



AGENDA

SAN RAFAEL CITY COUNCIL - MONDAY, AUGUST 21, 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-2023-08-21>

Watch on YouTube: www.youtube.com/cityofsanrafael

Listen by phone: (669) 444-9171

ID: 860-6190-5675

One Tap Mobile: +16694449171,,86061905675# 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# 820-2978-5066#

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 - EXISTING LITIGATION

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

1. *Shaleeta Boyd, et al. v. City of San Rafael, et al.* (U.S. District Court, N.D. Cal., Case No. 23-cv-04085-EMC)
2. *Mark Rivera v. City of San Rafael, et al.* (U.S. District Court, N.D. Cal., Case No. 23-cv-03804-YGR)

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 Regular City Council Meeting of July 17, 2023 (CC)

Recommended Action - Approve minutes as submitted

b. **Designation of Voting Delegate for the League of California Cities Annual Conference & Expo**

Designation of Councilmember Eli Hill as Voting Delegate for the 2023 League of California Cities Annual Conference & Expo in Sacramento – September 20-22, 2023 (CC)

Recommended Action - Approve designation of Councilmember Eli Hill as voting delegate

c. **Legal Services Contract**

Professional Services Agreement with Burke, Williams & Sorensen, LLP for General Municipal Legal Services, in an Amount not to Exceed \$170,000 (CA)

Recommended Action - Authorize the City Manager to execute the agreement

d. **Transportation Authority of Marin (TAM) Fee Agreement**

Resolution Authorizing the City Manager to Execute a Fee Agreement Between the Transportation Authority of Marin (TAM) and Marin County, Towns and Cities (CM)

Recommended Action - Adopt Resolution

e. **SEIU Local 1021 Side Letter Agreement and FY 2023-24 Authorized Positions in the Childcare Program**

Resolution Approving the Side Letter Agreement and Amending FY 2023-24 Authorized Positions in the Childcare Program (HR/LR)

Recommended Action - Adopt Resolution

f. **Special Event Street Closures**

Resolution Authorizing the Temporary Closure of Streets for Two Special Events (PD)

Recommended Action - Adopt Resolution

g. **Southern Heights/Courtright/Pearce Retaining Walls Project**

Award the Construction Agreement for the Southern Heights/Courtright/Pearce Retaining Walls Project to Valentine Corporation in the Amount of \$993,369 (PW)

Recommended Action - Authorize the City Manager to award and execute the agreement

h. **Grand Avenue Cycle Track Project and Grant Funding Agreements**

- i. Award the Construction Agreement for the Grand Avenue Cycle Track Project to Ghilotti Bros., Inc. in the Amount of \$1,432,887 (PW)

Recommended Action - Authorize the City Manager to award and execute the agreement

- ii. Resolution Approving and Authorizing the City Manager to Execute a Master Agreement and Program Supplement Agreement with Caltrans to Receive State Funds (PW)

Recommended Action - Adopt Resolution

i. Rotary Manor Culvert Replacement Project

Authorize the City Manager to Negotiate and Enter into a Professional Services Agreement with Coastland Civil Engineering, Inc. for Construction Management, Inspections, Testing, and Environmental Compliance Services Related to the Rotary Manor Culvert Replacement Project, in the Amount of \$335,035 (PW)

Recommended Action - Authorize the City Manager to execute the agreement

j. Fleet Replacement Fiscal Year 2023-24

Authorize City Manager to Purchase Ten (10) Vehicles for Replacement, in an Amount Not to Exceed \$2,554,150 (PW)

Recommended Action - Authorize City Manager to purchase ten (10) vehicles for replacement, in an amount not to exceed \$2,554,150

PUBLIC HEARINGS

5. Public Hearings:

a. Tax Equity and Fiscal Responsibility Act of 1982 “TEFRA” Public Hearing for Tax-Exempt Financing – The Shining Star Foundation

Resolution Approving Issuance of Revenue Obligations by the California Enterprise Development Authority (CEDA) for the Purpose of Financing, Refinancing and/or Reimbursing the Cost of Acquisition, Construction, Installation, Equipping and Furnishing of Certain Facilities for the Benefit of the Shining Star Foundation and Other Matters Relating Thereto Herein Specified Pursuant to the Tax Equity and Fiscal Responsibility Act of 1982 (“TEFRA”) (ED)

Recommended Action - Adopt Resolution

OTHER AGENDA ITEMS:

6. Other Agenda Items:

a. Response to Grand Jury Report – Build More ADUs – An Rx to Increase Marin’s Housing Supply

Resolution Approving and Authorizing the Mayor to Execute the Response to the Marin County Civil Grand Jury Report Entitled – Build More ADUs – An Rx to Increase Marin’s Housing Supply (CD)

Recommended Action - Adopt Resolution

b. Automated License Plate Readers

Authorize the City Manager to Execute an Agreement with Flock Group Inc. for the Lease and Installation of Nineteen Flock Automated License Plate Reader Cameras (ALPR) for a 24-Month Term in an Amount Not to Exceed \$118,200 (PD)

Authorize the City Manager to execute the agreement

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/>.