



## MINUTES

SAN RAFAEL CITY COUNCIL - MONDAY, JULY 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-2023-07-17>

Watch on YouTube: [www.youtube.com/cityofsanrafael](http://www.youtube.com/cityofsanrafael)

Listen by phone: (669) 444-9171

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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

1. None.

### CLOSED SESSION

2. None.

Present: Councilmember Bushey  
Councilmember Hill  
Councilmember Kertz  
Mayor Kate

Absent: Vice Mayor Llorens Gulati

Also Present: City Manager Cristine Alilovich  
Assistant City Attorney Genevieve Coyle  
Deputy City Clerk Brenna Nurmi

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 Vice Mayor Llorens Gulati.

Mayor Kate provided opening remarks, which included appreciation to City staff, the hot weather and wildfire risk reminder and a land acknowledgment.

Deputy City Clerk 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**

- Erica Blair addressed the City Council regarding the parcel sold by Dominican University proposed for development.
- Richard Schulz addressed the City Council regarding Northgate development.
- Nicole Skibola, Cosmic View addressed the City Council regarding a microbusiness license in the local cannabis industry.
- Cristine Skibola, Cosmic View addressed the City Council regarding a microbusiness license in the local cannabis industry.
- Dave Rhoads, Walk/Bike San Rafael addressed the City Council regarding lowering the speed limit on 4<sup>th</sup> Street.
- Jeff Chase, California Homeless Union addressed the City Council reading words from the Torah.
- Michael Jobe addressed the City Council regarding speedbumps on G Street.
- Greg Browman, Strictly Topical Incorporated addressed the City Council regarding a microbusiness license in the local cannabis industry.
- Al Vetere addressed the City Council regarding a mural on an abandoned building and cooling centers.
- Daniel Campbell addressed the City Council regarding the fire last June near Dominican University.
- Jim Davis addressed the City Council regarding fire concerns in the Dominican area.
- Matthew Hartzell, WTB-TAM addressed the City Council regarding lowering the speed limit on 4<sup>th</sup> Street.
- Tylee Holden, addressed the City Council regarding the parcel sold by Dominican University proposed for development.
- Jana Zanetto, Walk/Bike San Rafael addressed the City Council regarding lowering the speed limit on 4<sup>th</sup> Street.
- David Seltzer, Walk/Bike San Rafael addressed the City Council regarding lowering the speed limit on 4<sup>th</sup> Street.
- Susan Nawbary addressed the City Council regarding lowering the speed limit on 4<sup>th</sup> Street.
- Eva Chrysanthe addressed the City Council regarding support for AB 43 and downtown speedbumps and inquired about police bodycams. Also, she spoke of civilian oversight.
- Name withheld addressed the City Council regarding website links and her radar gun experience.
- Nathan Cohen addressed the City Council regarding lowering the speed limit on 4<sup>th</sup> Street.
- Heather Marty Cochran addressed the City Council regarding lowering the speed limit on 4<sup>th</sup> Street concerns. Also, she inquired about the fire and expressed environmental concerns in the Dominican area.

April Miler, Public Works Director provided comments on AB 43.

### **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 Cristine Alilovich announced:

- New City Department Directors: Paul Navazio, Finance Director and Marissa Sanchez, Human Resources Director

- Farmers Market, every Thursday
- 2<sup>nd</sup> Friday Art Walk and Dining Under the Lights to be held Friday, August 11
- Community survey and application available for Police Advisory and Accountability Committee (PAAC)
- Canal Alliance and Marin Small Business Development Center to start on-line and in Spanish 10 session workshop (How to Start and Grow your Business) on August 1
- Regular City Council meeting on August 7 to be cancelled; Next regular meeting to be held August 21

City Councilmember Reports:

- Councilmember Hill reported on a tour of Cedars Textile Arts Center, throwing the first pitch at a San Rafael Pacifics game and a ribbon-cutting for the Sun Valley playground.
- Councilmember Bushey reported on a Loch Lomond Homeowners Association meeting, a Central Marin Sanitation Agency meeting and a lunch hosted by the San Rafael Yacht Club with Congressman Huffman.
- Mayor Kate reported on Transportation Authority of Marin and SMART meetings.

Mayor Kate invited public comment.

**Speaker:** Eva Chrysanthe

**CONSENT CALENDAR:**

Mayor Kate invited public comment.

**Speakers:** Jeff Rhoads, Resilient Shore, Eva Chrysanthe

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

4. Consent Calendar Items:

- a. **Approval of Minutes**  
**Approve Minutes of the Special City Council Meeting of July 10, 2023 (CC)**  
*Approved minutes as submitted*
- b. **Police Department Copy/Print Hardware Lease and Services**  
**Authorize the City Manager to Negotiate and Enter into an Agreement with UBEO West LLC for Copy/Print Hardware Lease and Services for a 60 Month Term in the Amount of \$267,991 (PD)**  
*Authorized the City Manager to negotiate and enter into an agreement with UBEO West LLC for copy/print hardware lease and services, in the amount of \$267,991*
- c. **City Quarterly Investment Report**  
**Acceptance of City of San Rafael Quarterly Investment Report for the Quarter Ending June 30, 2023 (Fin)**  
*Accepted report*
- d. **Special Tax on Properties at Loch Lomond 10 - Mello-Roos District No. 1992-1**  
**Resolution Setting the Special Tax for Community Facilities District No. 1992-1 (Loch Lomond #10) for Fiscal Year 2023-24 (PW)**

*Resolution 15237 - Resolution Setting the Special Tax for Community Facilities District No. 1992-1 (Loch Lomond #10) for Fiscal Year 2023-24*

- e. **The Village at Loch Lomond Marina – Mello-Roos District No. 2**  
**Resolution Setting the Special Tax for City of San Rafael Community Facilities District No. 2 (The Village at Loch Lomond Marina) for Fiscal Year 2023-24 (PW)**  
*Resolution 15238 - Resolution Setting the Special Tax for City of San Rafael Community Facilities District No. 2 (The Village at Loch Lomond Marina) for Fiscal Year 2023-24*
  
- f. **Accepting Grant Funds to Support Sea Level Rise Planning**  
**Resolution Accepting Grant Funds from the Governor’s Office of Planning and Research for the San Rafael Climate Adaptation Planning Collaborative, Appropriating Funds in the Amount of \$644,201 for the Project, And Authorizing the City Manager to Negotiate and Enter into Professional Service Agreements for the Project (CM)**  
*Resolution 15239 - Resolution Accepting Grant Funds from the Governor’s Office of Planning and Research for the San Rafael Climate Adaptation Planning Collaborative, Appropriating Funds in the Amount of \$644,201 for the Project, And Authorizing the City Manager to Negotiate and Enter into Professional Service Agreements for the Project*

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

**PUBLIC HEARINGS:**

5. Public Hearings:

- a. [Baypoint Lagoons Assessment District](#)  
**Resolution Confirming the Engineer’s Annual Report for the Baypoint Lagoons Assessment District and the Assessment Diagram Connected Therewith and Ordering the Levy and Collection of Assessments for FY 2023-24 (PW)**

Thomas Wong, Senior Management Analyst presented the staff report.

Mayor Kate opened the public hearing.

**Speaker:** Carolyn Lown

Staff responded to public comment.

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

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

*Resolution 15240 - Resolution Confirming the Engineer’s Annual Report for the Baypoint Lagoons Assessment District and the Assessment Diagram Connected Therewith and Ordering the Levy and Collection of Assessments for FY 2023-24*

- b. [Point San Pedro Road Median Landscaping Assessment District](#)  
**Resolution Confirming the Engineer's Annual Levy Report for the Point San Pedro Road Median Landscaping Assessment District and the Assessment Diagram Connected Therewith and Ordering the Levy and Collection of Assessments for FY 2023-24 (PW)**

Thomas Wong, Senior Management Analyst presented the staff report.

Mayor Kate opened the public hearing.

**Speaker:** Kevin Hagerty, Point San Pedro Road Coalition

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

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

*Resolution 15241 - Resolution Confirming the Engineer's Annual Levy Report for the Point San Pedro Road Median Landscaping Assessment District and the Assessment Diagram Connected Therewith and Ordering the Levy and Collection of Assessments for FY 2023-24*

- c. [San Rafael Police Department AB 481 Military Equipment Annual Report and Renewal of Military Equipment Use Policy](#)  
**Resolution Renewing the Ordinance Approving San Rafael Police Department Military Equipment Use Policy 706 (PD)**

David Spiller, Police Chief presented the staff report.

Staff responded to questions from the City Council.

Mayor Kate opened the public hearing.

**Speakers:** Name withheld, Name withheld, Name withheld, John Reynolds, Eva Chrysanthe, Salamah Locks

Staff responded to public comment.

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

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

*Resolution 15242 - Resolution Renewing the Ordinance Approving San Rafael Police Department Military Equipment Use Policy 706*

**OTHER AGENDA ITEMS:**

6. Other Agenda Items:

a. **Ordinance Regulating Camping on Public Property**

**Adoption of Ordinance 2030: 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 (CC)**

Chris Hess, Assistant Community Development Director presented the staff report. Lt. Carl Huber provided comments.

Staff responded to questions from the City Council.

Mayor Kate invited public comment.

**Speakers:** Name withheld, Jeff Chase, Name withheld, Gregory Taylor, Margaret Trezevant, Ritter Center, Jason Sarris, Jay Ress, East Bay Tire, Name withheld, Jessa, Name withheld, John Reynolds, Name withheld

Staff responded to public comment.

Councilmember Bushey moved and Councilmember Kertz seconded to adopt Ordinance 2030.

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

*Final Adoption of Ordinance 2030*

Mayor Kate called a recess at 9:52 p.m.

Mayor Kate called the meeting back in session at 9:55 p.m.

b. **Temporary Street Closure – West End Block Party 2023**

**Resolution Authorizing the Temporary Closure of Streets in San Rafael for the West End Block Party 2023 (ED)**

Micah Hinkle, Director of Economic Development and Innovation presented the staff report.

Applicants Sarah Tipple, San Rafael Business Improvement District and Adam Violante, Pint Size Lounge gave a presentation.

Staff responded to questions from the City Council.

Mayor Kate invited public comment.

**Speakers:** Phillip Miller, Joel O., Name withheld, Casey McCabe, Joseph Adams, Angela, Bob Ullrich, Diane Pollock, Michael Jobe, Jennifer Kirk, Eric V., Kenny Kast, Elizabeth Bornstein, Marcus, Adrienne Biggs, Jane, Cody Blocker, Susan Sharpe, Name withheld, Milton Noguiera

Councilmembers provided comment.

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

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

*Resolution 15243 - Resolution Authorizing the Temporary Closure of Streets in San Rafael for the West End Block Party 2023*

- c. [2023 Affordable Housing Notice of Funding Availability Funding Recommendation](#)  
**Resolution Authorizing the Expenditure of \$1,450,000 in Funds in Fulfilment of the Affordable Housing Trust Fund 2023 Notice of Funding Availability (CD)**

Alexis Captanian, Housing Programs Analyst presented the staff report.

Staff responded to questions from the City Council.

Mayor Kate invited public comment.

**Speakers:** Anna Holm, Bridge Housing Corporation, Cory Hiraga, Eden Housing

Councilmembers provided comment.

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

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

*Resolution 15244 - Resolution Authorizing the Expenditure of \$1,450,000 in Funds in Fulfilment of the Affordable Housing Trust Fund 2023 Notice of Funding Availability*

**SAN RAFAEL SUCCESSOR AGENCY:**

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

Member Hill moved and Member Bushey 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 June 30, 2023 (Fin)**  
*Accepted report*

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

ADJOURNMENT:

Mayor Kate adjourned the meeting at 11:30 p.m.

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LINDSAY LARA, City Clerk

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

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KATE COLIN, Mayor

DRAFT