

Minutes subject to approval at the October 7, 2024 meeting



MINUTES

SAN RAFAEL CITY COUNCIL - MONDAY, SEPTEMBER 16, 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-2024-09-16>

Watch on YouTube: www.youtube.com/cityofsanrafael

Listen by phone: (669) 444-9171

ID: 860-6190-5675#

One Tap Mobile: +16694449171,,86061905675# US

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

How to participate in the meeting:

- You are welcome to come to the meeting and provide public comment in person. Each speaker will have 2-minutes to provide public comment per agenda item.
- Submit your comments by email to city.clerk@cityofsanrafael.org by 4:00 p.m. the day of the meeting.

If you experience technical difficulties during the meeting, please contact city.clerk@cityofsanrafael.org.

OPEN SESSION - THIRD FLOOR CONFERENCE ROOM - 5:00 P.M.

1. Mayor Kate announced Closed Session items.

CLOSED SESSION - THIRD FLOOR CONFERENCE ROOM - 5:00 P.M.

2. Closed Session:

- a. CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION

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

1. Rivera v. City of San Rafael (U.S. District Court, N.D. Cal., Case No. 24-cv-05239-YGR)

Present: Vice Mayor Hill
Councilmember Kertz
Councilmember Llorens Gulati
Mayor Kate

Absent: Councilmember Bushey

Also Present: City Manager Cristine Alilovich

City Attorney Robert Epstein
City Clerk Lindsay Lara

Mayor Kate called the meeting to order at 6:03 p.m. and invited City Clerk Lindsay Lara to call the roll. Councilmember Bushey was absent.

City Attorney Robert Epstein announced that no reportable action was taken in Closed Session held before the meeting, as well as, in the Closed Session held after the regular meeting on September 3rd.

Mayor Kate provided opening remarks which included gratitude to City Staff, an announcement of the Employee of the 2nd Quarter (Tyler Nord, Public Works), gratitude to Chief Spiller and the Police Department who helped ensure a safe celebration for the Guatemalan Independence Day event held at the Civic Center 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:

- Appreciation to Chief Spiller and Captain Leon for their leadership at the Guatemalan Independence Day event
- New SMART pathway segment connecting SMART Civic Center station and McInnis Park
- United Against Hate Week 2024
- Movie in the Park to be held Friday, September 20, Sun Valley Park, 6:00 – 9:15p.m.
- Police Department to offer two speed safety and community lidar/radar classes, Wednesday September 18 (6-8pm) and Sunday September 22 (10am-noon), San Rafael Public Safety Center
- Coastal Cleanup Day to be held Saturday, September 21 at Shoreline Path behind Pickleweed Park, Shoreline Path near Target, in Canal near 101 Surf Sports and Loch Lomond Marina, 9a.m. to noon
- Hops & Vines Stroll to be held Saturday September 21, downtown, 2-6p.m.
- 2nd Sea Level Rise community meeting to held Saturday, September 28, Al Boro Community Center, 2-4p.m.
- Transportation Authority of Marin and Caltrans to host a scoping community meeting (on improving traffic flow connectivity and safety), to be held Tuesday, October 1, Marin Health and Wellness Campus, 5:30-7:30p.m.
- Homelessness Update community meeting to be held Thursday, October 3, virtual format, 6-7:30p.m.

City Councilmember Reports:

- Vice Mayor Hill reported on a Finance Subcommittee meeting, Al Boro's funeral service, PorchFest in Gerstle Park and the Bret Harte Picnic in Bret Harte Park.
- Councilmember Kertz reported on Al Boro's funeral, a City Schools meeting, a Marin Wildfire Prevention Authority (MWPA) executive board meeting (and an upcoming board meeting for MWPA), Ember Stomp, her appointment to the special committee on youth and eBike safety for the County, PorchFest and a Seeds of Hope event.
- Councilmember Llorens Gulati reported on the Safe Routes to Schools quarterly

meeting, the Fire Station 54 Open House and the Station's 9/11 remembrance monument dedication, Great Communities Collaborative (GCC), El Salvador Independence Day, the Bret Harte Picnic and a tour of the new Canal Alliance building.

- Mayor Kate reported on Transportation Authority of Marin (TAM), the Canal Alliance ribbon-cutting, Bay Conservation and Development Commission (BCDC), Bay Adapt Local Electeds Task Force, the Chamber of Commerce's Business Showcase, PorchFest, 2nd Friday Art Walk, and Al Boro's Funeral Service.

Mayor Kate invited public comment.

Speaker: Shinji Sakai-Egi

CONSENT CALENDAR:

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

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

4. Consent Calendar Items:

a. **Approval of Minutes**

Approve the Regular City Council Meeting Minutes of September 3, 2024 (CC)

Approved as submitted

b. **Smoking Ordinance Amendment**

Final Adoption of Ordinance No. 2042: An Ordinance 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 (CC)

Final Adoption of Ordinance No. 2042

c. **Designation of Voting Delegate for the League of California Cities Annual Conference & Expo**

Designation of Councilmember Maika Llorens Gulati as Voting Delegate for the 2024 League of California Cities Annual Conference & Expo in Long Beach - October 16-18, 2024 (CC)

Designated Councilmember Maika Llorens Gulati as the City of San Rafael's voting delegate for the League of California Cities Annual Conference General Assembly in Long Beach from October 16-18, 2024

d. **Surplus Vehicle Sale**

Declare Listed Vehicles and Equipment as Surplus Property and Authorize the City Manager to Sell, Donate or Dispose of Vehicles (CM)

Declared the vehicles and equipment listed in the staff report as surplus and authorized the City Manager to sell, donate, or dispose of said vehicles as deemed necessary

e. **Downtown Library Renovation Project**

Approve Plans, Authorize and Award Agreements for the Construction of the Downtown Library Renovation Project (PW)

- a. *Approved the plans and specifications for the Downtown Library Renovation Project (also referred to as "City Project No. 11439" and "the Project"), deemed reasonable by the City Engineer, on file in the Department of Public Works.*
- b. *Awarded the construction agreement (the "Construction Agreement") for the Project to Unger Construction, Co., authorized the City manager to execute the Construction Agreement in the amount of \$1,825,000, and authorized the City Manager to amend the contract amount using contingency funds of \$275,000, for a total of \$2,100,000 for the Project.*
- c. *Authorized the City Manager to enter into a Professional Services Agreement with Unico Engineering for construction management and inspection in the amount not to exceed \$210,536.82.*

- f. **Canal Active Transportation Experience Improvements Project Funding Agreement Resolution Approving and Authorizing the City Manager to Execute a Program Supplement Agreement with Caltrans to Receive State Funds (PW)**
Resolution 15344 - Resolution Approving and Authorizing the City Manager to Execute a Program Supplement Agreement with Caltrans to Receive State Funds

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

SPECIAL PRESENTATIONS

5. Special Presentations:

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

- a. **Proclamation in Recognition of United Against Hate Week 2024 and Support for Not In Our Town**

Councilmember Kertz presented the Proclamation to Diversity, Equity, Inclusion and Belonging (DEIB) Committee member Damien Oyobio who provided comments.

- b. **Youth Art Exhibit in City Hall - 'Our Resilient Community' an Exhibit on Sea Level Rise**

Assistant Director of Library and Recreation Craig Veramay provided comments and introduced Shirl Buss, UC Berkeley's Y-Plan, Karen Madden, Adult Advisor at Terra Linda High School MarinSEL program, and Kate Hagemann, Climate Adaptation and Resilience Planner to introduce the project.

Mayor Kate called a recess at 6:46 p.m.

Mayor Kate called the meeting back to order at 6:58 p.m.

PUBLIC HEARINGS

6. Public Hearings:

- a. **Proposed Update to Master Fee Schedule**
Resolution Authorizing an Update to the City's Master Fee Schedule (Fin)

Finance Director Paul Navazio presented the Staff Report.

Staff responded to questions from the City Council.

Mayor Kate invited public comment.

Speaker: Al Vetere

Staff responded to questions raised during public comment.

Councilmembers provided comments.

Councilmember Kertz moved and Vice Mayor Hill seconded to adopt the resolution authorizing an update to the City's Master Fee Schedule.

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

Resolution 15345 - Resolution Authorizing an Update to the City's Master Fee Schedule

OTHER AGENDA ITEMS

7. Other Agenda Items:

a. [Greenhouse Gas Emissions Reports and Climate Action Priorities Update](#)

Accept the Greenhouse Gas Inventory Reports for 2022 and the Fiscal Year 2023-2025 Two-Year Workplan Priorities Update (CM)

Sustainability Program Coordinator Cory Bytof presented the Staff Report along with Christine O'Rourke, Sustainability Coordinator of Marin Climate Energy.

Staff responded to questions from the City Council.

Mayor Kate invited public comment.

Speakers: Bill Carney, Sustainable San Rafael, Howard Schwartz, Sustainable San Rafael, Jack Wilkinson, Name Withheld, Shinji Sakai-Egi

Staff responded to questions raised during public comment.

Councilmembers provided comments.

Councilmember Llorens Gulati moved and Vice Mayor Hill seconded to accept the Greenhouse Gas Inventory Reports for 2022 and the Fiscal Year 2023-2025 Two-Year Workplan Priorities Update.

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

Accepted the Greenhouse Gas Inventory Reports for 2022 and the Fiscal Year 2023-2025 Two-Year Workplan Priorities Update

OPEN TIME FOR PUBLIC EXPRESSION

- Al Vetere addressed the City Council regarding incentivizing renters to reduce their carbon footprint or their participation in recycling.
- Jack Wilkinson addressed the City Council regarding numbers on the parking meters and legibility of the meters.

ADJOURNMENT:

Mayor Kate adjourned the meeting at 8:59 p.m.

LINDSAY LARA, City Clerk

APPROVED THIS ____ DAY OF _____, 2024

KATE COLIN, Mayor

DRAFT