



AGENDA

SAN RAFAEL CITY COUNCIL – MONDAY, MAY 16, 2022

REGULAR MEETING AT 7:00 P.M.

In-Person:

San Rafael City Council Chambers
1400 Fifth Avenue, San Rafael, CA 94901

Participate Virtually:

Watch on Zoom Webinar: <https://tinyurl.com/cc-2022-05-16>

Watch on YouTube: www.youtube.com/cityofsanrafael

Listen by phone: (669) 900-9128

ID: 899-2635-9885#

One Tap Mobile: US: +16699009128,,89926359885#

CORONAVIRUS (COVID-19) ADVISORY NOTICE

In response to Assembly Bill 361, the City of San Rafael is offering teleconference without complying with the procedural requirements of Government Code section 54953(b)(3). This meeting will be held in-person, virtually using Zoom and is being streamed to YouTube at www.youtube.com/cityofsanrafael.

How to participate in the meeting in-person:

- Stay home if you are experiencing COVID-19 symptoms
- Face coverings are recommended for attendees
- Use the sign-in sheet (optional) which allows notification of potentially exposed individuals if contact tracing reveals COVID-19 transmission may have occurred in a given meeting
- Attendance will be limited to 50 percent of room capacity (no more than 90 persons) and all in-person attendees should socially distance as recommended by public health authorities. If the Chambers are 50% occupied, please participate online instead or utilize the audio feed in the lobby.
- All attendees are encouraged to be fully vaccinated.

How to participate in the meeting virtually:

- Submit public comment in writing before 4:00 p.m. the day of the meeting to city.clerk@cityofsanrafael.org.
- Join the Zoom webinar and use the 'raise hand' feature to provide verbal public comment.
- Dial-in to Zoom's telephone number using the meeting ID and provide verbal public comment.

Any member of the public who needs accommodations should contact the City Clerk (email city.clerk@cityofsanrafael.org or phone at 415-485-3066) who will use their best efforts to provide reasonable accommodations to provide as much accessibility as possible while also maintaining public safety in accordance with the City procedure for resolving reasonable accommodation requests.

OPEN SESSION

1. None.

CLOSED SESSION

2. Closed Session: None.

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.

CITY MANAGER'S REPORT:

3. City Manager's Report:

COUNCILMEMBER REPORTS:

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

4. 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.

5. Consent Calendar Items:

a. **Approval of Minutes**

Approve Minutes of City Council / Successor Agency Regular Meeting of Monday, May 2, 2022 (CC)

Recommended Action - Approve minutes as submitted

b. **Use of Teleconferencing for Public Meetings During State of Emergency**

Resolution Pursuant to Assembly Bill 361 Making Findings and Confirming the Need for Continued Use of Teleconferencing to Hold Public Meetings of City Boards and Commissions During the Continuing State of Emergency Relating to the Covid-19 Pandemic (CA)

Recommended Action - Adopt Resolution

c. **Smoking Ordinance Amendments**

Final Adoption of Ordinance 2008: An Ordinance Amending Sections 9.04.030, 9.04.090 and 19.10.060 of the San Rafael Municipal Code Prohibiting Smoking in Open Space Year-Round and Requiring Designated Smoking Areas in Multi-Family Housing Complexes with Over 10 Units Located Within 1,000 Feet from Open Space and Undeveloped Lots in Order to Prevent Cigarette-Caused Fires (CC)

Recommended Action - Approve final adoption of Ordinance 2008

d. **City of San Rafael 2022 Equity Audit**

Resolution Approving and Authorizing the City Manager to Execute an Agreement for Professional Services with BCT Partners for Consulting Services to Perform an Equity Audit of Citywide Policies, Programs, and Practices in the Amount of \$170,000 (CM)

Recommended Action - Adopt Resolution

- e. **Community Engagement, Equity & Housing Policy Consulting Services**
Resolution Approving and Authorizing the City Manager to Execute an Agreement for Professional Services with Liz Darby for Consulting Services (CM)
Recommended Action – Adopt Resolution

- f. **National Older Americans Month**
Proclamation Supporting National Older Americans Month (LR)
Recommended Action – Receive and file

- g. **National Gun Violence Awareness Day**
Proclamation Supporting National Gun Violence Awareness Day (PD)
Recommended Action – Receive and file

- h. **National Public Works Week**
Proclamation Supporting National Public Works Week (PW)
Recommended Action – Receive and file

- i. **Jewish American Heritage Month**
Proclamation Supporting Jewish American Heritage Month (CC)
Recommended Action – Receive and file

- j. **Asian American and Pacific Islander Heritage Month**
Proclamation Supporting Asian American and Pacific Islander Heritage Month (HR)
Recommended Action – Receive and file

- k. **PG&E Easement Required for Third Street Improvements Project**
Resolution Authorizing the City Manager to Execute a Deed Granting an Easement for Public Utility Purposes to Pacific Gas and Electric Company (PW)
Recommended Action – Adopt Resolution

- l. **Sun Valley Park Deed Restriction**
Resolution Authorizing the City Manager to Execute a Deed Restriction on the City Owned Parcel (APN 010-071-01) for Sun Valley Park (PW)
Recommended Action – Adopt Resolution

- m. **Francisco Boulevard East Sidewalk Improvements**
Accept Completion of the Francisco Boulevard East Sidewalk Improvements Project (City Project No. 11349) and Authorize the City Clerk to File the Notice of Completion (PW)
Recommended Action – Accept completion and authorize City Clerk to file NOC

SPECIAL PRESENTATIONS

6. Special Presentations:

- a. **Presentation of Proclamation Supporting Mental Health Awareness Month (PD)**

PUBLIC HEARING

7. Public Hearing:

- a. **Amendment to San Rafael's Building Code to Require Replacement of Wood Roofing**
Final Adoption of Ordinance 2009: An Ordinance Amending Chapters 12.200 and 12.255 of the San Rafael Municipal Code to Make Local Amendments to California Building Codes to Require that Wood Roofing be Replaced by May 31, 2027 (FD)
Recommended Action - Final adoption of Ordinance 2009

- b. **BioMarin Development Agreement**
Resolution Approving the 2nd Anniversary Annual Report for the Executed Development Agreement (Ordinance No. 1982) Between BioMarin Pharmaceutical and the City of San Rafael for the Development of an Expanded San Rafael Corporate Center (750-790 Lindero Street and 781-791 Lincoln Avenue and 999 3rd Street); Case No.: P22-004 (CD)
Recommended Action - Adopt Resolution

OTHER AGENDA ITEMS:

8. Other Agenda Items:

- a. **Public Art Program and Formation of the Public Art Review Board**
Resolution Approving the Formation of the Public Art Review Board (LR)
Recommended Action - Adopt Resolution

- b. **Preliminary Capital Improvement Program**
Informational Report on Preliminary Three-Year Capital Improvement Program (PW/Fin)
Recommended Action - Accept report

SAN RAFAEL SUCCESSOR AGENCY:

1. Consent Calendar: - None

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, in the City Clerk's Office, Room 209, 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/>.