



AGENDA

SAN RAFAEL CITY COUNCIL - MONDAY, DECEMBER 5, 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-2022-12-05>

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.
- 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 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 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 - THIRD FLOOR CONFERENCE ROOM - 6:00 PM

Dial-in: (669) 444-9171, Meeting ID# 883-4631-2902#

One Tap Mobile +16694449171,,88346312902# US

1. Mayor Kate to announce Closed Session items.

CLOSED SESSION – THIRD FLOOR CONFERENCE ROOM – 6:00 PM

2. Closed Session:

- a. CONFERENCE WITH LEGAL COUNSEL--EXISTING LITIGATION
(Paragraph (1) of subdivision (d) of Government Code Section 54956.9)
1 case: Francisco Boulevard Investors v. CSR

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.

PUBLIC HEARING

3. Public Hearing:

- a. **San Rafael 2023-2031 Housing Element**
Submittal of the HCD Draft 2023-2031 San Rafael Housing Element to the California Department of Housing and Community Development for Their Initial Review and Comment (CD)
Recommended Action – Approve Submission
- b. **Aldersly Retirement Community Project**
Approval of Actions as Recommended by the Planning Commission for the Phased Development of New Buildings and Other Improvements, and Demolition of Existing Buildings on the Aldersly Retirement Community Property, Including 14 Additional Independent Living Units on a 2.9 Acre Site Located at 326 and 308 Mission Avenue (CD)
 - i. Resolution Certifying the Final Environmental Impact Report, Adopting a Statement of Overriding Considerations, and Adopting a Mitigation Monitoring and Reporting Program Pursuant to the California Environmental Quality Act for the Aldersly Planned Development Amendment Project
Recommended Action – Adopt Resolution
 - ii. Introduction of an Ordinance of the City of San Rafael City Council Approving a Planned Development Rezoning from Planned Development District (PD 1775) to Planned Development District (PD) and Development Plan Including 14 Net New Independent Living Units for the 2.9-Acre Senior Retirement Community Site Located at 308 and 326 Mission Avenue
Recommended Action – Waive further reading of the ordinance and refer to it by title only, and introduce the ordinance
 - iii. Resolution Approving the Master Use Permit Amendment (UP20-022) and Environmental and Design Review Permit (ED20-051) for the Aldersly Retirement Community at 308 and 326 Mission Avenue (APN 014-054-31 and 32)
Recommended Action – Adopt Resolution

c. Rotary Manor Culvert Replacement

Resolution Adopting the Initial Study/Mitigated Negative Declaration (IS/MND) and Associated Mitigation Monitoring and Reporting Program for the Rotary Manor Culvert Replacement Project; Authorization to Staff to Proceed with Final Design and Procurement of Regulatory Environmental Permits (PW)

Recommended Action – Adopt Resolution

d. Marin Sanitary Service Rates for 2023

Resolution Approving Maximum Rates Collected by Marin Sanitary Service for Refuse and Recyclable Material Collection and Disposal Services, to be Effective January 1, 2023 (CM)

Recommended Action – Adopt Resolution

e. Downtown Business Improvement District (BID) Business Assessment Annual Renewal

Resolution Confirming the 2022 Annual Report for the Downtown Business Improvement District and Levy of Assessments for Calendar Year 2023 (ED)

Recommended Action – Adopt Resolution

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. Ordinance Amending Green Building Codes

Adoption of Ordinance 2022: An Ordinance Amending Title 12 (Building Regulations) of the Municipal Code of the City of San Rafael, by Amending the 2022 California Green Building Standards Code for Electric Vehicle Chargers; Amending the 2022 California Mechanical Code and the 2022 California Plumbing Code to Limit Fuel Gas in Existing Single Family Homes and Duplexes, and Prohibit Fuel Gas in New Construction with Limited Exceptions; and Adopting Findings of Fact Supporting the Amendments to the Codes (CC)

Recommended Action – Final adoption of Ordinance 2022

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/>.