



AGENDA

SAN RAFAEL CITY COUNCIL - MONDAY, APRIL 3, 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-2023-04-03>

Watch on YouTube: www.youtube.com/cityofsanrafael

Listen by phone: (669) 444-9171

ID: 844-3204-9611#

One Tap Mobile: US: +16694449171,,84432049611#

This meeting will be held in-person. The public may attend in-person or participate virtually using Zoom. This meeting is being streamed to YouTube at www.youtube.com/cityofsanrafael.

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 – THIRD FLOOR CONFERENCE ROOM – 6:30 PM

Dial in: (669) 900-9128, Meeting ID: 844-2184-7037#

One tap mobile +16699009128,,84421847037# US

1. Mayor Kate to announce the Closed Session items.

CLOSED SESSION – THIRD FLOOR CONFERENCE ROOM – 6:30 PM

2. Closed Session:

- a. CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION

Government Code section 54956.9(d)(1): 2 cases

- i. Erdmann v. City of San Rafael, et al. (Marin Superior Court, Case No. CIV 2100895)
- ii. City of San Rafael v. Chessen, et al. (Marin Superior Court, Case No. CIV 2104219)

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 Meeting of March 20, 2023 (CC)

Recommended Action - Approve minutes as submitted

b. **Term Extensions for Board, Commission and Committee Members**

Approve Extension of Board, Commission and Committee Member Terms to a Semi-Annual Expiration (CC)

Recommended Action - Approve Term Extensions

c. **Public Service Award 2023**

Resolution of Appreciation to Recipient of the Richard P. O'Brien and Mary Ferrario O'Brien Public Service Award for 2023 (CC)

Recommended Action - Adopt Resolution

d. **Proclamation Supporting Celebrate Diversity Month (HR)**

Recommended Action - Receive and file

e. **Proclamation Supporting Month of the Young Child (LR)**

Recommended Action - Receive and file

f. **Approval for Special Event Street Closures in San Rafael**

Resolution Authorizing the Temporary Closure of Streets in San Rafael for Special Events for Calendar Year 2023 (PD)

Recommended Action - Adopt Resolution

g. **Third Street Rehabilitation Project**

Authorize the City Manager to Execute a First Amendment to the Professional Services Agreement with Coastland Civil Engineering, Inc. for Construction Management, Inspection, and Material Testing Services Associated with the Third Street Rehabilitation Project, In an Additional Amount Not to Exceed \$380,000 (PW)

Recommended Action - Authorize the City Manager to Execute a First Amendment to the Professional Services Agreement with Coastland Civil Engineering, Inc. for Construction Management, Inspection, and Material Testing Services Associated with the Third Street Rehabilitation Project, In an Additional Amount Not to Exceed \$380,000

SPECIAL PRESENTATIONS

5. Special Presentation:

a. **Presentation of Resolution of Appreciation to Public Service Award Recipient (CC)**

OTHER AGENDA ITEMS

6. Other Agenda Items:

a. **Notice of Funding Availability for Affordable Housing**

Status and Scope of City of San Rafael Notice of Funding Availability (CD)

Recommended Action – Accept report

b. **Countywide Fire Dispatch Changes**

Informational Report to the City Council on the Dissolution of the Contract with the Marin County Sheriff's Office and Negotiations with the Marin County Fire Department for Fire Dispatch Services (FD)

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 - MONDAY, MARCH 20, 2023

REGULAR MEETING AT 7:00 P.M.

In-Person:

San Rafael City Council Chambers
1400 Fifth Avenue, San Rafael, CA 94901

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Present: Councilmember Bushey
Councilmember Hill
Mayor Kate

Absent: Councilmember Kertz
Vice Mayor Llorens Gulati

Also Present: City Manager Jim Schutz
Assistant City Attorney Genevieve Coyle
City Clerk Lindsay Lara

Mayor Kate called the meeting to order at 7:00 p.m. and invited City Clerk Lindsay Lara to call the roll. Councilmember Kertz and Vice Mayor Llorens Gulati were absent.

Assistant City Attorney Genevieve Coyle announced that no reportable action was taken at the closed session on March 13, 2023.

Mayor Kate provided opening remarks, which included the first official day of Spring (and other upcoming holidays), gratitude to City staff and a land acknowledgement.

City Clerk Lindsay Lara informed the community that the in-person meeting would 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 SESSION

1. None.

CLOSED SESSION

2. None.

OPEN TIME FOR PUBLIC EXPRESSION

- Jennifer Turek addressed the City Council on rent control
- Michael McIntosh addressed the City Council on rent control
- Bob Ullrich addressed the City Council regarding the West End Block Party
- Tom Cook addressed the City Council regarding the West End Block Party
- Joseph Adams addressed the City Council regarding the West End Block Party
- Angela Tucker addressed the City Council regarding the West End Block Party
- Elise Adams addressed the City Council regarding the West End Block Party
- Jack Wilkinson addressed the City Council regarding rent control
- Lori Schifrin addressed the City Council regarding potholes, a lack of lane delineators, the moved Walgreens entrance and the C and D Street transition to two ways
- Amy Likover addressed the City Council regarding the Brown Act
- Johnson Reynolds addressed the City Council regarding affordable housing

CITY MANAGER AND COUNCILMEMBER REPORTS:

(including AB 1234 Reports on Meetings and Conferences Attended at City Expense)

3. City Manager and Councilmember Reports:

City Manager Jim Schutz reported on:

- Dredging updates
- Resilient Neighborhoods Climate Action Workshops to start up again on March 30 through April 5

City Councilmember Reports:

- Councilmember Bushey reported on attending the first in-person meetings for Central Marin Sanitation Agency and San Rafael Sanitation Agency, a meeting with Supervisor Sackett regarding Loch Lomond development, a Loch Lomond Oversight Committee meeting and the Library Foundation meeting.
- Councilmember Hill attended a ride-along with Public Works staff.
- Mayor Kate reported on attending the first in-person meeting for Sonoma Marin Area Rapid Transit (SMART) and San Rafael Little League's Opening Day.

Mayor Kate invited public comment; however, there was none.

CONSENT CALENDAR:

Mayor Kate invited public comment.

Speaker: Michael McIntosh

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

4. Consent Calendar Items:

- a. **Approval of Minutes**
Approve Minutes of the City Council Meeting of March 6, 2023 (CC)
Approved minutes as submitted

- b. **Fire Commission Appointment**
Appoint David Fonkalsrud to Fill One Four-Year Term to the End of March 2027 on the Fire Commission Due to the Expiration of Term of Larry Luckham (CC)
Approved Appointment

- c. **ADA Access Advisory Committee Membership Composition and Bylaws**
Resolution Amending the ADA Access Advisory Committee Bylaws (CC)
Resolution 15195 - Resolution Amending the ADA Access Advisory Committee Bylaws

- d. **Boards, Commissions and Committees Rules and Procedures**
Resolution Approving Boards, Commissions and Committees Rules and Procedures (CC)
Resolution 15196 - Resolution Approving Boards, Commissions and Committees Rules and Procedures

- e. **Annual Audit of Federal Grant Expenditures**
Single Audit Report for the Year Ended June 30, 2022 (Fin)
Accepted report

- f. **Bungalow and Woodland Resurfacing Project Notice of Completion**
Accept Completion of the Bungalow and Woodland Resurfacing Project (City Project No. 11397), and Authorize the City Clerk to File the Notice of Completion (NOC) (PW)
Accepted completion and authorized the City Clerk to file the NOC

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

SPECIAL PRESENTATIONS

5. Special Presentation:

Mayor Kate invited public comment; however, there was none.

- a. **Presentation of Proclamation to Lawrence 'Larry' Luckham, Retiring from the Fire Commission (FD)**

Mayor Kate presented the proclamation to Larry Luckham.

Larry Luckham provided comments.

PUBLIC HEARINGS

6. Public Hearings:

- a. **General Plan and Housing Element Annual Progress Report**
Annual Progress Report on the 2040 General Plan, the 2015-2023 Housing Element, and Progress Implementing City Council Housing Policy Priorities (CD)

Community Development Director Ali Giudice introduced Monica Ly, Senior Planner and Alexis Captanian, Housing Program Analyst who presented the staff report.

Staff responded to questions from Councilmembers.

Mayor Kate invited public comment.

Speakers: Larry Luckham, Michael McIntosh, Al Vetere, Bill Carney, Sustainable San Rafael, Amy Likover and Kate Powers

Staff responded to public comment.

Councilmembers provided comments.

Councilmember Bushey moved and Councilmember Hill seconded to accept the report.

AYES: Councilmembers: Bushey, Hill & Mayor Kate

NOES: Councilmembers: None

ABSENT: Councilmembers: Kertz, Llorens Gulati

Accepted report

SAN RAFAEL SUCCESSOR AGENCY:

- 1. Consent Calendar: None.

ADJOURNMENT:

Mayor Kate adjourned the meeting at 9:07 p.m.

LINDSAY LARA, City Clerk

APPROVED THIS ____ DAY OF _____, 2023

KATE COLIN, Mayor




Agenda Item No: 4.b
Meeting Date: April 3, 2023

SAN RAFAEL CITY COUNCIL AGENDA REPORT

Department: City Clerk

Prepared by: Lindsay Lara, City Clerk

City Manager Approval: 

TOPIC: TERM EXTENSIONS FOR BOARD, COMMISSION, AND COMMITTEE MEMBERS

SUBJECT: APPROVE EXTENSION OF BOARD, COMMISSION, AND COMMITTEE MEMBER TERMS TO A SEMI-ANNUAL EXPIRATION

RECOMMENDATION:
Approve Extension of Board, Commission, and Committee (BCC) Member Terms to a Semi-Annual Expiration.

BACKGROUND:
Our BCC's have membership terms that expire at different times throughout the year, and each December we publish a list of upcoming vacancies on our website called the [Local Appointments List](#). In 2023, we have terms expiring in March, April, June, October, November, and December. This does not include unscheduled vacancies that arise for reasons including resignation and ineligibility. Each time a vacancy occurs, the City Clerk's office opens the recruitment for applications for a period of three weeks (or open until filled), convenes a subcommittee of the Mayor and Council Liaison to select finalists to be interviewed if a high volume of applications were submitted, and/or schedules a special meeting of the City Council for interviews and appointments. The current process is time consuming for staff to recruit and schedule interviews, but, more importantly, it only allows the community three weeks to apply for a position they are interested in.

On February 21, 2023, the City Council accepted a report and provided feedback on moving to either an annual or semi-annual appointment process. The Council favored a semi-annual appointment process. Staff has reviewed all current terms and recommends extending terms to align with a semi-annual appointment schedule of April and October.

ANALYSIS:
The benefits of semi-annual appointments for the community are that community members would have more opportunities to be notified about and to apply for BCC's they are interested in. Right now, the City's recruitment process includes posting physical notices at facilities, announcing it with a staff report at City Council meetings, including the vacancies in Snapshot, sending a mass email notification to anyone who is subscribed to hear about vacancies, and posting it to social media platforms and the City website. The use of social media has increased our volume of applications significantly, but we actively recruit at the

FOR CITY CLERK ONLY

Council Meeting: _____

Disposition: _____

opening of the application period, and we recognize that not everyone sees our social media posts. By moving to a semi-annual appointment model, we could engage the community on a quarterly basis and increase viewership for the upcoming year's appointments. This will provide more visibility with our vacancies and potentially capture more interest.

The benefits of a semi-annual appointment model on staff time are significant. Not only would staff save time by recruiting quarterly instead of being reactive to expiring terms upwards of six times per year, but it would also reduce the time spent scheduling special City Council meetings to hold interviews.

Attachment 1 outlines the changes proposed to each Member's term on current BCCs. Staff's intent was to extend terms to the following April or October of their current term expiration date, but there were some instances where terms were extended further out in order to balance the vacancies equally for each cycle.

COMMUNITY OUTREACH:

A draft of the staff report was sent to active BCC members and sent to community members who have expressed interest in BCC's, in preparation for this report to the City Council.

FISCAL IMPACT:

There is no fiscal impact associated with this action.

RECOMMENDED ACTION:

Approve Extension of Board, Commission and Committee Member Terms to a Semi-Annual Expiration.

ATTACHMENTS:

1. Term Extension per member

Member & BCC	Current Expiration	New Expiration
ADA Access Advisory Committee		
Ashley Tomerlin	10/2023 ¹	04/2024 ¹
Timothy Lord	10/2023 ¹	04/2024 ¹
Raed Al-Zaher	10/2026 ¹	04/2027 ¹
Timothy Park	10/2026 ²	04/2027 ²
Francine Falk-Allen	10/2026 ¹	04/2027 ¹
Bicycle & Pedestrian Advisory Committee		
Mark Kyle	11/2026 ¹	04/2027 ¹
Sylvain Frayer	11/2026 ¹	10/2027 ¹
Marc Solomon	11/2023 ²	04/2024 ²
Philip Mooney	11/2023 ²	04/2024 ²
Barry Bergman	11/2023 ¹	04/2024 ¹
Anne Coyne (Alternate)	11/2023	10/2024
Board of Library Trustees		
Lawrence 'Larry' Andow	04/2023 ⁰	04/2023 ⁰
Alexander Vahdat	04/2025 ¹	10/2025 ¹
Jaimi Cortes	04/2025 ²	10/2025 ²
Adriana Duque Hughes	04/2023 ¹	04/2023 ¹
Cheryl Lentini	04/2023 ¹	04/2023 ¹
Design Review Board		
Jeff Kent, Landscape Architect	06/2025 ²	04/2026 ²
Sarah Rege, Architect	06/2024 ²	10/2024 ²
Michael Alexin	06/2026 ¹	10/2026 ¹
Sharon Kovalsky, Architect	06/2025 ¹	04/2026 ¹
Stewart Summers, Architect	06/2023 ²	10/2023 ²
Donald L. Blayney, Landscape Architect (Alternate)	12/2023	04/2024
Fire Commission		
Stan Burford	03/2026 ¹	04/2026 ¹
David Fonkalsrud	03/2027 ¹	10/2027 ¹
Thomas Weathers	03/2024 ²	10/2024 ²
Nadine Hade	03/2025 ²	10/2025 ²
Ken Johnson	03/2025 ¹	10/2025 ¹
Donna McCusker (Alternate)	03/2026	04/2026
Park & Recreation Commission		
Mark Machado	10/2023 ²	10/2023 ²

Robert Sandoval	10/2024 ¹	10/2024 ¹
Cicily Emerson	10/2023 ¹	10/2023 ¹
Kela Cabrales	10/2024 ¹	10/2024 ¹
Ariel Gutierrez	05/2026 ²	10/2026 ²

Pickleweed Advisory Committee

Jairo Ceballos	12/2026 ¹	04/2027 ¹
Louise Yost	12/2024 ²	04/2025 ²
Nancy Palacios, Non-Canal Resident	12/2024 ¹	04/2025 ¹
Kate Sprague	12/2024 ¹	04/2025 ¹
Janet T Sanchez	12/2026 ²	04/2027 ²
Rosa Vasquez	12/2024 ¹	04/2025 ¹
Miguel Hau-Gutierrez, Youth Member	12/2024 ¹	04/2025 ¹
Vacant, Alternate Member		

Public Art Review Board

Kristyn Merritt	08/2026 ¹	10/2026 ¹
Morgan Schauffler	08/2026 ¹	10/2026 ¹
Meili Zhao	08/2024 ¹	10/2024 ¹
Robert Sandoval, Park & Recreation Commission Rep	08/2024	
Sharon Kovalsky, Design Review Board Rep	08/2024	

Planning Commission

Samina Saude	06/2024 ¹	10/2024 ¹
Kelly Shalk	06/2023 ⁰	10/2023 ⁰
Jon Previtali	06/2025 ¹	10/2025 ¹
VACANT, D1	06/2025 ¹	10/2025 ¹
Aldo Mercado	06/2026 ²	10/2026 ²
Shingai Samudzi	06/2023 ¹	10/2023 ¹
Jon Haveman	06/2026 ¹	10/2026 ¹

VATOC

Charles Friede	11/2026 ¹	10/2027 ¹
Stephen Roth	11/2026 ¹	10/2027 ¹
Tracey Broadman	11/2026 ¹	10/2027 ¹
Caleb McWaters	11/2024 ¹	04/2025 ¹
Sierra Bloyd	11/2024 ¹	04/2025 ¹

Semi-Annual	Number
April 2023	3
Oct. 2023	5
April 2024	6
Oct. 2024	7
April 2025	7
Oct. 2025	6
April 2026	4
Oct. 2026	6
April 2027	6
Oct. 2027	5

Key
^{1,2,3} = 1st, 2nd or 3rd Term

Agenda Item 4.c

Public Service Award 2023

Staff Report and Resolution to be published
on April 4, 2023

City of San Rafael
PROCLAMATION
CELEBRATE DIVERSITY MONTH IN APRIL

WHEREAS, Celebrate Diversity Month was initiated in April 2004 to recognize and honor the diversity of the world around us. It is a time to acknowledge, understand and celebrate our differences; and

WHEREAS, The City of San Rafael is a city that welcomes, upholds, honors and celebrates people of all races, ethnicities, religions, genders, sexual orientations, physical and mental circumstances, immigration and economic statuses, and other factors; and is a City that believes that diversity creates an environment for innovation, robust communities and a rich cultural life in the City where individuals, cultures and experiences feel welcomed, respected, supported and valued; and

WHEREAS, Diversity is crucial in assuring that we can understand each other in deeper ways that help keep us humble and open to diverse perspectives for greater innovation, problem-solving, productivity, and collaboration. By also celebrating and sharing our authentic selves, we gain a greater appreciation of each other and the diversity that surrounds us; and

WHEREAS, Diversity does not just mean recognizing different cultures and ethnicities. It is about how we understand them and how willing we are to listen and appreciate differences that we might not be familiar with. Celebrate Diversity Month is a month dedicated to gaining new perspectives on the lives of others around us, to educate ourselves and foster a more tolerant society; and

WHEREAS, The City is committed to building a culture that hold diversity, equity, inclusion, and belonging as core values and to ensure all residents are provided fair and equitable treatment, access and opportunity for full participation of all community members; and

WHEREAS, The mission of the City of San Rafael is to enhance our quality of life and provide for a safe, healthy, prosperous and livable environment in partnership with the community, for all community members, and our vision is for San Rafael to be a vibrant economic and cultural center reflective of our diversity, with unique and distinct neighborhoods in a beautiful natural environment, sustained by active and informed residents and a responsible innovative local government; and

WHEREAS, The City Council of the City of San Rafael is committed to understanding that diversity itself can benefit us in all aspects of our lives and encourages everyone to use this month as an opportunity to embrace all the diverse beauty that surrounds us.

NOW, THEREFORE, The City Council of the City of San Rafael Hereby Proclaims the month of April 2023 as Celebrate Diversity Month and recognizes the importance of valuing each other's lived experiences, differences, and unique characteristics.



A handwritten signature in blue ink, appearing to read "Kate Colin".

Kate Colin
Mayor

**City of San Rafael
Proclamation**

Week of the Young Child - April 1 – 7, 2023

- WHEREAS,** Children’s cognitive, physical, social and emotional, and language and literacy development are built on a foundation of children’s positive interactions with adults, peers, and their environment; and
- WHEREAS,** childcare is an essential service that parents rely on so they can work, attend school or participate in training, knowing their children are well cared for in a stable, nurturing and thriving environment; and
- WHEREAS,** access to high quality child care is critical for all young children and families and closes the gap of school readiness and leads to positive outcomes for all children; and
- WHEREAS,** high-quality early childhood education promotes the intellectual, emotional, and physical development of children, which prepares them to be responsible and contributing members of our society; and
- WHEREAS,** public policies and programs which support early learning for all young children are crucial to their futures, and those who contribute significantly to the lives of young children in our community deserve our recognition and gratitude; and
- WHEREAS,** the City of San Rafael encourages all community members during this week and throughout the month of April to celebrate our youngest learners by recognizing and supporting the needs of young children in our community.

NOW, THEREFORE, I, KATE COLIN, Mayor of San Rafael, hereby proclaim April 1 through 7, 2023 as the Week of the Young Child.



**Kate Colin
Mayor**



SAN RAFAEL CITY COUNCIL AGENDA REPORT

Department: Police Department

Prepared by: Alex Holm, Lieutenant

City Manager Approval: _____

A handwritten signature in black ink, appearing to be the initials 'AS' or similar, written over a horizontal line.

TOPIC: APPROVAL FOR SPECIAL EVENT STREET CLOSURES IN SAN RAFAEL

SUBJECT: RESOLUTION AUTHORIZING THE TEMPORARY CLOSURE OF STREETS IN SAN RAFAEL FOR SPECIAL EVENTS FOR CALENDAR YEAR 2023

RECOMMENDATION: Adopt a resolution authorizing the temporary closure of streets in San Rafael for special events for Calendar Year 2023.

BACKGROUND:

The San Rafael Municipal Code requires City Council approval of all special events which necessitate the temporary closure of City streets and temporary parking restrictions. In addition, California Vehicle Code section 21101(e) authorizes the City to adopt a resolution temporarily closing a portion of any street for celebrations, parades, local special events, and other purposes when, in the opinion of local authorities having jurisdiction or a public officer or employee that the local authority designates by resolution, the closing is necessary for the safety and protection of persons who are to use that portion of the street during the temporary closing. As of March 2023, there are eight (8) special events in the planning process which require street closures and/or parking restrictions; many of which involve closure of Downtown streets.

Advance approval for the majority of events will streamline the approval process without sacrificing City input and control. If approval is granted for the stated events, City staff will continue to process all event applications as in previous years. Event producers will be required to submit a Special Event Application, fulfill insurance requirements indemnifying the City from liability associated with the event, and provide detailed information regarding operation, logistics, and activities included in the event. The permitting process includes street closure diagrams, traffic control plans, and more, which we use to develop internal plans. The City Staff will ensure event organizers effectively manage community notifications of potential event impacts as well as associated street closures. Staff recommends that the City Council approve these special event street closures for the year 2023.

ANALYSIS:

The eight special event street closures are as follows:

FOR CITY CLERK ONLY

Council Meeting:

Disposition:

Downtown Events Impacting Fourth Street:

Event: **May Madness Car Show and Parade**

Date(s): **May 6, 2023** (Saturday)

Closure Location(s): Fourth Street: D Street to Lincoln Avenue
A Street: Fourth Street to Fifth Avenue
B Street: Third Street to Fifth Avenue
C Street: Fourth Street to Fifth Avenue
Lootens Place: Commercial Place to 935 Lootens Place
Julia Street: B Street to A Street
Cijos Street: North of Commercial Place to Fourth Street

Parade Closure:
Fourth Street: H Street to Lincoln Avenue

Event Time: 12:00 PM – 6:00 PM
Closure Time: 8:00 AM – 8:00 PM

Event: **Taste of San Rafael Awards Event / State of the City**

Date(s): **May 10, 2023** (Wednesday)

Closure Location(s): Fourth Street: A Street to Lootens Place

Event Time: 5:00 PM – 8:00 PM
Closure Time: 4:00 PM – 9:00 PM (estimated)

Event: **Sunset Criterium**

Date(s): **August 26, 2023** (Saturday)

Closure Location(s): Fourth Street: A Street to C Street
Fifth Avenue: C Street to A Street
C Street: Fourth Street to Fifth Avenue
A Street: Fifth Avenue to Fourth Street

Event Time: TBD
Closure Time: TBD

Event: **Downtown Farmers Market**

Date(s): Thursdays from **June 1 to August 31, 2023**

Closure Location(s): Fourth Street: A Street to Lootens Place

Event Time: 5:30 PM – 8:30 PM
Closure Time: 4:00 PM – 10:00 PM

Detailed Dates:

June 1 (Thu)	June 8 (Thu)	June 15 (Thu)
June 22 (Thu)	June 29 (Thu)	July 6 (Thu)
July 13 (Thu)	July 20 (Thu)	July 27 (Thu)
August 3 (Thu)	August 10 (Thu)	August 17 (Thu)
August 24 (Thu)	August 31 (Thu)	

Downtown Events Impacting Other Streets:

Event: **Youth in Arts Annual Fundraiser**

Date(s): **May 20, 2023** (Saturday)

Closure Location(s): C Street: Third Street to Fourth Street

Event Time: 10:30 AM – 4:30 PM
Closure Time: 7:30 AM – 7:00 PM

Events impacting Point San Pedro Road:

Event: **Marin Road Race**

Date(s): **July 9, 2023** (Sunday)

Location: Point San Pedro Road: Riviera Drive to Marin Bay Park Court

Event Time: TBD
Event Time: TBD

Event: **Marin Endurance Festival**

Date(s): **October 28, 2023** (Saturday) AND
October 29, 2023 (Sunday)

Closure Location(s): Point San Pedro Road: Riviera Drive to Biscayne Drive

Event Time: TBD
Closure Time: TBD

Events Impacting Gerstle Park Neighborhood:

Event: San Rafael Porchfest

Date(s): **September 17, 2023** (Sunday)

Closure

Location(s): Bayview Street: D Street to Clark Street
San Rafael Avenue: D Street to Clark Street
Marin Street: San Rafael Avenue to Clayton Street
Clorinda Street: Main Street to Clark Street

Event Time: TBD

Closure Time: TBD

Specific street closure times are subject to change, will be determined by City staff and the Police Department Traffic Sergeant as needed for each event day schedule, and will be noticed to the public.

COMMUNITY OUTREACH:

Merchants, businesses, residents, and the general public are notified of the street closures through a variety of outlets, including mailed notices, public service messages, event posters, email, signage, community organizations, and official City of San Rafael social media accounts.

FISCAL IMPACT:

Pursuant to the current City policy, Police, Public Works, and Parking Services fees and/or costs will be assessed and reimbursed by the event organizer unless directed otherwise.

OPTIONS:

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

1. Adopt the resolution authorizing the specified special event temporary street closures.
2. Adopt resolution with modifications.
3. Direct staff to return with more information.
4. Take no action.

RECOMMENDED ACTION:

Adopt resolution.

ATTACHMENTS:

1. Resolution Authorizing the Temporary Closure of Streets in San Rafael for Special Events for Calendar Year 2023

RESOLUTION NO.

RESOLUTION OF THE SAN RAFAEL CITY COUNCIL AUTHORIZING THE TEMPORARY CLOSURE OF STREETS IN SAN RAFAEL FOR SPECIAL EVENTS FOR CALENDAR YEAR 2023

WHEREAS, the San Rafael City Council has determined that it is in the best interests of the public health and safety to implement a modified Traffic Plan and Road Closure for all special events in San Rafael and nearby neighborhoods; and

WHEREAS, after reviewing plans for the events and the traffic patterns, City staff has determined and recommended that, in the interest of the safety and welfare of pedestrian and auto traffic in the downtown area, the streets should be temporarily closed to through traffic for the dates and locations as specified in the Staff Report; and

WHEREAS, the specific time periods for the temporary closures described in the Staff Report shall be as determined by the City staff in consultation with the Police Department, and staff shall give timely notice to the public of those time periods by signage and/or other appropriate means.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF SAN RAFAEL HEREBY RESOLVES:

1. That all the above findings are true and correct; and

2. That pursuant to the authority of Vehicle Code section 21101(e), for the safety and protection of persons, both pedestrians and vehicle drivers, the City Council hereby authorizes the temporary closure of the listed streets for the locations and dates described in the Staff Report accompanying this Resolution.

I, Lindsay Lara, City 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 held on the 3rd day of April 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,
Director of Public Works**

City Manager Approval: _____

TOPIC: THIRD STREET REHABILITATION PROJECT

SUBJECT: AUTHORIZE THE CITY MANAGER TO EXECUTE A FIRST AMENDMENT TO THE PROFESSIONAL SERVICES AGREEMENT WITH COASTLAND CIVIL ENGINEERING, INC. FOR CONSTRUCTION MANAGEMENT, INSPECTION, AND MATERIAL TESTING SERVICES ASSOCIATED WITH THE THIRD STREET REHABILITATION PROJECT, IN AN ADDITIONAL AMOUNT NOT TO EXCEED \$380,000

RECOMMENDATION:

Authorize the City Manager to execute a first amendment to the agreement with Coastland Engineering, Inc. (Coastland) for construction management, inspection, and material testing services associated with the Third Street Rehabilitation project, in an amount not to exceed \$380,000, increasing the total not-to-exceed amount under the agreement to \$1,548,300.

BACKGROUND: In 2004, the Transportation Authority of Marin (TAM) established the Measure A Expenditure Plan (Plan), a voter-approved sales tax providing funds for major roadway projects in Marin County. Plan projects were prioritized based on roadway condition, traffic volumes, transit frequency, and existing bicycle and pedestrian access. Approximately \$12.9 million in Measure A funds has been allocated from TAM for design and construction of the Third Street Rehabilitation project.

Prior to going out to bid, on June 21, 2021 the City Council awarded the construction management, inspection, and material testing contract to Coastland Civil Engineering, Inc. for \$1,168,300. This allowed Coastland to do a constructability review prior to construction commencing in March 2022.

On February 7, 2022, the City Manager executed a contract award with Ghilotti Bros. Inc., for their bid amount of \$18,248,707.54 and approved a contract contingency in the amount of \$2,551,292.46 for a total of \$20,800,000. The City Manager also executed a reimbursement agreement between the City of San Rafael and the San Rafael Sanitation District and Marin Municipal Water District for their pipeline projects, Construction Management and paving restoration.

More information about the project, including prior meetings, timeline, and design details can be found on the City of San Rafael website.

FOR CITY CLERK ONLY

Council Meeting:

Disposition:

ANALYSIS: Construction Inspection on the project has proved to be challenging with the length of the project and multiple operations going on in different locations along the project limits. To continue to stay on schedule with multiple operations happening concurrently, the project has required multiple inspectors per day. This has resulted in a higher rate of expenditures for the construction management and inspection contract.

FISCAL IMPACT: The additional cost of \$380,000 will be funded cooperatively by the City of San Rafael and the San Rafael Sanitation District using the available contingency balance for construction. The contingency amount of \$2,551,292.46 shall be reduced to \$2,171,292.46 to allocate \$380,000 for additional construction management and inspection.

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

1. Authorize the City Manager to enter into the amended agreement as recommended.
2. Do not authorize the City Manager to enter into the amended agreement and provide further direction to staff.

RECOMMENDED ACTION: Authorize the City Manager to execute a first amendment to the agreement with Coastland Engineering, Inc. (Coastland) for construction management, inspection, and material testing services associated with the Third Street Rehabilitation project, in an amount not to exceed \$380,000, increasing the total not-to-exceed amount under the agreement to \$1,548,300.

ATTACHMENT:

1. Consultant Proposal



Coastland

Civil Engineering - Construction Management - Building Dept. Services

December 12, 2022
Revised December 14, 2022
Revised March 6, 2023
Revised March 24, 2023

April Miller
Director
City of San Rafael Department of Public Works
111 Morpew St.
San Rafael, CA 94901

Subject: **3rd Street Rehabilitation Project
Request for Contract Amendment #1**

Dear Shawn:

This letter is to request a contract amendment for Coastland’s Construction Management and Inspection services for the 3rd Street Rehabilitation Project in the amount of **\$380,000.00**.

The reason for the anticipated budget over-run is as follows:

1. The sewer replacement Subcontractor is significantly behind schedule for reasons that are neither the City’s nor Coastland’s fault. We had anticipated one full time and one part time inspector in our initial proposal. The sewer replacement work has required full time inspection plus a full-time inspector to cover the remaining contract work.
2. The required overtime inspection has already exceeded our estimate of the number of overtime hours required.

We estimate that from today’s date, there will be a total of 90 days on-site inspection left to complete the remaining contract work.

One full time Inspector for remaining contract work: 720 hours @ \$165/hour.....	\$118,800.00
One full time Inspector for remaining sewer work: 400 hours @ \$165/hour	\$66,000.00
Inspection Overtime hours : 140 hours @ \$247.50/hour	\$34,650.00

Subtotal Inspection **\$219,450.00**

We also anticipate the following Construction Management work to Project Close Out:

Construction Manager: 500 hours @ \$185/hour\$92,500.00

Subtotal Construction Management **\$92,500.00**

Vehicle Hours: 1,400 hours @ \$17/hour **\$23,800.00**

1400 Neotomas Ave Santa Rosa, CA 95405 707.571.8005 707.571.8037 Fax

11810 Kemper Road Auburn, CA 95603 530.888.9929 530.889.9979 Fax

www.coastlandcivil.com

Subtotal of additional estimated work..... \$335,750.00
Budget addition for Material Testing..... \$44,250.00
Total Extra Work.....\$380,000.00

If you have any questions, please call me at (707) 494-6464.

Sincerely,



Mike Janet
Construction Services Manager

cc: John Wanger; Andrea Tidwell



Agenda Item 5.a

**Presentation of Resolution of Appreciation
to Public Service Award Recipient**

Resolution to be published on April 4, 2023



SAN RAFAEL CITY COUNCIL AGENDA REPORT

Department: Community Development

Prepared by: Alicia Giudice, Director
Chris Hess, Assistant Director
Alexis Captanian, Analyst

City Manager Approval:  _____

TOPIC: NOTICE OF FUNDING AVAILABILITY FOR AFFORDABLE HOUSING

SUBJECT: STATUS AND SCOPE OF CITY OF SAN RAFAEL NOTICE OF FUNDING AVAILABILITY

EXECUTIVE SUMMARY:

The City Council will receive information on the upcoming release of a notice of funding availability to expend up to \$1.4 million for affordable housing from the Affordable Housing Trust Fund.

RECOMMENDATION:

Receive and accept the report.

BACKGROUND:

The City of San Rafael is committed to creating and maintaining housing affordable to the workforce and to lower and moderate-income residents, families, and seniors. To support the efforts of affordable housing developers, the City maintains an Affordable Housing Trust Fund (Fund 243) and periodically issues notices of available funding. Presently, the fund balance is \$2,046,791 and staff are preparing a notice of funding availability inviting qualified affordable housing sponsors to submit requests for funding.

ANALYSIS:

On April 7, 2023, the Community Development Department plans to announce a notice of funding availability (NOFA) of \$1,400,000 for construction or preservation of affordable housing for seniors, families, and individuals and families with special needs, including individuals and families who formerly experienced homelessness.

Funding will be awarded through a competitive process. Qualified responses may be awarded in full or in part and funding may be awarded to one or more projects depending on the number of responses received and on how each response addresses the City's affordable housing goals. Responses shall be evaluated and recommendations for awarding funding will be made using the selection criteria included in the NOFA. Any award of funding must be approved by the San Rafael City Council.

FOR CITY CLERK ONLY

Council Meeting:

Disposition:

Goals for the NOFA

Successful responses will meet the affordable housing goals provided in the [County of Marin Consolidated Plan](#) and the [City of San Rafael Housing Element](#), which is [currently being updated for 2023 through 2031](#). The Housing Element provides the affordable housing goals of the City of San Rafael, while the consolidated plan is a five-year strategic plan for federal funding programs including the Community Development Block Grant (CDBG) program and the HOME Investment Partnerships program (HOME). Both sets of goals are included in the NOFA to ensure that awardees will also be competitive for an award of the City’s share of CDBG and HOME funds, which are administered by the County.

Affordable Housing Trust Fund Guidelines

In addition to the goals, responses must meet the guidelines provided in the attached San Rafael City Council Resolution No. 14760, Guidelines for the Administration of the Affordable Housing Trust Fund (“Guidelines”).

Proposed Timeline

The Community Development Department anticipates announcing the NOFA, evaluating responses, and forwarding funding recommendations to the City Council following this schedule:

Announcement:	On or After April 7, 2023
Responses Due:	May 15, 2023 (5:00PM)
Evaluation:	May 16 - 31, 2023
Developer Team Interview(s):	May 24 - 31, 2023
Notice of Pending Award(s):	Early June
Award(s) Approved by the City Council:	Mid-June 2023

Requirements for Consideration

Qualified responses must demonstrate the following minimum qualifications.

Eligible Projects:

- Acquisition/Rehabilitation, including conversion of market rate housing or adaptive reuse of buildings to affordable housing.
- New Construction of affordable housing, including the residential portions of mixed-use and live/work projects that meet the affordability requirements of the Guidelines.

Eligible Applicants:

- Non-profit organizations, qualified under Section 501(c)(3) of the Internal Revenue Code.
- For-profit developers of affordable housing. For-profit developers experienced in residential development may also partner with a 501(c)(3) nonprofit organization.

Eligible Activities:

- Land or property acquisition.
- Predevelopment (architecture, engineering/soil, environmental, financial analysis).
- Construction (site preparation, construction, materials).
- Conversion of market rate housing or non-residential buildings to deed-restricted affordable housing.
- Any other activity determined by the city that helps address affordable housing goals and priorities as established by the City Council.

Developer Team Minimum Requirement:

- Expertise and experience of the developer team designing and constructing successful affordable housing projects either locally or within similar communities in the Bay Area.

Project Minimum Requirements:

- Meet all requirements provided in the Guidelines.
- Demonstrate site control or ability to achieve site control, including but not limited to a purchase sale agreement, executed deed or contract of sale, or letter from a public agency or other entity agreeing to convey property and including the terms and conditions of such a transfer.
- Return on city investment based on population need and number of units created through creative use of design, materials and construction techniques, and financing.
- Reasonable per unit city subsidy evaluated by need of the target population, project type and cost effectiveness (cost per person, externalities, reserves, leveraging).

Additional Considerations:

- Project readiness in the form of approved entitlements and building permits and awarded state and federal funding.
- Projects located within a quarter mile of transit, or that provide units for larger families, or serve very-low- and/or extremely-low-income households or include 20% or more permanent supportive housing.

Affordable housing created through the NOFA will count toward meeting the City's goals for new housing development and the Regional Housing Needs Allocation.

COMMUNITY OUTREACH:

The NOFA will be announced on the City's website and notices will be provided to local and regional affordable housing owners and developers.

FISCAL IMPACT:

Fund expenditure is not requested at this time. After responses to the NOFA have been received and evaluated by staff, a funding recommendation will be provided for City Council approval. At that time, funds from the Affordable Housing Trust Fund will be requested. As of March 23, 2023, the Affordable Housing Trust fund balance was \$2,046,791, which is sufficient to support this Notice of Funding Availability.

OPTIONS:

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

1. Staff's recommended action, which is to receive and accept the report
2. Direct staff to provide additional information or requirements or otherwise adjust the NOFA

RECOMMENDED ACTION:

Receive and file the report on the Notice of Funding Availability for Affordable Housing.

ATTACHMENT:

San Rafael City Council Resolution No. 14760, *Guidelines for the Administration of the Affordable Housing Trust Fund* ("Guidelines")

RESOLUTION NO. 14760

RESOLUTION OF THE SAN RAFAEL CITY COUNCIL ADOPTING “GUIDELINES FOR THE ADMINISTRATION OF THE AFFORDABLE HOUSING TRUST FUND”

WHEREAS, Section 14.16.030.J of the San Rafael Municipal Code establishes the creation of a segregated housing in-lieu fee account to be funded by housing in-lieu fees to be used solely to increase and expand the supply of housing affordable to very low-, low- and moderate-income households; and

WHEREAS, the City of San Rafael maintains Fund 243 - the Affordable Housing In-Lieu Fee Fund with on-going dedicated funding from housing in-lieu fees; and

WHEREAS, this Affordable Housing In-Lieu Fee Fund is the City’s Housing Trust Fund, exclusively dedicated to the production and protection of affordable housing units in the City of San Rafael; and

WHEREAS, the San Rafael City Council finds it necessary to establish guidelines which establish priorities, criteria, and administrative processes for distribution of Housing Trust Fund monies and project selection;

NOW, THEREFORE BE IT RESOLVED, that the City Council of the City of San Rafael hereby adopts the following “Guidelines for the Administration of the Affordable Housing Trust Fund”:

SECTION 1 PURPOSE AND INTENT

The City’s Affordable Housing Trust Fund, or Housing Trust Fund, was created to increase the stock of permanently affordable housing units in the City of San Rafael. The Housing Trust Fund provides a local funding source for financial and technical assistance to help affordable housing developers produce and preserve affordable housing. These guidelines are intended to provide direction as well as flexibility for staff in making recommendations for Program funding.

SECTION 2 APPLICABILITY

The provisions of this Program shall apply to all real property in the San Rafael city limits including a single-family dwelling or unit in a multifamily or multipurpose dwelling, a unit in a condominium or cooperative housing project, or a unit in a structure that is being used for residential uses whether or not the residential use is a conforming use permitted under the San Rafael Municipal Code, which is hired, rented, or leased to a household within the meaning of California Civil Code Section 1940.

SECTION 2 DEFINITIONS

- A. “Affordable Rent” means a housing unit that satisfies at least one of the following criteria:
 - 1) If the unit is being rented to Low-Income, Very Low-Income or Extremely Low-Income Households

- 2) If the unit is being sold, it is offered at an “affordable housing cost”, as defined in Health & Safety Code Section 50052.5
 - 3) If the unit is being rented to Moderate-Income households, it is available at a gross rent, including a utility allowance, that does not exceed 30 percent of the applicable income eligibility level, and complies with the definition of Moderate-Income in these guidelines
- B. “Applicant” means one of the following:
- 1) Non-profit organizations, qualified under Section 501(c)(3) of Title 26 of the Internal Revenue Code (“501(c)(3) nonprofit organization”)
 - 2) Public agencies
 - 3) For-profit developers working in partnership with a 501(c)(3) nonprofit organization
 - 4) Any other application that helps to address program goals and priorities of increasing affordable housing as reflected by ordinances and resolutions established by the City Council
- C. “Area Median Income” means the most recent applicable Marin County median family income published by the California Department of Housing and Community Development, available at the following link: <http://www.hcd.ca.gov/grants-funding/income-limits/state-and-federal-incomelimits.shtml>
- D. “Department” means the Community Development Department.
- E. “Development Team” means the Developer, Architect, Financing Partners, General Contractor, and Construction Management personnel associated with an eligible project.
- F. “Director” means the Community Development Department Director.
- G. “Eligible Activity” means any of the following:
- 1) Seed/Catalyst funds for very early costs to initiate or expedite eligible project development (such as feasibility analysis or community planning)
 - 2) Land or property acquisition for new development
 - 3) Predevelopment (architecture, engineering/soils, environmental reports, financial consultants, etc.)
 - 4) Construction (site preparation, construction, materials)
 - 5) Rehabilitation activities to renovate existing rental units
 - 6) Conversion of market rate housing, or non-residential buildings, to deed restricted affordable housing
 - 7) Any other activity that helps to address program goals and priorities of increasing affordable housing as reflected by ordinances and resolutions established by the City Council
- H. “Eligible Project” means a project which includes, but is not limited to:
- 1) Rental housing projects that meet the affordability requirements of these guidelines including Permanent Supportive Housing. The affordability of all

units assisted by Program Funds shall be income and rent restricted for not less than 55 years;

- 2) Single-room occupancy (“SRO”) projects;
 - 3) Emergency Shelters;
 - 4) Supportive and transitional housing;
 - 5) The residential portions of mixed-use and live/work projects that meet the affordability requirements of these guidelines;
 - 6) Conversion of market-rate housing to affordable, or of non-residential buildings to affordable housing;
 - 7) Single-family or multi-family homeownership projects that meet affordability guidelines; and
 - 8) Any other activity that helps to address Program goals and priorities of increasing affordable housing as reflected by ordinances and resolutions established by the City Council.
- I. “Emergency Shelter” means the same as in Code of Federal Regulations Title 24, Section 576.2, as amended from time to time.
- J. “Extremely Low-Income” has the meaning set forth in Health & Safety Code Section 50106. Grantees shall utilize income limits issued by the California Department of Housing and Community Development at the following link: <http://www.hcd.ca.gov/grants-funding/income-limits/state-and-federal-incomelimits.shtml>
- K. “Grantee” means an entity that has received an award of Program Funds.
- L. “Homeownership Project” or “Units Within a Homeownership Project” means an Eligible Project that uses Program Funds to assist in the acquisition, construction or rehabilitation of owner-occupied housing units in which the homeowner has an ownership interest sufficient to comply with Health & Safety Code Section 50843.5(d)(3), including the construction, repair, reconstruction or rehabilitation of Accessory Dwelling Units or Junior Accessory Dwelling Units.
- M. “Low-Income Households” has the meaning set forth in Health & Safety Code Section 50079.5 for “Lower income households”. Grantees shall utilize income limits issued by the California Department of Housing and Community Development at the following link: <http://www.hcd.ca.gov/grants-funding/income-limits/state-and-federal-incomelimits.shtml>
- N. “Management Team” means the Property Owner, Property Management, Financial Partners, and/or Service Providers associated with an eligible project.
- O. “Moderate-Income Persons and Families Households” has the meaning set forth in Health & Safety Code Section 50093. Grantees shall utilize income limits issued by the California Department of Housing and Community Development at the following link: <http://www.hcd.ca.gov/grants-funding/income-limits/state-and-federal-incomelimits.shtml>
- P. “NOFA” means a Notice of Funding Availability issued by the Department to announce the availability of Program Funds, the terms and conditions of awards, and requirements for the submittal of applications.

- Q. “Permanent Supportive Housing” has the same meaning as “supportive housing” in Health & Safety Code Section 50675.14: housing, with no limit on the length of stay, that is occupied by the target population, and that is linked to onsite or offsite services that assist the supportive housing residents in retaining the housing, improving his or her health status, and maximizing his or her ability to live and, when possible, work in the community. Permanent Supportive Housing may include associated facilities if used to provide services to housing residents. Permanent supportive housing does not include “health facility” as defined by Health & Safety Code Section 1250, or any “alcoholism or drug abuse recovery or treatment facility” as defined by Health & Safety Code Section 11834.02, or “community care facility” as defined in Health & Safety Code Section 1502, or “Mental health rehabilitation centers” as defined in Section 5675 of the Welfare and Institutions Code, or other residential treatment programs.
- R. “Program” means the administration of the Affordable Housing Trust Fund, as implemented in these Guidelines.
- S. “Program Application” means an application in a form prescribed by the Program.
- T. “Program Funds” means the funds provided by the Affordable Housing Trust Fund pursuant to these Guidelines
- U. “Public Agency” means
- V. “Single Room Occupancy or SRO project” means
- W. “Transitional Housing” means the same as in Code of Federal Regulations Title 24, Section 578.3.
- X. “Very Low-Income” has the meaning set forth in Health & Safety Code Section 50105. Grantees shall utilize income limits issued by the California Department of Housing and Community Development for Very Low-Income households for each county at the following link: <http://www.hcd.ca.gov/grants-funding/income-limits/state-and-federal-incomelimits.shtml>

SECTION 3 ORGANIZATION & OVERSIGHT

The Housing Trust Fund will be governed by the San Rafael City Council. The City Council will provide oversight to the Housing Trust Fund and will review all loans and grants for approval or denial. This review process will take place through the regular agenda of the City Council. Minutes will be recorded at all meetings and maintained by City staff. The Department will process all applications and make funding recommendations to the City Council.

SECTION 4 APPLICATION PROCESS

Applicants with eligible projects seeking Program funding for an eligible activity may apply via one of two application processes:

- A. NOFA Application Process. When necessary, the Program may issue a NOFA announcing availability of Program Funds, the terms and conditions of awards, and requirements for the submittal of applications. Program Funds made available through the NOFA may not be greater than the balance of the Affordable Housing Trust Fund.

Rolling Application Process. During periods without an issued NOFA by the Program, Applicants with eligible projects seeking Program funding for an eligible activity may submit a Program Application. Applicants must contact Program staff by phone or e-mail prior to Program Application submittal. Completed Program Applications must be submitted to the Director. Once a Program Application is received by the Director, Program staff will make a recommendation to the San Rafael City Council to approve or reject the funding request.

Under both processes, Program staff reserve the right to determine the reasonableness of all costs and fees associated with a project, including developer fees.

SECTION 5 EVALUATION CRITERIA

All funding applications will be evaluated using the following criteria:

- A. Community Benefit. Eligible projects must provide a tangible and cost-effective benefit to the community as well as the intended beneficiaries.
- B. Development Team's Capacity. Eligible projects must show Development Team experience and capacity (skills, experience, resources) to achieve the proposed activity.
- C. Management Team's Capacity. Eligible projects must show organizational experience and capacity (skills, experience, resources) to achieve the proposed activity, including the organization's financial health. The organization may not have any unresolved financial audit findings. Applications should include applicant monitoring and reporting record, previous project experience and property management experience.
- D. Readiness to Proceed. Where applicable, the City will prefer eligible projects which can show a combination of the following:
 - i. site control;
 - ii. third party capital needs assessment completed within past 12 months;
 - iii. scope of work identifying critical repairs;
 - iv. expected planning and zoning approval within 90 days of funding approval;
 - v. construction/acquisition start (within 12 months of application);
 - vi. construction cost estimate;
 - vii. substantial amount of other financial resources committed; and
 - viii. relocation and/or replacement housing plan and budget identified
- E. Leverage and Collaboration. The City encourages applicants to seek other financing and in-kind contributions to match City investment. Other things being equal, applications with greater matching sources will receive more favorable consideration. The City prefers not to be the sole source of funding for a project or program.
- F. Per Unit Subsidy (PUS). Recognizing the cost per residential unit will vary per project due to a variety of factors, there is no specific PUS. Reasonable PUS includes evaluation of the target population, project type and cost effectiveness (cost per person, externalities, reserves, leveraging).

SECTION 6 FUNDING TERMS

Program Funds will generally be available in the form of a loan or a grant. Loan length and terms will vary by project to meet the needs of the project, availability of financing, financing method, development configuration and organizational capacity of the applicant, as determined by staff and the City Council.

SECTION 7 REPORTING REQUIREMENTS

Grantees must notify Program staff in writing of all major changes, financial or otherwise, relating to an application for financial assistance or an approved project.

Depending on the size and type of loan or grant requested, the following may be required: a written breakdown of expenditures funded with Housing Trust Fund proceeds; receipts, invoices and cancelled checks; annual reports certifying ongoing affordability; annual reports on project demographics and affirmative marketing plans; annual written reports describing any changes in the project development, operations, or management; and/or audited annual financial statements.

BE IT FURTHER RESOLVED that any and all amendments to the “Guidelines for the Administration of the Affordable Housing Trust Fund” herein, as deemed necessary from time-to-time, shall be adopted by resolution of the City Council.

I, LINDSAY LARA, City 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 held on the 21st day of January 2020 by the following vote to wit:

AYES: Councilmembers: Bushey, Colin, Gamblin & Mayor Phillips

NOES: Councilmembers: None

ABSENT: Councilmembers: McCullough


LINDSAY LARA, City Clerk



SAN RAFAEL CITY COUNCIL AGENDA REPORT

Department: Fire

Prepared by: Darin White, Fire Chief

City Manager Approval: 

TOPIC: COUNTYWIDE FIRE DISPATCH CHANGES

SUBJECT: INFORMATIONAL REPORT TO THE CITY COUNCIL ON THE DISSOLUTION OF THE CONTRACT WITH THE MARIN COUNTY SHERIFF'S OFFICE AND NEGOTIATIONS WITH THE MARIN COUNTY FIRE DEPARTMENT FOR FIRE DISPATCH SERVICES.

RECOMMENDATION:

Staff recommends that the City Council accept this informational report about recent and forthcoming Fire Dispatch related activities.

BACKGROUND:

Since 2009, the City of San Rafael has contracted with the County of Marin Sheriff's Office (MCSO) Public Safety Communications Center for fire department emergency (fire and emergency medical services (EMS)) dispatch services, hereafter referred to as *fire dispatch*. This arrangement was entered into as the Department had an imminent need to secure this capability to ensure timely receipt of emergency calls; and provide for dispatch, notification, and assignment of these calls to the appropriate resources. This partnership has benefited the San Rafael Fire Department and the City, which has the majority percentage of Fire and EMS call volume within the County. Additional value stems from the countywide use of the system and our interdependence with other agencies to quickly respond to calls in the community when resources are needed.

In prior years, the Marin County Fire Chief's Association explored upgrades to the current technological capabilities. This included new and innovative solutions to reflect the changes in the profession and improve service delivery models that could result from those changes. The Marin County Fire Chiefs Association eventually chose to study other potential options, including a possible regional dispatch arrangement known as REDCOMM. This arrangement explored the possibility of partnering with Sonoma County for Fire Dispatch services. The results of the feasibility study (which was completed in mid-2020) did not yield viable options for the Fire Service agencies due to emerging law, private stakeholder stance, and significant costs.

Several weeks after being elected as the new Sheriff in August of 2022, Jamie Scardinia met with the Fire Chiefs to communicate the MCSO decision to terminate the contracts involving Fire Dispatch with all Fire Departments throughout the County. Various reasons were cited, including the challenges with

FOR CITY CLERK ONLY

Council Meeting:

Disposition:

hiring and retaining sufficient dispatch personnel who are required to be proficient in providing both law and fire/EMS dispatch expertise and abilities, and the opportunity for the County's Fire Service agencies to take full control of their fire dispatch model. Sheriff Scardinia originally sought to have the Fire Chiefs assume the full responsibility for fire dispatch by July 2023, but he has since agreed to a lengthier timeline. Currently, the targeted timeline for completion is approximately spring of 2024.

In September of 2022, MCFD Fire Chief Jason Weber met with the Marin County Fire Chiefs to express his agency's willingness to assume the responsibility for delivering the fire dispatch service on a contractual basis with each of the fire agencies using a cost recovery and billing model mirroring that which the MCSO utilizes. Simultaneously, the City began to evaluate other options to compare with the proposal communicated by Chief Weber. Although a few of the terms that were initially proposed were not deemed agreeable by the City, there have been multiple conversations with the Fire Chiefs, MCFD, and their representatives about an expedited path forward.

ANALYSIS:

Internally, San Rafael Fire and Police met to discuss the possibility of San Rafael Police Department (SRPD) providing the Fire Dispatch services. However, this decision would be not only cost prohibitive due to differing system technologies, the SRPD would likely face the same challenges as many other fire dispatch communication centers face with recruitment, hiring, and retaining qualified staff. The City's Digital Service and Open Government staff were asked to provide preliminary calculations for standing up the function and operating it independent of the MCFD effort. Preliminary calculations showed ongoing annual cost for a City-led dispatch center were over a million dollars more than joining MCFD's effort.

The proposed contract for services that the Marin County Fire Department has shared with the fire agencies requires some adjustments based on the cost recovery methodology that had been used by the MCSO. The City has actively engaged with other fire agencies on creating a new methodology leading to a more balanced and equitable distribution of costs to all agencies for infrastructure, facility, staff, equipment, systems, training, and other miscellaneous but important aspects of fire dispatch service.

In 2009, at the time the SRFD sought to enter a contract for fire dispatch services with the MCSO, the Fire Department found itself in an unenviable position of not being able to sustain its internally operated fire dispatch function due to staff attrition and other factors. Since that time, the contract with the MCSO has succeeded in meeting the basic fire dispatch needs of all county agencies, including San Rafael. However, given the Sheriff's stated intent and the opportunity to provide for sufficient and trained personnel for command and control during large scale emergencies, use and benefit of technological capabilities such as Automatic Vehicle Location (AVL) and other emerging and proven solutions, the Sheriff's decision to cease providing the fire dispatch services enables the fire service agencies in Marin County to further enhance the services we are able to deliver to the communities we serve.

The SRFD has recently submitted a non-binding letter of intent (LOI) to participate in the unified fire-centric, Marin County Fire-led dispatch communications center. Future agreement reached for fire dispatch services would be contingent on approval from the City Council at a future date.

FISCAL IMPACT: There is no fiscal impact associated with accepting this report. Future agreements with the Marin County Fire Department will have fiscal impacts requiring approval by the City Council.

OPTIONS:

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

1. Accept the informational report.
2. Do not accept the informational report and provide direction to staff for additional information.

RECOMMENDED ACTION:

Staff recommends that the City Council accepts this informational update.

ATTACHMENTS: None