



## AGENDA

SAN RAFAEL CITY COUNCIL - MONDAY, NOVEMBER 7, 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-2022-11-07>

Watch on YouTube: [www.youtube.com/cityofsanrafael](http://www.youtube.com/cityofsanrafael)

Listen by phone: (669) 900-9128

ID: 817-3692-0337#

One Tap Mobile: US: 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](http://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](mailto: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 press \*9 to raise your hand, and \*6 to unmute yourself, then provide verbal public comment.

Any member of the public who needs accommodations should contact the City Clerk (email [city.clerk@cityofsanrafael.org](mailto: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 the City Council Regular Meeting of October 17, 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. **Tri-Annual Building Code Ordinance Amendments**

Introduction of an Ordinance Amending Title 12 (Building Regulations) of the Municipal Code of the City of San Rafael, to Adopt by Reference the 2022 Edition of the California Building Code, the California Residential Code, the California Mechanical Code, the California Plumbing Code, the California Electrical Code, the California Existing Building Code, the California Green Building Construction Standards Code, the California Historical Building Code, the California Energy Code, and the California Referenced Standards Code, with Appendices and Amendments Herein; to Adopt by Reference the 2021 Edition of the International Property Maintenance Code and the International Swimming Pool and Spa Code, with Amendments Herein; Adopting Administrative and Program Provisions for the Codes; Adopting New Chapter 12.350 with Administrative and Program Regulations on Gate Safeguards; and Adopting Findings of Fact Supporting the Amendments to the Codes; and Setting a Public Hearing for November 21, 2022 (CD)

*Recommended Action - Waive further reading of the ordinance and refer to it by title only, introduce the Ordinance, and set a public hearing for November 21, 2022*

d. **Sun Valley Park Playground Project**

Resolution Awarding and Authorizing the City Manager to Execute a Construction Agreement for the Sun Valley Park Playground Project, City Project No. 11391, to Bauman Landscape and Construction, Inc. in the Amount of \$453,709, and Authorizing Contingency Funds of \$66,291 for a Total Appropriated Amount of \$520,000 (PW)

*Recommended Action - Adopt Resolution*

e. **Pickleweed Park Enhancement Project**

Resolution Approving and Authorizing the City Manager to Execute a Professional Services Agreement with Gates + Associates for Landscape Architectural and Engineering Design Services Associated with the Pickleweed Park Enhancement Project, City Project No. 11376, in the Amount Not to Exceed \$498,734 (PW)

*Recommended Action - Adopt Resolution*

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

Resolution Authorizing the Temporary Closure of Fourth Street Between Lincoln Avenue and Cijos Street for the Annual Parade of Lights and Winter Wonderland Event (PD)

*Recommended Action - Adopt Resolution*

g. **Investment Management and Advisory Services**

Resolution Approving and Authorizing the City Manager to Execute an Agreement with Chandler Asset Management to Provide Investment Management and Advisory Services for Three (3) Years with an Option to Extend for an Additional Two (2) Years (Fin)

*Recommended Action - Adopt Resolution*

**SPECIAL PRESENTATION**

5. Special Presentation:

a. **Presentation of Proclamation Supporting United Against Hate Week (CM)**

b. **Presentation of Proclamation to Stacey Laumann for Her Service on the Park & Recreation Commission (LR)**

**PUBLIC HEARING**

6. Public Hearing:

a. **Triannual Fire Code Ordinance Amendments**

Final Adoption of Ordinance No. 2020: An Ordinance Amending Chapter 4.08 of the San Rafael Municipal Code to Adopt by Reference the California Fire Code 2022 Edition with Amendments, the International Fire Code 2021 Edition, and Appendix A of the 2021 International Wildland-Urban Interface Code and Adopting Findings of Fact Supporting the Amendments to Such Codes (FD)

*Recommended Action - Final adoption of Ordinance No. 2020*

**OTHER AGENDA ITEMS**

7. Other Agenda Items:

- a. **US 101/I-580 Multimodal and Local Access Improvement Project**  
Informational Report from Transportation Authority of Marin (TAM) on the US 101/I-580 Multimodal and Local Access Improvement Project and Additional Interchange Proof of Concept on Interstate 580 (PW)  
*Recommended Action - Accept report*
  
- b. **San Rafael Cannabis Industry Tax Rate Setting**  
Resolution Setting Lower Cannabis Industry Tax Rates for Cannabis Delivery Businesses, for the Period of January 1, 2023 Through December 31, 2024 (ED/CM)  
*Recommended Action - Adopt Resolution*
  
- c. **Update to the Unrepresented Executive Management Salary Schedule**  
Resolution Approving the Adjustment of the Compensation Schedule for the City Manager Position and Recruitment (AS)  
*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](mailto: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/>.*