




**Agenda Item No: 4.c**  
**Meeting Date: October 17, 2022**

**SAN RAFAEL CITY COUNCIL AGENDA REPORT**

**Department: City Clerk**

**Prepared by: Lindsay Lara, City Clerk**                      **City Manager Approval:** 

**TOPIC:            CITIZEN OF THE YEAR AWARD DESIGNATION**

**SUBJECT: RESOLUTION DESIGNATING “THE RICHARD P. O’BRIEN AND MARY FERRARIO O’BRIEN CITIZEN OF THE YEAR AWARD” AS THE “RICHARD P. O’BRIEN AND MARY FERRARIO O’BRIEN PUBLIC SERVICE AWARD”**

**RECOMMENDATION:**  
Adopt the Resolution Designating “The Richard P. O’Brien and Mary Ferrario O’Brien Citizen of the Year Award” as the “Richard P. O’Brien and Mary Ferrario O’Brien Public Service Award”.

**BACKGROUND:**  
In March 2001, J. Michael Mahoney established an endowment in honor of former Planning Commissioner Richard O’Brien and his wife, Mary Ferrario O’Brien. The endowment is managed by the Marin Community Foundation and is named “The Richard P. and Mary Ferrario O’Brien Citizen of the Year Award Fund of the Marin Community Foundation” (the “Fund”). The purpose of the Fund is to accept contributions and distribute funds to the City of San Rafael to make an annual award.

Each year, the City of San Rafael recognizes a person (or persons) in the San Rafael community who has made exceptional contributions to the city, making it a better place to live or work. In addition to the public recognition, the Fund is used to provide a cash award to the recipient.

The City Council determines the name of the award, recruits for the award, and makes the selection and award to each year’s recipient. In September 2001, Mr. Mahoney provided two suggestions to the City Council for the name of the award to either be “The Richard P. O’Brien Citizen of the Year Award’ or “The Richard P. O’Brien Public Service Award’ (Attachment 2). At that time, the City Council selected Citizen of the Year Award, and the award has been named “The Richard P. O’Brien and Mary Ferrario O’Brien Citizen of the Year Award” ever since.

Over the last few years, the Citizen of the Year Selection Committee has considered changing the name of the award to be more inclusive and representative of our diverse San Rafael

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**FOR CITY CLERK ONLY**

**Council Meeting:** \_\_\_\_\_

**Disposition:** \_\_\_\_\_

community. To honor Mr. Mahoney's original recommendations submitted to the City Council in 2001, staff recommends renaming the award to "The Richard P. O'Brien and Mary Ferrario O'Brien Public Service Award."

The call for nominations is scheduled to commence in November 2022, and staff is recommending recruiting for nominations using the name 'Richard P. O'Brien and Mary Ferrario O'Brien Public Service Award' in an effort to be more inclusive of all the exceptional community members who serve San Rafael.

**FISCAL IMPACT:** No fiscal impact.

**RECOMMENDED ACTION:** Adopt the Resolution.

**ATTACHMENTS:**

1. Resolution
2. September 4, 2001 City Council Minutes (excerpts)

**RESOLUTION NO.**

**RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAN RAFAEL DESIGNATING “THE RICHARD P. O’BRIEN AND MARY FERRARIO O’BRIEN CITIZEN OF THE YEAR AWARD” AS THE “RICHARD P. O’BRIEN AND MARY FERRARIO O’BRIEN PUBLIC SERVICE AWARD”**

**WHEREAS**, in March 2001, J. Michael Mahoney established an endowment in honor of former Planning Commissioner Richard O’Brien and his wife, Mary Ferrario O’Brien to fund an annual award to be administered and given by the City of San Rafael;

**WHEREAS**, the City Council determines the name of the award, recruits for the award, and makes the selection and award to each year’s recipient;

**WHEREAS**, in September 2001, Mr. Mahoney provided two options to the City Council for the name of the award to either be “The Richard P. O’Brien Citizen of the Year Award” or “The Richard P. O’Brien Public Service Award”; and

**WHEREAS**, at that time, the City Council selected the “Citizen of the Year” designation and the award has been named “The Richard P. O’Brien and Mary Ferrario O’Brien Citizen of the Year Award” ever since; and

**WHEREAS**, the purpose of this award is to recognize a person (or persons) in the San Rafael community who has made exceptional contributions to the city, making it a better place to live or work; and

**WHEREAS**, over the last few years, the Citizen of the Year Selection Committee has considered changing the name of the award to be more inclusive and representative of our diverse San Rafael community; and

**WHEREAS**, to honor Mr. Mahoney’s original recommendations submitted to the City Council in 2001, staff recommends referring to the award as “The Richard P. O’Brien and Mary Ferrario O’Brien Public Service Award”.

**NOW, THEREFORE, BE IT RESOLVED**, that the City Council hereby designates “The Richard P. O’Brien and Mary Ferrario O’Brien Citizen of the Year Award” as “The Richard P. O’Brien and Mary Ferrario O’Brien Public Service Award” and directs staff to recruit for the award under that name.

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 Monday, the 17<sup>th</sup> day of October 2022, by the following vote, to wit:

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

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LINDSAY LARA, City Clerk

**IN THE COUNCIL CHAMBER OF THE CITY OF SAN RAFAEL, TUESDAY, SEPTEMBER 4, 2001 AT 8:00 P.M.**

Regular Meeting:  
San Rafael City Council

Present: Albert J. Boro, Mayor  
Cyr N. Miller, Vice-Mayor  
Paul M. Cohen, Councilmember  
Barbara Heller, Councilmember  
Gary O. Phillips, Councilmember

Absent: None

Also Present: Rod Gould, City Manager  
Gary T. Ragghianti, City Attorney  
Jeanne M. Leoncini, City Clerk

**CLOSED SESSION – CONFERENCE ROOM 201 – 7:00 PM:**

1. Conference with Legal Counsel – Existing Litigation  
Government Code Section 54956.9(a)  
Case Name: MHC Financing, et al. v. City of San Rafael, et al.  
U.S. District Court, Northern Dist. of CA, Case No. C003785

**City Attorney Gary Ragghianti announced that no reportable action was taken.  
Mayor Boro announced the City Council would go back into Closed Session at the end  
of the City Council Meeting.**

**ORAL COMMUNICATIONS OF AN URGENCY NATURE:**

**8:17 PM**

**Re: MHC -Contempo Marin: - File 3-2-97 x 13-7-1**

Mayor Boro announced that four people wished to speak regarding Contempo Marin and in light of the agenda this evening and the fact that the Council Meeting of September 17<sup>th</sup> would primarily be dedicated to this subject, he requested that comments be limited to a combined fifteen minutes.

Tom Davis, 22 Yosemite Road, Contempo Marin stated that several residents of Contempo Marin met with Mayor Boro, Councilmember Cohen and City Attorney Ragghianti this afternoon in an effort to persuade the City Council to defend the Mobilehome Rent Stabilization Ordinance. Betty Mattea, President of the Homeowners Association and he had an understanding that should they receive the needed assurance, she would speak this evening to express their appreciation; however, if they were unsuccessful, he would convey their disappointment and express determination to press on with the cause; therefore, while he was sorry to be addressing the Council this evening, he was also hopeful.

He explained that their attorneys presented several powerful and persuasive arguments, which he felt confident the Mayor, Councilmember Cohen and City Attorney Ragghianti will convey to the Council. He stated they also offered a suggestion which he hoped would be considered seriously over the ensuing two weeks and in his allotted two minutes, he would merely touch on the idea.

Mr. Davis explained that it combines two concepts with which Council is already familiar:

- ◆ When affordable housing is built as part of a larger development, the low cost units are sold with a deed restriction, limiting the permissible resale price so those homes remain affordable to subsequent buyers;
- ◆ Conservation groups often purchase development rights to specific parcels of land in order to preserve them in a natural state.

Mr. Davis indicated their suggestion is that an organization interested in preserving the owner occupied low cost homes at Contempo, or elsewhere, could offer to purchase appreciation rights from present homeowners on a voluntary basis, thereby preserving those specific homes into the future as affordable. This would be discussed further at the meeting of September 17, 2001.

Mr. Davis stated that while watching a recent biography of Senator Robert Kennedy, he was reminded of his favorite Kennedy quote “some people see what is and ask why; I imagine what could be and ask why not.” He noted that at this evening’s meeting, the related but separate question of rent control would be discussed. He requested that when considering the difficult issue of providing residents with decent rental housing at a fair price, and in weighing the risks and benefits of defending Contempo Marin

individual undertake this responsibility, he suspected it could be done in far less time; therefore, he questioned if their hearts were in it.

Councilmember Phillips stated the report also discusses the fact that the new Property Owners Association is based entirely on voluntary efforts and, therefore, initial efforts still require more time for implementation; however, such efforts do require somewhat more of a push, and to rely entirely on voluntary efforts, can sometimes produce satisfactory or unsatisfactory results. He hoped the unanimous sentiment with regard to the effort is conveyed to the property owners to the effect that while in concept this is to benefit both sides, it appears the property owners have not done their part to make it a success. He speculated that should this be their goal, additional effort was needed; however, he was not suggesting the City fund it. He trusted that significantly greater effort would be applied by the property owners as the City had done a lot in this area in trying to reach a workable solution. Although not perfect, Councilmember Phillips stated he would challenge anyone to provide the perfect solution, as he did not believe it existed. He felt there was movement in the direction of assisting both sides and he challenged the property owners to put in greater effort, not just a flash to appease some, as frankly he was not appeased.

Councilmember Cohen moved and Councilmember Phillips seconded, to accept the initial report and directed staff to:

- a) Provide additional reporting on the Agency's housing programs, including the monitoring program, in December;
- b) Report back at the City Council Meeting of October 1, 2001, with progress achieved in posting those buildings where the owner had signed the voluntary agreement and also on further analysis of information received this evening with respect to units, as opposed to buildings now covered by the voluntary program;
- c) Additional report to be provided with regard to mediation results;
- d) City Manager to pursue the issue of property owners mailing notices to each tenant in those buildings having signed up, to ensure individual noticing, in addition to noticing of the building itself.

**AYES:**                   **COUNCILMEMBERS: Cohen, Heller, Miller, Phillips and Mayor Boro**  
**NOES:**                   **COUNCILMEMBERS: None**  
**ABSENT:**               **COUNCILMEMBERS: None**

(Mayor Boro requested Agenda Item #18 be taken out of order for discussion and action.)

**NEW BUSINESS:**

18.           **DISCUSSION RE CITIZEN OF THE YEAR AWARD IN MEMORY OF DICK O'BRIEN, FORMER PLANNING COMMISSIONER – PROVIDE INPUT INTO THE ESTABLISHMENT OF A CITIZEN OF THE YEAR AWARD AND SELECTION CRITERIA FOR SUCH AN AWARD (CD) – FILE 109 x 102 x 9-2-6**

Community Development Director Bob Brown stated that earlier this year, Mr. Michael Mahoney endowed a public service award in memory of former Planning Commissioner, Dick O'Brien. Mr. Brown indicated he had attempted in the staff report to lay out some selection criteria and procedures for such an award in the City of San Rafael. Briefly, he stated, staff intended to solicit nominations from the public, a selection committee has been proposed, composed of two Councilmembers, two Planning Commissioners, President of the Chamber of Commerce and representatives of the Federation and Coalition. It is proposed to honor the recipient with a Council Proclamation and presentation at the Annual State of the City event.

Mr. Brown reported that Mary O'Brien, Dick O'Brien's spouse, their son, and Mr. Mahoney were present this evening in the Council Chamber where Dick spent so much of his life. Having spoken with Mr. Mahoney today, Mr. Brown indicated he concurred with the proposals; however, he specifically requested that the name of the award be such that the memory of Dick does not become secondary down the road. Mr. Mahoney suggested two names from which Council could select:

- 1. The Richard P. O'Brien Public Service Award;
- 2. The Richard P. O'Brien Citizen of the Year Award.

Assuming the selection would be #2, which he believed to be a great idea, Mayor Boro stated he was a little confused concerning the person not necessarily being a resident of or property owner in San Rafael. He questioned how one could be a "Citizen of San Rafael and reside in, for instance, Pinole". Appointments to the City generally require either owning a business or being a resident; to be elected requires residency, and he was not comfortable with going beyond this for a "Citizen of the Year". Responding, Mr. Brown stated he believed the Planning Commission's thought was that the proof was primarily in the deeds of the individual as opposed to their place of residency. Mr. Mahoney, who endowed the award is not a San Rafael resident. To the extent of the impact on the City of San Rafael, Mr. Brown figured it would be unlikely that someone would devote that amount of attention to the City unless they were a resident or owned property; however, it was the Planning Commission's opinion that this could be possible.

Councilmember Miller concurred with Mayor Boro and believed the recipient should be a resident. Other awards are available from various organizations to non-residents; however, in this instance, it should be acknowledged that it is the residents who make up this City. Councilmember Miller favored the title "The Richard P. O'Brien Citizen of the Year Award".

Mayor Boro confirmed the recipient would be honored at the Annual State of the City Dinner when the Employee of the Year is recognized, together with two businesses, large and small. He indicated the businesses are already acknowledged through the Chamber of Commerce and believed it should be confined to a resident.

Addressing the City Council, Mary O'Brien indicated she is always thrilled to be present. She reported that Dick adopted and believed San Rafael was the best thing since sliced bread and everything God could have done for a person. His wish was that on passing on, he could say he left something behind which was good, and Mrs. O'Brien believed he would be thrilled that a citizen who had given time and effort to this town, would be honored. She thanked Michael Mahoney and all concerned for their efforts in making this happen; it will be something which will step down to their children, grandchildren and even Lonate Pozzolo.

Michael Mahoney concurred with the title "Richard P. O'Brien Citizen of the Year Award."

Mayor Boro stated that in addition to acknowledging the recipient at the State of the City Dinner, there should be a Perpetual Commemorative Plaque, to remain in the lobby, with the annual addition of a small plate recognizing the recipient. Community Development Director Brown reported he had already requested a picture of Dick O'Brien from Mary.

Councilmember Heller stated that perhaps at the bottom of the plaque there could be a brief description of the criteria.

Councilmember Cohen inquired whether it would be appropriate to include Mr. Mahoney or a representative of the O'Brien family on the selection committee, in recognition of its origin. Mr. Mahoney declined, being a resident of Larkspur, and Mary O'Brien gratefully accepted.

Councilmember Miller moved and Councilmember Cohen seconded, to approve the recommendation with the following additions:

- ◆ The award be limited to an individual residing in the City of San Rafael;
- ◆ Mary O'Brien to be part of the selection committee;
- ◆ The Award to be named "The Richard P. O'Brien Citizen of the Year Award".

**AYES:**                   **COUNCILMEMBERS: Cohen, Heller, Miller, Phillips and Mayor Boro**  
**NOES:**                   **COUNCILMEMBERS: None**  
**ABSENT:**               **COUNCILMEMBERS: None**

17. **RESOLUTION AMENDING THE 2001-2002 CITY BUDGET TO APPROPRIATE \$25,000 FOR PREPARATION OF CONCEPTUAL NORTH SAN RAFAEL PROMENADE PLAN (CD) – FILE 8-5 x 9-2-52 x 238**

Community Development Director Bob Brown stated that during the budget discussions in May, 2001, Council chose not to fund a proposed Design Consultant to formalize the plan for the North San Rafael Promenade, rather staff was requested to work with the VIA Committee to better define the project. City Manager Gould and Nader Mansourian, Traffic Engineer, worked with the VIA Committee with the intention of limiting the extent of improvements and expense. They focused on utilizing the existing right-of-way for bike lanes, carrying out limited crosswalk/sidewalk improvements and evaluating longer term options, such as exploring the process of getting access through Northgate 1 and Northgate Mall. Mr. Brown stated that staff believes a design plan can be helpful to the City and in seeking outside funding and with the assistance of the Public Works

Director, Dave Bernardi, believed the consultant assistance and creation of a plan can be achieved for a maximum of \$25,000.

Mayor Boro noted the staff report contained an excerpt from a letter (Exhibit 4) from the VIA Co-chairs, indicating that funding for project construction would occur over an extended period, focusing on private sector improvements and community partnerships, and on reading the letter, it states "we expect that funding for the project will occur over an extended period as a result of private sector improvements, community partnerships as well as City funding." In speaking with the City Manager, Mayor Boro stated he explained the intent of the City funding element is that as work is carried out in the area of the Promenade, whether it be sidewalks or street improvements, the plan would be used as a guide to ensure that should money be spent, it would be within the confines of the plan. Mayor Boro indicated he would feel more comfortable if the Resolution contained wording to clarify this.

City Manager Gould stated staff had proposed the following language to respond to this concern:

"WHEREAS, the primary funding for the construction of the Promenade will come from private development, grants, community partnerships and ongoing infrastructure maintenance and repair projects."

Councilmember Miller wished to ensure that during this process, not only should there be consultations with the VIA Committee, but also with the Bicycle and Pedestrian Committee.

Mayor Boro stated the long term future of the Bicycle and Pedestrian Committee is an issue for review. Their specific purpose may be accomplished sometime this year, and through Lydia Romero, Assistant to the City Manager, input could be sought; however, until its future is decided, issues should not be referred to this committee. The original intention of the Bicycle and Pedestrian Committee was to work on a General Plan amendment with respect to bicycles, etc. City Manager Gould concurred and stated that in the provision of the Bicycle and Pedestrian Masterplan, this Committee and the VIA Committee were consulted to ensure that the Promenade was reflected in this plan, which would become the City's guideline for future essential improvements. He believed this issue should be brought back to determine the future of this Committee. Mayor Boro stated he was not opposed to retaining the Committee in some form; however, their role should be clear as their specific role is being concluded, and expansion or modification should be a matter for discussion. In the interim, Mayor Boro requested that Lydia Romero, who has an excellent rapport with the Bicycle and Pedestrian Committee, keep them apprised.

Councilmember Phillips moved and Councilmember Heller seconded, to adopt the Resolution with the additional language:

"WHEREAS, the primary funding for the construction of the Promenade will come from private development, grants, community partnerships and ongoing infrastructure maintenance and repair projects."

**RESOLUTION NO. 10922 - RESOLUTION AMENDING THE 2001/2002 BUDGET TO APPROPRIATE \$25,000 FOR CONSULTING SERVICES TO PREPARE A CONCEPTUAL PROMENADE PLAN FOR NORTH SAN RAFAEL (as amended)**

**AYES: COUNCILMEMBERS: Cohen, Heller, Miller, Phillips and Mayor Boro**  
**NOES: COUNCILMEMBERS: None**  
**ABSENT: COUNCILMEMBERS: None**

**CITY MANAGER'S REPORT:**

19. City Manager's Report (CM)

None



**COUNCILMEMBER REPORTS:**

20. a) **Concert at Falkirk (8/26/01) – File 9-3-84 x 4-17-110 x 9-1**  
Councilmember Cohen stated he enjoyed the concert and inquired as to how it was funded. City Manager Gould stated it has become self-supporting in the last three years. Council appropriated significant funds to stage the initial concert; however, the point has now been reached that through sponsorships, food service etc., it is a break even operation.
- b) **MCCMC Dinner – File 113 x 9-1**  
Mayor Boro reported that the MCCMC Dinner had been moved from September 26, 2001 to September 19, 2001 and he anticipated everyone being present. A reception will be held at the Lonatese Gardens, followed by a meeting and dinner at the Childcare Center.

There being no further business, Mayor Boro adjourned the City Council Meeting at 10:50 p.m. and announced that the City Council was returning to Closed Session.

**CLOSED SESSION HELD**

**OPEN SESSION:**

Mayor Boro announced that no reportable action was taken.

**ADJOURNMENT:** 12:02 AM – September 5, 2001

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JEANNE M. LEONCINI, City Clerk

APPROVED THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2001

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MAYOR OF THE CITY OF SAN RAFAEL