to help individuals in crisis and provide resources for loved ones who want to support individuals, and that everyone can help prevent suicide by learning the warning signs, promoting prevention and resilience, and committing to social change.

THEREFORE, BE IT RESOLVED that the Mayor and City Council of the City of San Rafael hereby proclaim the month of September 2024, as Suicide Prevention Awareness Month in the City of San Rafael and encourages all citizens to advance equity in mental health, transform how mental health is understood, perceived, and treated, and strive to build safe and supportive environments for our community.



A handwritten signature in blue ink that reads "Kate".

Kate Colin
Mayor



SAN RAFAEL
THE CITY WITH A MISSION

Agenda Item No: 6.a

Meeting Date: September 3, 2024

SAN RAFAEL CITY COUNCIL AGENDA REPORT

Department: City Manager's Office

Prepared by: Bernadette Sullivan,
Senior Management Analyst

City Manager Approval: _____

A handwritten signature in blue ink, appearing to be 'CS'.

TOPIC: SMOKING ORDINANCE AMENDMENT

SUBJECT: INTRODUCTION OF AN ORDINANCE AMENDING SECTIONS 9.04.120 OF THE SAN RAFAEL MUNICIPAL CODE TO ALLOW FOR A PRIVATE RIGHT OF ACTION FOR VIOLATIONS OF THE CITY'S SMOKING ORDINANCE.

RECOMMENDATION:

Introduce an Ordinance amending [Section 9.04.120](#) of the San Rafael Municipal Code to allow for a private right of action for violations of the City's smoking ordinance, waive further reading of the Ordinance, and refer to it by title only.

BACKGROUND:

Secondhand smoke poses health problems for non-smoking residents when it drifts from neighboring homes, apartment units, balconies, and outdoor spaces. The U.S. Surgeon General has determined that the dangers of secondhand smoke cannot be controlled by ventilation, air cleaning, or the separation of smokers from non-smokers. Several studies have concluded that smoking in multi-unit housing also contributes to higher maintenance and insurance costs. Many cities in California have begun to address the health dangers and additional costs related to secondhand smoke by implementing secondhand smoke policies.

In 2012, the City Council adopted [Ordinance No. 1908](#), significantly changing the City's smoking regulation in [San Rafael Municipal Code \("SRMC"\) Chapter 9.04](#). This ordinance change demonstrated the City's commitment to protecting people against the dangers of secondhand smoke, reducing fire hazards, and reducing property damage caused by tobacco smoke. Included in the ordinance change was the option for residential properties to create a designated smoking area provided they conform to a set of criteria. Despite these measures, the spontaneous and often brief nature of smoking incidents/reports make it challenging to catch individuals in the act. As a result, violations continue to persist, creating enforcement challenges, and community members continue to report violations that negatively impact their health and quality of life.

FOR CITY CLERK ONLY

Council Meeting: _____

Disposition: _____

ANALYSIS:

Community concerns regarding the public health effects of secondhand smoke exposure are on the rise. There are substantial concerns about ongoing exposure to second- and thirdhand smoke, particularly in multi-unit housing complexes and other shared spaces. Complaints often highlight some inefficiencies of existing enforcement methods, such as code enforcement, which cannot always be present to witness violations taking place and, therefore, do not have the tools to enforce violations. Code Enforcement officers are routinely out in the field conducting scheduled inspections and addressing ongoing high priority issues throughout the community. Due to their structured schedules and the need to cover a wide range of responsibilities, they have limited capacity to immediately shift focus and respond to real time smoking violations as they occur. This makes it challenging to catch individuals in the act of smoking, which is necessary to cite violators.

The City's limited capacity to monitor and enforce smoking bans has led to frustration among community members who feel their health and safety are not adequately protected. Smokers can extinguish a cigarette or move to another location before an officer can arrive on the scene. Additionally, officers must prioritize their response based on the impact of the violation on the community. Situations that pose a serious risk to health and safety are prioritized, while other complaints are addressed in the order they are received. This means that when an officer can respond to a smoking complaint, the violation may no longer be occurring, making it difficult to take immediate action. This limitation contributes to the persistence of smoking violations and the resulting frustration within the community. To address this, staff recommends amending the current smoking ordinance to include a civil right of action that would provide community members with a direct mechanism to hold violators accountable and seek remedies through the legal system.

The private right of action provides a valuable tool for community members in extreme cases where other enforcement measures have not been effective. The ordinance amendment allows for a private right of action. This approach provides an added tool for accountability, enabling community members to seek legal remedies against violators without solely relying on the City's resources. By giving the community, the ability to act, this amendment would help to deter smoking violations more effectively and enhance the overall protection of public health and safety. The private enforcer must produce documentation substantiating the violation of the City's Smoking Ordinance, which could include resident complaints, inspection reports, and/or enforcement actions by local public health or code enforcement officers.

The private right of action provides a valuable tool for community members in extreme cases where other enforcement measures have not been effective. The ordinance amendment allows for a private right of action. This approach provides an added tool for accountability, enabling community members to seek legal remedies against violators without solely relying on the City's resources. By giving the community, the ability to act, this amendment would help to deter smoking violations more effectively and enhance the overall protection of public health and safety.

FISCAL IMPACT:

There is no fiscal impact in passing this amendment.

OPTIONS:

The City Council has the following options to consider on this matter:

1. Introduce an Ordinance, waive further reading of the Ordinance, and refer to it by title only.
2. Introduce an Ordinance, waive further reading of the Ordinance, and refer to it by title only, with minor modifications

3. Direct staff to return with substantive changes.

RECOMMENDED ACTION:

Introduce an Ordinance amending [Section 9.04.120](#) of the San Rafael Municipal Code to allow for a private right of action for violations of the City's smoking ordinance, waive further reading of the Ordinance, and refer to it by title only.

ATTACHMENTS:

1. Ordinance Amendment

ORDINANCE NO.

**AN ORDINANCE OF THE CITY OF SAN RAFAEL AMENDING
CHAPTER 9, SECTION 9.04.120 OF THE SAN RAFAEL MUNICIPAL
CODE TO ALLOW FOR A CIVIL RIGHT OF ACTION FOR VIOLATIONS
OF THE CITY'S SMOKING ORDINANCE**

WHEREAS, Section 118910 of the California Health and Safety Code and Section 26200 of the Business and Professions Code expressly authorize local governments to regulate smoking in any manner not inconsistent with state law; and

WHEREAS, there is no Constitutional right to smoke; and

WHEREAS, the purpose of the City's smoking restrictions is to serve the public health, safety, and welfare due to the known dangers to health and wildfire risk posed by smoking and secondhand smoke; and

WHEREAS, In 2012, the City Council adopted [Ordinance No. 1908](#), which significantly changed the City's smoking regulation in San Rafael Municipal Code ("SRMC") Chapter 9.04; and

WHEREAS, enforcement challenges of provisions of section 9.04.120 persist, and community members continue to report violations that negatively impact their health and quality of life; and

WHEREAS, the amendments to the San Rafael Municipal Code made by adoption of this Ordinance are necessary to further enforce current smoking laws so as to more fully protect City residents, businesses and visitors against risk and unwanted secondhand smoke in public places, parks, and multiunit dwellings.

**NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF SAN RAFAEL
DOES ORDAIN AS FOLLOWS:**

Division 1. Amendment of Municipal Code.

Sections 9.04.120 of Chapter 9.04 (Clean Indoor And Outdoor Air And Health Protection) of the San Rafael Municipal Code are hereby amended to read as follows. Additions are shown in underline, and deletions are shown in ~~striketrough~~.

9.04.120 Enforcement and penalties.

A. Any violation of this chapter shall be, and the same is hereby declared to be, unlawful and a public nuisance, and shall be enforceable pursuant to Chapters 1.40, 1.42, 1.44, or 1.46 of this Code, or by any other judicial and administrative penalties and remedies available to the city under state law. Each instance of smoking in violation of this chapter shall constitute a separate violation. For violations other than for smoking, each day of a continuing violation of this chapter shall constitute a separate violation. The remedies provided by this chapter are not intended to preclude any other remedy available at law or in equity.

B. Any Person acting for the interests of itself, its members, or the general public (hereinafter "Private Enforcer") may bring a private action in any court of competent jurisdiction, including small claims court, to enforce this section against any Person who has violated this section. The Private Enforcer must produce documentation substantiating the violation of the City's Smoking Ordinance, which could include resident complaints, inspection reports, and/or enforcement actions by local public health or code enforcement officers. A court shall grant all appropriate relief, including: (1) awarding damages; and (2) issuing an injunction or a conditional judgment. Except as otherwise provided, enforcement of this section is at the sole discretion of the City. Nothing in this section shall create a right of action in any Person against the City or its agents to compel public enforcement of this section against private parties.

Division 2. Severability.

If any section, subsection, sentence, clause, phrase or word of this Ordinance is for any reason held to be invalid by a court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this Ordinance. The City Council hereby declares it would have passed and adopted this Ordinance and each and all provisions hereof irrespective of the fact that any one or more of said provisions be declared invalid.

Division 3. CEQA Determination.

This Ordinance makes only administrative changes to the operations of a City commission and is therefore exempt from the requirements of the California Environmental Quality Act (CEQA) under 14 Cal. Code Regs. §15061(b)(3), the common sense exemption, because it can be seen with certainty that there is no possibility that the Ordinance may have a significant effect on the environment.

Division 4. Publication; Effective Date.

This Ordinance shall be published once, in full or in summary form, before its final passage, in a newspaper of general circulation, published, and circulated in the City of San Rafael, and shall be in full force and effect thirty (30) days after its final passage. If published in summary form, the summary shall also be published within fifteen (15) days after the adoption, together with the names of those Councilmembers voting for or against same, in a newspaper of general circulation published and circulated in the City of San Rafael, County of Marin, State of California.

Within fifteen (15) days after adoption, the City Clerk shall also post in the office of the City Clerk, a certified copy of the full text of this Ordinance along with the names of those Councilmembers voting for and against the Ordinance.

THE FOREGOING ORDINANCE was first read and introduced at a regular meeting of the San Rafael City Council on the 3rd day of September 2024, and was passed and adopted at a regular meeting of the San Rafael City Council on the 16th of September by the following vote, to wit:

AYES: COUNCILMEMBERS:
NOES: COUNCILMEMBERS:
ABSENT: COUNCILMEMBERS:

KATE COLIN, Mayor

ATTEST:

LINDSAY LARA, City Clerk



SAN RAFAEL CITY COUNCIL AGENDA REPORT

Department: Community & Economic Development

Prepared by: Micah Hinkle, Director
Alexis Captanian, Housing Manager

City Manager Approval:  _____

TOPIC: AFFORDABLE HOUSING TRUST FUND APPLICATION PROCESSES
SUBJECT: AFFORDABLE HOUSING TRUST FUND ROLLING APPLICATION PROCESS IMPLEMENTATION AND ALIGNING CITY'S NOTICE OF FUNDING AVAILABILITY (NOFA) WITH COUNTY OF MARIN'S NOFA PROCESS

RECOMMENDATION: Approve the implementation of the rolling application process for the Affordable Housing Trust Fund, as authorized in the Guidelines for the Administration of the Affordable Housing Trust Fund.

BACKGROUND:

The City's Affordable Housing Trust Fund (trust fund) was created to increase the stock of permanently affordable housing units in San Rafael. To support the efforts of affordable housing developers, the City periodically issues notices of available funding for the production and preservation of affordable housing. In the last three years, the City has completed two funding cycles. The timing has been based largely on sufficient fund balance.

The application process, project eligibility, and evaluation criteria are established in [San Rafael City Council Resolution 14760](#), *Guidelines for the Administration of the Affordable Housing Trust Fund*. Per the guidelines, the City Council provides oversight to the fund and reviews all loans and grants for approval or denial.

ANALYSIS:

1) Proposed Rolling Application Process for Acquisition Funding

Through the Notice of Funding Availability (NOFA) process, the City has successfully funded a variety of new construction, rehabilitation, and adaptive reuse projects across the City. Examples of 100% affordable housing projects recently supported through the trust fund include:

- Permanent supportive housing at Jonathan's Place, 190 Mill St (completed)
- Housing for older adults at the Vivalon Healthy Aging Campus, 999 Third St (completed)

FOR CITY CLERK ONLY

Council Meeting:

Disposition:

- Permanent supportive housing at 3301 Kerner Blvd (anticipated completion December 2024)
- Renovation of long-time affordable family housing at Marin Villa Estates (anticipated completion Fall 2024)
- Rehabilitation of 125 units at Terra Linda Manor (anticipated completion June 2025)

Although property acquisitions are eligible for funding through the trust fund, due to timing, the existing NOFA process is less effective for acquisition projects. Opportunities arise in the competitive real estate market and must be acted upon quickly. Prospective bidders often cannot wait until the City's next NOFA cycle to apply for funding. During the past several years, City staff have been contacted by housing developers numerous times about supporting an acquisition timeline aligned with City Council priorities to preserve housing as affordable and prevent tenant displacement; however, a mechanism did not exist to accept funding applications off-cycle.

Section 4 of the *Guidelines for the Administration of the Affordable Housing Trust Fund* authorizes a rolling application process during periods without an issued NOFA; and staff is now recommending a process with specific criteria be implemented and communicated to stakeholders. Applicants with eligible projects seeking funding for an eligible activity may apply, and staff will make a recommendation to the City Council at a publicly noticed meeting to either approve or reject the funding request. Staff proposes to operationalize and launch this rolling application process to enable further responsiveness to opportunities that arise and ensure that projects can fully leverage other funding sources. On July 24, 2024, the City Council Housing and Homelessness Subcommittee received the proposal for a rolling application process, provided feedback, and recommended it for consideration by the City Council.

While the City's trust fund is modest in size, the City often provides important "last mile" gap funding that helps push projects over the finish line. Furthermore, affordable housing developers can leverage City dollars to compete more effectively for other funding sources. The County of Marin maintains a Local Housing Trust Fund that is more substantial than the City of San Rafael's. The County accepts applications on a rolling basis as well as through their annual NOFA. The County Board of Supervisors awards funding to housing projects in jurisdictions across Marin County, including San Rafael. For projects outside of unincorporated Marin to be eligible for funds, the city or town government must contribute financially to the project. Beyond the County, other funders, including the State and private philanthropy, are influenced to help finance projects that have received local support. To best leverage County and other funding for acquisitions in San Rafael, staff recommends establishing a rolling application process with up to \$250,000 in funding available per year for ad hoc real estate opportunities that cannot go through the standard NOFA process due to timing constraints.

Staff would accept and evaluate applications on a rolling basis using the criteria outlined in the trust fund guidelines, including:

- **Community Benefit.** The project provides a tangible and cost-effective benefit to the community as well as the intended beneficiaries.
- **Development Team's Capacity.** The development team has the experience, skills and resources to acquire the property.
- **Management Team's Capacity.** The organization is financially healthy and has the experience, skills, and resources to manage the property once acquired.
- **Readiness to Proceed.** Project application includes components such as documentation of site control, appraisal, property inspection reports, capital needs assessment, scope of work identifying critical repairs, construction cost estimate, substantial amount of other financial

resources committed, and if applicable, current rent roll, tenant income certification forms, and plan to prevent displacement of existing tenants.

- Leverage and Collaboration. The project has secured other financing and in-kind contributions to match City investment.
- Per Unit Subsidy. The per unit subsidy is reasonable given the target population, project type and cost effectiveness.

The rolling application process would be reserved for acquisitions, with new construction and rehabilitation projects continuing to apply during the regular NOFA cycle. The amount available through the rolling application process would be capped at \$250,000 per year and dependent on sufficient funds being available. If all or part of the available dollars are not awarded by the end of a given fiscal year, the unawarded amount will not roll over to the next year. Per the trust fund guidelines, all rental units supported by program funds are income and rent-restricted for not less than 55 years.

2) Aligning Timing of City NOFA with Marin County NOFA Process

Staff proposes to align future Notices of Funding Availability (NOFA) with the County of Marin NOFA process. The County administers its housing trust fund, Community Development Block Grant (CDBG), and HOME funds. Syncing the timing of the City's process with the County's process allows for stronger coordination of funds. The County's process typically occurs annually, with the application period launching in January. Staff will explore the possibility of a joint application, which would reduce the administrative burden for affordable housing applicants. City staff would continue to evaluate all applications for City funding and present recommendations to the City Council for consideration per the trust fund guidelines.

Staff provides a status report to the City Council at least annually about the Affordable Housing Trust Fund. In that report, staff will provide evaluative updates on the rolling application process and City/County NOFA coordination efforts.

COMMUNITY OUTREACH:

The rolling application process and future Notices of Funding Availability will be announced on the City's website, and notice will be provided to local and regional affordable housing owners and developers.

FISCAL IMPACT:

No funding expenditure is requested currently. The City Council may award up to \$250,000 per year through the rolling application process if sufficient funds are available in the Affordable Housing In-Lieu Fee Fund. After staff receive and evaluate applications, a funding recommendation will be provided for City Council consideration. At that time, funds from the Affordable Housing Trust Fund would be requested. As of August 15, 2024, the Affordable Housing Trust Fund's unencumbered fund balance was approximately \$1 million, which is sufficient to support the proposed rolling application process for the current fiscal year 2024-25.

OPTIONS:

The City Council has the following options to consider on this matter:

1. Approve the implementation of the rolling application process for the Affordable Housing Trust Fund.
2. Approve the implementation of the rolling application process for the Affordable Housing Trust Fund with modifications.
3. Direct staff to provide additional information.
4. Take no action.

RECOMMENDED ACTION: Approve the implementation of the rolling application process for the Affordable Housing Trust Fund, as authorized in the Guidelines for the Administration of the Affordable Housing Trust Fund.



SAN RAFAEL CITY COUNCIL AGENDA REPORT

Department: Human Resources

Prepared by: Marissa Sanchez, HR Director

City Manager Approval: _____

TOPIC: PERSONNEL CHANGES

SUBJECT: ADOPT A RESOLUTION APPROVING THE FOLLOWING PERSONNEL CHANGES: RETITLING OF THE ASSISTANT DIRECTOR OF COMMUNITY DEVELOPMENT JOB CLASSIFICATION, RETITLING OF THE CHILDCARE DIRECTOR JOB CLASSIFICATION, CORRECTING THE OPERATIONS & MAINTENANCE SUPERINTENDENT SALARY RANGE; AND ADDING THE SENIOR HUMAN RESOURCES ANALYST, WILDFIRE MITIGATION PROGRAM MANAGER, CHIEF ASSISTANT CITY ATTORNEY POSITIONS; AND AMENDING THE SAN RAFAEL MID-MANAGEMENT EMPLOYEE ASSOCIATION, SERVICE EMPLOYEES INTERNATIONAL UNION LOCAL 1021, AND UNREPRESENTED MID-MANAGEMENT AND EXECUTIVE SALARY SCHEDULES; AND UPDATING THE UNREPRESENTED MID-MANAGEMENT SALARY RESOLUTION

RECOMMENDATION:

Adopt a resolution approving changes to the San Rafael Mid-Management Employee Association (SRMMEA), Service Employees International Union (SEIU) Local 1021, and unrepresented mid-management and executive salary schedules, and approve minor changes to the unrepresented mid-manager salary resolution.

BACKGROUND:

The Human Resources Department periodically seeks to establish, reallocate, amend, or delete positions to reorganize or restructure staffing to most effectively and efficiently serve the community and City goals. This staff report outlines the current recommendations.

ANALYSIS:

Proposed Updates to the SRMMEA Salary Schedule:

Community Services Division & Division Director Position

San Rafael is committed to creating a more inclusive and equitable city where every resident has the opportunity to thrive. With this in mind, the City is establishing a new Community Services Division of the City Manager’s Office. The Division is dedicated to enhancing the quality of life for all residents, with a special focus on traditionally underserved and vulnerable

FOR CITY CLERK ONLY

Council Meeting:

Disposition:

populations, keeping equity at the forefront. This Division is at the forefront of addressing critical social and community issues, including homelessness response, and other services that uplift community members in need.

The Division's mission is to develop and implement innovative strategies and programs that ensure access to vital resources, fostering community resilience, and promoting overall well-being, with a focus on equity. The Community Services Division will work collaboratively with the County of Marin, other local agencies, community-based organizations, service providers, and stakeholders to deliver services that are compassionate, effective, and responsive to the unique needs of our community. The current staffing proposed for this new Division is to reassign two full time equivalent (FTE) positions, so no new staff are being proposed. Given the volume of work currently needed to address homelessness, for the first few years, this new Division will be primarily focused on homelessness response. However, the plan will be to grow and develop programming that reaches more of our community members in need.

The Assistant Director of Community Development is a single classification represented by the San Rafael Mid-Management Employee Association (SRMMEA). Recently, this position has focused on overseeing the work of the Housing Division and managing the City's homelessness response.

In recognition of the cross-departmental nature of addressing the needs of the unsheltered population, the impact of encampments on the community, and the need for ongoing stakeholder engagement with our County and non-profit service providers, staff recommends changing the job title of the Assistant Director of Community Development to Community Services Division Director. The position would report directly to the Assistant City Manager and be supported by the Housing and Homelessness Analyst. In this new role, the Division Director will manage a broad range of responsibilities, from strategic planning and policy development to budget management, and communication strategies, to interdepartmental and interagency coordination. The Division Director will also be responsible for securing and managing funding, developing and maintaining partnerships, and ensuring that the Division's programs are both effective and sustainable. They will be a key liaison between the City and various stakeholders, including other government agencies and elected officials, community organizations, and residents. Their work will involve close collaboration with other City departments, public and private partners, and community groups to advance initiatives that address homelessness and other programs that support vulnerable populations. The Division Director will lead and coordinate community engagement efforts and will work collaboratively with the City's Housing Division on achieving the City's goals related to housing and homelessness.

Under the proposed resolution, the SRMMEA Assistant Director of Community Development would be removed from the SRMMEA salary schedule, and the Community Services Division Director classification would be added.

Wildfire Mitigation Program Manager

As part of the City's ongoing commitment to wildfire hazard mitigation, the City has created the Wildfire Mitigation Program Manager to be included in the SRMMEA salary schedule. The Wildfire Mitigation Program Manager will be responsible for developing, operating, and

administrating programs and projects that support the City's Wildfire Prevention and Protection Action Plan and the Marin Wildfire Prevent Authority's goals and annual work plan.

In addition, there are two administrative errors that must be corrected. The SRMMEA Salary Schedule is titled "Unrepresented Mid-Management" and must be revised to state "SRMMEA Salary Schedule." Staff discovered a typo in the Operations & Maintenance Superintendent salary range for fiscal years 2025-26 and 2026-27. City Council action for this item is only needed to codify this correction.

Proposed Updates to the SEIU Local 1021 Salary Schedule: A classification study was conducted for the Childcare Director position with the City; the City's consultant that conducted the survey recommended re-titling the Childcare Director classification as Childcare Supervisor. This was discussed with SEIU Local 1021 representatives, and the new title should now be incorporated into the salary schedule, using the same range as the previous Childcare Director. City Council action for this item is only needed to codify this update.

Proposed Updates to the Unrepresented Mid-Management Salary Schedule and Salary Resolution: City staff propose adding the Senior Human Resources Analyst to the unrepresented mid-management salary schedule. This position would support various human resources functions, with an emphasis on labor relations, data analysis, recruitment, employee relations, and benefits administration.

Additionally, City staff propose modifying language about seniority in the Unrepresented Mid-Management Salary Resolution to bring benefits for this group of employees in line with that of the employees represented by SRMMEA.

Proposed Updates to the Unrepresented Executive Salary Schedule: The City Attorney and City Manager's Offices recently worked with MRG Consultants to conduct a comprehensive classification study for the City Attorney's Office, and it was determined that the range of attorney job classifications should be expanded to allow the City to recruit candidates that may have a broad breadth of experience and to allow for potential growth. Based on the recommendations from MRG, staff recommend adding a Chief Assistant City Attorney position to the unrepresented executive salary schedule. At this time, it is envisioned that the City will hire either a Chief Assistant City Attorney or an Assistant City Attorney. An individual may be hired at either level based on their experience, qualifications, and the needs of the City.

FISCAL IMPACT:

The recommendations in this staff report total approximately \$125,000. These costs will be absorbed within the existing approved fiscal year 2024-25 budget.

OPTIONS:

The City Council has the following options to consider on this matter:

1. Approve the resolution and updated unrepresented mid-manager salary resolution as presented.
2. Request changes to the recommendations.
3. Direct staff to develop alternatives to the recommendation.

RECOMMENDED ACTION:

Adopt a resolution approving changes to the San Rafael Mid-Management Employee Association (SRMMEA), Service Employees International Union (SEIU) Local 1021, and unrepresented mid-management and executive salary schedules, and approve minor changes to the unrepresented mid-manager salary resolution.

ATTACHMENTS:

Attachment A: Resolution

Attachment B: SRMMEA Salary Schedule

Attachment C: SEIU Local 1021 Salary Schedule

Attachment D: Unrepresented Mid-Management Salary Schedule

Attachment E: Unrepresented Mid-Management Salary Resolution

Attachment F: Unrepresented Executive Management Salary Schedule

RESOLUTION NO.

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAN RAFAEL
APPROVING CHANGES TO THE SAN RAFAEL MID-MANAGEMENT EMPLOYEE
ASSOCIATION (SRMMEA) AND UNREPRESENTED MID-MANAGEMENT AND EXECUTIVE
SALARY SCHEDULES**

WHEREAS, the City must, from time to time, add or otherwise adjust job classifications, job specifications and/or compensation in order to satisfy the changing needs and demands of the workforce and to more closely match the tasks which need to be performed by employees in the City's various departments; and

WHEREAS, City staff has analyzed the job description of the Assistant Director of Community Development and determined the scope of work for this position should be updated to address homelessness interventions and community services and commensurate with the change in job responsibilities, the job title on the San Rafael Mid-Management Employee Association (SRMMEA) Salary Schedule should be changed from the Assistant Director of Community Development to Community Services Division Director; and

WHEREAS, there was an administrative error in the title of the SRMMEA Salary Schedule; and

WHEREAS, there was an administrative error in the salary range for the Operations & Maintenance Superintendent on the SRMMEA Salary Schedule; and

WHEREAS, staff recommends the addition of the Wildfire Mitigation Program Manager job classification to the SRMMEA Salary Schedule; and

WHEREAS, staff recommends the retitling of the Childcare Director job classification to the Childcare Supervisor on the Service Employees International Union (SEIU) Local 1021 Salary Schedule; and

WHEREAS, staff recommends the addition of the Senior Human Resources Analyst job classification to the Unrepresented Mid-Management Salary Schedule; and

WHEREAS, staff recommends revising language about seniority in the Unrepresented Mid-Management Salary Resolution to bring benefits for this group of employees in line with that of the SRMMEA; and

WHEREAS, staff recommends the addition of the Chief Assistant City Attorney job classification to the Unrepresented Executive Salary Schedule; and

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of San Rafael hereby approves the recommended personnel compensation and classification changes included with the Staff Report for this Resolution.

I, Lindsay Lara, Clerk of the City of San Rafael, hereby certify foregoing resolution was duly and regularly introduced and adopted at a regular meeting on the City Council of said City held on Tuesday, the 3rd day of September 2024, by the following vote to wit:

AYES: COUNCILMEMBERS:
NOES: COUNCILMEMBERS:
ABSENT: COUNCILMEMBERS:

LINDSAY LARA, City Clerk

SAN RAFAEL MID-MANAGEMENT EMPLOYEE ASSOCIATION

SALARY SCHEDULE

Effective July 1, 2024

Grade	Position	A	B	C	D	E
2304	Assistant Community & Economic Development Director	\$ 13,676	\$ 14,360	\$ 15,078	\$ 15,832	\$ 16,624
2400	Assistant Library and Recreation Director	\$ 12,036	\$ 12,638	\$ 13,270	\$ 13,933	\$ 14,630
2202	Assistant Public Works Director	\$ 13,530	\$ 14,207	\$ 14,917	\$ 15,663	\$ 16,446
2302	Chief Building Official	\$ 12,574	\$ 13,202	\$ 13,863	\$ 14,556	\$ 15,284
4203	Civic Engagement Manager	\$ 10,843	\$ 11,385	\$ 11,955	\$ 12,552	\$ 13,180
2122	Code Enforcement Supervisor	\$ 8,186	\$ 8,595	\$ 9,025	\$ 9,477	\$ 9,950
4204	Data & Infrastructure Manager	\$ 11,667	\$ 12,251	\$ 12,863	\$ 13,506	\$ 14,182
4213	Deputy Building Official	\$ 11,101	\$ 11,656	\$ 12,239	\$ 12,851	\$ 13,493
7125	Deputy Director of Emergency Management	\$ 13,531	\$ 14,207	\$ 14,918	\$ 15,663	\$ 16,447
2120	Deputy Fire Marshall	\$ 10,702	\$ 11,237	\$ 11,799	\$ 12,389	\$ 13,009
2135	Deputy PW Administrative Services Director	\$ 12,292	\$ 12,907	\$ 13,552	\$ 14,230	\$ 14,941
2135	Deputy Public Works Director	\$ 12,292	\$ 12,907	\$ 13,552	\$ 14,230	\$ 14,941
7117	Emergency Services Manager	\$ 9,883	\$ 10,377	\$ 10,896	\$ 11,441	\$ 12,013
2137	Housing Manager	\$ 11,844	\$ 12,436	\$ 13,058	\$ 13,710	\$ 14,396
2303	Community Services Division Director	\$ 13,025	\$ 13,676	\$ 14,360	\$ 15,078	\$ 15,832
2208	Operations and Maintenance Manager	\$ 11,300	\$ 11,865	\$ 12,459	\$ 13,082	\$ 13,736
2208	Operations and Maintenance Manager (SRSD)	\$ 11,300	\$ 11,865	\$ 12,459	\$ 13,082	\$ 13,736
7318	Operations & Maintenance Superintendent	\$ 10,124	\$ 10,631	\$ 11,162	\$ 11,720	\$ 12,306
2703	Parking Services Manager	\$ 10,326	\$ 10,842	\$ 11,385	\$ 11,954	\$ 12,551
7312	Parks Superintendent	\$ 10,124	\$ 10,631	\$ 11,162	\$ 11,720	\$ 12,306
2116	Planning Manager	\$ 11,844	\$ 12,436	\$ 13,058	\$ 13,710	\$ 14,396
2206	Principal Civil Engineer (SRSD)	\$ 13,806	\$ 14,497	\$ 15,222	\$ 15,983	\$ 16,782
4206	Product Manager	\$ 10,843	\$ 11,385	\$ 11,955	\$ 12,552	\$ 13,180
8103	Recreation Supervisor	\$ 8,531	\$ 8,957	\$ 9,405	\$ 9,875	\$ 10,369
9511	Risk Manager	\$ 11,508	\$ 12,084	\$ 12,688	\$ 13,322	\$ 13,988
7317	Senior Code Enforcement Supervisor	\$ 9,036	\$ 9,487	\$ 9,962	\$ 10,460	\$ 10,983
2101	Senior Management Analyst I	\$ 8,384	\$ 8,803	\$ 9,243	\$ 9,705	\$ 10,191
2105	Senior Management Analyst II	\$ 9,982	\$ 10,481	\$ 11,005	\$ 11,555	\$ 12,133
2203	Senior Project Manager	\$ 10,021	\$ 10,522	\$ 11,048	\$ 11,600	\$ 12,181
8102	Senior Recreation Supervisor	\$ 9,643	\$ 10,125	\$ 10,631	\$ 11,163	\$ 11,721
7310	Sewer Maintenance Superintendent	\$ 10,124	\$ 10,631	\$ 11,162	\$ 11,720	\$ 12,306
7311	Street Maintenance Superintendent	\$ 10,124	\$ 10,631	\$ 11,162	\$ 11,720	\$ 12,306
7245	Supervising Librarian	\$ 8,737	\$ 9,174	\$ 9,632	\$ 10,114	\$ 10,620
2150	Sustainability Program Manager	\$ 8,573	\$ 9,002	\$ 9,452	\$ 9,925	\$ 10,421
TBD	Wildfire Program Mitigation Manager	\$ 9,883	\$ 10,377	\$ 10,896	\$ 11,441	\$ 12,013

SAN RAFAEL MID-MANAGEMENT EMPLOYEE ASSOCIATION

SALARY SCHEDULE

Effective July 1, 2025

Grade	Position	A	B	C	D	E
2304	Assistant Community & Economic Development Director	\$ 14,086	\$ 14,791	\$ 15,530	\$ 16,307	\$ 17,122
2400	Assistant Library and Recreation Director	\$ 12,698	\$ 13,333	\$ 14,000	\$ 14,700	\$ 15,435
2202	Assistant Public Works Director	\$ 14,139	\$ 14,846	\$ 15,588	\$ 16,368	\$ 17,186
2302	Chief Building Official	\$ 13,140	\$ 13,797	\$ 14,486	\$ 15,211	\$ 15,971
4203	Civic Engagement Manager	\$ 11,440	\$ 12,012	\$ 12,612	\$ 13,243	\$ 13,905
2122	Code Enforcement Supervisor	\$ 8,555	\$ 8,982	\$ 9,431	\$ 9,903	\$ 10,398
4204	Data & Infrastructure Manager	\$ 12,017	\$ 12,618	\$ 13,249	\$ 13,912	\$ 14,607
4213	Deputy Building Official	\$ 11,434	\$ 12,006	\$ 12,606	\$ 13,236	\$ 13,898
7125	Deputy Director of Emergency Management	\$ 14,139	\$ 14,846	\$ 15,589	\$ 16,368	\$ 17,187
2120	Deputy Fire Marshall	\$ 11,184	\$ 11,743	\$ 12,330	\$ 12,947	\$ 13,594
2135	Deputy PW Administrative Services Director	\$ 12,845	\$ 13,488	\$ 14,162	\$ 14,870	\$ 15,614
2135	Deputy Public Works Director	\$ 12,845	\$ 13,488	\$ 14,162	\$ 14,870	\$ 15,614
7117	Emergency Services Manager	\$ 10,180	\$ 10,688	\$ 11,223	\$ 11,784	\$ 12,373
2137	Housing Manager	\$ 12,495	\$ 13,120	\$ 13,776	\$ 14,465	\$ 15,188
2303	Community Services Division Director	\$ 13,416	\$ 14,086	\$ 14,791	\$ 15,530	\$ 16,307
2208	Operations and Maintenance Manager	\$ 11,922	\$ 12,518	\$ 13,144	\$ 13,801	\$ 14,491
2208	Operations and Maintenance Manager (SRSD)	\$ 11,922	\$ 12,518	\$ 13,144	\$ 13,801	\$ 14,491
7318	Operations & Maintenance Superintendent	\$ 10,529	\$ 11,056	\$ 11,609	\$ 12,189	\$ 12,798
2703	Parking Services Manager	\$ 10,791	\$ 11,330	\$ 11,897	\$ 12,492	\$ 13,116
7312	Parks Superintendent	\$ 10,529	\$ 11,056	\$ 11,609	\$ 12,189	\$ 12,798
2116	Planning Manager	\$ 12,495	\$ 13,120	\$ 13,776	\$ 14,465	\$ 15,188
2206	Principal Civil Engineer (SRSD)	\$ 14,221	\$ 14,932	\$ 15,678	\$ 16,462	\$ 17,285
4206	Product Manager	\$ 11,440	\$ 12,012	\$ 12,612	\$ 13,243	\$ 13,905
8103	Recreation Supervisor	\$ 8,829	\$ 9,271	\$ 9,734	\$ 10,221	\$ 10,732
9511	Risk Manager	\$ 11,854	\$ 12,446	\$ 13,069	\$ 13,722	\$ 14,408
7317	Senior Code Enforcement Supervisor	\$ 9,442	\$ 9,914	\$ 10,410	\$ 10,931	\$ 11,477
2101	Senior Management Analyst I	\$ 8,761	\$ 9,199	\$ 9,659	\$ 10,142	\$ 10,649
2105	Senior Management Analyst II	\$ 10,431	\$ 10,953	\$ 11,500	\$ 12,075	\$ 12,679
2203	Senior Project Manager	\$ 10,322	\$ 10,838	\$ 11,380	\$ 11,949	\$ 12,546
8102	Senior Recreation Supervisor	\$ 10,173	\$ 10,682	\$ 11,216	\$ 11,777	\$ 12,366
7310	Sewer Maintenance Superintendent	\$ 10,529	\$ 11,056	\$ 11,609	\$ 12,189	\$ 12,798
7311	Street Maintenance Superintendent	\$ 10,529	\$ 11,056	\$ 11,609	\$ 12,189	\$ 12,798
7245	Supervising Librarian	\$ 9,261	\$ 9,724	\$ 10,210	\$ 10,721	\$ 11,257
2150	Sustainability Program Manager	\$ 9,174	\$ 9,632	\$ 10,114	\$ 10,620	\$ 11,150
TBD	Wildfire Program Mitigation Manager	\$ 10,180	\$ 10,688	\$ 11,223	\$ 11,784	\$ 12,373

SAN RAFAEL MID-MANAGEMENT EMPLOYEE ASSOCIATION

SALARY SCHEDULE

Effective July 1, 2026

Grade	Position	A	B	C	D	E
2304	Assistant Community & Economic Development Director	\$ 14,509	\$ 15,235	\$ 15,996	\$ 16,796	\$ 17,636
2400	Assistant Library and Recreation Director	\$ 13,333	\$ 14,000	\$ 14,700	\$ 15,435	\$ 16,206
2202	Assistant Public Works Director	\$ 14,705	\$ 15,440	\$ 16,212	\$ 17,022	\$ 17,874
2302	Chief Building Official	\$ 13,665	\$ 14,348	\$ 15,066	\$ 15,819	\$ 16,610
4203	Civic Engagement Manager	\$ 12,012	\$ 12,612	\$ 13,243	\$ 13,905	\$ 14,600
2122	Code Enforcement Supervisor	\$ 8,897	\$ 9,342	\$ 9,809	\$ 10,299	\$ 10,814
4204	Data & Infrastructure Manager	\$ 12,378	\$ 12,997	\$ 13,647	\$ 14,329	\$ 15,045
4213	Deputy Building Official	\$ 11,777	\$ 12,366	\$ 12,984	\$ 13,633	\$ 14,315
7125	Deputy Director of Emergency Management	\$ 14,705	\$ 15,440	\$ 16,212	\$ 17,023	\$ 17,874
2120	Deputy Fire Marshall	\$ 11,631	\$ 12,213	\$ 12,824	\$ 13,465	\$ 14,138
2135	Deputy PW Administrative Services Director	\$ 13,359	\$ 14,027	\$ 14,729	\$ 15,465	\$ 16,238
2135	Deputy Public Works Director	\$ 13,359	\$ 14,027	\$ 14,729	\$ 15,465	\$ 16,238
7117	Emergency Services Manager	\$ 10,485	\$ 11,009	\$ 11,560	\$ 12,138	\$ 12,744
2137	Housing Manager	\$ 13,120	\$ 13,776	\$ 14,465	\$ 15,188	\$ 15,947
2303	Community Services Division Director	\$ 13,818	\$ 14,509	\$ 15,235	\$ 15,996	\$ 16,796
2208	Operations and Maintenance Manager	\$ 12,518	\$ 13,144	\$ 13,801	\$ 14,491	\$ 15,216
2208	Operations and Maintenance Manager (SRSD)	\$ 12,518	\$ 13,144	\$ 13,801	\$ 14,491	\$ 15,216
7318	Operations & Maintenance Superintendent	\$ 10,950	\$ 11,498	\$ 12,073	\$ 12,676	\$ 13,310
2703	Parking Services Manager	\$ 11,222	\$ 11,784	\$ 12,373	\$ 12,991	\$ 13,641
7312	Parks Superintendent	\$ 10,950	\$ 11,498	\$ 12,073	\$ 12,676	\$ 13,310
2116	Planning Manager	\$ 13,120	\$ 13,776	\$ 14,465	\$ 15,188	\$ 15,947
2206	Principal Civil Engineer (SRSD)	\$ 14,647	\$ 15,380	\$ 16,149	\$ 16,956	\$ 17,804
4206	Product Manager	\$ 12,012	\$ 12,612	\$ 13,243	\$ 13,905	\$ 14,600
8103	Recreation Supervisor	\$ 9,138	\$ 9,595	\$ 10,075	\$ 10,579	\$ 11,108
9511	Risk Manager	\$ 12,209	\$ 12,820	\$ 13,461	\$ 14,134	\$ 14,840
7317	Senior Code Enforcement Supervisor	\$ 9,820	\$ 10,311	\$ 10,827	\$ 11,368	\$ 11,936
2101	Senior Management Analyst I	\$ 9,112	\$ 9,567	\$ 10,045	\$ 10,548	\$ 11,075
2105	Senior Management Analyst II	\$ 10,848	\$ 11,391	\$ 11,960	\$ 12,558	\$ 13,186
2203	Senior Project Manager	\$ 10,631	\$ 11,163	\$ 11,721	\$ 12,307	\$ 12,922
8102	Senior Recreation Supervisor	\$ 10,682	\$ 11,216	\$ 11,777	\$ 12,366	\$ 12,984
7310	Sewer Maintenance Superintendent	\$ 10,950	\$ 11,498	\$ 12,073	\$ 12,676	\$ 13,310
7311	Street Maintenance Superintendent	\$ 10,950	\$ 11,498	\$ 12,073	\$ 12,676	\$ 13,310
7245	Supervising Librarian	\$ 9,817	\$ 10,308	\$ 10,823	\$ 11,364	\$ 11,932
2150	Sustainability Program Manager	\$ 9,816	\$ 10,306	\$ 10,822	\$ 11,363	\$ 11,931
TBD	Wildfire Program Mitigation Manager	\$ 10,485	\$ 11,009	\$ 11,560	\$ 12,138	\$ 12,744

City of San Rafael
SEIU - SALARY SCHEDULE
Effective July 1, 2024

Grade	Position	A	B	C	D	E
7241	Accountant I	\$ 6,720	\$ 7,056	\$ 7,409	\$ 7,779	\$ 8,168
7240	Accountant II	\$ 7,057	\$ 7,409	\$ 7,780	\$ 8,169	\$ 8,577
7200	Accounting Assistant I	\$ 4,895	\$ 5,139	\$ 5,396	\$ 5,666	\$ 5,949
7201	Accounting Assistant II	\$ 5,391	\$ 5,661	\$ 5,944	\$ 6,241	\$ 6,553
7300	Senior Accounting Assistant	\$ 5,944	\$ 6,241	\$ 6,553	\$ 6,881	\$ 7,225
7299	Accounting Technician	\$ 6,722	\$ 7,058	\$ 7,411	\$ 7,782	\$ 8,171
7205	Administrative Analyst	\$ 6,352	\$ 6,670	\$ 7,003	\$ 7,353	\$ 7,721
7211	Administrative Assistant I	\$ 5,073	\$ 5,327	\$ 5,593	\$ 5,873	\$ 6,166
7212	Administrative Assistant II	\$ 5,594	\$ 5,873	\$ 6,167	\$ 6,475	\$ 6,799
7295	Senior Administrative Assistant	\$ 6,023	\$ 6,324	\$ 6,640	\$ 6,972	\$ 7,321
7216	Administrative Assistant to the City Clerk	\$ 6,023	\$ 6,324	\$ 6,640	\$ 6,972	\$ 7,321
7210	Assistant Planner	\$ 7,184	\$ 7,544	\$ 7,921	\$ 8,317	\$ 8,733
7208	Associate Planner	\$ 7,929	\$ 8,325	\$ 8,741	\$ 9,179	\$ 9,637
7217	Building Inspector I	\$ 6,510	\$ 6,836	\$ 7,178	\$ 7,536	\$ 7,913
7218	Building Inspector II	\$ 7,184	\$ 7,544	\$ 7,921	\$ 8,317	\$ 8,733
7220	Business License Examiner	\$ 5,660	\$ 5,943	\$ 6,240	\$ 6,552	\$ 6,880
9352	Child Care Supervisor	\$ 5,043	\$ 5,295	\$ 5,560	\$ 5,838	\$ 6,130
9351	Child Care Instructor I	\$ 2,820	\$ 2,961	\$ 3,109	\$ 3,264	\$ 3,427
9350	Child Care Instructor II	\$ 3,619	\$ 3,800	\$ 3,990	\$ 4,190	\$ 4,399
7222	Code Enforcement Official I	\$ 5,215	\$ 5,476	\$ 5,750	\$ 6,038	\$ 6,339
7223	Code Enforcement Official II	\$ 5,755	\$ 6,043	\$ 6,345	\$ 6,662	\$ 6,995
7380	Code Enforcement Official III	\$ 6,835	\$ 7,176	\$ 7,535	\$ 7,912	\$ 8,307
2119	Construction Inspector - SRSD	\$ 7,076	\$ 7,430	\$ 7,802	\$ 8,192	\$ 8,601
7224	Custodian	\$ 4,857	\$ 5,100	\$ 5,355	\$ 5,623	\$ 5,904
4210	Data Analyst I	\$ 7,339	\$ 7,706	\$ 8,091	\$ 8,496	\$ 8,920
4211	Data Analyst II	\$ 8,073	\$ 8,476	\$ 8,900	\$ 9,345	\$ 9,812
4212	Data Analyst III	\$ 8,880	\$ 9,324	\$ 9,790	\$ 10,280	\$ 10,794
7226	Deputy City Clerk I	\$ 6,174	\$ 6,483	\$ 6,807	\$ 7,147	\$ 7,505
3702	Deputy City Clerk II	\$ 7,505	\$ 7,879	\$ 8,273	\$ 8,687	\$ 9,121
7120	Emergency Management Coordinator	\$ 5,883	\$ 6,177	\$ 6,486	\$ 6,810	\$ 7,151
7121	Environmental Management Coordinator	\$ 5,883	\$ 6,177	\$ 6,486	\$ 6,810	\$ 7,151
7232	Facility Repair Supervisor	\$ 7,733	\$ 8,119	\$ 8,525	\$ 8,952	\$ 9,399
7291	Facility Repair Worker I	\$ 5,487	\$ 5,762	\$ 6,050	\$ 6,352	\$ 6,670
7233	Facility Repair Worker II	\$ 6,052	\$ 6,354	\$ 6,672	\$ 7,006	\$ 7,356
7294	Facility Repair Worker III	\$ 6,513	\$ 6,838	\$ 7,180	\$ 7,539	\$ 7,916
7108	Fire Prevention Inspector I	\$ 8,226	\$ 8,638	\$ 9,070	\$ 9,523	\$ 9,999
7107	Fire Prevention Inspector II	\$ 9,069	\$ 9,522	\$ 9,998	\$ 10,498	\$ 11,023
7298	IT Help Desk Supervisor	\$ 8,073	\$ 8,476	\$ 8,900	\$ 9,345	\$ 9,812
7243	Librarian I	\$ 6,716	\$ 7,052	\$ 7,404	\$ 7,775	\$ 8,163
7244	Librarian II	\$ 7,055	\$ 7,408	\$ 7,778	\$ 8,167	\$ 8,575
2404	Library Aide	\$ 3,219	\$ 3,380	\$ 3,549	\$ 3,727	\$ 3,913
7246	Library Assistant I	\$ 4,422	\$ 4,643	\$ 4,875	\$ 5,119	\$ 5,375
7247	Library Assistant II	\$ 5,001	\$ 5,251	\$ 5,513	\$ 5,789	\$ 6,079
2405	Library Tech Services Supervisor	\$ 6,394	\$ 6,714	\$ 7,049	\$ 7,402	\$ 7,772

7292	Literacy Program Supervisor	\$ 7,783	\$ 8,173	\$ 8,581	\$ 9,010	\$ 9,461
7249	Mail and Stores Clerk	\$ 4,384	\$ 4,603	\$ 4,833	\$ 5,075	\$ 5,329
7255	Network Analyst	\$ 7,340	\$ 7,707	\$ 8,092	\$ 8,497	\$ 8,922
7274	Network Support Technician	\$ 5,614	\$ 5,895	\$ 6,190	\$ 6,499	\$ 6,824
7285	Office Assistant I	\$ 4,175	\$ 4,383	\$ 4,603	\$ 4,833	\$ 5,074
7284	Office Assistant II	\$ 4,716	\$ 4,952	\$ 5,199	\$ 5,459	\$ 5,732
7256	Park Equipment Mechanic	\$ 6,356	\$ 6,674	\$ 7,008	\$ 7,358	\$ 7,726
7257	Parking Attendant I	\$ 2,390	\$ 2,509	\$ 2,635	\$ 2,767	\$ 2,905
7275	Parking Attendant II	\$ 2,632	\$ 2,764	\$ 2,902	\$ 3,047	\$ 3,199
6208	Parking Enforcement Officer	\$ 5,830	\$ 6,122	\$ 6,428	\$ 6,749	\$ 7,087
6212	Parking Equipment Technician	\$ 5,625	\$ 5,906	\$ 6,201	\$ 6,512	\$ 6,837
6209	Parking Maintenance & Collections	\$ 5,625	\$ 5,906	\$ 6,201	\$ 6,511	\$ 6,837
6211	Parking Operations Supervisor	\$ 7,733	\$ 8,119	\$ 8,525	\$ 8,951	\$ 9,399
7258	Parks & Graffiti Worker	\$ 5,102	\$ 5,357	\$ 5,625	\$ 5,906	\$ 6,201
2123	Parks Lead Maintenance Worker	\$ 6,513	\$ 6,838	\$ 7,180	\$ 7,539	\$ 7,916
7271	Parks Maintenance Supervisor	\$ 7,733	\$ 8,119	\$ 8,525	\$ 8,952	\$ 9,399
7236	Parks Maintenance Worker I	\$ 5,357	\$ 5,625	\$ 5,906	\$ 6,202	\$ 6,512
7238	Parks Maintenance Worker II	\$ 5,625	\$ 5,906	\$ 6,202	\$ 6,512	\$ 6,837
7296	Permit Services Coordinator	\$ 7,755	\$ 8,143	\$ 8,550	\$ 8,978	\$ 9,426
7396	Permit Services Supervisor	\$ 8,725	\$ 9,161	\$ 9,620	\$ 10,101	\$ 10,606
7196	Permit Technician I	\$ 5,381	\$ 5,650	\$ 5,933	\$ 6,229	\$ 6,541
7197	Permit Technician II	\$ 5,919	\$ 6,215	\$ 6,525	\$ 6,852	\$ 7,194
7198	Permit Technician III	\$ 6,511	\$ 6,836	\$ 7,178	\$ 7,537	\$ 7,914
7261	Planning Technician	\$ 5,614	\$ 5,895	\$ 6,190	\$ 6,499	\$ 6,824
9453	Principal Planner	\$ 10,378	\$ 10,897	\$ 11,442	\$ 12,014	\$ 12,614
7234	Printing Press Operator	\$ 5,459	\$ 5,732	\$ 6,018	\$ 6,319	\$ 6,635
7305	Program Analyst	\$ 6,967	\$ 7,315	\$ 7,681	\$ 8,065	\$ 8,468
1201	Program Coordinator	\$ 5,900	\$ 6,195	\$ 6,505	\$ 6,830	\$ 7,171
7290	Public Works Dispatcher	\$ 5,625	\$ 5,906	\$ 6,202	\$ 6,512	\$ 6,837
7253	Public Works Inspector	\$ 6,433	\$ 6,755	\$ 7,092	\$ 7,447	\$ 7,819
7263	Revenue Supervisor	\$ 8,574	\$ 9,002	\$ 9,453	\$ 9,925	\$ 10,421
2309	Senior Building Inspector	\$ 8,528	\$ 8,955	\$ 9,403	\$ 9,873	\$ 10,366
7265	Senior Library Assistant	\$ 5,252	\$ 5,514	\$ 5,790	\$ 6,079	\$ 6,383
7264	Senior Planner	\$ 8,972	\$ 9,421	\$ 9,892	\$ 10,387	\$ 10,906
2204	Sewer Lead Maintenance Worker	\$ 7,182	\$ 7,541	\$ 7,918	\$ 8,314	\$ 8,729
7266	Sewer Maintenance Worker I	\$ 5,764	\$ 6,052	\$ 6,355	\$ 6,672	\$ 7,006
7267	Sewer Maintenance Worker II	\$ 6,203	\$ 6,513	\$ 6,839	\$ 7,180	\$ 7,539
7281	Sewers Supervisor	\$ 8,118	\$ 8,524	\$ 8,950	\$ 9,398	\$ 9,868
7269	Shop & Equipment Supervisor	\$ 7,733	\$ 8,120	\$ 8,525	\$ 8,952	\$ 9,399
7280	Street Lead Maintenance Worker	\$ 6,513	\$ 6,838	\$ 7,180	\$ 7,539	\$ 7,916
7209	Street Maintenance Supervisor	\$ 7,733	\$ 8,119	\$ 8,525	\$ 8,952	\$ 9,399
7250	Street Maintenance Worker I	\$ 5,357	\$ 5,625	\$ 5,906	\$ 6,202	\$ 6,512
7251	Street Maintenance Worker II	\$ 5,625	\$ 5,906	\$ 6,202	\$ 6,512	\$ 6,837
7283	Street Sweeper Operator	\$ 5,906	\$ 6,202	\$ 6,512	\$ 6,837	\$ 7,179
8523	Supervising Parking Enforcement Officer	\$ 6,557	\$ 6,885	\$ 7,229	\$ 7,590	\$ 7,970
7288	Supervising Vehicle/Equipment Mechanic	\$ 6,841	\$ 7,183	\$ 7,542	\$ 7,919	\$ 8,315
7286	Vehicle/Equipment Mechanic I	\$ 5,764	\$ 6,052	\$ 6,355	\$ 6,673	\$ 7,006
7287	Vehicle/Equipment Mechanic II	\$ 6,356	\$ 6,674	\$ 7,008	\$ 7,358	\$ 7,726
2131	Volunteer Program Assistant	\$ 5,689	\$ 5,973	\$ 6,272	\$ 6,586	\$ 6,915

City of San Rafael
SEIU - SALARY SCHEDULE
Effective July 1, 2025

Grade	Position	A	B	C	D	E
7241	Accountant I	\$ 6,989	\$ 7,338	\$ 7,705	\$ 8,090	\$ 8,495
7240	Accountant II	\$ 7,339	\$ 7,706	\$ 8,091	\$ 8,496	\$ 8,920
7200	Accounting Assistant I	\$ 5,090	\$ 5,345	\$ 5,612	\$ 5,893	\$ 6,187
7201	Accounting Assistant II	\$ 5,607	\$ 5,887	\$ 6,182	\$ 6,491	\$ 6,815
7300	Senior Accounting Assistant	\$ 6,182	\$ 6,491	\$ 6,815	\$ 7,156	\$ 7,514
7299	Accounting Technician	\$ 6,991	\$ 7,340	\$ 7,707	\$ 8,093	\$ 8,497
7205	Administrative Analyst	\$ 6,606	\$ 6,936	\$ 7,283	\$ 7,647	\$ 8,030
7211	Administrative Assistant I	\$ 5,276	\$ 5,540	\$ 5,817	\$ 6,108	\$ 6,413
7212	Administrative Assistant II	\$ 5,817	\$ 6,108	\$ 6,414	\$ 6,734	\$ 7,071
7295	Senior Administrative Assistant	\$ 6,264	\$ 6,577	\$ 6,906	\$ 7,251	\$ 7,614
7216	Administrative Assistant to the City Clerk	\$ 6,264	\$ 6,577	\$ 6,906	\$ 7,251	\$ 7,614
7210	Assistant Planner	\$ 7,472	\$ 7,845	\$ 8,238	\$ 8,650	\$ 9,082
7208	Associate Planner	\$ 8,246	\$ 8,658	\$ 9,091	\$ 9,546	\$ 10,023
7217	Building Inspector I	\$ 6,771	\$ 7,109	\$ 7,465	\$ 7,838	\$ 8,230
7218	Building Inspector II	\$ 7,472	\$ 7,845	\$ 8,238	\$ 8,650	\$ 9,082
7220	Business License Examiner	\$ 5,886	\$ 6,181	\$ 6,490	\$ 6,814	\$ 7,155
9352	Child Care Supervisor	\$ 5,346	\$ 5,613	\$ 5,893	\$ 6,188	\$ 6,498
9351	Child Care Instructor I	\$ 2,989	\$ 3,138	\$ 3,295	\$ 3,460	\$ 3,633
9350	Child Care Instructor II	\$ 3,837	\$ 4,028	\$ 4,230	\$ 4,441	\$ 4,663
7222	Code Enforcement Official I	\$ 5,424	\$ 5,695	\$ 5,980	\$ 6,279	\$ 6,593
7223	Code Enforcement Official II	\$ 5,985	\$ 6,284	\$ 6,598	\$ 6,928	\$ 7,275
7380	Code Enforcement Official III	\$ 7,108	\$ 7,463	\$ 7,837	\$ 8,228	\$ 8,640
2119	Construction Inspector - SRSD	\$ 7,359	\$ 7,727	\$ 8,114	\$ 8,519	\$ 8,945
7224	Custodian	\$ 5,052	\$ 5,304	\$ 5,569	\$ 5,848	\$ 6,140
4210	Data Analyst I	\$ 7,632	\$ 8,014	\$ 8,415	\$ 8,835	\$ 9,277
4211	Data Analyst II	\$ 8,396	\$ 8,815	\$ 9,256	\$ 9,719	\$ 10,205
4212	Data Analyst III	\$ 9,235	\$ 9,697	\$ 10,182	\$ 10,691	\$ 11,225
7226	Deputy City Clerk I	\$ 6,421	\$ 6,742	\$ 7,079	\$ 7,433	\$ 7,805
3702	Deputy City Clerk II	\$ 7,805	\$ 8,195	\$ 8,604	\$ 9,034	\$ 9,486
7120	Emergency Management Coordinator	\$ 6,118	\$ 6,424	\$ 6,745	\$ 7,083	\$ 7,437
7121	Environmental Management Coordinator	\$ 6,118	\$ 6,424	\$ 6,745	\$ 7,083	\$ 7,437
7232	Facility Repair Supervisor	\$ 8,042	\$ 8,444	\$ 8,866	\$ 9,310	\$ 9,775
7291	Facility Repair Worker I	\$ 5,707	\$ 5,992	\$ 6,292	\$ 6,606	\$ 6,937
7233	Facility Repair Worker II	\$ 6,294	\$ 6,608	\$ 6,939	\$ 7,286	\$ 7,650
7294	Facility Repair Worker III	\$ 6,773	\$ 7,112	\$ 7,468	\$ 7,841	\$ 8,233
7108	Fire Prevention Inspector I	\$ 8,556	\$ 8,983	\$ 9,433	\$ 9,904	\$ 10,399
7107	Fire Prevention Inspector II	\$ 9,432	\$ 9,903	\$ 10,398	\$ 10,918	\$ 11,464
7298	IT Help Desk Supervisor	\$ 8,396	\$ 8,815	\$ 9,256	\$ 9,719	\$ 10,205
7243	Librarian I	\$ 7,119	\$ 7,475	\$ 7,849	\$ 8,241	\$ 8,653
7244	Librarian II	\$ 7,478	\$ 7,852	\$ 8,245	\$ 8,657	\$ 9,090
2404	Library Aide	\$ 3,412	\$ 3,583	\$ 3,762	\$ 3,950	\$ 4,148
7246	Library Assistant I	\$ 4,687	\$ 4,922	\$ 5,168	\$ 5,426	\$ 5,698
7247	Library Assistant II	\$ 5,301	\$ 5,566	\$ 5,844	\$ 6,137	\$ 6,443
2405	Library Tech Services Supervisor	\$ 6,778	\$ 7,116	\$ 7,472	\$ 7,846	\$ 8,238

7292	Literacy Program Supervisor	\$ 8,250	\$ 8,663	\$ 9,096	\$ 9,551	\$ 10,028
7249	Mail and Stores Clerk	\$ 4,559	\$ 4,787	\$ 5,027	\$ 5,278	\$ 5,542
7255	Network Analyst	\$ 7,634	\$ 8,015	\$ 8,416	\$ 8,837	\$ 9,279
7274	Network Support Technician	\$ 5,839	\$ 6,131	\$ 6,437	\$ 6,759	\$ 7,097
7285	Office Assistant I	\$ 4,342	\$ 4,559	\$ 4,787	\$ 5,026	\$ 5,277
7284	Office Assistant II	\$ 4,905	\$ 5,150	\$ 5,407	\$ 5,678	\$ 5,962
7256	Park Equipment Mechanic	\$ 6,611	\$ 6,941	\$ 7,288	\$ 7,653	\$ 8,035
7257	Parking Attendant I	\$ 2,486	\$ 2,610	\$ 2,740	\$ 2,877	\$ 3,021
7275	Parking Attendant II	\$ 2,737	\$ 2,874	\$ 3,018	\$ 3,169	\$ 3,327
6208	Parking Enforcement Officer	\$ 6,064	\$ 6,367	\$ 6,685	\$ 7,019	\$ 7,370
6212	Parking Equipment Technician	\$ 5,850	\$ 6,142	\$ 6,450	\$ 6,772	\$ 7,111
6209	Parking Maintenance & Collections	\$ 5,850	\$ 6,142	\$ 6,449	\$ 6,772	\$ 7,110
6211	Parking Operations Supervisor	\$ 8,042	\$ 8,444	\$ 8,866	\$ 9,310	\$ 9,775
7258	Parks & Graffiti Worker	\$ 5,306	\$ 5,571	\$ 5,850	\$ 6,142	\$ 6,449
2123	Parks Lead Maintenance Worker	\$ 6,773	\$ 7,112	\$ 7,468	\$ 7,841	\$ 8,233
7271	Parks Maintenance Supervisor	\$ 8,042	\$ 8,444	\$ 8,866	\$ 9,310	\$ 9,775
7236	Parks Maintenance Worker I	\$ 5,572	\$ 5,850	\$ 6,143	\$ 6,450	\$ 6,772
7238	Parks Maintenance Worker II	\$ 5,850	\$ 6,143	\$ 6,450	\$ 6,772	\$ 7,111
7296	Permit Services Coordinator	\$ 8,065	\$ 8,469	\$ 8,892	\$ 9,337	\$ 9,804
7396	Permit Services Supervisor	\$ 9,074	\$ 9,528	\$ 10,004	\$ 10,505	\$ 11,030
7196	Permit Technician I	\$ 5,596	\$ 5,876	\$ 6,170	\$ 6,478	\$ 6,802
7197	Permit Technician II	\$ 6,155	\$ 6,463	\$ 6,786	\$ 7,126	\$ 7,482
7198	Permit Technician III	\$ 6,771	\$ 7,110	\$ 7,465	\$ 7,839	\$ 8,231
7261	Planning Technician	\$ 5,839	\$ 6,131	\$ 6,437	\$ 6,759	\$ 7,097
9453	Principal Planner	\$ 10,793	\$ 11,333	\$ 11,899	\$ 12,494	\$ 13,119
7234	Printing Press Operator	\$ 5,677	\$ 5,961	\$ 6,259	\$ 6,572	\$ 6,901
7305	Program Analyst	\$ 7,246	\$ 7,608	\$ 7,988	\$ 8,388	\$ 8,807
1201	Program Coordinator	\$ 6,136	\$ 6,443	\$ 6,765	\$ 7,103	\$ 7,458
7290	Public Works Dispatcher	\$ 5,850	\$ 6,143	\$ 6,450	\$ 6,772	\$ 7,111
7253	Public Works Inspector	\$ 6,690	\$ 7,025	\$ 7,376	\$ 7,745	\$ 8,132
7263	Revenue Supervisor	\$ 8,917	\$ 9,363	\$ 9,831	\$ 10,322	\$ 10,838
2309	Senior Building Inspector	\$ 8,870	\$ 9,313	\$ 9,779	\$ 10,268	\$ 10,781
7265	Senior Library Assistant	\$ 5,567	\$ 5,845	\$ 6,137	\$ 6,444	\$ 6,766
7264	Senior Planner	\$ 9,331	\$ 9,798	\$ 10,288	\$ 10,802	\$ 11,342
2204	Sewer Lead Maintenance Worker	\$ 7,469	\$ 7,842	\$ 8,234	\$ 8,646	\$ 9,078
7266	Sewer Maintenance Worker I	\$ 5,994	\$ 6,294	\$ 6,609	\$ 6,939	\$ 7,286
7267	Sewer Maintenance Worker II	\$ 6,451	\$ 6,773	\$ 7,112	\$ 7,468	\$ 7,841
7281	Sewers Supervisor	\$ 8,443	\$ 8,865	\$ 9,308	\$ 9,774	\$ 10,263
7269	Shop & Equipment Supervisor	\$ 8,042	\$ 8,444	\$ 8,867	\$ 9,310	\$ 9,775
7280	Street Lead Maintenance Worker	\$ 6,773	\$ 7,112	\$ 7,468	\$ 7,841	\$ 8,233
7209	Street Maintenance Supervisor	\$ 8,042	\$ 8,444	\$ 8,866	\$ 9,310	\$ 9,775
7250	Street Maintenance Worker I	\$ 5,572	\$ 5,850	\$ 6,143	\$ 6,450	\$ 6,772
7251	Street Maintenance Worker II	\$ 5,850	\$ 6,143	\$ 6,450	\$ 6,772	\$ 7,111
7283	Street Sweeper Operator	\$ 6,143	\$ 6,450	\$ 6,772	\$ 7,111	\$ 7,466
8523	Supervising Parking Enforcement Officer	\$ 6,819	\$ 7,160	\$ 7,518	\$ 7,894	\$ 8,289
7288	Supervising Vehicle/Equipment Mechanic	\$ 7,114	\$ 7,470	\$ 7,843	\$ 8,236	\$ 8,647
7286	Vehicle/Equipment Mechanic I	\$ 5,995	\$ 6,294	\$ 6,609	\$ 6,939	\$ 7,286
7287	Vehicle/Equipment Mechanic II	\$ 6,610	\$ 6,941	\$ 7,288	\$ 7,652	\$ 8,035
2131	Volunteer Program Assistant	\$ 5,917	\$ 6,212	\$ 6,523	\$ 6,849	\$ 7,192

City of San Rafael
SEIU - SALARY SCHEDULE
Effective July 1, 2026

Grade	Position	A	B	C	D	E
7241	Accountant I	\$ 7,268	\$ 7,632	\$ 8,013	\$ 8,414	\$ 8,835
7240	Accountant II	\$ 7,632	\$ 8,014	\$ 8,415	\$ 8,835	\$ 9,277
7200	Accounting Assistant I	\$ 5,294	\$ 5,559	\$ 5,837	\$ 6,128	\$ 6,435
7201	Accounting Assistant II	\$ 5,831	\$ 6,123	\$ 6,429	\$ 6,750	\$ 7,088
7300	Senior Accounting Assistant	\$ 6,429	\$ 6,751	\$ 7,088	\$ 7,442	\$ 7,815
7299	Accounting Technician	\$ 7,271	\$ 7,634	\$ 8,016	\$ 8,417	\$ 8,837
7205	Administrative Analyst	\$ 6,870	\$ 7,214	\$ 7,575	\$ 7,953	\$ 8,351
7211	Administrative Assistant I	\$ 5,487	\$ 5,761	\$ 6,050	\$ 6,352	\$ 6,670
7212	Administrative Assistant II	\$ 6,050	\$ 6,352	\$ 6,670	\$ 7,004	\$ 7,354
7295	Senior Administrative Assistant	\$ 6,515	\$ 6,840	\$ 7,182	\$ 7,541	\$ 7,918
7216	Administrative Assistant to the City Clerk	\$ 6,515	\$ 6,840	\$ 7,182	\$ 7,541	\$ 7,918
7210	Assistant Planner	\$ 7,771	\$ 8,159	\$ 8,567	\$ 8,995	\$ 9,445
7208	Associate Planner	\$ 8,576	\$ 9,005	\$ 9,455	\$ 9,927	\$ 10,424
7217	Building Inspector I	\$ 7,042	\$ 7,394	\$ 7,763	\$ 8,151	\$ 8,559
7218	Building Inspector II	\$ 7,771	\$ 8,159	\$ 8,567	\$ 8,996	\$ 9,445
7220	Business License Examiner	\$ 6,122	\$ 6,428	\$ 6,749	\$ 7,087	\$ 7,441
9352	Child Care Supervisor	\$ 5,666	\$ 5,950	\$ 6,247	\$ 6,559	\$ 6,887
9351	Child Care Instructor I	\$ 3,168	\$ 3,326	\$ 3,493	\$ 3,667	\$ 3,851
9350	Child Care Instructor II	\$ 4,067	\$ 4,270	\$ 4,484	\$ 4,708	\$ 4,943
7222	Code Enforcement Official I	\$ 5,641	\$ 5,923	\$ 6,219	\$ 6,530	\$ 6,857
7223	Code Enforcement Official II	\$ 6,224	\$ 6,536	\$ 6,862	\$ 7,206	\$ 7,566
7380	Code Enforcement Official III	\$ 7,392	\$ 7,762	\$ 8,150	\$ 8,557	\$ 8,985
2119	Construction Inspector - SRSD	\$ 7,654	\$ 8,036	\$ 8,438	\$ 8,860	\$ 9,303
7224	Custodian	\$ 5,254	\$ 5,516	\$ 5,792	\$ 6,082	\$ 6,386
4210	Data Analyst I	\$ 7,938	\$ 8,334	\$ 8,751	\$ 9,189	\$ 9,648
4211	Data Analyst II	\$ 8,731	\$ 9,168	\$ 9,626	\$ 10,108	\$ 10,613
4212	Data Analyst III	\$ 9,604	\$ 10,085	\$ 10,589	\$ 11,118	\$ 11,674
7226	Deputy City Clerk I	\$ 6,678	\$ 7,012	\$ 7,363	\$ 7,731	\$ 8,117
3702	Deputy City Clerk II	\$ 8,117	\$ 8,522	\$ 8,948	\$ 9,396	\$ 9,866
7120	Emergency Management Coordinator	\$ 6,363	\$ 6,681	\$ 7,015	\$ 7,366	\$ 7,734
7121	Environmental Management Coordinator	\$ 6,363	\$ 6,681	\$ 7,015	\$ 7,366	\$ 7,734
7232	Facility Repair Supervisor	\$ 8,364	\$ 8,782	\$ 9,221	\$ 9,682	\$ 10,166
7291	Facility Repair Worker I	\$ 5,935	\$ 6,232	\$ 6,543	\$ 6,871	\$ 7,214
7233	Facility Repair Worker II	\$ 6,546	\$ 6,873	\$ 7,216	\$ 7,577	\$ 7,956
7294	Facility Repair Worker III	\$ 7,044	\$ 7,396	\$ 7,766	\$ 8,155	\$ 8,562
7108	Fire Prevention Inspector I	\$ 8,898	\$ 9,343	\$ 9,810	\$ 10,300	\$ 10,815
7107	Fire Prevention Inspector II	\$ 9,809	\$ 10,299	\$ 10,814	\$ 11,355	\$ 11,923
7298	IT Help Desk Supervisor	\$ 8,732	\$ 9,168	\$ 9,626	\$ 10,108	\$ 10,613
7243	Librarian I	\$ 7,546	\$ 7,923	\$ 8,320	\$ 8,736	\$ 9,172
7244	Librarian II	\$ 7,927	\$ 8,323	\$ 8,739	\$ 9,176	\$ 9,635
2404	Library Aide	\$ 3,617	\$ 3,798	\$ 3,988	\$ 4,187	\$ 4,397
7246	Library Assistant I	\$ 4,969	\$ 5,217	\$ 5,478	\$ 5,752	\$ 6,039
7247	Library Assistant II	\$ 5,619	\$ 5,900	\$ 6,195	\$ 6,505	\$ 6,830
2405	Library Tech Services Supervisor	\$ 7,184	\$ 7,543	\$ 7,921	\$ 8,317	\$ 8,732

7292	Literacy Program Supervisor	\$ 8,745	\$ 9,183	\$ 9,642	\$ 10,124	\$ 10,630
7249	Mail and Stores Clerk	\$ 4,742	\$ 4,979	\$ 5,228	\$ 5,489	\$ 5,764
7255	Network Analyst	\$ 7,939	\$ 8,336	\$ 8,753	\$ 9,190	\$ 9,650
7274	Network Support Technician	\$ 6,072	\$ 6,376	\$ 6,695	\$ 7,030	\$ 7,381
7285	Office Assistant I	\$ 4,515	\$ 4,741	\$ 4,978	\$ 5,227	\$ 5,488
7284	Office Assistant II	\$ 5,101	\$ 5,356	\$ 5,624	\$ 5,905	\$ 6,200
7256	Park Equipment Mechanic	\$ 6,875	\$ 7,219	\$ 7,580	\$ 7,959	\$ 8,357
7257	Parking Attendant I	\$ 2,585	\$ 2,714	\$ 2,850	\$ 2,992	\$ 3,142
7275	Parking Attendant II	\$ 2,847	\$ 2,989	\$ 3,139	\$ 3,296	\$ 3,460
6208	Parking Enforcement Officer	\$ 6,306	\$ 6,622	\$ 6,953	\$ 7,300	\$ 7,665
6212	Parking Equipment Technician	\$ 6,084	\$ 6,388	\$ 6,707	\$ 7,043	\$ 7,395
6209	Parking Maintenance & Collections	\$ 6,084	\$ 6,388	\$ 6,707	\$ 7,043	\$ 7,395
6211	Parking Operations Supervisor	\$ 8,364	\$ 8,782	\$ 9,221	\$ 9,682	\$ 10,166
7258	Parks & Graffiti Worker	\$ 5,518	\$ 5,794	\$ 6,084	\$ 6,388	\$ 6,707
2123	Parks Lead Maintenance Worker	\$ 7,044	\$ 7,396	\$ 7,766	\$ 8,155	\$ 8,562
7271	Parks Maintenance Supervisor	\$ 8,364	\$ 8,782	\$ 9,221	\$ 9,682	\$ 10,166
7236	Parks Maintenance Worker I	\$ 5,794	\$ 6,084	\$ 6,388	\$ 6,708	\$ 7,043
7238	Parks Maintenance Worker II	\$ 6,084	\$ 6,388	\$ 6,708	\$ 7,043	\$ 7,395
7296	Permit Services Coordinator	\$ 8,388	\$ 8,807	\$ 9,248	\$ 9,710	\$ 10,196
7396	Permit Services Supervisor	\$ 9,437	\$ 9,909	\$ 10,404	\$ 10,925	\$ 11,471
7196	Permit Technician I	\$ 5,820	\$ 6,111	\$ 6,417	\$ 6,737	\$ 7,074
7197	Permit Technician II	\$ 6,402	\$ 6,722	\$ 7,058	\$ 7,411	\$ 7,781
7198	Permit Technician III	\$ 7,042	\$ 7,394	\$ 7,764	\$ 8,152	\$ 8,560
7261	Planning Technician	\$ 6,072	\$ 6,376	\$ 6,695	\$ 7,030	\$ 7,381
9453	Principal Planner	\$ 11,225	\$ 11,786	\$ 12,375	\$ 12,994	\$ 13,644
7234	Printing Press Operator	\$ 5,904	\$ 6,199	\$ 6,509	\$ 6,835	\$ 7,177
7305	Program Analyst	\$ 7,535	\$ 7,912	\$ 8,308	\$ 8,723	\$ 9,159
1201	Program Coordinator	\$ 6,381	\$ 6,700	\$ 7,035	\$ 7,387	\$ 7,756
7290	Public Works Dispatcher	\$ 6,084	\$ 6,388	\$ 6,708	\$ 7,043	\$ 7,395
7253	Public Works Inspector	\$ 6,958	\$ 7,306	\$ 7,671	\$ 8,055	\$ 8,458
7263	Revenue Supervisor	\$ 9,273	\$ 9,737	\$ 10,224	\$ 10,735	\$ 11,272
2309	Senior Building Inspector	\$ 9,224	\$ 9,686	\$ 10,170	\$ 10,678	\$ 11,212
7265	Senior Library Assistant	\$ 5,901	\$ 6,196	\$ 6,506	\$ 6,831	\$ 7,172
7264	Senior Planner	\$ 9,704	\$ 10,190	\$ 10,699	\$ 11,234	\$ 11,796
2204	Sewer Lead Maintenance Worker	\$ 7,768	\$ 8,156	\$ 8,564	\$ 8,992	\$ 9,442
7266	Sewer Maintenance Worker I	\$ 6,234	\$ 6,546	\$ 6,873	\$ 7,217	\$ 7,578
7267	Sewer Maintenance Worker II	\$ 6,709	\$ 7,044	\$ 7,397	\$ 7,766	\$ 8,155
7281	Sewers Supervisor	\$ 8,781	\$ 9,220	\$ 9,681	\$ 10,165	\$ 10,673
7269	Shop & Equipment Supervisor	\$ 8,364	\$ 8,782	\$ 9,221	\$ 9,682	\$ 10,166
7280	Street Lead Maintenance Worker	\$ 7,044	\$ 7,396	\$ 7,766	\$ 8,155	\$ 8,562
7209	Street Maintenance Supervisor	\$ 8,364	\$ 8,782	\$ 9,221	\$ 9,682	\$ 10,166
7250	Street Maintenance Worker I	\$ 5,794	\$ 6,084	\$ 6,388	\$ 6,708	\$ 7,043
7251	Street Maintenance Worker II	\$ 6,084	\$ 6,388	\$ 6,708	\$ 7,043	\$ 7,395
7283	Street Sweeper Operator	\$ 6,388	\$ 6,708	\$ 7,043	\$ 7,395	\$ 7,765
8523	Supervising Parking Enforcement Officer	\$ 7,092	\$ 7,446	\$ 7,819	\$ 8,210	\$ 8,620
7288	Supervising Vehicle/Equipment Mechanic	\$ 7,399	\$ 7,769	\$ 8,157	\$ 8,565	\$ 8,993
7286	Vehicle/Equipment Mechanic I	\$ 6,234	\$ 6,546	\$ 6,873	\$ 7,217	\$ 7,578
7287	Vehicle/Equipment Mechanic II	\$ 6,875	\$ 7,219	\$ 7,580	\$ 7,959	\$ 8,356
2131	Volunteer Program Assistant	\$ 6,153	\$ 6,461	\$ 6,784	\$ 7,123	\$ 7,479

SAN RAFAEL UNREPRESENTED MID-MANAGEMENT
SALARY SCHEDULE
Effective July 1, 2024

Grade	Position	A	B	C	D	E
7315	Accounting Manager	\$ 10,785	\$ 11,324	\$ 11,891	\$ 12,485	\$ 13,109
1105	Deputy City Attorney I	\$ 11,504	\$ 12,079	\$ 12,683	\$ 13,317	\$ 13,983
1109	Deputy City Attorney II	\$ 12,683	\$ 13,318	\$ 13,983	\$ 14,683	\$ 15,417
7127	Deputy Fire Chief	\$ 15,689	\$ 16,474	\$ 17,298	\$ 18,162	\$ 19,071
2107	Human Resources Operations Manager	\$ 10,463	\$ 10,986	\$ 11,536	\$ 12,113	\$ 12,718
2143	Principal Human Resources Analyst	\$ 10,463	\$ 10,986	\$ 11,536	\$ 12,113	\$ 12,718
TBD	Senior Human Resources Analyst	\$ 9,982	\$ 10,481	\$ 11,005	\$ 11,555	\$ 12,133

SAN RAFAEL UNREPRESENTED MID-MANAGEMENT

SALARY SCHEDULE

Effective July 1, 2025

Grade	Position	A	B	C	D	E
7315	Accounting Manager	\$ 11,432	\$ 12,004	\$ 12,604	\$ 13,234	\$ 13,896
1105	Deputy City Attorney I	\$ 12,136	\$ 12,743	\$ 13,380	\$ 14,049	\$ 14,752
1109	Deputy City Attorney II	\$ 13,381	\$ 14,050	\$ 14,753	\$ 15,490	\$ 16,265
7127	Deputy Fire Chief	\$ 16,788	\$ 17,627	\$ 18,508	\$ 19,434	\$ 20,406
2107	Human Resources Operations Manager	\$ 11,091	\$ 11,646	\$ 12,228	\$ 12,839	\$ 13,481
2143	Principal Human Resources Analyst	\$ 11,091	\$ 11,646	\$ 12,228	\$ 12,839	\$ 13,481
TBD	Senior Human Resources Analyst	\$ 10,431	\$ 10,953	\$ 11,500	\$ 12,075	\$ 12,679

SAN RAFAEL UNREPRESENTED MID-MANAGEMENT

SALARY SCHEDULE

[Effective July 1, 2026](#)

Grade	Position	A	B	C	D	E
7315	Accounting Manager	\$ 12,118	\$ 12,724	\$ 13,360	\$ 14,028	\$ 14,730
1105	Deputy City Attorney I	\$ 12,743	\$ 13,380	\$ 14,049	\$ 14,752	\$ 15,489
1109	Deputy City Attorney II	\$ 14,050	\$ 14,753	\$ 15,490	\$ 16,265	\$ 17,078
7127	Deputy Fire Chief	\$ 17,963	\$ 18,861	\$ 19,804	\$ 20,794	\$ 21,834
2107	Human Resources Operations Manager	\$ 11,757	\$ 12,344	\$ 12,962	\$ 13,610	\$ 14,290
2143	Principal Human Resources Analyst	\$ 11,757	\$ 12,344	\$ 12,962	\$ 13,610	\$ 14,290
TBD	Senior Human Resources Analyst	\$ 10,848	\$ 11,391	\$ 11,960	\$ 12,558	\$ 13,186

RESOLUTION NO.

AMENDED RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAN RAFAEL ESTABLISHING THE COMPENSATION AND WORKING CONDITIONS FOR UNREPRESENTED MID-MANAGEMENT EMPLOYEES (July 1, 2024 through June 30, 2027)

1. MID-MANAGEMENT EMPLOYEES

The Mid-Management Employees of the City of San Rafael are the Mid-Management Job Class Titles ("Mid-Managers") enumerated in Exhibit A, attached hereto and incorporated herein. This Resolution shall constitute the compensation and conditions of employment for Unrepresented Mid-Managers for the period from July 1, 2024 through June 30, 2027.

2. SALARY AND COMPENSATION GOALS

A. *GOALS AND COMPENSATION DEFINITIONS*

It is the goal of the City Council to try to achieve a total compensation package for all Mid-Managers that is competitive compared to similar cities in our labor market. The survey cities are Fairfield, Hayward, San Leandro, South San Francisco, Alameda, Napa, Novato and Santa Rosa. The Council's goal is to attract and retain the most qualified Mid-Managers in accordance with the City's ability to pay.

Total Compensation for survey purposes shall be defined as: Top step salary (excluding longevity pay steps), educational incentive pay, holiday pay, uniform allowance, employer paid deferred compensation (except for such portion that may be part of employee cafeteria plan), employer's contribution towards employees' share of retirement, employer's retirement contribution, employer paid contributions toward insurance premiums for health, life, long term disability, dental and vision plans, management allowance, and employer paid cafeteria/flexible spending accounts.

B. *COMPENSATION SURVEYS*

In order to measure progress towards the above-stated goal, the City shall survey Mid-Management positions in the final year of the Resolution in advance of discussions regarding a successor Resolution.

Identified positions from other agencies include positions that are filled as well as those that may be unfilled, so long as the position is identified by the survey agency as being on the salary schedule and having a job class description. Other city/agency positions are established as benchmark positions in San Rafael's compensation survey based upon similar work and similar job requirements.

The City shall review the survey data for accuracy and completeness. The City shall provide the survey data to all Mid-Managers. During the term of this Resolution, Mid-Managers agree to work with the City to identify and implement a new benchmark strategy such as an alignment of Mid-Manager salaries with the respective department director.

C. *SALARY INCREASES*

Individual classification salary increase percentages depend on the labor market adjustment applied to each position. The salary schedule included with this salary resolution authorizes the proposed new salary for each position.

3. INSURANCE

Health & Dental Insurance benefits are prorated for part-time employees in accordance with the percentage of full-time work schedule. Domestic partners who are registered with the Secretary of State and same-sex spouses are considered dependents under these benefits. Pertinent taxes will be

applied to coverage provided to registered domestic partners and same sex spouses as required by federal and state laws.

A. HEALTH INSURANCE

1. **Health Insurance for Active Employees.** Effective January 1, 2009, the City implemented a full flex cafeteria plan for active employees, in accordance with IRS Code Section 125. Active employees participating in the City's full flex cafeteria plan shall receive a monthly flex dollar allowance to purchase benefits under the full flex cafeteria plan.

The monthly flex dollar allowance effective the paycheck of July 1, 2024 shall be:

For employee only:	\$ 735.86
For employee and one dependent:	\$1,471.71
For employee and two or more dependents:	\$1,913.24

The monthly flex dollar allowance effective the paycheck of December 15, 2024, shall be:

For employee only:	\$ 950.00
For employee and one dependent:	\$ 1,900.00
For employee and two or more dependents:	\$ 2,400.00

Effective December 15, 2025, and December 15, 2026, the flex dollar allowances shall increase on the December 15th paycheck up to a maximum of five percent (5.0%) on an annual basis. If the Kaiser Bay Area premium rate increase is less than five percent (5.0%), the flex dollar allowance shall only increase the amount of the Kaiser Bay Area premium increase. In the event that the Kaiser Bay Area premium rate increase for the upcoming calendar year exceeds ten percent (10%) and is less than fifteen percent (15%), the City and the employee will split the cost of the increase above ten percent (10%) evenly; each paying 50% of the dollar value of the increase between 10-15%.

Upon the expiration of this resolution, the flex dollar allowances shall increase on the December 15th paycheck of each subsequent year up to a maximum of three percent (3%) on an annual basis, based on but not to exceed the Kaiser Bay Area premium rate increase for the upcoming calendar year.

The City shall contribute to the cost of medical coverage for each eligible employee and his/her dependents, an amount not to exceed the California Public Employees' Medical and Hospital Care Act (PEMHCA) contribution, as determined by CalPERS on an annual basis. This portion of the monthly flex dollar allowance is identified as the City's contribution towards PEMHCA. The balance of the monthly flex dollar allowance (after the PEMHCA minimum contribution) may be used in accordance with the terms of the cafeteria plan to purchase health benefits.

Conditional Opt-Out Payment: An employee may elect to waive the City's health insurance coverage and receive the value of the Employee Only contribution as a monthly Opt-Out payment in accordance with the terms of the cafeteria plan, and the Affordable Care Act, if the employee complies with the following conditions:

- 1) The employee certifies that the employee and all individuals in the employee's tax family for whom coverage is waived, have alternative Minimum Essential Coverage as defined by the Patient Protection and Affordable Care Act through a provider other than a federal marketplace, a state exchange, or an individual policy.
- 2) During the City's annual open enrollment period, the employee must complete an annual written attestation confirming that the employee and the other members of the employee's tax family are enrolled in alternative Minimum Essential Coverage. The employee agrees to notify the City no later than 30 days if the employee or other member(s) of the

employee's tax family lose coverage under the alternative Minimum Essential Coverage Plan.

- 3) The employee understands that the City is legally required to immediately stop conditional opt-out payments if the City learns that the employee and/or members of the employee's family do not have the alternative Minimal Essential Coverage.

The City reserves the right to modify at any time, the amount an employee is eligible to receive under this paragraph, if required by IRS Cafeteria Plan regulations, other legislation or Federal and/or California agency guidance.

Miscellaneous Allowance for Employees hired on or before January 1, 2009:

The City shall pay to employees hired on or before January 1, 2009, a miscellaneous allowance in an amount equivalent to the difference between the employee's benefit election for coverage under PEMHCA and their flex dollar allowance, if their benefit election under PEMHCA exceeds their flex dollar allowance. The miscellaneous allowance shall be treated as income. An employee may use the miscellaneous allowance to pay for health coverage on a pre-tax basis as defined under the City's Cafeteria plan.

2. Health Insurance for Retirees

MID-MANAGERS HIRED PRIOR TO APRIL 1, 2007

- a. **For Mid-Managers who retired before December 1, 2001**, the City's contribution to retiree medical premiums shall be the PEMHCA minimum contribution as designated by PEMHCA on an annual basis.

Longevity Payments: The City shall make a longevity payment equivalent to the difference between the PEMHCA minimum contribution and the premium cost of coverage for the retiree, the retiree's spouse/registered domestic partner and/or qualified dependent children (as defined by PEMHCA) up to \$442 per month. The City's longevity contribution shall remain in effect during the lifetime of the Mid-Manager and Mid-Manager's spouse/registered domestic partner or surviving spouse/registered domestic partner.

- b. **Mid-Managers who retired on or after December 1, 2001** from the Marin County Employees Retirement Association (MCERA) within 120 days of leaving their City of San Rafael Mid-Management position (and who comply with the appropriate retirement provisions under the MCERA laws and regulations) are eligible to receive upon retirement the PEMHCA minimum contribution as designated by PEMHCA on an annual basis.

Longevity Payments: The City shall make a longevity payment equivalent to the difference between the PEMHCA minimum contribution and the premium cost of coverage for the retiree, the retiree's spouse/registered domestic partner and/or qualified dependent children (as defined by PEMHCA) capped at the contribution the City makes towards the health coverage of active Mid-Manager employees. The City's longevity contribution shall remain in effect during the lifetime of the Mid-Manager and Mid-Manager's spouse/registered domestic partner or surviving spouse/registered domestic partner.

As described in this subsection, the City shall reimburse retired Mid-Managers and their spouses or registered domestic partners the Medicare Part B standard premium amount as determined by the Centers of Medicare and Medicaid Services (CMS) on an annual basis. To initiate reimbursement, retirees must submit proof of payment of the Medicare Part B premiums to the Human Resources Department. If the Medicare Part B is deducted from social security, the retiree/spouse/domestic partner may submit a copy of the social security check, the Medicare Part B bill, or other relevant documentation. Reimbursements will be processed on a quarterly basis. This reimbursement shall remain in effect for the retired

Mid-Manager's life and that of the retired Mid-Manager's spouse/registered domestic partner or surviving spouse/registered domestic partner.

MID-MANAGERS HIRED ON OR AFTER APRIL 1, 2007

Mid-Managers who are hired on or after April 1, 2007, and who retire from the Marin County Employees Retirement Association (MCERA) within 120 days of leaving their City of San Rafael position (and comply with the appropriate retirement provisions under the MCERA laws and regulations) are eligible to continue in the City's group health insurance program. The City's contribution towards the coverage of retirees under this subsection (3.A.2.b.) shall be the PEMHCA minimum contribution as determined by CalPERS on an annual basis.

Longevity Payments: The City shall make a longevity payment equivalent to the difference between the PEMHCA minimum contribution and the premium cost of coverage, up to \$600, for the retiree. The City shall not be responsible for making any contributions towards the cost of coverage of the retiree's spouse, registered domestic partner or dependents. The City's longevity contribution shall cease upon the retired Mid-Manager's death.

The City shall not be responsible for reimbursing retired Mid-Managers and/or their spouses for any Medicare premiums paid by the retired Mid-Manager and/or the retired Mid-Manager's spouse or surviving spouse.

MID-MANAGER HIRED ON OR AFTER JANUARY 1, 2009

Mid-Managers who are hired on or after January 1, 2009, and who retire from the Marin County Employees Retirement Association (MCERA) within 120 days of leaving their City of San Rafael position (and comply with the appropriate retirement provisions under the MCERS laws and regulations) are eligible to continue in the City's group health insurance program. The City's contribution towards the coverage of retirees under this subsection (3.A.2.c) shall be the PEMHCA minimum contribution as determined by CalPERS on an annual basis.

The City shall not be responsible for reimbursing retired Mid-Managers and/or their spouses for any Medicare premiums paid by the retired Mid-Manager and/or the retired Mid-Manager's spouse or surviving spouse.

The City shall additionally make available a retiree health care trust to enable these employees to prefund retiree health care premiums while employed by the City. The retiree health care trust shall be funded by the mandatory annual conversion of 80 hours of sick time in service on July 1 of each year, provided an employee has a remaining balance of 75 hours of sick leave after the conversion.

B. LIFE INSURANCE

The City shall provide a basic group life insurance plan in the amount of \$300,000 at no cost to the employee.

C. LONG-TERM DISABILITY INSURANCE

The City shall provide long term disability (LTD) insurance, at no cost to the employee, with a benefit of two-thirds (2/3) of the employee's monthly salary, up to a maximum benefit of \$7,500 (reduced by any deductible benefits).

D. DENTAL INSURANCE

The City shall make available to employees, an additional flex dollar allowance equal to \$113 per month to purchase dental coverage under the City's dental plan. The City shall pay dental premiums on behalf of the employee and eligible dependents.

E. VISION PLAN

The City will contract for and pay for a vision plan for “employee plus dependent” vision benefits.

F. EMPLOYEE ASSISTANCE PLAN

The City provides an Employee Assistance Program (EAP) with confidential personal counseling on work and family related issues such as eldercare, substance abuse, etc. Supervisors may also utilize the EAP to refer employees to counselors for work related assistance.

G. STATE DISABILITY INSURANCE

Employees will have the full premium cost for State Disability Insurance (SDI) coverage automatically deducted from their paycheck and no City contribution will be made toward participation in the plan. It is incumbent upon the employee to keep the City advised of their medical status, within Health Insurance Portability and Accountability Act (HIPAA) guidelines, regarding their eligibility for SDI.

4. RETIREMENT

A. EMPLOYER PAID MEMBER CONTRIBUTION (EPMC)

Each Mid-Manager is responsible for paying the full cost of their employee contribution rate as established by the Marin County Employee Retirement Association.

Effective September 1, 2013, in accordance with MCERA and City administrative requirements, all Mid-Management employees will pay an additional contribution of one percent (1%) of pensionable compensation toward the normal cost of pension provided by the Marin County Employees Retirement Association, in addition to the current employee contribution towards pension as determined by MCERA.

The only employees excluded from this payment are long-term City employees with thirty or more years of City service who no longer have to pay any employee contribution to the Marin County Retirement System.

B. COLA

Mid-Managers participating in the Marin County Employee Retirement Association will pay their full share of members’ cost of living rates as allowed under Articles 6 and 6.8 of the 1937 Retirement Act. Miscellaneous and safety member contribution rates include both the basic and COLA portions (currently 50% of the COLA is charged to members as defined in the 1937 Act).

C. RETIREMENT PLAN

The City shall provide the Marin County Employee Retirement Association 2.7% @55 retirement program to all miscellaneous Mid-Manager subject to Marin County Employee Retirement Association procedures and regulations and applicable 1937 Act laws. This is based on an employee’s single highest year of compensation.

Employees hired on or after July 1, 2011 will receive an MCERA retirement benefit at the formula 2% at 55, calculated based on the average of their highest three years of compensation, in accordance with MCERA regulations. The annual pension adjustment shall be a maximum of 2% COLA. Minimum retirement age is 55.

Employees hired by the City on or after January 1, 2013 who are defined as “new members” of MCERA in accordance with the Public Employees’ Pension Reform Act (PEPRA) of 2013, shall be enrolled in the MCERA 2% @ 62 plan for Miscellaneous members. The employee is responsible for paying the employee contribution of half of the total normal cost of the plan, as defined by MCERA, through a payroll deduction. Final compensation will be based upon the highest annual average compensation earnable during the thirty-six (36) consecutive months of employment immediately

preceding the effective date of their retirement or some other period designated by the retiring employee.

D. SERVICE CREDIT FOR SICK LEAVE

Mid-Managers who are eligible to accrue sick leave and who retire from the City of San Rafael, on or after 07/01/95 and within 120 days of leaving City employment (excludes deferred retirements), shall receive employment service credit (incorporated from Resolution #9414, dated July 17, 1995), for retirement purposes only, for all hours of accrued, unused sick leave (exclusive of any sick leave hours they are eligible to receive and they elect to receive in compensation for at the time of retirement, pursuant to Section 5 A. of this Resolution). This provision will no longer be available to Mid-Managers hired after June 30, 2009.

E. MANAGEMENT ALLOWANCE

As of September 16, 2015, the Management Allowance of 4.54% was rolled into base pay for all Unrepresented Mid-Management employees.

F. DEFERRED COMPENSATION

The City will contribute one and six hundredths percent (1.06%) of pensionable compensation toward a City-provided deferred compensation plan.

5. LEAVES OF ABSENCE

A. SICK LEAVE

Mid-Managers shall earn sick leave credits at the rate of one (1) working day per month commencing with the date of employment. Accrued sick leave may be used during their probationary period.

Mid-Managers who leave City service in good standing shall receive compensation (cash in) of all accumulated, unused sick leave based upon the rate of three percent (3%) for each year of service up to a maximum of fifty percent (50%) of their sick leave balance. In the event of the death of an employee, payment for unused sick leave (based upon the previously stated formula) shall be paid to the employee's designated beneficiary.

Mid-Managers may accrue unlimited sick leave for usage purposes. However, a maximum of one thousand, two hundred hours (1,200) accrual applies for cash-in purposes at the time of City separation.

Mid-Managers may use sick leave prior to completion of probation. In recognition of Mid-Managers' exempt status under FLSA, time off for sick leave purposes shall not be deducted from a Mid-Manager's sick leave accrual, unless the employee is absent for the full work day.

Use of sick leave for work-related injuries or illnesses shall not be required when it is determined by the treating physician that this status is permanent and stationary.

B. VACATION LEAVE

1. **Vacation Accrual** - Vacation is accrued when an employee is on pay status and is credited on a semi-monthly basis. Eligible employees accrue vacation at the following rate for continuous service performed in pay status:

<u>Years of service</u>	<u>Leave Accrual rate/yearly</u>
1-5 years	15 days
6 years	16 days
7 years	17 days
8 years	18 days

9 years	19 days
10 years	20 days
11 years	21 days
12 years	22 days
13 years	23 days
14 years	24 days
15 plus years	25 days

In recognition of Mid-Managers' exempt status under FLSA, time off for vacation leave purposes shall not be deducted from a Mid-Manager's vacation accrual unless the employee is absent for the full workday.

2. Administration of Vacation Leave

The City Manager may advance vacation leave to a Mid-Manager; prior approval is required. Mid-Managers may accrue a maximum of 250 hours of vacation. Vacation leave accrual shall resume once the employee's accumulated vacation leave balance falls below the accrual limit of 250 hours. Mid-Managers who terminate their employment shall be paid in a lump sum for all accrued vacation leave earned prior to the date of termination. Mid-Managers may not utilize accrued vacation, administrative leave time, or personal leave time to extend their retirement date and service credit at the end of their city service. The vacation accrual may be increased to a maximum of 300 hours at the discretion of the City Manager.

3. Annual Option for Payment of Accrued Vacation Leave

A Mid-Manager who has taken at least ten (10) days of vacation in the preceding twelve (12) months, may request that their accrued vacation, not to exceed fifty-two and 1/2 (52.5) hours, be paid to them in cash. The request may be granted at the discretion of the City Manager. Mid-Managers may not cash-in more than fifty-two and 1/2 (52.5) hours within any twelve (12) month period.

C. ADMINISTRATIVE LEAVE

Mid-Managers shall receive ten (10) Administrative Leave days (75 hours) each calendar year subject to the approval of the Department Director and the City Manager. An additional three (3) days may be granted at the discretion and with approval of the department director and the City Manager. Unused Administrative Leave shall not carry over from one calendar year to the next, nor shall unused Administrative Leave balances be paid to a Mid-Manager upon their resignation.

In recognition of exempt status under FLSA time off for Administrative leave purposes shall not be deducted from a Mid-Manager's administrative leave accrual, unless the employee is absent for the full work day.

D. HOLIDAYS

City shall provide twelve designated holidays and one (1) floating holiday per calendar year to Mid-Managers. The hours for the floating holidays are automatically added to an employees' vacation accrual on a semi-annual basis.

In order to be eligible for compensation for the paid holiday, the employee must both be in paid status on the day before the holiday and on the day after the holiday.

All employees who are required to work on a day designated as an authorized holiday, other than a day on which an election is held throughout the state, shall be paid at the applicable rate of pay for the number of hours actually worked.

City paid holidays, and the days on which holidays are observed, are outlined in the annual holiday schedule.

E. BEREAVEMENT LEAVE

In the event of the death of a Mid-Manager's spouse, registered domestic partner, child, parent, sibling, parent in-law(s), grandchild, grandparent, relative who lives or has lived in the home of the employee, to such an extent that the relative was considered a member of the immediate family and/or another individual who has a legal familial relationship to the employee and resided in the employee's household, up to a maximum of five (5) days may be granted for paid bereavement leave. All bereavement leave must be exhausted within 3 months of the date of the death of the family member and may be taken intermittently.

In those cases where the death involves an individual who had such a relationship with the employee, as defined above, the employee shall sign a simple affidavit describing the relationship and submit this to the City Manager as part of the request for bereavement leave. Directors may make a request to the City Manager, to use bereavement leave for a relative other than those listed above.

The above bereavement clause shall also apply in the event of a reproductive loss for an employee. The City agrees to maintain employee confidentiality related to the reproductive loss leave.

F. CATASTROPHIC LEAVE

All Mid-Managers shall abide by the City's Catastrophic Leave Policy.

G. PAID PARENTAL LEAVE

Effective July 1, 2024, any employee who has been continuously employed by the City for at least 12 months prior to the start of the leave shall be eligible for Paid Parental Leave (PPL) to use within 12 months of the following eligible events:

1. Birth of a child of the employee, the employee's spouse, or the employee's registered domestic partner.
2. Placement of a child with the employee for adoption.

For the purposes of PPL, the definition of "parent" and "child" are as defined by the California Family Rights Act.

Benefit and Use:

1. Eligible employees shall be granted 300 PPL hours to use within 12 months of the qualifying event for the purposes of disability due to pregnancy and/or baby bonding. Regular part-time employees shall be eligible for a prorated number of PPL hours, based on scheduled and budgeted FTE.
2. PPL is based on a 12-month rolling calendar. No more than 300 PPL hours may be used in any 12-month period. PPL may not be used or extended beyond the 12-month time frame and any accrued and unused PPL will be forfeited at the end of the 12-month period for the qualifying event.
3. Upon termination of the employee's employment at the City, they will not be paid for any accrued and unused PPL for which they were eligible.
4. PPL is based on the employee's regularly scheduled hourly base wage. It is considered "paid status" for the purpose of merit, seniority, benefit premium contributions, retirement service credit, vacation and sick leave accrual, and City benefit eligibility and contributions.
5. PPL shall be used in a block of continuous time or on an intermittent or reduced schedule. Intermittent leaves or reduced schedules must be arranged and approved by the employee's supervisor in advance.
6. PPL shall run concurrently with FMLA/CFRA and with PDL as set forth in paragraph 7, below. Eligible employees will be reinstated to the same or equivalent position in accordance with FMLA/CFRA protections. This may include altered assignments to accommodate the department's operational needs when the employee is working a reduced work schedule.

7. Pregnancy Disability Leave (PDL): An eligible employee on PDL must reduce their sick leave balance to 40 hours or less to use PPL concurrently with PDL. An eligible employee is not required to further reduce their balance once they have reached the initial threshold of 40 hours or less.

Coordination of Benefits & Leaves:

- PPL taken under this policy will run concurrently with leave under the FMLA, CFRA, and PDL once the eligible employee's sick leave balance is reduced to 40 hours or less.
- PPL will be fully integrated with any short-term disability or California Paid Family Leave program but shall not exceed one hundred percent (100%) of the employee's normal gross salary rate.
- The use of Short-Term Disability (STD) and Paid Family Leave (PFL) will not reduce available hours under the PPL leave entitlement.
- For time covered by FMLA/CFRA job protected leave for baby bonding purposes, PPL must be used prior to other accrued leave or unpaid leave except as discussed in number 7 above.
- If an employee has exhausted FMLA/CFRA entitlements for reasons other than baby bonding, PPL must be used prior to other accrued leaves or Leave Without Pay for arranged leaves for the purpose of baby bonding. Scheduling of non-FMLA/CFRA protected PPL is subject to department approval.
- An employee who is eligible for PPL but is on leave for other reasons cannot use PPL except as described in paragraph 7 above.

F. END OF LIFE CARE LEAVE

Eligibility:

Effective July 1, 2024, employees who have been continuously employed by the City for at least 12 months prior to the start of the leave shall be eligible for End of Life Care leave to provide end of life care for an immediate family member, which shall include an employee's spouse, registered domestic partner, child, parent, sibling, parent, parent in-law(s), grandparent, or grandchild.

End of Life care may be used to provide support, assistance and care to an immediate family member, as defined above, who is receiving end of life services through hospice or a medical facility.

Benefit and Use:

1. Eligible employees shall receive 80 hours of End of Life Care leave to be used during their employment with the City for use to support an immediate family member near the end of life, as described above.
2. Upon termination of the employee's employment at the City, they will not be paid for any accrued and unused End of Life Care leave for which they were eligible. Further, if an employee leaves City employment and returns to City service later in their career, the employee shall receive any unused hours from their previous employment with the City but shall not be granted any additional hours of for End of Life Care Leave.
3. End of Life Care leave is based on the employee's regularly scheduled hourly base wage. It is considered "paid status" for the purpose of merit, seniority, benefit premium contributions, retirement service credit, vacation and sick leave accrual, and City benefit eligibility and contributions.

4. End of Life Care leave shall be used in a block of continuous time or on an intermittent or reduced schedule. Intermittent leaves or reduced schedules must be arranged and approved by the employee's supervisor in advance.
5. End of Life Care shall run concurrently with FMLA/CFRA. Eligible employees will be reinstated to the same or equivalent position in accordance with FMLA/CFRA protections. This may include altered assignments to accommodate the department's operational needs when the employee is working a reduced work schedule.
6. An employee who is eligible for End of Life Care Leave but is on leave for other reasons cannot use PPL except as described in paragraph 5 above.

6. EMPLOYMENT TERMS

A. *HOURS OF WORK*

The WORK WEEK will reflect thirty-seven and one-half (37.5) hours for all job classes. Unless otherwise designated, the normal business hours for vacation, sick and administrative leave deduction and sick and administrative leave accrual purposes for Mid-Managers shall be 7.5 hours per day.

B. *DRUG FREE WORK PLACE*

All Mid-Managers shall abide by the City's Drug and Alcohol Policy.

C. *FURLOUGH PLAN*

Mid-Managers endorse the Furlough Program described in Exhibit B attached to this Resolution.

D. *PAY FOR PERFORMANCE EVALUATION SYSTEM*

Mid-Managers shall be evaluated annually based upon the evaluation program adopted by the City Council in October of 1996 and incorporated by reference herein.

E. *OUTSIDE EMPLOYMENT*

All Mid-Managers shall abide by the City's Outside Employment Policy.

F. *CITY VEHICLE*

Under limited circumstances, a city vehicle may be provided to a Mid-Manager if it is determined to be needed to complete his/her job duties and upon approval of the City Manager.

G. *UNIFORM ALLOWANCE*

If required to wear a uniform which is not provided by the City, employee shall receive an annual uniform allowance of \$545 per year, paid in two installments, in June and December.

H. *GYM REIMBURSEMENT*

Employees are eligible to receive up to \$16.50 per month reimbursement for all eligible health and wellness expenses as follows: preventative medical examinations (minus any amount paid by a private insurance plan), paid health or gym club memberships, licensed weight loss facility memberships, physical therapy sessions, smoking cessation programs, wellness counseling, acupuncture, or meditation programs. Such reimbursement shall be reported as taxable income to the employee.

I. *PROFESSIONAL DEVELOPMENT*

The City Manager commits to working with each department's management team to establish dedicated professional development time throughout the year.

J. *OUT OF CLASS COMPENSATION*

Employees assigned in writing by their Department Director to perform additional duties of a higher paid classification shall be compensated at a rate not less than 5% greater than the employee's

current base salary. Eligibility for out-of-class compensation requires a minimum assignment of ten (10) consecutive days.

The out-of-class pay becomes effective on the first day of the assignment. If the assignment extends beyond four consecutive weeks, then the employee shall be compensated at the lower step of the classification within which the duties fall if that is greater than 5% of the employee's base pay. The Department Director is required to complete a Personnel Action Report (PAR), to initiate out-of-class compensation.

K. BILINGUAL PAY

Within the job classifications specified in this resolution an employee may receive bilingual pay for full fluency in a foreign language.

Full fluency is defined as a skill level that will allow the employee to fully assist someone else who does not speak English in coping with situations or problems by translating for, conversing with and/or reading or writing written material.

An employee can petition their Department Director for this bilingual pay incentive. With the Department Director's recommendation and on review by the Human Resources Director and approval of the City Manager the employee may begin to receive this bilingual pay incentive.

Criteria for approval of the bilingual pay incentive by the City Manager includes:

- a. Certification by a recognized school of the appropriate skill level; and/or
- b. Demonstrated ability of the proficiency level on the job; and
- c. Department Director's recommendation and statement that the bilingual skill of the employee can be of value to the department and the employee in the completion of their regular work assignments.

Employees who have been approved for the bilingual pay incentive and are required in the performance of their duties to converse with the public in a language other than English shall receive an additional \$200.00 per month above their base salary.

Employees who also translate official written documents to or from a language other than English shall receive an additional \$50.00 for a total of \$250.00 per month above their base salary.

This bilingual pay incentive shall be reviewed annually and as long as the employee demonstrates (by work experience or re-testing, as determined by the City of San Rafael) the full fluency skill level; and as long as the Department Director indicates the value of this skill to the department and the employee in the completion of their regular work assignments.

Removal of the bilingual pay incentive would be considered a non-disciplinary action however removal of bilingual pay is appealable to the Human Resources Director. The determination of the Human Resources Director is not subject to any appeal/grievance procedure.

L. AT WILL STATUS

All positions covered by this resolution are at-will and as such serve at the pleasure of the appointing authority and may be removed at any time without cause and without right of appeal.

M. SEVERANCE

Except employees who have committed an abuse of office or position as defined by Government Code Section 53243.4 or committed a violation of the Fair Employment and Housing Act, an Unrepresented Executive Management employee who is involuntarily separated shall receive severance pay in a lump sum equal to the following, provided they sign a settlement and general release provided by the City:

- 1 year of service = two months of salary and two months of COBRA health insurance.
- 2 years of service = three months of salary and three months of COBRA health insurance.
- 3 years of service = four months of salary and four months of COBRA health insurance.
- 4 years of service = five months of salary and five months of COBRA health insurance.
- 5 or more years of service = six months of salary and six months of COBRA health insurance.

N. SENIORITY

Whenever seniority is used to determine a working condition (e.g. vacation accrual, vacation cap, severance pay, sick time pay out, etc.), it shall be determined by the employee's original start date with the City, regardless of original status (seasonal, fixed-term, etc.).

I, LINDSAY LARA, Clerk of the City of San Rafael, hereby certify that the foregoing resolution was duly and regularly introduced and adopted at a regular meeting of the Council of said City held on the 3rd day of September 2024 by the following vote, to wit:

AYES: COUNCILMEMBERS:

NOES: COUNCILMEMBERS:

ABSENT: COUNCILMEMBERS:

LINDSAY LARA, CITY CLERK

**SAN RAFAEL UNREPRESENTED EXECUTIVE MANAGEMENT
SALARY SCHEDULE
Effective July 1, 2024**

Grade	Position	A	B	C	D	E
2501	Assistant City Attorney	\$ 14,908	\$ 15,654	\$ 16,436	\$ 17,258	\$ 18,121
2001	Assistant City Manager	\$ 20,829	\$ 21,871	\$ 22,964	\$ 24,112	\$ 25,318
TBD	Chief Assistant City Attorney	\$ 17,145	\$ 18,002	\$ 18,902	\$ 19,847	\$ 20,839
2300	Director of Community & Economic Development	\$ 15,770	\$ 16,559	\$ 17,387	\$ 18,256	\$ 19,169
4205	Director of Digital Service & Open Government	\$ 14,977	\$ 15,726	\$ 16,512	\$ 17,337	\$ 18,204
2205	District Manager/Engineer (SRSD)	\$ 14,088	\$ 14,792	\$ 15,532	\$ 16,308	\$ 17,124
2140	Finance Director	\$ 14,772	\$ 15,510	\$ 16,286	\$ 17,100	\$ 17,955
7101	Fire Chief	\$ 20,623	\$ 21,654	\$ 22,737	\$ 23,873	\$ 25,067
1106	Human Resources Director	\$ 14,908	\$ 15,654	\$ 16,436	\$ 17,258	\$ 18,121
2406	Library and Recreation Director	\$ 15,516	\$ 16,292	\$ 17,106	\$ 17,961	\$ 18,859
6101	Police Chief	\$ 20,623	\$ 21,654	\$ 22,737	\$ 23,873	\$ 25,067
2201	Public Works Director	\$ 16,075	\$ 16,879	\$ 17,723	\$ 18,609	\$ 19,540

Position	Monthly Salary
City Manager (Appointed)	\$ 24,494

**SAN RAFAEL UNREPRESENTED EXECUTIVE MANAGEMENT
SALARY SCHEDULE
Effective July 1, 2025**

Grade	Position	A	B	C	D	E
2501	Assistant City Attorney	\$ 16,250	\$ 17,063	\$ 17,916	\$ 18,812	\$ 19,752
2001	Assistant City Manager	\$ 21,454	\$ 22,527	\$ 23,653	\$ 24,836	\$ 26,078
TBD	Chief Assistant City Attorney	\$ 18,345	\$ 19,262	\$ 20,225	\$ 21,236	\$ 22,298
2300	Director of Community & Economic Development	\$ 16,716	\$ 17,552	\$ 18,430	\$ 19,351	\$ 20,319
4205	Director of Digital Service & Open Government	\$ 16,325	\$ 17,141	\$ 17,998	\$ 18,898	\$ 19,843
2205	District Manager/Engineer (SRSD)	\$ 14,510	\$ 15,236	\$ 15,998	\$ 16,798	\$ 17,637
2140	Finance Director	\$ 15,953	\$ 16,751	\$ 17,589	\$ 18,468	\$ 19,391
7101	Fire Chief	\$ 21,241	\$ 22,303	\$ 23,419	\$ 24,590	\$ 25,819
1106	Human Resources Director	\$ 16,250	\$ 17,063	\$ 17,916	\$ 18,812	\$ 19,752
2406	Library and Recreation Director	\$ 16,602	\$ 17,432	\$ 18,304	\$ 19,219	\$ 20,180
6101	Police Chief	\$ 21,241	\$ 22,303	\$ 23,419	\$ 24,590	\$ 25,819
2201	Public Works Director	\$ 17,120	\$ 17,976	\$ 18,875	\$ 19,819	\$ 20,810

Position	Monthly Salary
City Manager (Appointed)	\$ 24,494

**SAN RAFAEL UNREPRESENTED EXECUTIVE MANAGEMENT
SALARY SCHEDULE
Effective July 1, 2026**

Grade	Position	A	B	C	D	E
2501	Assistant City Attorney	\$ 17,550	\$ 18,428	\$ 19,349	\$ 20,316	\$ 21,332
2001	Assistant City Manager	\$ 22,098	\$ 23,203	\$ 24,363	\$ 25,581	\$ 26,860
TBD	Chief Assistant City Attorney	\$ 18,895	\$ 19,840	\$ 20,832	\$ 21,873	\$ 22,967
2300	Director of Community & Economic Development	\$ 17,218	\$ 18,079	\$ 18,983	\$ 19,932	\$ 20,929
4205	Director of Digital Service & Open Government	\$ 17,794	\$ 18,684	\$ 19,618	\$ 20,599	\$ 21,629
2205	District Manager/Engineer (SRSD)	\$ 14,946	\$ 15,693	\$ 16,478	\$ 17,302	\$ 18,167
2140	Finance Director	\$ 17,230	\$ 18,091	\$ 18,996	\$ 19,945	\$ 20,943
7101	Fire Chief	\$ 21,879	\$ 22,973	\$ 24,121	\$ 25,327	\$ 26,594
1106	Human Resources Director	\$ 17,550	\$ 18,428	\$ 19,349	\$ 20,316	\$ 21,332
2406	Library and Recreation Director	\$ 17,598	\$ 18,478	\$ 19,402	\$ 20,372	\$ 21,390
6101	Police Chief	\$ 21,879	\$ 22,973	\$ 24,121	\$ 25,327	\$ 26,594
2201	Public Works Director	\$ 17,634	\$ 18,516	\$ 19,441	\$ 20,413	\$ 21,434

Position	Monthly Salary
City Manager (Appointed)	\$ 24,494