



AGENDA

SAN RAFAEL CITY COUNCIL – MONDAY, AUGUST 1, 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-2022-08-01>

Watch on YouTube: www.youtube.com/cityofsanrafael

Listen by phone: (669) 900-9128

ID: 817-3692-0337#

One Tap Mobile: US: +16699009128,,81736920337#

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. 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 AND COUNCILMEMBER REPORTS:

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

3. City Manager and Councilmember Reports:

CONSENT CALENDAR:

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

4. Consent Calendar Items:

a. **Approval of Minutes**

Approve Minutes of City Council Regular Meeting of July 18, 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 the Use or Continued Use of Teleconferencing to Hold Public Meetings of the City's Legislative Bodies During the Continuing State of Emergency Relating to the Covid-19 Pandemic (CA)

Recommended Action - Adopt Resolution

c. **SB 9 Housing Development and Urban Lot Split Regulations**

Final Adoption of Ordinance 2013: An Ordinance of the City of San Rafael Amending Title 14 (Zoning Ordinance) and Title 15 (Subdivisions) of the San Rafael Municipal Code Related to Regulations to Implement Provisions of SB 9 (CC)

Recommended Action - Final adoption of Ordinance 2013

d. **Leaf Blower Ordinance**

Final Adoption of Ordinance 2014: An Ordinance of the City of San Rafael Adding Chapter 8.40 to the San Rafael Municipal Code Entitled "Regulation of Small Off-Road Engines", Related to Regulating Operation of Leaf Blowers (CC)

Recommended Action - Final adoption of Ordinance 2014

e. **Legal Services Contract**

Resolution Authorizing the City Manager to Approve and Execute an Agreement with Burke, Williams & Sorensen, LLP for Essential Legal Services to Supplement Staff in the City Attorney's Office, in an Amount Not to Exceed \$150,000 (CA)

Recommended Action - Adopt Resolution

f. **Microsoft Licensing Renewal**

Resolution Authorizing the City Manager to Execute the Required Forms to Renew the City's Enrollment with Microsoft Corporation as Part of a Joint Microsoft Enterprise Agreement,

and Issue Purchase Orders to Software One, Inc., for Microsoft Software Licenses at a Cost Not to Exceed \$240,000 Per Year for the Next Three Years (DS)

Recommended Action - Adopt Resolution

g. Spinnaker Point Parking Modifications Project

Resolution Authorizing the City Manager to Award and Execute a Construction Agreement for the Spinnaker Point Parking Modifications Project, City Project No. 11363, to Michael Paul Company, Inc. in the Amount of \$844,693, and Authorizing Contingency Funds of \$125,307 for a Total Appropriated Amount of \$970,000 (PW)

Recommended Action - Adopt Resolution

h. 2022/23 Slurry Seal Project

Resolution Authorizing the City Manager to Award and Execute a Construction Agreement for the 2022/23 Slurry Seal Project, City Project No. 11415, to American Asphalt Repair Resurfacing Co., Inc. in the Amount of \$737,600, and Authorizing Contingency Funds of \$82,400, for a Total Appropriated Amount of \$820,000 (PW)

Recommended Action - Adopt Resolution

i. Community Development Block Grant (CDBG) Agreement

Resolution Authorizing the City Manager to Execute an Agreement with the County of Marin for the Use of \$184,008 of Community Development Block Grant Funds for the City's Canal Area Pump Station Improvements Project (PW)

Recommended Action - Adopt Resolution

j. Manuel T. Freitas/101 North Ramps Roundabout

Resolution Authorizing the City Manager to Approve and Execute a Cooperative Agreement with Caltrans to Contribute Funds for Professional Engineering Services Associated with the Manuel T. Freitas Roundabout Project in an Amount Not to Exceed \$400,000 (PW)

Recommended Action - Adopt Resolution

k. Third Street Rehabilitation Project

Resolution Authorizing the City Manager to Execute a Contract Change Order for the Third Street Rehabilitation Project to Ghilotti Bros. Inc. in the Amount of \$298,795 From the Project Contingency (PW)

Recommended Action - Adopt Resolution

PUBLIC HEARING

5. Public Hearing:

a. Amendment to Zoning Ordinance to Allow Animal Care Facilities as a Conditionally Permitted Use in the Office (O) Zoning District

Introduction of an Ordinance Amending the Text of the San Rafael Municipal Code, Table 14.05.020 Under Section 14.05.020, Land Use Regulations (GC, NC, O, C/O, R/O, FBWC) to Allow Animal Care Facilities as a Conditionally Permitted Use in the Office (O) District Subject to Performance Standards; Amending the Text of Table 14.06.020 Under Section 14.06.020, Land Use Regulations (I, LI/O, CCI/O, LMU) to Subject Animal Care Facilities to Performance Standards; and Amending Text of Chapter 14.17 to Establish Performance Standards for Animal Care Facilities (CD)

Recommended Action - Waive further reading and Introduce the Ordinance

OTHER AGENDA ITEMS:

6. Other Agenda Items:

- a. **San Rafael 2023-2031 Housing Element**
Report on 2023-2031 Housing Element Opportunity Sites Inventory (CD)
Recommended Action - Accept report

- b. **Grand Jury Report on Electrifying Marin's Buildings**
Resolution Approving and Authorizing the Mayor to Execute the City of San Rafael's Response to the 2021-2022 Marin County Civil Grand Jury Report Entitled "Electrifying Marin's Buildings: A Countywide Approach" (CM)
Recommended Action - Adopt Resolution

- c. **Hearing on Resolution of Necessity Initiating Eminent Domain Process to Acquire a Portion of 700/740 Francisco Boulevard West, San Rafael, California in Connection with Phase 1 of the Francisco Boulevard West Multi-Use Pathway Project**
Resolution to Determine the Necessity to Acquire a Portion of Property by Eminent Domain in Connection with Phase 1 of the Francisco Boulevard West Multi-Use Pathway Project; To Authorize Commencement of Litigation to Acquire Property by Eminent Domain; And to Seek an Order of Possession (Code of Civil Procedure Section 1245.220) (CA/PW)
Recommended Action - Adopt Resolution

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/>.