



MINUTES

SAN RAFAEL CITY COUNCIL - MONDAY, JUNE 5, 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-2023-06-05>

Watch on YouTube: www.youtube.com/cityofsanrafael

Listen by phone: (669) 444-9171

ID: 844-3204-9611#

One Tap Mobile: +16694449171,,84432049611# US

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 - 5:30 PM

Dial-in: (669) 900-9128, Meeting ID# 849-2802-3443#

1. Mayor Kate to announce Closed Session items.

CLOSED SESSION - THIRD FLOOR CONFERENCE ROOM - 5:30 PM

2. Closed Session:

- a. CONFERENCE WITH LEGAL COUNSEL - ANTICIPATED LITIGATION

Significant exposure to litigation pursuant to paragraph (2) of subdivision (d) of Section 54956.9: 1 potential case

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

Absent: None

Also Present: City Manager Cristine Alilovich
City Attorney Robert Epstein
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. All members of the City Council were present.

City Attorney Rob Epstein announced there was no reportable action in Closed Session.

Mayor Kate provided opening remarks, which included the Pride Progress flag raising held prior to the meeting. She noted proclamations for Gun Violence Awareness Month, Pride Month, Public Works Recognition Week and Juneteenth. She announced the first meeting for new City Manager, Cristine Alilovich. Also, she included a land acknowledgment.

City Clerk Lindsay Lara announced the process for Spanish interpretation for the evening. She 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.

SPECIAL PRESENTATIONS:

3. Special Presentations:

- a. [Swear-in Ceremony for New City Manager, Cristine Alilovich](#)
City Clerk Administer Oath of Office to Cristine Alilovich, City Manager (CC)

City Clerk Lindsay Lara administered the Oath of Office to new City Manager Cristine Alilovich.

OPEN TIME FOR PUBLIC EXPRESSION

- Tyler Larson addressed the City Council regarding the police investigation report.
- Barbara Trait addressed the City Council regarding the acquisition of property near Dominican by developers.
- Daniel Sonnet addressed the City Council regarding the acquisition of property near Dominican by developers.
- Tylee Holden addressed the City Council regarding the acquisition of property near Dominican by developers.
- Tim Dale addressed the City Council regarding the acquisition of property near Dominican by developers.
- Jim Davis addressed the City Council regarding the acquisition of property near Dominican by developers.
- JP Guitard addressed the City Council regarding the acquisition of property near Dominican by developers.
- Name withheld addressed the City Council regarding the acquisition of property near Dominican by developers.
- Steve Gershik addressed the City Council regarding the acquisition of property near Dominican by developers.
- Lauren Joyce addressed the City Council regarding the acquisition of property near Dominican by developers.
- Diane Poryes addressed the City Council regarding the acquisition of property near Dominican by developers.
- Brian Joyce addressed the City Council regarding the acquisition of property near Dominican by developers.
- Kim Crawford addressed the City Council regarding the acquisition of property near Dominican by developers.
- Theresa Campbell addressed the City Council regarding the acquisition of property near

- Dominican by developers.
- Daniel Campbell addressed the City Council regarding the acquisition of property near Dominican by developers.
- Speaker addressed the City Council regarding the acquisition of property near Dominican by developers.
- Amy Likover addressed the City Council regarding the Hugo Landecker Annual Broom Pull, the gun violence prevention Golden Gate Bridge march, the need for more bike racks and a 30 minute free street parking law.
- Meaghan Crowley addressed the City Council regarding the acquisition of property near Dominican by developers.
- Eva Chrysanthe addressed the City Council regarding civilian oversight of law enforcement.
- Name withheld addressed comments regarding police civilian oversight.
- Erin O'Brien addressed the City Council regarding the acquisition of property near Dominican by developers.
- Kristina Campbell addressed the City Council regarding the acquisition of property near Dominican by developers.
- Name withheld addressed council regarding housing needs in San Rafael.

CITY MANAGER AND COUNCILMEMBER REPORTS:

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

4. City Manager and Councilmember Reports:

City Manager Cristine Alilovich announced:

- Gratitude to City Council, Staff and her family/friends
- The Budget item to be held tonight
- Downtown Farmers Market, Thursdays at 5:30 p.m., through August 31
- Dining Under the Lights, second Friday monthly, 6 p.m., through Oct 13
- East San Rafael overnight parking pilot, June 15 – August 15
- Sun Valley Park opening

City Councilmember Reports:

- Vice Mayor Llorens Gulati reported on a Marin Latino Luncheon, a Marin County Council of Mayors and Councilmembers (MCCMC) Climate Action Committee meeting, the AvanteSpace ribbon-cutting, a Canal Karate belt ceremony, a First 5 Marin immigrant celebration, an East San Rafael Task Force meeting and the Bret Harte Art & Music Stroll.
- Councilmember Bushey reported on a Marin Transit Board meeting, a San Rafael Sanitation Board meeting and the Annual Peacock Gap Homeowners Association picnic.
- Councilmember Kertz reported on Ember Stomp, a Marin County Commission on Aging Health Forum, Ounces ribbon-cutting for one-year anniversary, an Equity and Climate Disaster Planning Stakeholder meeting and the Mont Marin/San Rafael Park Neighborhood Association summer kickoff
- Councilmember Hill reported on a MCCMC meeting and the AvanteSpace and Farmers Market ribbon-cuttings.
- Mayor Kate reported on a Terra Linda High School listening session on policing, a SMART meeting, a Marin Gun Safety Collaborative meeting, a Transportation Authority of Marin (TAM) meeting.

Mayor Kate invited public comment.

Speakers: Amy Likover, Name withheld, Name withheld

CONSENT CALENDAR:

Mayor Kate held item 5.c from the Consent Calendar.

Mayor Kate invited public comment.

Speaker: John Reynolds

Councilmember Llorens Gulati moved and Councilmember Kertz seconded to approve the remainder of the Consent Calendar.

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

NOES: Councilmembers: None

ABSENT: Councilmembers: None

Councilmember Hill moved and Councilmember Bushey seconded to approve item 5.c.

AYES: Councilmembers: Bushey, Hill, Kertz & Llorens Gulati

NOES: Councilmembers: None

ABSENT: Councilmembers: None

ABSTAIN: Councilmembers: Mayor Kate

5. Consent Calendar Items:

a. **Approval of Minutes**

Approve Minutes of the Special City Council Meeting of May 8, 2023 and the Regular City Council Meetings of May 1 and May 15, 2023 (CC)

Approved minutes as submitted

b. **Housing Element Zoning Maps - 380 Merrydale Road**

Adoption of Ordinance 2028: An Ordinance Amending the Zoning Map of the San Rafael Municipal Code to Change the Zoning for 380 Merrydale Road (APN 179-041-22) from Planned District 1436 (PD 1436) to Office, and the Zoning Classification of 401 Merrydale Road (APN 179-041-05) from Light Industrial-Office to Office (ZC23-003 and ZC23-004) (CC)

Final adoption of Ordinance 2028

c. **Housing Element Zoning Maps – 86 Culloden Park Road**

Adoption of Ordinance 2029: An Ordinance Amending the Zoning Map of the San Rafael Municipal Code to Change the Zoning for Two Non-Addressed Parcels Located Immediately North and East of 86 Culloden Park Road from Planned District 1729 (PD 1729) to Low-Density Residential 20,000 Square Foot Lot Minimum (R20) (APN 011-051-31 and APN 011-115-30) (ZC23-001 and ZC23-002) (CC)

Final adoption of Ordinance 2029

d. **City Council Appointments to Committees**

Approve Revised City Council Appointments to Committees 2023 (CC)

Approved Appointments

e. **Statement of Economic Interests Annual Filings**

Accept Report on Fair Political Practices Commission Form 700, Statement of Economic Interests, 2022 Annual Filings, for Section 87200 Filers and Designated Employees, Including Consultants, Design Review Board and Park and Recreation Commission (CC)
Accepted report

- f. **Zero Waste Marin Agreement**
Resolution Approving an Amendment to Revised Hazardous and Solid Waste Joint Powers Agreement with County of Marin (CM)
Resolution 15217 - Resolution Approving an Amendment to Revised Hazardous and Solid Waste Joint Powers Agreement with County of Marin
- g. **Proclamations**
 - i. **Proclamation Supporting Pride Month (HR)**
 - ii. **Proclamation Supporting Juneteenth (HR)**
 - iii. **Proclamation Supporting Public Works Recognition Week (PW)**
Received and Filed
- h. **LGBTQIA+ Pride Month and Display of Pride Flag**
Resolution Declaring June 2023 as LGBTQIA+ Pride Month and Authorizing the Annual Display of the Pride Flag During the Month of June on the City Hall Flagpole
Resolution 15218 - Resolution Declaring June 2023 as LGBTQIA+ Pride Month and Authorizing the Annual Display of the Pride Flag During the Month of June on the City Hall Flagpole
- i. **Cooperation Agreement with County of Marin for Grant Programs**
Resolution Authorizing Execution of a Three-Year Amendment to the City's Cooperation Agreement with the County of Marin for the Community Development Block Grant (CDBG) and Home Programs (CD)
Resolution 15219 - Resolution Authorizing Execution of a Three-Year Amendment to the City's Cooperation Agreement with the County of Marin for the Community Development Block Grant (CDBG) and Home Programs
- j. **Annual Adjustment to the Library Parcel Tax**
Report Concerning the Annual Consumer Price Index (CPI) Rate Adjustment for the Special Library Services Parcel Tax for the Fiscal Year July 1, 2023 Through June 30, 2024 as Specified in Voter-Approved Measure D (San Rafael Municipal Code Chapter 3.36) (AS/LR)
Accepted report
- k. **Agreement to Participate in Public Provider Ground Emergency Medical Transportation Intergovernmental Transfer Program (PP-GEMT)**
Resolution Authorizing the City Manager to Execute a Certification Form for the San Rafael Fire Department to Participate in an Intergovernmental Transfer (IGT) with the California Department of Health Care Services (DHCS) for Reimbursement of Public Provider Ground Emergency Medical Transportation (PP-GEMT) Services for the Service Period of January 1, 2023, Through December 31, 2023, and Transfers to DHCS Not to Exceed \$910,000 (FD)
Resolution 15220 - Resolution Authorizing the City Manager to Execute a Certification Form for the San Rafael Fire Department to Participate in an Intergovernmental Transfer (IGT) with the California Department of Health Care Services (DHCS) for Reimbursement of Public Provider Ground Emergency Medical Transportation (PP-GEMT) Services for the Service Period of

January 1, 2023, Through December 31, 2023, and Transfers to DHCS Not to Exceed \$910,000

OTHER AGENDA ITEMS

6. Other Agenda Items:

- a. [Final Citywide Proposed Budget for Fiscal Year 2023-24, Capital Improvement Program, Measure A Work Plan and Legal Spending Limit](#)
 - i. **Resolution Approving the Citywide Budget and Capital Improvement Program for the Fiscal Year 2023-24; Providing for the Appropriations and Expenditure of All Sums Set Forth in the Budget in the Amount of \$171,699,035 (Fin)**
 - ii. **Resolution Approving the Measure A Work Plan for Proposed Expenditure of Measure A Funds for FY 2023-24 (Fin)**
 - iii. **Resolution Approving Fiscal Year 2023-24 GANN Appropriations Limit at \$179,385,992 (Fin)**
 - iv. **Resolution Amending Resolution 14956 Establishing the Compensation for the Elected City Clerk Effective July 1, 2023 (Fin)**

Finance Manager Shawn Plate, Associate Civil Engineer Theo Sanchez, Assistant Library and Recreation Director Craig Veramay, and Senior Management Analyst Claire Coleman presented the staff report.

Staff responded to questions from the City Council.

Mayor Kate invited public comment.

Speakers: Kate Powers, San Rafael Tree Group, Bill Carney, Sustainable San Rafael/San Rafael Tree Group, Amy Likover, San Rafael Tree Group, Jack Robertson, Tom Harrison, Jason Sarris

Staff responded to public comment.

Councilmembers provided comments.

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

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

Resolution 15221 - Resolution Approving the Citywide Budget and Capital Improvement Program for the Fiscal Year 2023-24; Providing for the Appropriations and Expenditure of All Sums Set Forth in the Budget in the Amount of \$171,699,035

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

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

Resolution 15222 - Resolution Approving the Measure A Work Plan for Proposed Expenditure of Measure A Funds for FY 2023-24

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

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

Resolution 15223 - Resolution Approving Fiscal Year 2023-24 GANN Appropriations Limit at \$179,385,992

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

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

Resolution 15224 - Resolution Amending Resolution 14956 Establishing the Compensation for the Elected City Clerk Effective July 1, 2023

Mayor Kate called a recess at 9:37 p.m.

Mayor Kate called the meeting back in session at 9:44 p.m.

b. [Police Advisory and Accountability Committee](#)

Resolution Establishing the City of San Rafael Police Advisory and Accountability Committee (PD)

City Manager Cristine Alilovich introduced the item and Police Chief David Spiller presented the staff report.

Staff, including Francine Tournour, Consultant responded to questions from the City Council.

Mayor Kate invited public comment.

Speakers: Salamah Locks, Cesar Lagleva, Debra Taub, Name withheld, Name withheld, Al Vetere, Gabriel Huinac, Don McRae, Brenda Camarena, Name withheld, Mariah Gibson, Meg Brizzolara, John Reynolds, Name withheld, Lisa Scarsella, Name withheld, Nancy Roybal, Marin Interfaith Council, Emilio Pineda

Councilmembers provided comments.

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

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

Resolution 15225 - Resolution Establishing the City of San Rafael Police Advisory and Accountability Committee

SAN RAFAEL SUCCESSOR AGENCY:

1. Consent Calendar: - None.

ADJOURNMENT:

Mayor Kate adjourned the meeting at 11:17 p.m.

LINDSAY LARA, City Clerk

APPROVED THIS ____ DAY OF _____, 2023

KATE COLIN, Mayor