



AGENDA

SAN RAFAEL CITY COUNCIL – TUESDAY, SEPTEMBER 6, 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-2022-09-06>

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 August 1, 2022 and City Council Special Meetings of August 8, 2022 and August 29, 2022 (CC)

Recommended Action - Approve minutes as submitted

b. **Conflict of Interest Code Update**

Resolution Repealing Resolution No. 14855, 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. **Restructure of Voter Approved Tax Measure Oversight Committees**

Resolution Establishing and Adopting Bylaws of the Voter Approved Tax Oversight Committee; Appointing the Voter Approved Tax Oversight Committee as the Transaction and Use Tax Oversight Committee, the Special Library Parcel Tax Oversight Committee, the Independent Oversight Committee Over the Cannabis Industry Tax Revenues, and as the Independent Oversight Committee Over Voter Approved City Tax Measures; and Dissolving the Existing Transaction and Use Tax Oversight Committee, the Special Library Parcel Tax Oversight Committee, and the Cannabis Industry Tax Oversight Committee (CC)

Recommended Action - Adopt Resolution

d. **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

e. **Animal Care Facilities Ordinance**

Final Adoption of Ordinance 2015: 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 (CC)
Recommended Action – Final adoption of Ordinance 2015

f. **Support of the Digital Marin Strategic Plan**

Resolution in Support of the Digital Marin Strategic Plan (DS)
Recommended Action – Adopt Resolution

g. **National Preparedness Month**

Proclamation Supporting National Preparedness Month (FD)
Recommended Action – Receive and file

h. **Hispanic Heritage Month**

Proclamation Supporting Hispanic Heritage Month (HR)
Recommended Action – Receive and file

i. **Special Event Street Closures in Downtown San Rafael**

Resolution Authorizing Closures of Fourth Street Between F Street and G Street on October 6th, 7th and 14th to support the limited extension of outdoor events including the San Rafael Thursday and Friday Night Block Party (PD)
Recommended Action – Adopt Resolution

j. **San Rafael Inter Department Fleet Replacement FY2022-23**

Resolution Approving and Authorizing the City Manager to Purchase Fourteen (14) Vehicles Across City Departments for Replacement, In an Amount Not to Exceed \$1,034,100 (PW)
Recommended Action – Adopt Resolution

k. **Stormwater Pump Station Repairs**

Resolution Authorizing the City Manager to Waive Competitive Bidding and Award and Execute an Agreement for the Performance of Stormwater Pump Station Repairs to Pump Repair Service Company in the Amount of \$345,686, and Authorizing Contingency Funds of \$34,614 for a Total Appropriated Amount of \$380,300 (PW)
Recommended Action – Adopt Resolution

SPECIAL PRESENTATIONS

5. Special Presentations:

a. **Proclamation in Support of Suicide Prevention and Awareness (Fin)**

PUBLIC HEARING

6. Public Hearing:

a. ***Continued to September 19, 2022 - "Streetaries" Outdoor Eating Areas Ordinance***

Introduction of an Ordinance of the City of San Rafael adding Chapter 11.70 ("Streetaries" Outdoor Eating Areas) to Title 11 (Public Works) of the San Rafael Municipal Code; amending Section 14.16.277 of Chapter 14.16 (Site Use and Regulations), Section 14.17.110 of Chapter 14.17 (Performance Standards), Section 14.05.020 of Chapter 14.05 (Commercial and Office Districts), Section 14.06.020 of Chapter 14.06 (Industrial Districts)

and Section 14.08.020 of Chapter 14.08 (Marine District) of Title 14 (Zoning) of the San Rafael Municipal Code; and Amending Table 2.3.070.a (Use Table) of Chapter 9 (Downtown Form-Based Code) of the Downtown San Rafael Precise Plan Relating to Outdoor Eating Areas in the Public Right-of-Way (PW)

Continued to September 19, 2022

b. Boards & Commissions Updates

Resolution and Ordinance Changes to Existing City Boards and Commissions (CC):

- i. Introduce an Ordinance of the City of San Rafael Amending Sections 2.16.030 Through 2.16.033 of the San Rafael Municipal Code Related to the Board of Library Trustees
Recommended Action - Waive further reading and Introduce the Ordinance
- ii. Resolution Amending the Board of Library Trustees Bylaws
Recommended Action - Adopt Resolution
- iii. Introduce an Ordinance of the City of San Rafael Amending Section 14.25.070 and Adding Sections 2.16.120 Through 2.16.122 of the San Rafael Municipal Code Related to the Design Review Board
Recommended Action - Waive further reading and Introduce the Ordinance
- iv. Resolution Amending the Design Review Board Bylaws
Recommended Action - Adopt Resolution
- v. Introduce an Ordinance of the City of San Rafael Amending Sections 2.16.010 Through 2.16.013 of the San Rafael Municipal Code Related to the Fire Commission
Recommended Action - Waive further reading and Introduce the Ordinance
- vi. Resolution Amending the Fire Commission Bylaws
Recommended Action - Adopt Resolution

OTHER AGENDA ITEMS:

7. Other Agenda Items:

- a. **Grand Jury Report - Affordable Housing: Time for Collaboration in Marin**
Resolution Approving and Authorizing the Mayor to Execute the Response to the Marin County Civil Grand Jury Report Entitled - Affordable Housing: Time for Collaboration In Marin (CD)
Recommended Action - Adopt Resolution
- b. **Agreement for Disbursement of Measure A Tax Proceeds and Measure A Work Plan for July 1, 2022 - June 30, 2023**
Resolution Authorizing the City Manager to Execute an Agreement with the County of Marin for Disbursement of Measure A Tax Proceeds and Approving the Measure A Work Plan for July 1, 2022 - June 30, 2023 (LR)
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 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/>.