



## MINUTES

SAN RAFAEL CITY COUNCIL - MONDAY, JULY 10, 2023

SPECIAL 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/ccsp-2023-7-10>

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](http://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](mailto:city.clerk@cityofsanrafael.org).
- Join the Zoom webinar and use the 'raise hand' feature to provide verbal public comment.
- Dial-in to Zoom's telephone number using the meeting ID and press \*9 to raise your hand, and \*6 to unmute yourself, then provide verbal public comment.

If you experience technical difficulties during the meeting, please contact [city.clerk@cityofsanrafael.org](mailto:city.clerk@cityofsanrafael.org).

### **OPEN SESSION – THIRD FLOOR CONFERENCE ROOM – 5:15 PM**

*Dial-in: (669) 900-9128, Meeting ID# 896-0024-8821#*

1. Mayor Kate announced Closed Session items.

### **CLOSED SESSION – THIRD FLOOR CONFERENCE ROOM – 5:15 PM**

2. Closed Session:

- a. CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION

Government Code section 54956.9(d)(1): 5 cases

1. Kristen Miller v. City of San Rafael, et al. (Marin Superior Court, Case No. CIV 2201502)
2. Christina Szele v. City of San Rafael, et al. (Marin Superior Court, Case No. CIV 2103023)
3. California Newspapers Partnership v. City of San Rafael (Marin Superior Court, Case No. CV0000041)
4. Theo Emison v. City of San Rafael (Marin Superior Court, Case No. CV0000039)
5. Tyler Larson v. City of San Rafael (Marin Superior Court, Case No. CV0000135)

Present: Councilmember Bushey  
Councilmember Hill  
Councilmember Kertz  
Mayor Kate  
Absent: Vice Mayor Llorens Gulati  
Also Present: City Manager Cristine Alilovich  
City Attorney Robert Epstein  
City Clerk Lindsay Lara

Mayor Kate called the special 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, except Vice Mayor Llorens Gulati.

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

Mayor Kate invited the City Clerk to address how the community could provide public comment.

City Clerk Lindsay Lara 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.

[CONSENT CALENDAR:](#)

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

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

3. Consent Calendar Items:

a. **Approval of Minutes**

**Approve Minutes of the Regular City Council Meeting of June 20, 2023 (CC)**

*Approved minutes as submitted*

b. **Justice40 Initiative**

**Resolution Supporting the Goals of the Justice40 Initiative (CM)**

*Resolution 15235 - Resolution Supporting the Goals of the Justice40 Initiative*

c. **Personnel Changes**

**Resolution Approving the Following Personnel Changes: Retitling of the Senior Civil Engineer (SRSD) Job Classification, Correcting Deputy Building Official Salary Range, Deleting Administrative Services Director and Adding Assistant City Manager Position, and Amending the Unrepresented Mid-Management and Executive Management Salary Schedules (HR)**

*Resolution 15236 - Resolution Approving the Following Personnel Changes: Retitling of the Senior Civil Engineer (SRSD) Job Classification, Correcting Deputy Building Official Salary Range, Deleting Administrative Services Director and Adding Assistant City Manager Position, and Amending the Unrepresented Mid-Management and Executive Management Salary Schedules*

d. **Rotary Manor Culvert Replacement**

**Authorize the City Manager to Award and Execute the Construction Agreement for the Rotary Manor Culvert Replacement Project, City Project No. 11371, to Maggiora & Ghilotti in the Amount of \$778,700 and Authorize Contingency Funds in the Amount of \$121,300 for a Total Contract Appropriation of \$900,000 (PW)**

*Authorized City Manager to Award and Execute the Construction Agreement for the Rotary Manor Culvert Replacement Project, City Project No. 11371, to Maggiora & Ghilotti in the Amount of \$778,700 and Authorized Contingency Funds in the Amount of \$121,300 for a Total Contract Appropriation of \$900,000*

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

**OTHER AGENDA ITEMS:**

4. Other Agenda Items:

a. **[Ordinance Regulating Camping on Public Property](#)**

**An Ordinance Adding Chapter 19.50 to the San Rafael Municipal Code, Entitled “Camping on Public Property” to Regulate Camping on Public Property Within the City of San Rafael (CD/CA)**

Chris Hess, Assistant Community Development Director presented the staff report.

Staff proposed amending the ordinance and adding a conflict provision:

Section 19.50.050 Conflict with Other Regulations

To the extent that there is any conflict with any other provisions of this code, the standards and regulations of this chapter shall prevail.

Staff responded to questions from the City Council.

Mayor Kate invited public comment.

**Speakers:** Name withheld, Mark Millea, Matt Butler, Name withheld, Daniel Campbell, Kenneth Hock, Name withheld, Name withheld, Ariana, John Reynolds, Name withheld, Name withheld, Name withheld, Heather Marty Cochran, Name withheld

Staff responded to public comment.

Councilmembers provided comments.

City Clerk Lindsay Lara read the title of the Ordinance.

Councilmember Kertz moved and Councilmember Bushey seconded to waive further reading of the Ordinance, refer to it by title only and introduce the Ordinance, with recommended changes provided by staff.

*An Ordinance of the City Council of the City of San Rafael Adding Chapter 19.50 to the San Rafael Municipal Code, Entitled “Camping on Public Property” to Regulate Camping on Public Property Within the City of San Rafael.*

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

*Waived further reading of the Ordinance and referred to it by title only, and introduced the Ordinance, with recommended changes provided by staff.*

**ADJOURNMENT:**

Mayor Kate adjourned the meeting at 8:42 p.m.

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LINDSAY LARA, City Clerk

APPROVED THIS \_\_\_\_ DAY OF \_\_\_\_\_, 2023

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KATE COLIN, Mayor