AGENDA
SAN RAFAEL CITY COUNCIL - MONDAY, FEBRUARY 6, 2023
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-2023-02-06
Watch on YouTube: www.youtube.com/cityofsanrafael
Listen by phone: (669) 444-9171
ID: 860-6190-5675#
One Tap Mobile: US: +16694449171,,86061905675#

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.

If you experience technical difficulties during the meeting, please contact city.clerk@cityofsanrafael.org.

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 January 17, 2023 (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. Award of Public Works Contracts
   Adoption of Ordinance 2025: An Ordinance of the City of San Rafael City Council Amending Chapter 11.50 of Title 11 of the San Rafael Municipal Code, Titled Public Works Contract Policy (CC)
   Recommended Action - Final adoption of Ordinance 2025

d. 2021 Affordable Housing NOFA Funding Recommendation - Canal Alliance Alternative Site Acquisition
   Resolution Amending Resolution 15041 by Authorizing the Expenditure of Funds for Acquisition of an Alternative Site at 105 Canal Street, in Fulfillment of the Affordable Housing Trust Fund 2021 Notice of Funding Availability (NOFA) (CD)
   Recommended Action - Adopt Resolution

e. Creek Maintenance Agreement for Marin County Flood Control Zone No. 6
   Resolution Authorizing the City Manager to Enter into the Creek Maintenance Agreement for the Five-Year Maintenance of Drainage Channels Within the City of San Rafael and Flood Control Zone No. 6 of the Marin County Flood and Water Conservation District (CD)
   Recommended Action - Adopt Resolution

SPECIAL PRESENTATIONS
5. Special Presentation:

a. Presentation of Proclamation Supporting Black History Month (HR)

OTHER AGENDA ITEMS
6. Other Agenda Items:
a. Interim Financial Update and Budget Amendments to Reflect Operational Activity; Mid-Year Personnel Changes
   i. Fiscal Year 2022-2023 Interim Financial Update
   ii. Resolution Adopting Amendments to the 2022-2023 Budget and Approving Mid-Year Personnel Changes Fin
       Recommended Action – Adopt Resolution

b. B Street Two-Way Conversion
   Informational Report on the Conversion of B Street to Two-Way from Fifth Avenue to Second Street (PW)
   Recommended Action – Accept report

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/.
MINUTES
SAN RAFAEL CITY COUNCIL - TUESDAY, JANUARY 17, 2023

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-2023-01-17
Watch on YouTube: www.youtube.com/cityofsanrafael
Listen by phone: (669) 900-9128
ID: 899 2635 9885
One Tap Mobile: US: +16699009128,89926359885#

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Present: Councilmember Bushey
Councilmember Hill
Vice Mayor Llorens Gulati
Mayor Kate

Absent: Councilmember Kertz

Also Present: City Manager Jim Schutz
City Attorney Rob Epstein
Deputy City Clerk Brenna Nurmi

OPEN SESSION
1. None.

CLOSED SESSION
2. None.
Mayor Kate called the meeting to order at 7:00 p.m. and invited Deputy City Clerk Brenna Nurmi to call the roll. All members of the City Council were present, except for Councilmember Kertz.

Mayor Kate provided opening remarks, which included tonight’s first meeting of 2023, the recent record-breaking storms, gratitude to City staff and a land acknowledgement.

Deputy City Brenna Nurmi informed the community that the in-person meeting would also be recorded and streamed live to YouTube and through Zoom, and members of the public would provide public comment either on the telephone or through Zoom. She explained the process for community participation on the telephone, through Zoom and in-person.

**OPEN TIME FOR PUBLIC EXPRESSION**

- Lori Schifrin, addressed the City Council congratulating DJ Allison, Bicycle and Pedestrian Advisory Committee (BPAC) and noted a Dining Under the Lights sign that is still up advertising the event.
- Jeff Buscher, addressed the City Council regarding workers’ compensation.
- Eva Chrysanthe, addressed the City Council regarding services at the Service Support Area.

**CITY MANAGER AND COUNCILMEMBER REPORTS:**
(including AB 1234 Reports on Meetings and Conferences Attended at City Expense)

3. City Manager and Councilmember Reports:

Councilmember Reports:

- Councilmember Llorens Gulati reported on meetings and phone calls regarding the 400 Canal Street tenants impacted by the fire.
- Councilmember Hill reported on an Economic Development Subcommittee meeting and a Coleman Elementary School tour.
- Councilmember Bushey reported on Marin Transit, Central Marin Sanitation and San Rafael Sanitation meetings.
- Mayor Kate reported on SMART.

City Manager Jim Schutz announced:

- He addressed Jeff Buscher’s comment during Open Time for Public Expression
- B Street Two-Way Conversion Improvements Project Update – Virtual Community Meeting to be held on Thursday, 01/18/2023 at 6 p.m.
- Gratitude to Transportation Authority of Marin (TAM) and Metropolitan Transportation Commission (MTC)
- Citizens Oversight Committee opening at SMART

Mayor Kate invited public comment.

**Speakers:** Al Vetere, Eva Chrysanthe, Lori Schifrin

Jim Schutz, City Manager responded to public comment.

**CONSENT CALENDAR:**

Mayor Kate invited public comment.

**Speaker:** Eva Chrysanthe
Councilmember Bushey moved and Councilmember Llorens Gulati seconded to approve the Consent Calendar.

4. Consent Calendar Items:

   a. Approval of Minutes
      Approve Minutes of the City Council Regular and Special Meetings of December 19, 2022 (CC)
      Approved 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)
      Resolution 15182 - 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

   c. ADA Access Advisory Committee Appointments
      Reappoint Timothy Park and Appoint Francine Falk-Allen and Raed Al-Zaher to Fill Three Four-Year Terms to the End of October 2026 on the ADA Access Advisory Committee Due to the Expiration of Terms of Dianne Wolfe, Timothy Park and Fredric Divine (CC)
      Approved Appointments

   d. Pickleweed Advisory Committee Appointment
      Appoint Jairo Ceballos to Fill One Four-Year Term to the End of December 2026 on the Pickleweed Advisory Committee Due to the Expiration of Term of Salvador Avalos (CC)
      Approved Appointment

   e. Proposed Master Fee Schedule Update
      Adoption of Ordinance 2024: An Ordinance of the City of San Rafael City Council Repealing and Replacing Chapter 3.34 of Title 3 of the San Rafael Municipal Code, Titled Fee and Service Charge Revenue/Cost Comparison System (CC)
      Final adoption of Ordinance 2024

   f. City Quarterly Investment Report
      Acceptance of City of San Rafael Quarterly Investment Report for the Quarter Ending December 31, 2022 (Fin)
      Accepted report

AYES: Councilmembers: Bushey, Hill, Llorens Gulati & Mayor Kate
NOES: Councilmembers: None
ABSENT: Councilmembers: Kertz

SPECIAL PRESENTATIONS
5. Special Presentation:

   a. Presentation of Proclamation to Daniel ‘DJ’ Allison for Service on the Bicycle and Pedestrian Advisory Committee (PW)
Mayor Kate invited public comment.

Speakers: Name Withheld, Eva Chrysanthe

Mayor Kate presented the proclamation to Daniel ‘DJ’ Allison.

Daniel ‘DJ’ Allison provided comments.

PUBLIC HEARING

6. Public Hearing:

a. **Award of Public Works Contracts**
   
i. **Introduction of An Ordinance Amending Chapter 11.50 of Title 11 of the San Rafael Municipal Code, Titled Public Works Contract Policy (PW)**

ii. **Resolution Setting Dollar Amount Limits for Award of Public Works Contracts (PW)**

April Miller, Public Works Director introduced Joanna Kwok, Senior Civil Engineer who presented the Staff Report.

Staff responded to questions from Councilmembers.

Mayor Kate invited public comment, however there was none.

Councilmembers provided comments.

Councilmember Bushey moved and Councilmember Llorens Gulati seconded to waive reading, refer to it by title only, and introduce the ordinance; and the Deputy City Clerk read the title of the ordinance.

**An Ordinance of the City of San Rafael City Council Amending Chapter 11.50 of Title 11 of the San Rafael Municipal Code, Titled Public Works Contract Policy**

AYES: Councilmembers: Bushey, Hill, Llorens Gulati & Mayor Kate

NOES: Councilmembers: None

ABSENT: Councilmembers: Kertz

Waived reading, referred to it by title only, and introduced the Ordinance

Councilmember Hill moved and Councilmember Bushey seconded to adopt the resolution.

AYES: Councilmembers: Bushey, Hill, Llorens Gulati & Mayor Kate

NOES: Councilmembers: None

ABSENT: Councilmembers: Kertz

Resolution 15183 - Resolution Setting Dollar Amount Limits for Award of Public Works Contracts
OTHER AGENDA ITEMS
7. Other Agenda Items:

a. **Tenant Relocation Assistance Benefits**
   Resolution Adopting Policy on Relocation Assistance Benefits to Tenants Displaced by an Order to Vacate Under Health & Safety Code Section 17975 (CA)

   Genevieve Coyle, Assistant City Attorney presented the Staff Report.

   Staff responded to questions from Councilmembers.

   Mayor Kate invited public comment.

   **Speakers:** Al Vetere, Stephen Bingham, Eva Chrysanthe

   Staff responded to public comment.

   Councilmembers provided comments.

   Councilmember Llorens Gulati moved and Councilmember Bushey seconded to adopt the resolution.

   **AYES:** Councilmembers: Bushey, Hill, Llorens Gulati & Mayor Kate
   **NOES:** Councilmembers: None
   **ABSENT:** Councilmembers: Kertz

   Resolution 15184 - Resolution Adopting Policy on Relocation Assistance Benefits to Tenants Displaced by an Order to Vacate Under Health & Safety Code Section 17975

b. **San Rafael Public Safety Alternative Response Team**
   Resolution Authorizing the City Manager to Negotiate and Enter into a Professional Services Agreement with Petaluma People Services Center, for a 3-Year Pilot Alternative Response Program, Not to Exceed $775,000 Per Year with an Additional $100,000 in Start Up Costs in the First Year (PD)

   David Spiller, Police Chief introduced the item. Todd Berringer, Lieutenant presented the Staff Report.

   Staff, including Elece Hempel, Petaluma People Services Center responded to questions from Councilmembers.

   Mayor Kate invited public comment.

   **Speakers:** Stephen Bingham, Eva Chrysanthe

   Staff responded to public comment.

   Councilmembers provided comments.

   Councilmember Bushey moved and Councilmember Llorens Gulati seconded to adopt the resolution.
AYES: Councilmembers: Bushey, Hill, Llorens Gulati & Mayor Kate
NOES: Councilmembers: None
ABSENT: Councilmembers: Kertz

Resolution 15185 - Resolution Authorizing the City Manager to Negotiate and Enter into a Professional Services Agreement with Petaluma People Services Center, for a 3-Year Pilot Alternative Response Program, Not to Exceed $775,000 Per Year with an Additional $100,000 in Start Up Costs in the First Year

SAN RAFAEL SUCCESSOR AGENCY:
Chair Kate invited public comment; however, there was none.

Member Bushey moved and Member Hill seconded to approve the Consent Calendar.

1. Consent Calendar:
   a. Successor Agency Quarterly Investment Report
      Acceptance of Successor Agency Quarterly Investment Report for the Quarter Ending December 31, 2022 (Fin)
      Accepted report

AYES: Members: Bushey, Hill, Llorens Gulati & Chair Kate
NOES: Members: None
ABSENT: Members: Kertz

ADJOURNMENT:
Mayor Kate adjourned the meeting at 8:56 p.m.

___________________________
LINDSAY LARA, City Clerk
APPROVED THIS _____DAY OF__________, 2023

_____________________________________
KATE COLIN, Mayor
TOPIC: USE OF TELECONFERENCING FOR PUBLIC MEETINGS DURING STATE OF EMERGENCY

SUBJECT: 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

RECOMMENDATION:
Adopt the 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.

BACKGROUND:
The Ralph M. Brown Act ("Brown Act") requires that except as specifically provided, “meetings of the legislative body of a local agency shall be open and public, and all persons shall be permitted to attend any meeting of the legislative body”. (Gov. Code §54953(a).) For many years, the Brown Act has authorized members of a local agency’s legislative body to attend a public meeting by teleconference in compliance with strict procedural requirements. Under Government Code section 54953(b)(3), to use teleconferencing, at least a quorum of the legislative body must participate from locations within the agency’s boundaries, and the agency must give notice of each teleconference location, post an agenda at each teleconference location, provide for public access to each teleconference location, and allow members of the public to address the Council at each teleconference location.

On March 4, 2020, Governor Newsom declared a statewide state of emergency in connection with the COVID-19 pandemic. Subsequently, on March 18, 2020, the Governor issued Executive Order No. N-29-20 suspending the Brown Act’s requirements for in-person meetings and facilitating the use of teleconferencing for public meetings during the state of emergency. The Executive Order authorized public meetings to be held by teleconference only, provided that notice and accessibility requirements are met, members of the public are allowed to observe and address the legislative body at the meeting, and there is a procedure for receiving and swiftly resolving requests for reasonable accommodation for individuals with disabilities. This order allowed the City Council and the City’s other formal boards and commissions to hold their public meetings using teleconferencing technologies until the order expired on
On September 16, 2021, Governor Newsom signed into law as an urgency measure Assembly Bill (AB) 361, AB 361 amended the Brown Act provisions governing the use of teleconferencing for public meetings of a local agency’s legislative bodies, allowing more liberal teleconferencing requirements to continue during the current and future state-declared emergencies. Therefore, since October 1, 2021, the City has relied on the amendments enacted by AB 361 as its authority to continue to hold meetings using teleconferencing technologies.

Government Code section 54953, as amended by AB 361, now provides in new subsection (e)(1), that during the current and any future state-declared state of emergency, the legislative body of a local agency may use teleconferencing without complying with the procedural requirements of Government Code section 54953(b)(3) in any of three circumstances:

(A) The legislative body holds a meeting during a proclaimed state of emergency, and state or local officials have imposed or recommended measures to promote social distancing.

(B) The legislative body holds a meeting during a proclaimed state of emergency for the purpose of determining, by majority vote, whether as a result of the emergency, meeting in person would present imminent risks to the health or safety of attendees.

(C) The legislative body holds a meeting during a proclaimed state of emergency and has determined, by majority vote, pursuant to subparagraph (B), that, as a result of the emergency, meeting in person would present imminent risks to the health or safety of attendees.

Certain additional requirements would apply under the new law, however, including specific requirements as to how public comment must be allowed and heard, with which the City already complies. In addition:

- In the event of a disruption which prevents the City from broadcasting the meeting to members of the public using the call-in option or internet-based service option, or in the event of a disruption within the City’s control which prevents members of the public from offering public comments using the call-in option or internet-based service option, the legislative body shall take no further action on items appearing on the meeting agenda until public access to the meeting via the call-in option or internet-based service option is restored. Actions taken on agenda items during a disruption which prevents the public agency from broadcasting the meeting may be challenged pursuant to Section 54960.1.

- If a state of emergency remains active, or state or local officials have imposed or recommended measures to promote social distancing, in order to continue to teleconference without compliance with paragraph (3) of subdivision (b), the legislative body shall, not later than 30 days after teleconferencing for the first time pursuant to subparagraph (A), (B), or (C) of paragraph (1), and every 30 days thereafter, make the following findings by majority vote:
  - The legislative body has reconsidered the circumstances of the state of emergency.
  - Any of the following circumstances exist:
    - The state of emergency continues to directly impact the ability of the members to meet safely in person.
    - State or local officials continue to impose or recommend measures to promote social distancing.
ANALYSIS:
The City Council has determined that it is now safe to hold in person meetings in the City Council Chambers, and the Council held its first such meeting on April 18, 2022. Other boards and commissions that meet in the City Council Chambers will also be able to meet in person. The City Council Chambers are roomy enough to allow for social distancing in most cases and are now equipped with teleconferencing equipment that also allows participation in public meetings from other locations. This hybrid meeting model provides an alternative means to attend for those persons who feel they cannot safely attend in person, as well as for those persons who may find it more convenient to participate in the meetings through teleconferencing.

However, the City Council also holds special meetings at locations not in the City Council Chambers and staff has determined that the hybrid meeting model set up for these meetings has not provided sufficient space for social distancing and negatively impacts public participation through virtual means. Additionally, not all City boards and commissions meet in the City Council Chambers. Staff has not yet been able to make comparable arrangements for hybrid meetings in those other meeting locations. Therefore, staff recommends that the City Council continue to adopt the resolution required by AB 361, so that the City’s legislative bodies meeting outside the City Council Chambers can meet or continue to meet using teleconferencing technology. These include special meetings of the City Council and meetings of the City’s boards and commissions.

The resolution before the City Council is intended to comply with the requirement to make specified findings every 30 days. The resolution finds that the state of emergency continues in effect, that measures to promote social distancing are still being imposed or recommended by the state and county, and that the state of emergency directly impacts the ability of the public and the members of the City’s Council, boards, and commissions to meet safely in person. The proposed resolution confirms the City Council’s determination that all public meetings of the City’s legislative bodies (the Council and all formal boards and commissions) may continue to be held using only teleconferencing technology.

FISCAL IMPACT:
There is no fiscal impact associated with the adoption of the attached resolution.

OPTIONS:
The City Council has the following options to consider on this matter:
1. Adopt the resolution as proposed.
2. Adopt a modified resolution.
3. Direct staff to return with more information.
4. Take no action.

RECOMMENDED ACTION:
Adopt the resolution pursuant to Assembly Bill 361 making findings and confirming the need for 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.

ATTACHMENTS:
1. Resolution
RESOLUTION NO.

RESOLUTION OF THE SAN RAFAEL CITY COUNCIL 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

WHEREAS, on March 4, 2020 Governor Newsom issued a proclamation pursuant to Government Code Section 8625 declaring a state of emergency in California due to the COVID-19 pandemic; and

WHEREAS, the Ralph M. Brown Act (Gov. Code §§ 54950 et seq.) (hereafter, the “Brown Act”) provides in Government Code section 54953 that “all meetings of the legislative body of a local agency shall be open and public, and all persons shall be permitted to attend any meeting of the legislative body of a local agency, except as otherwise provided by this chapter”; and

WHEREAS, Government Code section 54953(b)(3) permits the legislative body of a local agency to use teleconferencing for the benefit of the public and the legislative body in connection with any meeting or proceeding authorized by law, subject to specified procedural requirements including, but not limited to, the posting of agendas at all teleconference locations, the opportunity for members of the public to address the legislative body directly at each teleconference location, and that at least a quorum of the members of the legislative body participate from locations within the boundaries of the territory over which the legislative body exercises jurisdiction; and

WHEREAS, Government Code section 54953(e), added by Assembly Bill 361 effective September 16, 2021, provides, in section 54953(e)(1), that during a state of emergency proclaimed pursuant to Government Code section 8625, the legislative body of a local agency may hold a meeting using teleconferencing without complying with the procedural requirements of section 54953(b)(3), provided that the legislative body complies with the requirements of section 54953(e)(2); and

WHEREAS, pursuant to Government Code section 54953(e)(3), if a state of emergency remains active, or state or local officials have imposed or recommended measures to promote social distancing, then in order to continue to teleconference without compliance with the procedural requirements of section 54953(b)(3), the legislative body shall make specified findings at least every 30 days; and

WHEREAS, the City Council has reconsidered the circumstances of the proclaimed COVID-19-related state of emergency and finds that it remains active; and

WHEREAS, the City Council finds that state and/or local officials continue to impose or recommend measures to promote social distancing, including masking in certain indoor public settings; and

WHEREAS, the City Council finds that the state of emergency directly impacts or continues to directly impact the ability of the City’s legislative bodies to meet safely in person,
including special meetings of the City Council and meetings of the City’s boards and commissions.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of San Rafael that in order to protect the safety of the members of the public and its legislative bodies, for the 30 days following adoption of this resolution, public meetings of the City’s legislative bodies may continue to be held using teleconferencing technology in compliance with the requirements of Government Code section 54953(e)(2) and all other applicable laws.

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 special meeting of the City Council of the City of San Rafael, held on Monday, the 6th day of February 2023 by the following vote, to wit:

AYES: Councilmembers:

NOES: Councilmembers:

ABSENT: Councilmembers:

Lindsay Lara, City Clerk
ORDINANCE NO. 2025
AN ORDINANCE AMENDING CHAPTER 11.50 OF TITLE 11 OF THE SAN RAFAEL MUNICIPAL CODE, TITLED PUBLIC WORKS CONTRACT POLICY

WHEREAS, Chapter 11.50 of the San Rafael Municipal Code ("SRMC") sets forth the City of San Rafael’s public works contract policy, which includes separate bidding and award procedures for “minor contracts” and "major contracts"; and

WHEREAS, under the City’s policy, “minor contracts" are those of $125,000 or less, or an amount otherwise set by resolution of the City Council. Minor contracts follow an informal bidding process and may be awarded by the Director of Public Works and do not require City Council award; and

WHEREAS, “major contracts” are those exceeding $125,000, or an amount otherwise set by resolution of the City Council. All “major contracts” require formal bidding requirements and City Council award; and

WHEREAS, the City’s policy also permits an exception to the bidding requirements for contracts in an amount not exceeding $30,000; and

WHEREAS, the City Council desires to amend the City’s public works contract policy by replacing the dollar amount limits specified in Chapter 11.50 for the City’s competitive bidding exception, and award of minor (informal) contracts and major (formal) contracts, with dollar amount limits to be set by resolution of the City Council; and

WHEREAS, the City Council further desires to amend Chapter 11.50 to incorporate gender-neutral language; and

WHEREAS, this Ordinance No. 2025 was introduced and read by title only at a duly-noticed public meeting of the San Rafael City Council on the 17th day of January 2023.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF SAN RAFAEL DOES ORDAIN AS FOLLOWS:

DIVISION 1. Chapter 11.50 of Title 11 of the Municipal Code of the City of San Rafael is hereby amended as follows. Additions are shown in underline and deletions in strikethrough.

Chapter 11.50 – PUBLIC WORKS CONTRACT POLICY

11.50.010 Purpose.

The purpose of this chapter is to establish procedures for the benefit and convenience of the city in the letting of public works contracts, which procedures are and shall be a part of every contract.
11.50.020 Definitions.

As used in this chapter, the following words are defined as follows:

A. "Contract work" means employment of workers by contract, including change orders. Contract work excludes employment of city employees and day work.

B. "Day work" means work performed by city employees and/or by the employment of workers paid by the city on a daily basis.

C. "Department" means the department of public works.

D. "Director" means the director of public works.

E. "Force account" means work performed by a contractor on a time and materials basis.

F. "Major contract" means any contract let by the city for the performance of public works in an amount exceeding one hundred twenty-five thousand dollars ($125,000.00), or such other amount as may be established from time to time by resolution of the city council.

G. "Minor contract" means any contract let by the city for the performance of public works in an amount of one hundred twenty-five thousand dollars ($125,000.00) or less, or such other amount as may be established from time to time by resolution of the city council.

H. "Public works" or "public works project" means:
   1. The construction, improvement, alteration, modification and repair of public buildings, works and facilities;
   2. Work in or about streams, bays, waterfronts, embankments or other works for protection against overflow;
   3. Construction of streets and related improvements including installation of lighting and signaling systems;
   4. Construction of drainage systems;
   5. Construction of parks, playgrounds and other recreational improvements, scenic improvements, and enhancement projects;
   6. Furnishing materials and supplies for any such project;
   7. Maintenance and repair of public works; and
   8. Other similar work.

I. "Professional services" means services such as, but not limited to, the services of attorneys, physicians, architects, engineers, surveyors and other consultants or individuals or organizations possessing a high degree of technical skill.

J. "Support systems" means any and all work performed or services rendered by independent contractors, with or without the furnishing of material, such as but not limited to: custodial services, building and equipment maintenance, machinery and equipment rental, and telephone, gas, water, electric light and power services.
11.50.030 Professional or support services—Chapter inapplicability.

This chapter has no application to the hiring of or contracting for professional or support services.

11.50.040 Encumbrance of funds.

No public works contract shall be approved for public works unless there exists an unencumbered appropriation in the fund account against which said contract is to be charged.

11.50.050 Contract requirements.

Except as otherwise provided by the San Rafael City Charter or ordinances pursuant thereto, the director or his their authorized representative may establish written requirements to be included in all public works contracts.

11.50.060 Letting of public works contracts.

All contracts for public works shall be let in accordance with this chapter and such rules and regulations as may be adopted by the director, or his their designee, to carry out the purposes of this chapter.

11.50.070 Competitive bidding.

All public works contracts shall be based on competitive bids unless otherwise provided in this chapter.

11.50.080 Emergency contracts.

Emergency contracts for public works may be made free of any of the bidding requirements of this chapter when determined and declared by the city that an emergency exists.

11.50.090 Exception to bidding requirement—Waiver.

A. Contracts in an amount not exceeding thirty thousand dollars ($30,000.00) established from time to time by resolution of the city council may be awarded and executed by the director without recourse to the competitive bidding provisions of this chapter.

B. The city council, after reviewing and considering the facts of a particular public works project, may waive the bidding requirements of this chapter by finding that any one or more of the following circumstances exist:

1. Limitations on the source or the scope and nature of the contract are such that no more than one contractor is available to meet the technical specifications and/or quality considerations of the project;

2. The work is of a highly specialized nature;

3. There would be no competitive advantage to requiring bidding for the contract;

4. The cost of the work would be significantly increased or its completion significantly delayed;
5. There exist other specific considerations justifying the waiver of the bidding requirements.

C. Contracts may be awarded and executed by the director without recourse to the competitive bidding provisions of this chapter if the director determines that an emergency exists which requires work to be performed within a shortened time frame. For purposes of this section, "emergency" means a sudden, unexpected occurrence that poses a clear and imminent danger, requiring immediate action to prevent or mitigate the loss or impairment of life, health, property, or essential public services.

11.50.100 Rejecting bids.

After the bids are received on a particular public works contract, the awarding authority may in its sole discretion reject any and all bids presented and may either readvertise bids or may have the work done by the awarding authority.

11.50.110 Contract award.

A. Bid Opening. Sealed bids shall be submitted to the city at the location specified in the public notice. The bids shall be so identified on the envelope with reference to the specific request inviting bids to which it relates. Bids shall be opened in public at the time and place stated in the public notice or in the request inviting bids. A tabulation of all bids received shall be open for public inspection during regular business hours for a period of not less than thirty (30) calendar days after the bid opening.

B. Tie Bids. If two (2) or more bids received are for the same total amount or unit price, the awarding authority may consider factors other than price and accept the one it chooses.

C. Awarding Authority. Bids on major contracts shall be awarded by the city council. Bids on minor contracts may be awarded by the director.

11.50.120 Bidder's security.

Unsuccessful bidders shall be entitled to the return of their security within thirty (30) days from execution of the contract by the city.

The successful bidder shall forfeit his security upon his failure to execute the contract within ten (10) days after the notice of award has been delivered personally or by mail. If the successful bidder fails to execute the contract, then the award may be made to the next lowest responsible bidder. The amount of the lowest bidder's security may then be applied by the city to the difference between the low bid and the next low bid, and the surplus, if any, shall be returned to the lowest bidder.

11.50.130 Indemnification.

The contractor shall defend, indemnify and hold harmless the city, its officers, agents and employees, from all claims, loss, damage, injury and liability of every kind, nature and description, directly or indirectly arising from the performance of
the contract or work, regardless of responsibility for negligence (including costs and expenses, which include attorney's fees, incurred in connection therewith) and from any and all claims, loss, damage, injury and liability, howsoever the same may be caused, resulting directly or indirectly from the nature of the work covered by the contract, regardless of responsibility for negligence (including costs and expenses, which include attorney's fees, incurred in connection therewith) but excluding liabilities due to the sole negligence or willful misconduct of the city.

11.50.140 Notice inviting bids.

Notice inviting bids shall include a general description of the project, the location where bid blanks and specifications may be secured, and the time and place for opening bids.

11.50.150 Major contracts—Bidding procedures.

A. Public Notice. Public notice inviting bids shall be published once at least ten (10) days before the date of opening the bids in a newspaper of general circulation printed and published in the city. In addition, the director or his/her their designee may issue public notice to the trade publications. The director or his/her their designee may waive the necessity to publish the invitation to bid in a newspaper published in the city if the scope and nature of the contract is such that contractors are not available in the local area, except that public notice by other appropriate means, including but not limited to notice in trade publications, shall be issued as determined by the director or his/her their designee.

B. Award of Contract. The contract shall be awarded to the lowest, responsive and responsible bidder.

C. Bid Security. All bidders shall furnish bidder's security in the amount of ten percent (10%) of the contract price by way of cash, cashier's check, certified check or bid bond in a form acceptable to the city.

11.50.160 Major contracts—Requirements.

A. Bonds. The successful bidder shall furnish the following bonds to the city within ten (10) days following notification of the award of the contract:

1. Performance bond in the amount of one hundred percent (100%) of the contract price;

2. Labor and materials bond in the amount of one hundred percent (100%) of the contract price;

3. Materials guaranty (maintenance) bond in the amount of fifty percent (50%) of the contract price. This bond shall unconditionally guarantee materials for a period of one year from and after the date of recordation of the notice of completion.

All bonds must be issued by a surety insurer, admitted in California, and must be issued in the form of a bond, not a deposit in lieu of a bond.
However, a certificate of deposit, may be substituted upon approval of the awarding authority.

B. Insurance. The contractor shall assume all responsibility for damage to property or injury to person(s) caused in any manner by his the contractor's performance under the contract, by any equipment furnished by him the contractor under the contract, or by the operation thereof. The contractor shall obtain and maintain, during the entire life of the contract, such public liability and property damage insurance satisfactory to the city and its attorney, as shall protect him the contractor and the city from loss, liability, or claims for damages or personal injury, including accidental death as well as for claims for property damage, which may arise from or out of performance of the contract, whether such performance be by himself the contractor, his the contractor's subcontractor(s), anyone directly or indirectly employed by him the contractor, or the city, its officers, agents or employees. The amount and requirements of such insurance shall be as follows:

1. Public liability insurance in an amount not less than five hundred thousand dollars ($500,000.00) per person, one million dollars ($1,000,000.00) per incident, or one million dollars ($1,000,000.00) combined single limit;

2. Professional liability (errors or omissions) insurance in a like amount, if applicable;

3. Public liability insurance for property damage in an amount not less than five hundred thousand dollars ($500,000.00);

4. Such policies shall name the city of San Rafael, its officers, employees and agents as additional insureds; said policies shall be primary insurance;

5. A current certificate of insurance shall be furnished to the director showing the required insurance coverage and providing for thirty (30) days written notice by registered mail to the city by the insurance company and the contractor, prior to cancellation or any change in policy coverage. Additionally, an endorsement to the policy specifically enumerating the additional insureds as stated in subsection (B)(4) of this section, shall be furnished to the director.

6. Workers compensation insurance and all employee taxes and employee benefits required by law shall be the sole responsibility of the contractor. Contractor shall provide written evidence of workers compensation insurance coverage.

The contractor's insurer must be an admitted insurer in the state of California. Upon request, contractor shall provide city a copy of any insurance policies mentioned in this section.

C. Wage Rates. Pursuant to the requirements of California Labor Code, Section 1771, the general prevailing wage rates in the locality in which
the work is to be performed, for each craft or type of worker needed to execute the contract, shall be followed.

D. Payments and Retention.

1. Method of payment may be set forth in the contract, otherwise no payment shall be made to the contractor until the contract is performed satisfactorily and the notice of completion is recorded by the city.

2. Ten percent (10%) of the contract price shall be retained from all contracts for a period of thirty-five (35) days from and after the date of recordation of the notice of completion unless otherwise specified in the contract. The director may determine a higher retention is necessary to cover any unpaid claims, provided proper stop notices, pursuant to the California Civil Code, of said claims have been filed in the office of the city finance director or the public works director.

E. Form of Contract. The contract document shall be the city's standard contract, for public works, as modified to the specifics of the project.

11.50.170 Minor contracts—Bidding procedures.

A. Public Notice. Proposals shall be solicited from at least three (3) contractors by telephone, written request, or by public notice pursuant to Sections 11.50.140 and 11.50.150(A). The contract shall be awarded to the lowest responsive and responsible bidder and shall be based on at least three (3) bids or proposals where possible.

B. Bid Security. Bidder's security in the amount of ten percent (10%) of the contract price may be required with the proposal if deemed necessary by the director.

11.50.180 Minor contracts—Requirements.

A. Bonds. The director or his/her their designee may require a performance bond, a materials and labor bond, and a maintenance bond before awarding a contract, in such amounts as he/she the director determines are reasonably necessary to provide for the best interest of the city. The form and amount of said bond(s) shall be described in the oral or written notice inviting bids.

B. Insurance. The contractor shall assume all responsibility for damage to property or injuries to person(s) caused in any manner by his the contractor's performance under the contract, by any equipment furnished by him the contractor under the contract, or by the operation thereof. The contractor shall obtain and maintain during the entire life of the contract such public liability and property damage insurance, satisfactory to the city and its attorney, as shall protect him the contractor and the city from loss liability, or claims for damages or personal injury, including accidental death as well as for claims for property damage, which may arise from or out of performance of the
contract, whether such performance be by himself the contractor, his the contractor's subcontractor(s) or anyone directly or indirectly employed by him the contractor, or by the city, its officers, agents or employees. The amount and requirements of such insurance shall be as follows:

1. Public liability insurance in an amount not less than five hundred thousand dollars ($500,000.00) per person, one million dollars ($1,000,000.00) per incident, or one million dollars ($1,000,000.00) combined single limit;

2. Professional liability (errors and omissions) insurance in a like amount, if applicable;

3. Public liability insurance for property damage in an amount not less than five hundred thousand dollars ($500,000.00);

4. Such policies shall name the city of San Rafael, its officers, employees and agents as additional insureds, said policies shall be primary insurance;

5. A current certificate of insurance shall be furnished to the director showing the required insurance coverage and providing for thirty (30) days written notice by registered mail to the city by the insurance company and the contractor prior to cancellation or any change in policy coverage. Additionally, an endorsement to the policy specifically enumerating the additional insureds as stated in subsection (B)(4) of this section, shall be furnished to the director;

6. Workers compensation insurance and all employee taxes and employee benefits required by law shall be the sole responsibility of the contractor. Contractor shall provide written evidence of workers compensation insurance coverage.

The contractor's insurer must be an admitted insurer in the state of California. Upon request, contractor shall provide copies of all insurance policies mentioned in this section.

C. Wage Rates. Pursuant to the requirements of California Labor Code Section 1771, the general prevailing wage rates in the locality in which the work is to be performed, for each craft or type of worker needed to execute the contract, shall be followed.

D. Payments and Retention.

1. No payment shall be made to the contractor until the contract is performed satisfactorily and the notice of completion is recorded.

2. Ten percent (10%) of the contract price may be retained as a labor and materials surety for a period of thirty-five (35) days from and after the date of recordation of the notice of completion unless the director, at any time, determines a higher retention is necessary to cover any unpaid claims, provided proper stop notices pursuant to the California Civil Code if said claims have been filed in the office of the city finance director or city public works director.
3. **Guarantee.** The contractor shall unconditionally guarantee all materials and workmanship for a period of one year following the notice of completion.

E. The contract document shall be the city’s standard contract or purchase order, as modified to the specifics of the particular purchase or project.

**11.50.190 No waiver.**

These procedures are for the benefit and convenience of the city. Failure to follow or enforce or expressly include the provisions of this chapter in the contract shall not be a waiver of the requirements of this chapter.

**DIVISION 2.**

All former ordinances or parts thereof conflicting or inconsistent with the provisions of this Ordinance or the Codes hereby adopted are hereby repealed.

**DIVISION 3.**

If any section, subsection, sentence, clause or phrase of this Ordinance is for any reason held to be invalid, such decision shall not affect the validity of the remaining portion of this Ordinance. The City Council of the City of San Rafael hereby declares that it would have adopted the Ordinance and each section, subsection, sentence, clause or phrase thereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses or phrases shall be declared invalid.

**DIVISION 4.**

The City Council finds that adoption of this Ordinance is exempt from the California Environmental Quality Act (CEQA), pursuant to 14 CCR Section 15061(b)(3), since it can be seen with certainty that there is no possibility that the adoption of this Ordinance may have a significant effect on the environment.

**DIVISION 5.**

This Ordinance shall be published once, in full or in summary form, before its final passage, in a newspaper of general circulation, published and circulated in the City of San Rafael and shall be in full force and effect 30 days after its adoption. If published in summary form, the summary shall also be published within fifteen (15) days after the adoption, together with the names of those Council members voting for or against same, in a newspaper of general circulation published and circulated in the City of San Rafael, County of Marin, State of California.

Within fifteen (15) days after adoption, the City Clerk shall also post in the office of the City Clerk, a certified copy of the full text of this Ordinance along with the names of those Council members voting for and against the Ordinance.

THE FOREGOING ORDINANCE was first read and introduced at a regular meeting of the San Rafael City Council on the 17th day of January 2023, and was passed and adopted at a
regular meeting of the San Rafael City Council on the 6th day of February 2023 by the following vote, to wit:

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

________________________________________
Kate Colin, Mayor

Attest:

________________________________________
LINDSAY LARA, City Clerk
SUMMARY OF ORDINANCE NO. 2025

AN ORDINANCE OF THE CITY OF SAN RAFAEL CITY COUNCIL AMENDING CHAPTER 11.50 OF TITLE 11 OF THE SAN RAFAEL MUNICIPAL CODE, TITLED PUBLIC WORKS CONTRACT POLICY

This Summary concerns a proposed Ordinance of the City Council of the City of San Rafael, designated as Ordinance No. 2025, which will amend Chapter 11.50 of Title 11 of the City of San Rafael Municipal Code, as detailed in the complete text of Ordinance No. 2025.

Ordinance No. 2025 is scheduled for adoption by the San Rafael City Council at its regular meeting of February 6, 2023. The City Clerk has been directed to publish this Summary pursuant to City Charter and California Government Code section 36933(c)(1).

SUMMARY OF AMENDMENT TO MUNICIPAL CODE

This Ordinance would amend Chapter 11.50 of the San Rafael Municipal Code. The chapter provides separate bidding and awarding procedures for “minor contracts” and “major contracts” and permits an exception to the bidding requirements for contracts not to exceed a certain amount. The amendments remove the dollar amount limit for minor construction contracts, replace the dollar limit to except contracts from competitive bidding, and incorporate gender-neutral language changes.

For a complete copy of the text of the Ordinance amending the Municipal Code, please contact the City Clerk’s Office at city.clerk@cityofsanrafael.org or by phone at (415) 485-3066. Copies of the Ordinance containing this Municipal Code amendment are also available for public review at the San Rafael City Clerk’s office, 1400 Fifth Avenue, 2nd Floor, Room 209, Monday through Thursday from 9:00 a.m. to 4:00 p.m., and on Fridays by appointment only.

/s/ Lindsay Lara
LINDSAY LARA, City Clerk
San Rafael City Clerk
Dated: 1/20/23
SAN RAFAEL CITY COUNCIL AGENDA REPORT

Department: Community Development

Prepared by: Alicia Giudice, Director
Alexis Captanian, Housing Analyst

City Manager Approval: ________________________

TOPIC: 2021 AFFORDABLE HOUSING NOFA FUNDING RECOMMENDATION – CANAL ALLIANCE ALTERNATIVE SITE ACQUISITION

SUBJECT: RESOLUTION AMENDING RESOLUTION 15041 BY AUTHORIZING THE EXPENDITURE OF FUNDS FOR ACQUISITION OF AN ALTERNATIVE SITE AT 105 CANAL STREET, IN FULFILLMENT OF THE AFFORDABLE HOUSING TRUST FUND 2021 NOTICE OF FUNDING AVAILABILITY (NOFA)

EXECUTIVE SUMMARY: In response to the Notice of Funding Availability (NOFA) that the City issued on November 12, 2021 for development or preservation of affordable housing, the City received a funding request from Canal Alliance for the acquisition of a property on Belvedere Street. On March 7, 2022, the City Council authorized a $400,000 loan from the Housing In-Lieu Fee Fund (#243) for the Canal Alliance for acquisition of the property on Belvedere Street and provided a 24-month period in which the City Council could award the funding to an alternative site at its sole discretion upon request from Canal Alliance. Canal Alliance did not acquire the site identified in its original application and has identified an alternative site within the 24-month timeframe. Staff has reviewed a revised application from Canal Alliance using the evaluation criteria listed in the Guidelines for the Administration of the Affordable Housing Trust Fund.

RECOMMENDATION:
Adopt a resolution amending Resolution 15041 by authorizing the expenditure of $400,000 in funds from the Affordable Housing In-Lieu Fee Fund (Fund #243) and funds from the same account to complete all documents associated with funding a loan for a 100% affordable housing project at 105 Canal Street in fulfillment of the Affordable Housing Trust Fund 2021 NOFA.

BACKGROUND:
The City of San Rafael is committed to creating and maintaining housing that is affordable to the San Rafael workforce, including lower and moderate-income individuals, as well as families and older adults, and community members currently or formerly experiencing homelessness. To support the efforts of affordable housing developers, the City maintains an Affordable Housing Trust Fund and periodically issues a NOFA to receive responses and evaluate the needs of sponsors seeking funding from the City for the development and preservation of affordable housing.
On November 12, 2021, the Community Development Department issued a Notice of Funding Availability (NOFA) for the acquisition/rehabilitation or new development of 100% affordable rental or ownership housing projects and invited qualified affordable housing sponsors to submit requests for funding for construction or preservation of affordable housing, with an application deadline of December 23, 2021. The City received four responses to the NOFA, including a funding request from Canal Alliance for the acquisition of a property on Belvedere Street.

On March 7, 2022, the City Council adopted Resolution 15041, authorizing a $400,000 loan from the Housing In-Lieu Fee Fund (#243) for the Canal Alliance for acquisition of the property on Belvedere Street, and providing a 24-month period in which the City Council could award the funding to an alternative site at its sole discretion upon request from Canal Alliance. Canal Alliance did not acquire the site identified in its original application and has identified an alternative site at 105 Canal within the 24-month timeframe. Canal Alliance has executed a purchase and sale agreement for the 105 Canal property.

In January 2023, City staff reviewed and evaluated the revised NOFA application using the criteria and guidelines provided in the NOFA and in Section 5 of City Council Resolution No. 14760, Guidelines for the Administration of the Affordable Housing Trust Fund. Based on this review, staff is recommending awarding the previously authorized funding to the alternative site at 105 Canal Street.

**ANALYSIS:**

The funding request is an opportunity to preserve affordable housing. The sponsor (Canal Alliance) has requested $400,000 to purchase a multifamily property at 105 Canal Street in the Canal neighborhood. Built in 1963, the existing three-story apartment complex has 12 units, none of which are currently income restricted. A third of the units are three-bedroom apartments, providing housing for larger families.

<table>
<thead>
<tr>
<th>Address (Project Type)</th>
<th>Request</th>
<th>Sponsor</th>
<th>Total Cost</th>
<th>Units</th>
<th>Total City Funding</th>
<th>City Funding Per Unit</th>
</tr>
</thead>
<tbody>
<tr>
<td>105 Canal St (Acquisition)</td>
<td>Acquisition</td>
<td>Canal Alliance</td>
<td>$3,448,600</td>
<td>12</td>
<td>$400,000</td>
<td>$33,333</td>
</tr>
</tbody>
</table>

**Affordability Level**

The project would ultimately be restricted to an average building AMI of at or below 60% of Marin County Area Median Income set by the United States Department of Housing and Urban Development (HUD AMI) as published by the Marin Housing Authority. The average affordability, however, would be achieved over time as households move. At acquisition the building would qualify for the loan if the in-place tenant household income average is at or below an average of up to 80% AMI. Upon vacancy, units would be income restricted to households earning at or below 60% AMI. In this way, the project would prevent displacement while preserving the affordability of an existing building in an area experiencing rising rents. Future plans could include converting the apartments to affordable ownership, at which time the City’s loan would be repaid and the units would be restricted as affordable in perpetuity through the Below Market Rate (BMR) housing program.
Funding and Site Control

Staff recommends providing $400,000 in funds from the Affordable Housing In-Lieu Fee Fund for the alternative site and adding to the loan principal the City’s legal costs associated with processing the loan, which are estimated to be approximately $5,000.

The sponsor has executed a purchase and sale agreement for the site, and would use City funds in collaboration with funds from Canal Alliance, several other grants, and loan sources to execute the acquisition. Funding sources for the acquisition are summarized in the chart below.

<table>
<thead>
<tr>
<th>Sources of Funding</th>
<th>Status</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Loan from City of San Rafael (2021 NOFA)</td>
<td>Authorized, Pending</td>
<td>$400,000</td>
</tr>
<tr>
<td>Canal Alliance</td>
<td>Confirmed</td>
<td>$88,600</td>
</tr>
<tr>
<td>Grant Capital from La Raza Development Fund</td>
<td>Confirmed</td>
<td>$250,000</td>
</tr>
<tr>
<td>Grant from Marin Community Foundation</td>
<td>Confirmed</td>
<td>$500,000</td>
</tr>
<tr>
<td>Grant from TamPacific</td>
<td>Pending</td>
<td>$130,000</td>
</tr>
<tr>
<td>RE Loan (Marin Community Foundation)</td>
<td>Pending</td>
<td>$2,080,000</td>
</tr>
<tr>
<td><strong>Total Sources</strong></td>
<td></td>
<td><strong>$3,448,600</strong></td>
</tr>
</tbody>
</table>

FISCAL IMPACT:

Approval of the recommendation will result in a fiscal impact to the Affordable Housing In-Lieu Fee Fund, Fund #243, of $400,000. Presently there is $1,440,663 available in the Affordable Housing In-Lieu Fee Fund. If the recommendation is funded in full, this will leave $1,040,663 unencumbered in the fund. The fund receives revenues in the form of payments made in-lieu of including affordable housing in new residential projects subject to the City’s affordable housing requirements. The fund also receives affordable housing linkage fee payments from certain commercial projects based on the projected affordable housing need created by the new commercial project.

The funding approved by the City Council will be issued through a residual receipt loan at between 1.5% to 3.0% simple interest, depending on the financing needs of the project, for a minimum affordability term of 55 years. Repayment of the loan and accrued interest will depend on the amount of net proceeds remaining each year after allowable projects costs. The total life of the loan will be 55 years. The loan will be due in full along with any interest accrued at the end of the affordability term. The City’s loan documents will include a clause that if excess funds remain once the project is completed that those funds be used to pay down the City’s loan. The City may waive its right upon request from the sponsor to use the funds to pay down other debt in the project.

OPTIONS:
The City Council has the following options to consider on this matter:

1. Staff’s recommended action, which is to adopt the resolution.
2. Adopt a modified resolution.
3. Direct staff to provide additional information.
4. Take no action.
RECOMMENDED ACTION:
Adopt the resolution.

ATTACHMENTS:
1. Resolution
RESOLUTION NO.

RESOLUTION AMENDING RESOLUTION 15041 BY AUTHORIZING THE EXPENDITURE OF FUNDs FOR ACQUISITION OF AN ALTERNATIVE SITE AT 105 CANAL STREET, IN FULFILLMENT OF THE AFFORDABLE HOUSING TRUST FUND 2021 NOTICE OF FUNDING AVAILABILITY (NOFA)

WHEREAS, on January 21, 2020, the City Council adopted Resolution No. 14760, establishing Guidelines for the Administration of the Affordable Housing Trust Fund; and

WHEREAS, on November 12, 2021, the City issued a Notice of Funding Availability (NOFA) for funding from the Housing In-Lieu Fee Fund to support affordable housing, with an application deadline of December 23, 2021 by 5:00pm; and

WHEREAS, the City received four responses to the NOFA, including a funding request from Canal Alliance for the acquisition of a property on Belvedere St.; and

WHEREAS, on March 7, 2022, the City Council adopted Resolution 15041, authorizing a $400,000 loan from the Housing In-Lieu Fee Fund (#243) for the Canal Alliance for acquisition of the property on Belvedere St., and providing a 24-month period in which the City Council could award the funding to an alternative site at its sole discretion upon request from Canal Alliance; and

WHEREAS, Canal Alliance did not acquire the site identified in its original application and has identified the property at 105 Canal Street as an alternative site within the 24-month timeframe; and

WHEREAS, a revised application has been reviewed using the evaluation criteria listed in Section 5 of the Guidelines for the Administration of the Affordable Housing Trust Fund; and

WHEREAS, based upon this evaluation criteria and the needs for local support for the development of affordable housing, a funding recommendation has been developed; and

WHEREAS, the City has sufficient funds in the Housing In-Lieu Fee Fund #243 to issue the loan included in the recommendation and the funding request included in the funding recommendation meets the criteria for use of the funds.

NOW, THEREFORE, BE IT RESOLVED, that the City Council of the City of San Rafael hereby amends the entirety of Paragraph i of Resolution 15041, Section 1 as follows:

i. $400,000 loan from the Housing In-Lieu Fee Fund (#243) for the Canal Alliance for acquisition of the 12-unit apartment building at 105 Canal St. The project will be restricted at an average of at or below 60% of Marin County Area Median Income set by the United States Department of Housing and Urban Development (HUD AMI) as published by the Marin Housing Authority. The average affordability in the project, however, will be achieved over time through attrition as households move. At acquisition, the building shall qualify for the loan if the in-place tenant household income average is at or below an average of up to 80% AMI. Upon vacancy, units shall be income restricted to individuals and households earning at or below 60% AMI.

Resolution 15041 remains otherwise unchanged.
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 said City held on
Monday the 6th day of February 2023, by the following vote, to wit:

AYES: COUNCILMEMBERS:

NOES: COUNCILMEMBERS:

ABSENT: COUNCILMEMBERS:

LINDSAY LARA, City Clerk
SAN RAFAEL CITY COUNCIL AGENDA REPORT

Department: Public Works

Prepared by: April Miller, Public Works Director

City Manager Approval:

File No.:

TOPIC:
CREEK MAINTENANCE AGREEMENT FOR MARIN COUNTY FLOOD CONTROL ZONE NO. 6

SUBJECT:
ADOPT A RESOLUTION AUTHORIZING THE CITY MANAGER TO ENTER INTO THE CREEK MAINTENANCE AGREEMENT FOR THE FIVE-YEAR MAINTENANCE OF DRAINAGE CHANNELS WITHIN THE CITY OF SAN RAFAEL AND FLOOD CONTROL ZONE NO. 6 OF THE MARIN COUNTY FLOOD AND WATER CONSERVATION DISTRICT

RECOMMENDATION:
Staff recommends that the City Council adopt the resolution approving and authorizing the City Manager to execute a creek maintenance agreement with the Marin County Flood Control and Water Conservation District ("District") for the period of July 1st, 2022 to June 30th, 2027 within waterways and drainage areas of the City of San Rafael and Flood Control and Water Conservation District Zone Number 6 ("Zone 6").

BACKGROUND:
From 2017 to 2022, DPW maintenance crews provided vegetation and sediment maintenance work and debris removal management for various drainage channels and waterways within Zone 6 (See Maintenance Sites – Attachment 2). Work was conducted in accordance with a 5-year creek maintenance agreement that had been in effect from 2017 to 2022, which defined the nature of work performed, the location and timing of all work to be completed, and any applicable reimbursable expenses between the District and the City. A new maintenance agreement is required to define the parameters for the period of July 1st, 2022 to June 30th, 2027.

ANALYSIS:
City staff met regularly with District staff and members of the Zone 6 Advisory Board to determine mutually agreeable terms and conditions for the upcoming five-year maintenance agreement (see Attachment 2 – Maintenance Agreement). Staff from both agencies agreed to the current work maintenance requirements stipulated in the previous agreement, including work to be fulfilled during certain times of the fiscal year to meet compliance with State and Federal regulations.
Given the rising costs of supplies, material and labor due to inflation and supply chain issues in 2022, City staff requested a substantial increase of reimbursable funds from the District, from $8,000 per fiscal year, to $28,000 per fiscal year. City staff negotiated terms regarding public notices and communications, contracted bidding services, maintenance records and reimbursement stipulations, and the responsibility to apply for and maintain all applicable Local, State and Federal permissions to perform routine maintenance and emergency response work activities within the district.

ENVIRONMENTAL DETERMINATION:
As part of a larger permitting effort for all maintenance work conducted by Department of Public Works (DPW) staff for maintenance and emergency services response efforts, City staff will contract with a professional services consultant to complete all environmental monitoring, assessments and impact analysis studies required of any state, local, and federal permitting agency to conduct the work prescribed in the maintenance agreement. At this time, City staff have found there to be no environmental impact from routine vegetation and sediment management or debris removal work conducted by DPW maintenance crews in the prescribed work areas.

COMMUNITY OUTREACH:
City staff worked closely with Zone 6 staff and Board members to draft a new five-year maintenance agreement.

FISCAL IMPACT:
The District agrees to pay the City up to $28,000 per fiscal year in reimbursable expenses, for a total of $140,000 for the total five-year term of the agreement. City staff have estimated this to be a fair reimbursable rate for DPW maintenance crew staff time.

OPTIONS:
The City Council has the following options to consider on this matter:

1. Adopt the resolution as presented and approve the City Manager to enter the agreement with the Marin County Flood Control and Water Conservation District.
2. Do not accept the resolution and direct staff to amend the creek maintenance agreement.
3. Do not accept the resolution, reject the creek maintenance agreement and provide further direction to staff.

RECOMMENDED ACTION:
Adopt the resolution.

ATTACHMENT:
1. Resolution
2. Draft Creek Maintenance Agreement, Maintenance Sites, Map
RESOLUTION NO.

A RESOLUTION OF THE SAN RAFAEL CITY COUNCIL AUTHORIZING THE CITY MANAGER TO ENTER INTO THE CREEK MAINTENANCE AGREEMENT FOR THE FIVE-YEAR MAINTENANCE OF DRAINAGE CHANNELS WITHIN THE CITY OF SAN RAFAEL AND FLOOD CONTROL ZONE NO. 6 OF THE MARIN COUNTY FLOOD AND WATER CONSERVATION DISTRICT

WHEREAS, the City of San Rafael and the Marin County Flood Control and Water Conservation District have in common the power to maintain, repair, and manage drainage channels within the Flood Control Zone No. 6 for the protection of the public; and

WHEREAS, on November 15, 2017, the City of San Rafael and the Marin County Flood Control and Water Conservation District entered into a five-year agreement to cooperate on the maintenance of the drainage channels within the City of San Rafael and Flood Control District Zone No. 6.; and

WHEREAS, the City of San Rafael desires to continue to cooperate with the Marin County Flood Control and Water Conservation District and enter into a five-year agreement on the maintenance of the drainage channels within the City of San Rafael and Flood Control District Zone No. 6.

NOW, THEREFORE, BE IT RESOLVED by the City Council of San Rafael that the City Manager is hereby authorized to enter into the Creek Maintenance Agreement for the five-year maintenance of drainage channels within the City of San Rafael and Flood Control Zone No. 6 of the Marin County Flood and Water Conservation District, for the time period of July 1, 2022 through June 30, 2027, in a form approved by the City Attorney.

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 6th day of February 2023 by the following vote, to wit:

AYES: Councilmembers:
NOES: Councilmembers:
ABSENT: Councilmembers:

Lindsay Lara, City Clerk
CREEK MAINTENANCE AGREEMENT
FOR THE FIVE-YEAR MAINTENANCE OF VARIOUS DRAINAGE CHANNELS, AND PORTIONS THEREOF, WITHIN THE CITY OF SAN RAFAEL AND FLOOD CONTROL ZONE NO. 6 OF THE MARIN COUNTY FLOOD CONTROL AND WATER CONSERVATION DISTRICT

This CREEK MAINTENANCE AGREEMENT, hereinafter the “AGREEMENT,” made and entered into on the dates shown below by and between the MARIN COUNTY FLOOD CONTROL AND WATER CONSERVATION DISTRICT, a political subdivision of the State of California hereinafter referred to as “DISTRICT,” and the CITY OF SAN RAFAEL, political subdivision of the State of California, hereinafter referred to as “CITY.”

REQUITALS

WHEREAS, CITY and DISTRICT have in common the power to maintain, repair, and manage drainage channels for the protection of the public; and

WHEREAS, on November 15, 2017, CITY and DISTRICT entered into an agreement to cooperate on the maintenance of the drainage channels with the City of San Rafael and Flood Control District Zone No. 6.

WHEREAS, CITY and DISTRICT desire to continue to cooperate on the maintenance of the drainage channels within the City of San Rafael and Flood Control District Zone No. 6 on the terms set forth herein.

NOW, THEREFORE, IT IS MUTUALLY AGREED AS FOLLOWS:

1. CITY responsibilities:

   a) The CITY shall perform vegetation and sediment maintenance work and debris removal on the portions of the drainage channels listed as Maintenance Sites in Exhibit “A,” attached hereto. Such maintenance work includes vegetation management (limbing and trimming trees and shrubs) and debris removal, which affords proper drainage channel maintenance including, but not limited to, storm related work/emergency response. The CITY must obtain the appropriate Local, State and Federal permits for all work, in addition to any permission required by SMART.

   b) The CITY shall perform the maintenance work described in subparagraph (a) as needed to maintain proper drainage during the Fiscal Year periods from July 1st, 2022 to June 30th, 2027. The timing of vegetation and sediment maintenance in non-tidal areas is limited to August 1 through October 15 of each year. The timing of vegetation and sediment maintenance in tidal areas is limited to September 1 through October 15 of each year, in accordance with State and Federal authorized work windows for the endangered Ridgway’s Rail bird. Work in tidal areas outside of the September 1 to October 15 period may only be performed for storm related or emergency response purposes, and City must notify regulatory agencies of emergency work in the manner required by agencies with jurisdiction.

   c) The CITY may perform vegetation management work in drainage channels for fire fuel reduction purposes outside of the time periods specified in paragraph (b). CITY may request reimbursement from DISTRICT for vegetation management work for fire fuels management for the sites listed in Exhibit “A” only. The CITY is responsible for obtaining any necessary permits and permissions to conduct this fuel reduction.
d) The CITY shall invite Conservation Corps North Bay (“CCNB”) to submit proposals for work in-channel.

e) The CITY shall notify the adjacent neighborhoods on NextDoor at least one (1) week prior to the commencement of the maintenance work described in subparagraph (a) above. The notification shall advise the date and time said maintenance work is scheduled to commence and the approximate amount of time expected to complete said maintenance work.

f) The CITY must obtain all required permits and submit copies of such permits to DISTRICT upon request. CITY must obtain Waste Discharge/Water Quality Certification and Lake and Streambed Alteration Agreement permits for removal of native vegetation or large woody debris (“Vegetation Management”) for the purpose of increasing flow capacity of channels. CITY’s cost to obtain permits are reimbursable by DISTRICT through submission of invoices including staff time, permitting fees, and/or related consultant fees.

g) The CITY shall notify DISTRICT’S Contract Manager, as set forth below in Paragraph 3, at least five (5) working days prior to the commencement of the maintenance work described in subparagraph (a) above, such that DISTRICT may inspect the maintenance work during the course of its performance. For emergency response work, the CITY shall notify DISTRICT within 2 business days after the work is carried out.

h) The CITY shall charge DISTRICT for maintenance work at the rate charged by the CITY’s creek maintenance contractor, as evidenced by invoices.

i) The CITY shall keep and maintain records, for DISTRICT’s examination, of all personnel, material, equipment, fees, and/or outside services which CITY utilizes in the performance of said maintenance work and any associated permitting work.

j) The CITY shall submit a billing or invoices on or before May 1 of each fiscal year to DISTRICT for maintenance work completed during the prior summer and any emergency storm response related creek maintenance completed during the winter prior; said billing shall include an accounting of all charges for personnel, material, equipment and/or outside services which CITY shall have used for the performance of work; it being specifically understood that CITY shall not for any reason whatsoever bill or claim any amount in excess of the annual amount or 5 year aggregate amount stated in paragraph 2(a) of this agreement.

k) The CITY shall submit with said billing a list identifying the specific reaches of drainage channels maintained, date(s) maintained, photos of before and after; the types and quantities of materials removed.

l) The CITY shall indemnify, defend and hold harmless DISTRICT, its officers, agents and employees from and against any and all claims and losses whatsoever arising out of or connected with this Agreement, including, but not limited to CITYs or any contractor hired by City to perform its duties under this Agreement, negligence, recklessness, or willful misconduct in the performance of this Agreement, or by intentional failure to perform hereunder.

m) The CITY shall comply with all Federal, State and local requirements, and secure all necessary permissions, permits and/or licenses for, and as part of, performing said maintenance work.
2. DISTRICT responsibilities:

a) The DISTRICT shall pay to CITY within ninety (90) days upon the satisfactory completion of said maintenance work, and upon receiving and auditing the billing therefor and forms and/or permit information listed in paragraph 1(f), the cost of performing such work, a sum no more than $28,000 per fiscal year (July 1st – June 30th) for a total sum not to exceed $140,000 over the full 5-year period of this Agreement.

b) The DISTRICT reserves the right to inspect CITY’s work and environmental regulatory compliance-related submittals and to decide not to compensate the CITY for maintenance claimed if the work does not meet the requirements of any environmental regulatory agencies with jurisdiction or if the work is outside the scope of this agreement per paragraph 1.a) and Exhibit “A”.

c) The DISTRICT shall respond in a timely manner to requests for information related to this Agreement.

3. This Agreement shall be managed and administered on DISTRICT’S behalf by the Contract Manager named below:

<table>
<thead>
<tr>
<th>Contract Manager:</th>
<th>Hannah Lee</th>
</tr>
</thead>
</table>
| Address:          | Marin County Flood Control and Water Conservation District  
P.O. Box 4186 Room 304  
San Rafael, CA 94913-4186 |
| Telephone:        | (415) 342-5033 |
| Email:            | floodingquiry@marincounty.org  
send invoices to  
dpfwfloodinvoices@marincounty.org |

4. This Agreement shall be managed and administered on CITY’S behalf by the Contract Manager(s) named below:

<table>
<thead>
<tr>
<th>Contract Manager:</th>
<th>April Miller, Public Works Director</th>
</tr>
</thead>
</table>
| Address:          | City of San Rafael  
Department of Public Works  
1400 Fifth Avenue  
San Rafael, CA 94901 |
| Telephone:        | (415) 485-3355 |

5. The term of this Agreement begins on July 1, 2022 and shall be in effect until June 30, 2027, or until all of the Parties obligations under this Agreement are fully satisfied, including DISTRICT’s final payment for said maintenance work. Either Party can terminate this Agreement at any time by providing ninety (90) days written notice to the other Party. CITY shall be compensated for all services performed during the term of the Agreement, including the notice period.

6. The parties have set forth the whole of their Agreement with respect to the subject matter hereof. This Agreement supersedes all prior oral or written negotiations, representations, or agreements. This Agreement may not be modified or amended, nor any provision or breach waived, except in a writing signed by both parties which expressly refers to this Agreement.
APPROVED AS TO FORM: "CITY"

______________________________  ____________________________
CITY Attorney                    CITY Manager

Date: __________________________

ATTEST: "DISTRICT"

______________________________  ____________________________
Clerk, County of Marin           President, Board of Supervisors
                                  Marin County Flood Control and
                                  Water Conservation District

Date: __________________________
EXHIBIT "A"
MARIN COUNTY FLOOD CONTROL & WATER
CONSERVATION DISTRICT CREEK
MAINTENANCE AGREEMENT 2022-2027

MAINTENANCE SITES

<table>
<thead>
<tr>
<th>Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>Creek between El Prado and Mirada Aves</td>
</tr>
<tr>
<td>Merrydale Ditch</td>
</tr>
<tr>
<td>Corrillo Dr Ditches (403/405 and 26/24)</td>
</tr>
<tr>
<td>Creek between 380 Merrydale and 3833 Redwood Hwy</td>
</tr>
<tr>
<td>Concrete Channel from Los Ranchitos Rd to railroad track</td>
</tr>
</tbody>
</table>
EXHIBIT "A" MAP
MARIN COUNTY FLOOD CONTROL & WATER CONSERVATION DISTRICT
DRAINAGE MAINTENANCE AGREEMENT 2022-2027

Zone 6 Creek Maintenance Sites*

- Maintenance by City of San Rafael
- Stream
- Road
- Parcel
- Zone 6

MAP IS REPRESENTATIONAL ONLY. DATA ARE NOT SURVEY ACCURATE.

*Maintenance Sites include the entire reach of creek drainage between the "beginning of reach" and "end of reach" including all public property and easements and right-of-ways and specifically excepting privately held properties.
PROCLAMATION OF THE CITY COUNCIL OF THE CITY OF SAN RAFAEL
PROCLAIMING THE MONTH-LONG CELEBRATION OF
BLACK HISTORY MONTH IN FEBRUARY

WHEREAS, In 1976, as part of the nation’s bicentennial, Black History Week was expanded and established as Black History Month, and people across the United States and abroad have dedicated the month of February to honor and uplift the often overlooked accomplishments of Black Americans in every area of endeavor throughout our history; and

WHEREAS, Black culture and Black experience are fibers woven into American culture and Black stories play an essential role in the ongoing story of the United States, and it is paramount to recognize and acknowledge the historical and present obstacles and injustices facing Black Americans and celebrate the leadership, contributions, legacies, and achievements of Black Americans; and

WHEREAS, The Black History Month theme for 2023 is Black Resistance: Building Bridges and Navigating Barriers, and this theme highlights the legacy of how African Americans have resisted historic and ongoing systemic oppression; and

WHEREAS, The 2023 theme emphasizes the energy and drive to advocate for agency and justice through sit-ins, boycotts, protests, and legislation, and celebrates the achievements and successes of Black Americans across the fields of education, science, politics, medicine, finance, media, and more; and

WHEREAS, San Rafael celebrates the contributions of Black Americans in the City and throughout our nation, and recognizes the struggle and breakthrough from historical efforts to undermine Black and African pathways to success, and commits to allyship and to educate staff and the community on anti-racism, equity, and inclusion; and

WHEREAS, The City Council of the City of San Rafael, is proud to recognize Black History Month, and urges all residents of San Rafael to join in celebrating the accomplishments of African Americans and the actions of resistance, perseverance, and success.

NOW, THEREFORE, The City Council of the City of San Rafael Hereby Proclaims the month of February 2023 as Black History Month and recognizes the historic drive for equity and accomplishments African Americans have achieved and the many ongoing contributions made to society and our local community across Marin County and San Rafael.

Kate Colin
Mayor
SAN RAFAEL CITY COUNCIL AGENDA REPORT

Department: Finance
Prepared by: Nadine Atieh Hade, Administrative Services Director
City Manager Approval: 

TOPIC: INTERIM FINANCIAL UPDATE AND BUDGET AMENDMENTS TO REFLECT OPERATIONAL ACTIVITY; MID-YEAR PERSONNEL CHANGES

SUBJECT: (1) FISCAL YEAR 2022-2023 INTERIM FINANCIAL UPDATE
(2) RESOLUTION ADOPTING AMENDMENTS TO THE 2022-2023 BUDGET AND APPROVING MID-YEAR PERSONNEL CHANGES

RECOMMENDATION: Adopt the Resolution.

BACKGROUND: The Finance Department performs an ongoing review of the City’s financial performance and provides updates on the City’s financial condition to City Management. This report presents the City’s financial condition in the current fiscal year (2022-2023) based on actual revenue and expenditure performance for the period July 1 through December 31, 2022, and City Council budget actions taken through December 19, 2022, as compared to the budget approved by City Council on June 21, 2022.

Based on this review and analysis, revisions are recommended to address the following categories:
(1) Revenue projections
(2) Expenditure plan changes

In addition, personnel changes are being recommended for mid-year implementation.

ANALYSIS:

GENERAL FUND:

Revenues and Other Sources:

There have been no recommended changes to revenue and other funding sources since the budget was approved. Based on the activity of the first six months of the fiscal year, staff is forecasting increased
revenues of approximately $1,500,000. This increase is directly attributable to the updated sales tax forecast performed by our sales and use tax consultants and larger than anticipated first quarter receipts. During the first quarter of fiscal year 2022-23, the City benefitted from a large taxpayer correction related to the allocation of sales tax dollars from the County pools that resulted in an additional $1 million allocation to the City. Although there is cause for caution given certain macro-economic conditions, the state economy is still trending positive through the first part of our fiscal year and any economic pull-back is projected to impact fiscal year 2023-24 more than the current year.

Expenditures and Other Uses:

As a result of staffing shortages experienced in public safety due to vacant positions, injury, and illness, the departments are projected to require further appropriations for overtime by fiscal year end. Staff recommends appropriating an additional $1,000,000 to ensure adequate funding for public safety.

We are seeing trends of expenditures outpacing revenues in the areas of Childcare, Parking, and Liability programs through the first half of the year. Should these trends persist, we may seek additional appropriations to bolster the respective fund balances at year-end.

Operating Results:

The proposed increase to revenues of $1,500,000, in addition to the proposed increase in appropriations of $1,000,000, brings the recommended revised budget to a net positive result of $1,765,099 for Fiscal Year 2022-23. With the replenishment to the Emergency Reserve Fund in the amount of $322,570, net unassigned funds, otherwise known as surplus, at year-end are expected to increase by $1,442,529. Given the positive activity in revenues, staff will continue to financially plan for and invest in the City’s goals and objectives. This may result in the request of additional appropriations throughout the remainder of the year. See Table 1 for additional details.

Table 1 – Status of the General Fund

<table>
<thead>
<tr>
<th>General Fund</th>
<th>Adopted Budget FY 2022-23</th>
<th>Approved Changes</th>
<th>Current Budget</th>
<th>Proposed Changes</th>
<th>Revised Budget</th>
</tr>
</thead>
<tbody>
<tr>
<td>Revenues</td>
<td>95,870,730</td>
<td>-</td>
<td>95,870,730</td>
<td>1,500,000</td>
<td>97,370,730</td>
</tr>
<tr>
<td>Transfers in</td>
<td>1,770,072</td>
<td></td>
<td>1,770,072</td>
<td>-</td>
<td>1,770,072</td>
</tr>
<tr>
<td>Total Resources</td>
<td>97,640,802</td>
<td>-</td>
<td>97,640,802</td>
<td>1,500,000</td>
<td>99,140,802</td>
</tr>
<tr>
<td>Expenditures</td>
<td>91,943,644</td>
<td>-</td>
<td>91,943,644</td>
<td>1,000,000</td>
<td>92,943,644</td>
</tr>
<tr>
<td>P.O. Rollover</td>
<td>-</td>
<td>475,859</td>
<td>475,859</td>
<td>-</td>
<td>475,859</td>
</tr>
<tr>
<td>Operating Transfer out</td>
<td>3,307,000</td>
<td>649,200</td>
<td>3,956,200</td>
<td>-</td>
<td>3,956,200</td>
</tr>
<tr>
<td>Total Appropriations</td>
<td>95,250,644</td>
<td>1,125,059</td>
<td>96,375,703</td>
<td>1,000,000</td>
<td>97,375,703</td>
</tr>
<tr>
<td>Net Result</td>
<td>2,390,158</td>
<td>(1,125,059)</td>
<td>1,265,099</td>
<td>500,000</td>
<td>1,765,099</td>
</tr>
</tbody>
</table>

Allocations

| Use/(Source) of Emergency Reserves | (165,454) | - | (165,454) | (157,116) | (322,570) |
| Unassigned Funds Available        | 2,224,704 | (1,125,059) | 1,099,645 | 342,884 | 1,442,529 |

The changes to General Fund Resources and Appropriations are summarized in Tables I and II of Exhibit I to the attached Resolution.
OTHER FUNDS:

The adopted budgeted appropriations for Other Funds, including carryforward of funds approved in prior years and changes approved since July 1, 2022, total $92,334,483. Approved changes to appropriations of $15,781,361 have increased this total to $108,115,844 as of December 31, 2022. These expenditures are primarily in the areas of infrastructure and maintenance (e.g., streets, storm drain and buildings). Key projects contributing to the use of funds are San Quentin Pump Station Reconstruction, Third Street Rehabilitation, and construction on Fire Stations 54 and 55.

Table 2 presents the adopted budget, approved changes and proposed changes to the FY 2022-23 Other Funds budget.

Table 2 – Other Funds Adopted Budget and Proposed Changes

<table>
<thead>
<tr>
<th>Other Funds</th>
<th>Adopted Budget FY 2022-23</th>
<th>Approved Changes</th>
<th>Current Budget</th>
<th>Proposed Changes</th>
<th>Revised Budget</th>
</tr>
</thead>
<tbody>
<tr>
<td>Revenues</td>
<td>77,022,806</td>
<td>4,531,026</td>
<td>81,553,832</td>
<td>-</td>
<td>81,553,832</td>
</tr>
<tr>
<td>Transfers in</td>
<td>3,392,000</td>
<td>649,200</td>
<td>4,041,200</td>
<td>-</td>
<td>4,041,200</td>
</tr>
<tr>
<td><strong>Total Resources</strong></td>
<td><strong>80,414,806</strong></td>
<td><strong>5,180,226</strong></td>
<td><strong>85,595,032</strong></td>
<td><strong>-</strong></td>
<td><strong>85,595,032</strong></td>
</tr>
<tr>
<td>Expenditures</td>
<td>90,479,411</td>
<td>15,781,361</td>
<td>106,260,772</td>
<td>-</td>
<td>106,260,772</td>
</tr>
<tr>
<td>Transfers out</td>
<td>1,855,072</td>
<td>-</td>
<td>1,855,072</td>
<td>-</td>
<td>1,855,072</td>
</tr>
<tr>
<td><strong>Total Appropriations</strong></td>
<td><strong>92,334,483</strong></td>
<td><strong>15,781,361</strong></td>
<td><strong>108,115,844</strong></td>
<td><strong>-</strong></td>
<td><strong>108,115,844</strong></td>
</tr>
<tr>
<td><strong>Net Results</strong></td>
<td>(11,919,677)</td>
<td>(10,601,135)</td>
<td>(22,520,812)</td>
<td>-</td>
<td>(22,520,812)</td>
</tr>
</tbody>
</table>

These proposed changes to Other Fund Sources and Appropriations are presented in Table III of Exhibit I to the attached Resolution.

CITY-WIDE APPROPRIATIONS SUMMARY:

The following table summarizes the impact of the recommended appropriation and transfer out changes across all funds. The approved changes reflect the updates made during the fiscal year by specific staff reports and resolutions approved by Council.

Table 3

<table>
<thead>
<tr>
<th>All Funds</th>
<th>Adopted Budget FY 2022-23</th>
<th>Approved Changes</th>
<th>Current Budget</th>
<th>Proposed Changes</th>
<th>Revised Budget</th>
</tr>
</thead>
<tbody>
<tr>
<td>General Fund</td>
<td>95,250,644</td>
<td>1,125,059</td>
<td>96,375,703</td>
<td>1,000,000</td>
<td>97,375,703</td>
</tr>
<tr>
<td>Other Funds</td>
<td>92,334,483</td>
<td>15,781,361</td>
<td>108,115,844</td>
<td>-</td>
<td>108,115,844</td>
</tr>
<tr>
<td><strong>Total Expenditures and transfers</strong></td>
<td><strong>187,585,127</strong></td>
<td><strong>16,906,420</strong></td>
<td><strong>204,491,547</strong></td>
<td><strong>1,000,000</strong></td>
<td><strong>205,491,547</strong></td>
</tr>
</tbody>
</table>

Status of American Rescue Plan Act (ARPA) Funds

In March of 2021, ARPA was enacted into law which provided State and Local Fiscal Recovery Funds to state and local governments. San Rafael was awarded a total of $16 million as its allocated share of proceeds from ARPA. To date the City has spent or earmarked funds of approximately $9.3 million to specific projects of which $7.4 million is for the San Quentin pump station and the remaining amounts falling into the categories of homelessness, economic vitality, and equity.
**Proposed Personnel Changes:**

This section of the report seeks Council consideration of recommended personnel actions. Periodically, the Human Resources Department seeks to establish, reallocate, or delete positions to reorganize or restructure staffing to most effectively and efficiently serve the community and city goals.

During this mid-year budget review, Staff is recommending:

1. The approval of the current Supervising Librarian position in the SEIU bargaining unit to be reclassified to the Unrepresented Mid-Management unit. Upper management in the Library and Recreation department requested a study of the Supervising Librarian position to determine the appropriate classification for this position based on the responsibility and management duties they uphold. The City contracted with Municipal Resource Group (MRG) to conduct a class and compensation study for this classification. After discussing department needs, goals and objectives with management, and meeting with the incumbents to discuss their duties and responsibilities, MRG recommends that the City remove the Supervising Librarian classification and positions from SEIU and place them in the Mid-Management employee group and revise the job description to reflect the changes to the classification.

   MRG conducted a salary survey of the City’s comparator agencies. Based on the findings of the internal and external equity analysis, MRG is recommending that the City increase the Supervising Librarian’s salary range to align it with Recreation Supervisor. This change results in no increase to headcount and in an annual expense increase of approximately $60,000 for the three positions held under this classification. For Fiscal Year 2022-23, the amount would be absorbed by the Library budget and does not require an increase in appropriations. The SEIU bargaining unit has been noticed of this intent of personnel change and staff will meet all requirements of the Meyers Milias Brown Act (MMBA) prior to implementing this change. Staff requests the City Council approve this recommendation knowing it will not be implemented until City management and the SEIU bargaining unit have further discussions and come to an agreement.

2. The approval of an updated job description and related salary creating a journey level series for the current single classification Police Administrative Technician position. The Police Administrative Technician series will now include a Police Administrative Technician I (entry) / II (journey level) series. Over the years and through various staffing changes, the duties and responsibilities for this position have evolved requiring an advanced classification. This change results in no increase in headcount and in an annual expense increase of approximately $13,500. For Fiscal Year 2022-23, the amount will be absorbed by the police department budget and does not require an increase in appropriations. The SRPA bargaining unit has been noticed of this intent of personnel change and staff will meet all requirements of the Meyers Milias Brown Act (MMBA) prior to implementing this change.

3. The Community Development department is proposing the creation of a permanent full time Senior Management Analyst unrepresented position focused on housing. This position would report to the Assistant Community Development Director and support the City Council Goals and Objectives related to housing. This role currently exists as a Fixed Term Management Analyst and given the need for ongoing work in housing related matters, CDD is proposing to make this position a full-time permanent position. This change results in no increase to headcount as it will convert from a fixed term position to a permanent position. There will be an annual expense increase of approximately $47,000. For Fiscal Year 2022-23, the amount will be absorbed in part by the General Plan implementation fund (50%) and in part by the General Fund (50%).
4. The Fire department is requesting one additional headcount of a full-time Training Captain. The need for ongoing training is necessary as in recent years, the department has transitioned to a higher number of new firefighter/paramedics. As an all-risk mitigation agency, the San Rafael Fire Department’s members are required to maintain proficiency through training, drills and exercises utilizing realistic scenarios that are developed and implemented by an internal training coordinator. These trainings range from fireground operations to gas and electric powered vehicle extrication, wildfire response, shore-based rescue, ventilation of structures with solar panels, firefighter survival training, and refresher training on Hazardous Materials response, Emergency Medicine, and much more.

This change results in an increase to headcount of one and there will be an associated annual expense of approximately $279,000. The position will be funded 50% by the paramedic tax fund as a large portion of the training pertains to Emergency Medical Services (EMS) and the remaining 50% by the general fund. For Fiscal Year 2022-23, the amount will be absorbed by the current budgets. The SRFA bargaining unit has been noticed of this intent of personnel change and staff will meet all requirements of the Meyers Milias Brown Act (MMBA) prior to implementing this change.

OPTIONS:
The City Council has the following options to consider on this matter:
1. Adopt the resolution as presented.
2. Adopt resolution with modifications.
3. Direct staff to return with more information.
4. Take no action.

RECOMMENDED ACTION: Adopt Resolution.

ATTACHMENTS:
- Resolution with attached Exhibit “I”
- Proposed personnel changes
  - Unrepresented Mid-Management salary schedule
  - Supervising Librarian job description
  - SEIU salary schedule
  - SRPA salary schedule
  - Police Administrative Technician job description (with redline updates)
RESOLUTION NO.

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAN RAFAEL ADOPTING AMENDMENTS TO THE 2022-2023 BUDGET AND APPROVING MID-YEAR PERSONNEL CHANGES

WHEREAS, the City Council approved Resolution No. 15100 adopting the fiscal year 2022-2023 budget; and

WHEREAS, changes in available funding sources and operational needs require adjustments to some City budgets; and

WHEREAS, existing and anticipated staffing vacancies provide opportunities to address changing personnel needs and, following a review by departments and human resources, have resulted in proposed staffing and position changes; and

WHEREAS, it is the intention of this Council to review recommendations from staff regarding the City’s financial and operational condition, including revenue projections, expenditure plan changes, and staffing considerations; and

WHEREAS, after examination, deliberation and due consideration, the City Council has approved the staff report and recommendations and directs the City Manager to proceed with the implementation of these recommendations;

NOW, THEREFORE, BE IT RESOLVED, by the San Rafael City Council that Resolution No. 15100 for fiscal year 2022-2023 is amended to increase total general fund revenues to $97,370,730, and general fund expenditures to $93,419,503; increase other fund revenues to $81,553,832; and increase other fund expenditures to $106,260,772 as well as transfers in and transfers out, as represented on Exhibit I Tables I, II and III attached hereto. These changes result in City-wide General Fund appropriations of $97,375,703 and other fund appropriations of $108,115,844 as summarized on Exhibit I Table IV; and

BE IT FURTHER RESOLVED, by the San Rafael City Council that the following personnel actions are approved and authorized:

Effective on or after February 6, 2023 -

A. The creation of a journey level series for the current position of Police Administrative Technician with an updated job description and updated salary schedule.
B. The addition of a Senior Management Analyst headcount and deletion of a Fixed-Term headcount resulting in no increase to headcount.
C. The addition of a Training Captain position resulting in one increase to headcount.
D. Effective on or after February 6, 2023, pending further discussion with the SEIU bargaining unit – The reclassification of the Supervising Librarian position from the SIEU bargaining unit to the Unrepresented Mid-Management unit with a new job description and updated salary schedule.

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 said City on Monday, the 6th of February 2023, by the following vote, to wit:
**TABLE I**

CHANGES TO GENERAL FUND REVENUES AND OTHER SOURCES

<table>
<thead>
<tr>
<th>General Fund</th>
<th>Adopted Budget FY 2022-23</th>
<th>Approved Changes</th>
<th>Current Budget</th>
<th>Proposed Changes</th>
<th>Revised Budget</th>
</tr>
</thead>
<tbody>
<tr>
<td>Revenues</td>
<td>95,870,730</td>
<td>-</td>
<td>95,870,730</td>
<td>1,500,000</td>
<td>97,370,730</td>
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<td>Transfers in</td>
<td>1,770,072</td>
<td>-</td>
<td>1,770,072</td>
<td>-</td>
<td>1,770,072</td>
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<tr>
<td>FY 22-23 Resources</td>
<td>97,640,802</td>
<td>-</td>
<td>97,640,802</td>
<td>1,500,000</td>
<td>99,140,802</td>
</tr>
<tr>
<td>FY 21-22 Rollover</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>-</td>
</tr>
<tr>
<td>Total Resources</td>
<td>97,640,802</td>
<td>-</td>
<td>97,640,802</td>
<td>1,500,000</td>
<td>99,140,802</td>
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**TABLE II**

CHANGES TO GENERAL FUND EXPENDITURES AND OTHER USES

<table>
<thead>
<tr>
<th>General Fund</th>
<th>Adopted Budget FY 2022-23</th>
<th>Approved Changes</th>
<th>Current Budget</th>
<th>Proposed Changes</th>
<th>Revised Budget</th>
</tr>
</thead>
<tbody>
<tr>
<td>Expenditures</td>
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<td>92,419,503</td>
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<td>93,419,503</td>
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<tr>
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<td>649,200</td>
<td>3,956,200</td>
<td>-</td>
<td>3,956,200</td>
</tr>
<tr>
<td>Transfer out-CIP</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>-</td>
</tr>
<tr>
<td>Total Appropriations</td>
<td>95,250,644</td>
<td>1,125,059</td>
<td>96,375,703</td>
<td>1,000,000</td>
<td>97,375,703</td>
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**TABLE III**

CHANGES TO OTHER FUND EXPENDITURES AND OTHER USES

<table>
<thead>
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<th>Other Funds</th>
<th>Adopted Budget FY 2022-23</th>
<th>Approved Changes</th>
<th>Current Budget</th>
<th>Proposed Changes</th>
<th>Revised Budget</th>
</tr>
</thead>
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<tr>
<td>Revenues</td>
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<td>4,531,026</td>
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<tr>
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<td>5,180,226</td>
<td>85,595,032</td>
<td>-</td>
<td>85,595,032</td>
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<tr>
<td>FY 21-22 Rollover</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>-</td>
</tr>
<tr>
<td>Total Resources</td>
<td>80,414,806</td>
<td>5,180,226</td>
<td>85,595,032</td>
<td>-</td>
<td>85,595,032</td>
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</tbody>
</table>

| Net Results | (11,919,677) | (10,601,135) | (22,520,812) | - | (22,520,812) |

**TABLE IV**

CITY-WIDE APPROPRIATION SUMMARY

<table>
<thead>
<tr>
<th>All Funds</th>
<th>Adopted Budget FY 2022-23</th>
<th>Approved Changes</th>
<th>Current Budget</th>
<th>Proposed Changes</th>
<th>Revised Budget</th>
</tr>
</thead>
<tbody>
<tr>
<td>General Fund</td>
<td>95,250,644</td>
<td>1,125,059</td>
<td>96,375,703</td>
<td>1,000,000</td>
<td>97,375,703</td>
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<td>Position</td>
<td>A</td>
<td>B</td>
<td>C</td>
<td>D</td>
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<td>-----------------------------------------------</td>
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</tr>
<tr>
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<td>Accounting Manager</td>
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<td>$11,220</td>
</tr>
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<td>$12,218</td>
<td>$12,829</td>
<td>$13,470</td>
<td>$14,144</td>
</tr>
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<td>2400</td>
<td>Assistant Library and Recreation Director</td>
<td>$10,971</td>
<td>$11,519</td>
<td>$12,095</td>
<td>$12,700</td>
</tr>
<tr>
<td>2202</td>
<td>Assistant Public Works Director</td>
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<td>$13,073</td>
<td>$13,726</td>
<td>$14,413</td>
</tr>
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<td>Chief Building Official</td>
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<td>$12,149</td>
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<tr>
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<td>$10,068</td>
<td>$10,572</td>
<td>$11,100</td>
<td>$11,655</td>
</tr>
<tr>
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<td>Code Enforcement Supervisor</td>
<td>$7,674</td>
<td>$8,057</td>
<td>$8,460</td>
<td>$8,883</td>
</tr>
<tr>
<td>4204</td>
<td>Data &amp; Infrastructure Manager</td>
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<td>$11,707</td>
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<td>$12,907</td>
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<tr>
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<td>$11,010</td>
<td>$11,560</td>
<td>$12,138</td>
</tr>
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<td>Deputy City Attorney II</td>
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<td>$13,383</td>
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<tr>
<td>7125</td>
<td>Deputy Director of Emergency Management</td>
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<td>$13,073</td>
<td>$13,726</td>
<td>$14,412</td>
</tr>
<tr>
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<td>Deputy Fire Chief</td>
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<td>$14,804</td>
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<td>$16,321</td>
</tr>
<tr>
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<td>$11,000</td>
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<tr>
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<td>$12,095</td>
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<td>$10,732</td>
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<td>2138</td>
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<td>$11,867</td>
</tr>
<tr>
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<td>$11,867</td>
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<tr>
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<td>$11,000</td>
</tr>
<tr>
<td>7312</td>
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<td>$10,836</td>
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<tr>
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</tr>
<tr>
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<td>$10,836</td>
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<tr>
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<td>$10,320</td>
<td>$10,836</td>
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<td>$8,090</td>
<td>$8,494</td>
<td>$8,919</td>
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*New position per 2/6/2023 Council action

SAN RAFAEL UNREPRESENTED MID-MANAGEMENT

SALARY SCHEDULE

Effective February 6, 2023
<table>
<thead>
<tr>
<th>Grade</th>
<th>Position</th>
<th>A</th>
<th>B</th>
<th>C</th>
<th>D</th>
<th>E</th>
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</thead>
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<tr>
<td>2202</td>
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<td>$14,207</td>
<td>$14,917</td>
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<tr>
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<td>$11,842</td>
<td>$12,434</td>
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<td>$14,207</td>
<td>$14,917</td>
<td>$15,663</td>
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<tr>
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<td>$11,954</td>
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<td>$12,958</td>
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<td>$11,194</td>
<td>$11,754</td>
<td>$12,341</td>
<td>$12,958</td>
</tr>
<tr>
<td>2703</td>
<td>Parking Services Manager</td>
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<td>$11,954</td>
</tr>
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<td>$11,833</td>
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<tr>
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<td>$11,173</td>
<td>$11,732</td>
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<td>$13,581</td>
</tr>
<tr>
<td>4206</td>
<td>Product Manager</td>
<td>$10,229</td>
<td>$10,741</td>
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<td>$11,842</td>
<td>$12,434</td>
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<tr>
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City of San Rafael
Job Class Specification

Job Title: Supervising Librarian

SUMMARY:
Plans, organizes, and oversees the operation, activities, and staff of assigned library functions and/or programs; performs a wide variety of complex management, administrative, and problem-solving duties related to public library programs and services; serves as a community liaison and works with community stakeholders and partner agencies; and supervises professional, paraprofessional, and support staff.

DISTINGUISHING CHARACTERISTICS:
This multi-position, mid-management classification is responsible for the operation, activities, and staff of assigned library function and/or programs. Incumbents in this class require mastery of library services and programs; demonstrate professional, service-oriented leadership and interpersonal skills; and provide recommendations to departmental upper management for consideration. This class is distinguished from the Assistant Library and Recreation Director/City Librarian in that the latter has overall management responsibility for all Library functions, programs, facilities, and consortia and stakeholder relationships. It is distinguished from lower-level Librarian classifications by the responsibility for managing day-to-day operations, directly supervising staff, and overseeing the development and implementation of innovative library programs, activities, and services.

SUPERVISION RECEIVED AND EXERCISED:
Receives direction from the Assistant Library and Recreation Director/City Librarian. Exercises direct supervision over professional, paraprofessional, and support staff.

ESSENTIAL DUTIES AND RESPONSIBILITIES:
This list is meant to be illustrative and does not represent an exhaustive list of duties and responsibilities. Incumbents may not perform all duties and responsibilities listed. Other duties may be assigned.

- Plans, organizes, reviews, and evaluates the operation and activities of assigned library functions and/or programs.
- Serves as a member of the Library Division as well as the Library and Recreation Department leadership teams; assists in the development and implementation of division and department goals, objectives, policies, and priorities; ensures that programs and services support City, departmental, and Library goals.
- Plans, schedules, supervises, coordinates, reviews, and evaluates the work of assigned professional, paraprofessional, and support staff; interviews, selects, trains, motivates, coaches, and disciplines staff; ensures and coordinates staff development, training, and education.
Develops, promotes, and monitors library programs, activities, services, and special events.
Manages and monitors funds for the assigned functions and/or programs.
Develops and implements procedures, processes, and work standards for the assigned functions and/or programs.
Responds to and resolves difficult, complex, and sensitive patron complaints and inquiries.
Plans, develops, and implements the public relations, outreach, and social media strategies for the assigned functions and/or programs; coordinates the dissemination of information to library patrons and the community through newsletters, emails, flyers, social media, and the library web page.
Oversees and coordinates the development, selection, purchase, organization, maintenance, repair, and discarding of library materials.
Maintains order in the observance of library rules and regulations.
Assesses library service needs in a diverse community; develops and implements programs, activities, and services in response to community needs.
Prepares and presents oral and written reports to the Director, Assistant Director, City Council, other City bodies, and community groups.
Represents the library at community and professional meetings; seeks input from local groups and individuals regarding library policy and collections.
Ensures that physical spaces and configurations at library facilities meet the needs of the community and staff.
Applies for, obtains, and implements grants to supplement existing revenue sources to offer new and improved services to the community.
Performs related duties as required.

KNOWLEDGE OF:

- Principles, practices, and techniques for provision of customer service.
- Practices, procedures, programs, services, administration, and community needs of modern public libraries.
- Principles, practices, and techniques of human-centered design.
- Principles and practices of staff supervision, including selection, scheduling, coaching, evaluation, counseling, and motivation of employees.
- Modern public library operational systems, including integrated library systems, automated cataloging and processing systems, electronic resources and databases, reciprocal borrowing systems, automated materials management systems, materials selection systems and processes, and modern electronic recordkeeping systems.
- Principles and practices of program development, implementation, and evaluation.
- Selection and organization of library materials to meet community needs.
- Techniques for collecting data on key performance indicators, records maintenance, and report preparation.
- Standard office practices and procedures, including the operation of standard office equipment.
- Basic budgetary principles and practices.
- Online searching, database usage, modern and traditional library customer service techniques and practices.
- Library classification and circulation.
- Basic facility management practices.
ABILITY TO:

- Actively contribute to a work culture of innovation, inclusiveness, and customer service.
- Plan, organize, and coordinate public library services and resource development programs.
- Plan, organize, supervise, review, and evaluate the work of assigned staff.
- Train, mentor, coach, and counsel staff.
- Identify and analyze data-driven community needs and develop effective programs responsive to those needs based on measurable outcomes.
- Develop and promote library programs and services.
- Perform technical library tasks and operate computerized and other library equipment with speed and accuracy.
- Interpret, apply, and explain established City and Library policies and procedures.
- Establish and maintain cooperative and effective relationships with those contacted in the course of the work.
- Identify problems and develop effective solutions.
- Set priorities, meet deadlines, and make sound decisions.
- Prepare clear and concise reports, correspondence, procedures, and other written materials.
- Use online resources and computing devices.
- Advise patrons of library services and selection of materials.
- Communicate clearly, effectively, and professionally, both orally and in writing, in all formats and media.
- Lead resource development activities to support library programs and services; develop effective grant proposals independently and as a team member.
- Coordinate and collaborate effectively with others to identify and achieve shared goals.
- Make effective presentations to public groups.
- Develop and implement improvements to systems, organization, and operations within the library.

EDUCATION and/or EXPERIENCE:

Any combination of experience and training that would likely provide the required knowledge, skills, and abilities may qualify. A typical way to obtain the knowledge, skills, and abilities is:

Equivalent to a bachelor’s degree with major coursework in library science or a related field. A master’s degree in library science or library and information services issued by a college or university accredited by the American Library Association is preferred.

AND

Five (5) years of increasingly responsible professional library experience, including two (2) years of experience in a lead or supervisory role that may have been obtained in a position other than a professional librarian.

CERTIFICATES, LICENSES, REGISTRATIONS:

Possession of a valid California driver’s license by the date of appointment.
PHYSICAL DEMANDS:

The physical demands described here are representative of those that must be met by an employee to successfully perform the essential functions of this job. Reasonable accommodations may be made to enable individuals with disabilities to perform the essential functions.

While performing the duties of this job, the employee is regularly required to stand; walk; sit; use hands to finger, handle, or feel; reach with hands and arms; and talk or hear. The employee is occasionally required to climb or balance and stoop, kneel, crouch, or crawl. The employee must regularly lift and/or move up to 10 pounds and occasionally lift and/or move up to 25 pounds. Specific vision abilities required by this job include close vision and ability to adjust focus.

WORKING ENVIRONMENT:

The work environment characteristics described here are representative of those an employee encounters while performing the essential functions of this job. Reasonable accommodations may be made to enable individuals with disabilities to perform the essential functions.

While performing the duties of this job, the employee is regularly exposed to video display and regularly works in inside environmental conditions. The employee occasionally works with use of personal vehicle. The employee occasionally works in evenings or on weekends. The noise level in the work environment is usually quiet.

FLSA Status: Exempt
Prepared By: MRG and Library & Recreation Management
Prepared Date: September 2022
Approved By: City of San Rafael Human Resources
Approved Date: February 2023
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*New classification approved with mid-year budget on 3/7/2022*
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<tr>
<th>Grade*</th>
<th>Position</th>
<th>Entry Level Pay Grade</th>
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<tr>
<td>6203</td>
<td>COMMUNITY SERVICE OFFICER</td>
<td>Entry Level Pay Grade is 1XXXX (e.g., Entry Level Police Officer grade code is 16107)</td>
</tr>
<tr>
<td>6220</td>
<td>MENTAL HEALTH LIAISON</td>
<td>Entry Level Pay Grade is 1XXXX (e.g., Entry Level Police Officer grade code is 16107)</td>
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<td>POLICE ADMINISTRATIVE TECHNICIAN</td>
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<tr>
<td>2121</td>
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<td>Entry Level Pay Grade is 1XXXX (e.g., Entry Level Police Officer grade code is 16107)</td>
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<tr>
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<tr>
<td>6107</td>
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</tr>
<tr>
<td>6109</td>
<td>POLICE RECRUIT</td>
<td>Entry Level Pay Grade is 1XXXX (e.g., Entry Level Police Officer grade code is 16107)</td>
</tr>
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<td>POLICE REGULATORY OFFICER</td>
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<td>YOUTH SERVICES PROGRAM SUPERVISOR</td>
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*see Exhibit C side letter as part of the MOU for changes made to the police cadet position
## SAN RAFAEL POLICE ASSOCIATION
### SALARY SCHEDULE
**Effective July 1, 2023**

<table>
<thead>
<tr>
<th>Grade*</th>
<th>Position</th>
<th>Entry Level Step A1</th>
<th>A</th>
<th>B</th>
<th>C</th>
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</table>

*Entry Level Pay Grade is 1XXXX (e.g., Entry Level Police Officer grade code is 16107)

*see Exhibit C side letter as part of the MOU for changes made to the police cadet position
City of San Rafael
Job Class Specification

Job Title: Police Administrative Technician I/II

SUMMARY
Performs a variety of police department business office functions related to budgeting, accounting and payroll, personnel and benefits.

General supervision is provided by the Police Civilian Support Services Supervisor. Responsibilities may include training and/or indirect supervision of lower level personnel.

This is an entry and journey level specialized police civilian classification and performs all duties required to effectively conduct business office operations. This classification is distinguished from the Police Civilian Supervisor classification, which is assigned as a unit supervisor.

DISTINGUISHING CHARACTERISTICS
Police Administrative Technician I - This is the entry level class in the series. Positions in this class typically have little or no directly related work experience and work under general supervision while learning job tasks, progressing in their assignment of more complex tasks as procedures and processes of duties are learned.

Police Administrative Technician II - This is the full journey level class in the series and is distinguished from the I level by the ability to perform the full range of duties assigned with only occasional instruction or assistance as unusual or unique situations arise. Incumbents in this classification are expected to exercise a high degree of initiative and independent judgment in performing confidential and complex tasks.

These positions are not flexibly staffed, and advancement is not automatic from one level to the next. Incumbents will be required to apply for advancement as vacancies exist or may be promoted per Department Director recommendation and Administrative Services Director and City Manager approval.

ESSENTIAL DUTIES AND RESPONSIBILITIES
The duties described are representative of those that must be met by an employee to successfully perform essential job functions. Additional duties may be performed as required. Reasonable accommodations may be made to enable individuals with a disability to perform the essential duties.

- Processes, maintains and disseminates a wide variety of confidential Police Department personnel records and files; organizes and prepares documents for employee salary adjustments.
- Prepares and audits payroll data submitted for accuracy of employee paychecks and enters information into the computer; responds to inquiries regarding payroll and employee benefits.
- Assists in management of workers compensation claims for department employees.
- Compiles and completes data used in the development of the departmental budget.
- Receives, codes and processes invoices and purchase orders for payment; verifies account numbers and amounts; prepares requisitions for purchase orders; contacts City staff and vendors regarding invoices and reconciles accounts.
- Prepares invoices for various billings and receipts in revenue.
• Operates a computerized office support system.
• Prepares identification cards for all City Employees.
• Issues and maintains Petty Cash.
• Performs a variety of secretarial and clerical duties for department personnel, such as screening calls and routing mail.
• Prepares a variety of periodic reports and other general correspondence.
• Compiles and sorts documents, such as invoices and checks, substantiating business transactions.
• Verifies and posts details of transactions, such as funds received and disbursed, and totals accounts to ledgers or computer spreadsheets and databases.
• Prepares vouchers, invoices, checks, account statements, reports, and other records and reviews for accuracy. Reconciles discrepancies, resolves problems.
• Reviews computer printouts against manually kept ledgers and makes corrections.
• **Acts as a liaison with Payroll and Human Resources on employee-related items such as time sheet reporting, benefits enrollment & questions, leave of absence tracking, etc.**
• Performs related duties as required.

**KNOWLEDGE OF:**
• General bookkeeping, basic accounting, data entry and clerical functions
• City and Department policies and procedures.
• Information technology, personal computers and related software applications.
• Payroll systems and procedures

**ABILITY TO:**
• Work independently in the completion of assignments
• Keyboard at a speed sufficient to perform job duties
• Prepare and maintain a variety of organized accounting records
• Operate modern office equipment including a PC and related software

**LANGUAGE, MATHEMATICAL AND REASONING SKILLS**
Ability to read and comprehend simple instructions, short correspondence, and memos. Ability to write simple correspondence. Ability to effectively present information in one-on-one and small group situations to public other employees of the organization. Ability to calculate figures and amounts such as discounts, interest, commissions, proportions, and percentages. Ability to apply concepts of basic algebra. Ability to apply common sense understanding to carry out instructions furnished in written, oral, or diagram form. Ability to deal with problems involving several concrete variables in standardized situations.

**EDUCATION, CERTIFICATION AND EXPERIENCE**

**Police Administrative Technician I:** High school diploma or general education degree (GED). Bookkeeping training or college courses in accounting preferred. Four years experience in preparation and maintenance of accounting, payroll, or financial records; or equivalent combination of education and experience.

**Police Administrative Technician II:** in addition to the requirements for the Police Administrative Technician I, this level requires at least 5 years of experience at the Police Administrative Technician I level or demonstrated ability to successfully complete the essential duties and responsibilities at the full journey level with a high degree of autonomy.

**PHYSICAL DEMANDS:**
The physical demands described here are representative of those that must be met by an employee to successfully perform the essential functions of this job. Reasonable accommodations may be made to enable individuals with disabilities to perform the essential functions. While performing the duties of this job, the employee is regularly required to sit; use hands to finger, handle, or feel; and talk or hear. The employee must frequently lift and/or move up to 10 pounds and occasionally lift and/or move up to 25 pounds. Specific vision abilities required by this job include close vision, and ability to adjust focus.

WORK ENVIRONMENT:
The work environment characteristics described here are representative of those an employee encounters while performing the essential functions of this job. Reasonable accommodations may be made to enable individuals with disabilities to perform the essential functions. While performing the duties of this job, the employee is regularly exposed to video display and regularly works in inside environmental conditions. The noise level in the work environment is usually quiet.

Hazards: Hazards are moderate, fairly predictable and protected against.

Department: Police
FLSA Status: Non-Exempt
Prepared By: SRPD Succession Planning Committee
Prepared Date: November 2008
Approved By: City of San Rafael & San Rafael Police Association
Approved Date: April 2010
Revised: February 2023
Approved: February 2023
TOPIC: B STREET TWO-WAY CONVERSION

SUBJECT: INFORMATIONAL REPORT ON THE CONVERSION OF B STREET TO TWO-WAY FROM FIFTH AVENUE TO SECOND STREET

RECOMMENDATION: Accept the informational report.

BACKGROUND: San Rafael's street network design has included one-way street couplets for many years. The one-way design concept can have advantages in urban centers. As the land use and transportation infrastructure evolve around a one-way street system, it generally can get harder and more expensive to revert to a two-way street because of the multiple design elements associated with roadway networks.

In 2020, with the construction of the Public Safety Center on C and D Streets, emergency access required the conversion of C and D Streets to two-way configuration. The main reason for the conversion was to facilitate improved response time for emergency vehicles. The City recognized other important benefits associated with the conversion such as improved retail access and visibility. The conversion left an orphan one-way design on B Street in the southbound direction without a match in the northbound direction.

With the major infrastructure investment in the rehabilitation of Third Street, the City has an opportunity to adjust the network and convert B Street to two-way, and realize the benefits a two-way street would bring to the community.

ANALYSIS: B Street is wide enough to accommodate two-way travel. The conversion design includes signing, striping, signal improvements and parking meters adjustments. The signing will bring all regulatory and guidance signage up to current standards. The striping plans include the creation of a dedicated left turn lane for eastbound traffic on Fourth Street and dedicated left turn lane for southbound B Street traffic at Second Street. These striping improvements are anticipated to not result in loss of parking. However, this does not preclude future minor adjustments depending on traffic demand which may result in some loss of parking. The signal improvements include the addition of several signal indications for the northbound approaches for all signalized intersections. The improvements on Third Street will include all upgraded indications and major improvements to the pedestrian environment as the
curbs will be leveled with the street at four locations along Third Street. All parking meters will be adjusted to face the new northbound traffic.

The Streetaries on B Street may continue to exist under the new two-way operation of B Street. There may be changes that the owners will be required to make under the Streetaries Program. The conversion will not cause any immediate impacts.

During several community conversations some residents expressed concerns about additional pedestrians and vehicular conflicts as a result of the conversion to two-way flow. However, in a limited area like downtown San Rafael the demand for movement is limited. The uses may be shifted or relieved from one location to another. For example, while there will be increased vehicular traffic left turns from B Street to Fourth Street, heavy vehicular/pedestrian use at the southbound left turn at B Street and Second Street will be relieved. This shift in pedestrian and vehicular uses is expected, and the movements will balance out with time.

OUTREACH: This conversion is a change to the community who have been accustomed to the one-way operation for decades. We wanted to make sure we heard from stakeholders as we embark on such a change. The project concept was first introduced at the City Council meeting on February 7, 2021 as part of the Third Street Rehabilitation Project. Staff reported that the plans for Third Street are designed with the assumption of a two-way operation. The current design plans were presented at the monthly Federation of San Rafael Neighborhoods meeting in January and at a virtual community meeting. The community meeting was not well attended despite hundreds of direct notices to stakeholders. The Bicycle and Pedestrian Advisory Committee will invite comments from the public at its February 1, 2023, meeting. In addition, after the City Council meeting, this item will be presented at the February 23, 2023, Economic Vitality Meeting.

FISCAL IMPACT: As an informational report, there is no fiscal impact associated with this action. The construction cost is anticipated to be covered by contingency funds for the Third Street Rehabilitation Project contract which were already approved by the City Council. Staff has budgeted Gas Tax Fund 206 in the Capital Improvement Program for this project.

OPTIONS: The City Council has the following options to consider relating to this matter:
1. Accept the informational report as presented.
2. Accept the information report with comments and direction to staff with how to proceed with the project.
3. Do not accept the informational report and direct staff to return with more information before the project proceeds.

RECOMMENDED ACTION: Accept the informational report.