



AGENDA

SAN RAFAEL CITY COUNCIL - MONDAY, SEPTEMBER 18, 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-2023-09-18>

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 - 6:00 PM

Dial-in: (669) 900-9128, Meeting ID# 860-4688-5312#

1. Mayor Kate to announce Closed Session items.

CLOSED SESSION - THIRD FLOOR CONFERENCE ROOM - 6:00 PM

2. Closed Session:

- a. CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION

Government Code section 54956.9(d)(1): 1 case

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)

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 September 5, 2023 (CC)

Recommended Action - Approve minutes as submitted

b. **Second Amendment to Cooperation Agreement with County of Marin for Grant Programs**

Authorize Execution of a Second Amendment to the City's Cooperation Agreement with the County of Marin for the Community Development Block Grant (CDBG) and Home Programs (CD)

Recommended Action - Authorize Execution of a Second Amendment to the City's Cooperation Agreement with the County of Marin for the Community Development Block Grant (CDBG) and Home Programs

c. **Office of Traffic Safety Grant Approval**

Resolution Accepting the State of California Office of Traffic Safety "Traffic Records Improvement Project" Grant Funds in the Amount of \$12,900, and Authorizing the City Manager to Execute a Grant Agreement (PD)

Recommended Action - Adopt Resolution

d. **Downtown Library Modernization Project Agreement Amendment**

Approve and Authorize the City Manager to Execute a First Amendment to the Professional Services Agreement with Noll & Tam Architects for Architectural, Engineering and Interior Design Services Associated with the Downtown Library Modernization Project, for a Total Amount Not to Exceed \$391,731, and to Extend the Term of the Contract by An Additional Twelve Months (LR)

Recommended Action - Approve and Authorize the City Manager to Execute a First Amendment to the Professional Services Agreement with Noll & Tam Architects for Architectural, Engineering and Interior Design Services Associated with the Downtown Library Modernization Project, for a Total Amount Not to Exceed \$391,731, and to Extend the Term of the Contract by An Additional Twelve Months

SPECIAL PRESENTATIONS:

5. Special Presentations:

a. **Youth Art Exhibit in City Hall - Fair Housing for All (LR)**

OTHER AGENDA ITEMS:

6. Other Agenda Items:

- a. **Permit Improvement Program & Customer Satisfaction Survey**
Marin Builders Association & Marin Economic Forum Permit Improvement Program – Phase II Report (CD)
Recommended Action – Accept report

- b. **Fiscal Year 2022-2023 Year-End Budget Amendments**
Resolution Adopting Amendments to the City of San Rafael Budget for Fiscal Year 2022-2023 for the Purpose of Confirming Authorized Appropriations and Transfers (Fin)
Recommended Action – Adopt Resolution

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 - TUESDAY, SEPTEMBER 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:

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OPEN SESSION - THIRD FLOOR CONFERENCE ROOM - 6:00 PM

Dial-in: (669) 900-9128, Meeting ID# 812-7652-1604

1. Mayor Kate to announce Closed Session items.

CLOSED SESSION - THIRD FLOOR CONFERENCE ROOM - 6:00 PM

2. Closed Session:

- a. CONFERENCE WITH REAL PROPERTY NEGOTIATORS

Property: 519 Fourth Street, San Rafael (APN 014-123-06)

Lead Negotiator: Jerry Ramiza, Burke, Williams and Sorensen

Agency Representatives: Cristine Alilovich, John Stefanski, Micah Hinkle, Alicia Guidice, Chris Hess

Negotiating parties: Seagull Prime Real Estate Fund and CRC Development LLC

Under negotiation: Price and terms of sale

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

Absent: Councilmember Bushey

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, except for Councilmember Bushey.

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

Mayor Kate provided opening remarks, which included appreciation to City staff, a Marin County fentanyl awareness campaign and a land acknowledgment.

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.

OPEN TIME FOR PUBLIC EXPRESSION

- Kevin addressed the City Council regarding homelessness.
- Eva Chrysanthe addressed the City Council regarding homelessness.
- Amy Likover, Federation of San Rafael Neighborhoods/The San Rafael Tree Group, addressed the City Council regarding the event “Greening our Future - A Tree Plan for San Rafael” to be held September 14 at 7 p.m.
- Susan addressed the City Council regarding the North San Rafael Pavement Maintenance Project agenda item.
- Matthew Hartzell, WTB-TAM, addressed the City Council regarding the North San Rafael Pavement Maintenance Project agenda item.

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:

- Introduced and welcomed new Assistant City Manager, Angela Robinson Pinon
- Police Advisory and Accountability Committee (PAAC) Update:
 - Friday, September 22 application deadline
 - Community input survey on City website
 - Open House at Terra Linda Community Center with Councilmember Kertz and City Staff, to be held Thursday, September 7, 12-6pm. Councilmember Kertz will be there 12-3:30pm.
- Boards, Commissions & Committees (BCCs) applications are open online for many BCCs. Interviews to be held in October.
- Movies in the Park Update:
 - Peacock Gap Park featuring Vivo, to be held Friday, September 8. Event starts at 5pm and movie to start 15 minutes after sunset.
- 2nd Friday events downtown:
 - Art Walk 5-8pm
 - Dining Under the Lights 6-10pm, runs through October 13.

City Councilmember Reports:

- Vice Mayor Llorens Gulati attended the PAAC Open House at Pickleweed, announced the upcoming police academy, attended a San Rafael City Schools event to recognize Linda Jackson for serving 18 years on the board and attended Sea Level Rise subcommittee and Bicycle and Pedestrian Master Plan meetings. She announced

Movies in the Park to be held at Pickleweed on September 22 and MCE's EV Open House for California Clean Air Day to be held October 4.

- Councilmember Kertz attended a community session on 30 Joseph Court regarding a residential center for recovery, toured 1250 South Eliseo Drive (Greenbrae), which will be a residential program for people experiencing homelessness and attended a Marin Wildfire Prevention Authority (MWPA) field trip event.
- Councilmember Hill reported on the PAAC Open House held in City Hall's Council Chambers on August 25.
- Mayor Kate reported on SMART's ridership and breaking their records. Also, she announced her appointment on Transportation Authority of Marin's Marin Countywide Transportation Plan Ad Hoc Committee has just started.

Mayor Kate invited public comment.

Speaker: Eva Chrysanthe

CONSENT CALENDAR:

Mayor Kate invited public comment.

Speaker: David Seltzer

Vice Mayor Llorens Gulati moved and Councilmember Kertz seconded to approve the Consent Calendar.

4. Consent Calendar Items:

a. **Approval of Minutes**

Approve Minutes of the Regular City Council Meeting of August 21, 2023 (CC)

Approved minutes as submitted

b. **North San Rafael Pavement Maintenance Project**

Award the Construction Agreement for the North San Rafael Pavement Maintenance Project to VSS International, Inc. in the Amount of \$1,035,522 (PW)

Awarded the construction agreement for the North San Rafael Pavement Maintenance Project to VSS International, Inc. in the amount of \$1,035,522; authorized the City Manager to execute the construction agreement; and appropriate \$1,190,000 for the agreement, including contingency funds of \$154,478, from the Gas Tax Fund (206)

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

NOES: Councilmembers: None

ABSENT: Councilmembers: Bushey

SPECIAL PRESENTATIONS:

5. Special Presentations:

Mayor Kate invited public comment.

Speaker: Name withheld

- a. [Proclamation Supporting National Suicide Prevention and Awareness Month \(HR\)](#)
Mayor Kate presented the proclamation to Kara Connors, Marin County Behavioral Health and Recovery Services (BHRS) Prevention and Outreach Team, who provided comments.
- b. [Proclamation Supporting Hispanic Heritage Month \(HR\)](#)
Mayor Kate presented the proclamation to Cecilia Zamora, Hispanic Chamber of Commerce Marin President & Latino Council Executive Director, who provided comments.
- c. [Proclamation Supporting National Preparedness Month \(FD\)](#)
Mayor Kate presented the proclamation to Manny Albano, Fire Department, who provided comments.

OTHER AGENDA ITEMS:

6. Other Agenda Items:

- a. [Greenhouse Gas Emissions Report and Climate Action Priorities Update](#)
 - i. **San Rafael Greenhouse Gas Inventory Report (CM)**
 - ii. **2023-2025 Two-Year Workplan Priorities Report (CM)**

Sustainability Program Manager Cory Bytof presented the Staff Report along with Christine O'Rourke, Marin Climate & Energy Partnership.

Staff responded to questions from the City Council.

Mayor Kate invited public comment.

Speakers: Bill Carney, Sustainable San Rafael, Howard Schwartz, Bell Cole, Organizing for Action Marin, John Mitguard, Al Vetere, Warren Wells, Marin County Bicycle Coalition, Sue Saunders, Pam Reaves, Marin Conservation League, Susan, David Seltzer, Kate Powers, Victoria Holdridge

Staff responded to questions asked during the public comment period.

Councilmembers provided comments.

Vice Mayor Llorens Gulati moved and Councilmember Hill seconded to accept the San Rafael Greenhouse Gas Inventory Report.

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

Accepted report

Vice Mayor Llorens Gulati moved and Councilmember Kertz seconded to accept the 2023-2025 Two-Year Workplan Priorities Report.

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

Accepted report

b. **Electric Vehicle Strategy**

Marin Countywide Electric Vehicle Acceleration Strategy and City of San Rafael Draft Workplan (CM)

Sustainability Program Manager Cory Bytof presented the Staff Report along with Christine O'Rourke, Marin Climate & Energy Partnership.

Staff responded to questions from the City Council.

Mayor Kate invited public comment.

Speakers: Al Vetere, Bill Carney, Sustainable San Rafael, Miles Smith, Sustainable San Rafael, Kate Powers, Victoria Holdridge

Councilmembers provided comments.

Vice Mayor Llorens Gulati moved and Councilmember Kertz seconded to accept the City of San Rafael's Electric Vehicle Acceleration Strategy Draft Workplan report.

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

Accepted report

SAN RAFAEL SUCCESSOR AGENCY:

1. Consent Calendar: - None.

ADJOURNMENT:

Mayor Kate adjourned the meeting at 10:20 p.m.

LINDSAY LARA, City Clerk

APPROVED THIS ____ DAY OF _____, 2023

KATE COLIN, Mayor



SAN RAFAEL CITY COUNCIL AGENDA REPORT

Department: Community Development

Prepared by: Chris Hess, Assistant Director
Alexis Captanian, Housing Analyst

City Manager Approval: 

TOPIC: SECOND AMENDMENT TO COOPERATION AGREEMENT WITH COUNTY OF MARIN FOR GRANT PROGRAMS

SUBJECT: AUTHORIZE EXECUTION OF A SECOND AMENDMENT TO THE CITY'S COOPERATION AGREEMENT WITH THE COUNTY OF MARIN FOR THE COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) AND HOME PROGRAMS

RECOMMENDATION: Authorize the execution of a second amendment to the City's cooperation agreement with the County of Marin for the Community Development Block Grant (CDBG) and HOME Investment Partnerships (HOME) programs.

BACKGROUND:

On June 5, 2023, the San Rafael City Council adopted a [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. In June 2023, the City Council authorized a first amendment to renew the Cooperation Agreement for federal fiscal years 2023-2024 through 2025-2026 and incorporate minor changes that reflect grantee responsibilities to affirmatively further fair housing. The associated [staff report](#) from June 5, 2023 provides information on the CDBG and HOME programs, a description of the funding allocation process through the cooperation agreement, reasons for this approach, and the City's status in absence of a cooperation agreement.

In June 2023, staff submitted the first amendment, the required HUD 424-B Assurance and Certifications form for CDBG grantees, and a letter stating the City's intention to participate in a collaborative process.

The U.S. Department of Housing and Urban Development (HUD) is requesting an additional amendment to the cooperation agreement. See Attachment 3 for the proposed second amendment.

ANALYSIS:

FOR CITY CLERK ONLY

Council Meeting:

Disposition:

The second amendment to the 2020 Cooperation Agreement adds “24 CFR part 1” as a citation to paragraph 9, in reference to the Code of Federal Regulations on nondiscrimination in federally assisted programs, which was inadvertently excluded from the first amendment. This is a minor, editorial change to the document. There are no other changes in the amendment.

FISCAL IMPACT:

There is no fiscal impact associated with the second amendment to the cooperation agreement.

OPTIONS:

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

1. Authorize execution of a second amendment.
2. Authorize execution of a second amendment with modifications.
3. Direct staff to return with more information.
4. Reject second amendment and direct staff to renegotiate Cooperation Agreement.

RECOMMENDED ACTION:

Authorize the execution of a second amendment to the City’s cooperation agreement with the County of Marin for the Community Development Block Grant (CDBG) and HOME Investment Partnerships (HOME) programs.

ATTACHMENTS:

1. 2020 Cooperation Agreement
2. First Amendment to 2020 Cooperation Agreement
3. Proposed Second Amendment to 2020 Cooperation Agreement

**COMMUNITY DEVELOPMENT BLOCK
GRANT AND HOME INVESTMENT
PARTNERSHIPS PROGRAM
COOPERATION AGREEMENT**

THIS AGREEMENT, entered into this 24th day of June, 2020, by and between the CITY OF SAN RAFAEL, hereinafter referred to as "City" and COUNTY OF MARIN, hereinafter referred to as "County."

W I T N E S S E T H

WHEREAS, the City of San Rafael _____ is a duly constituted municipal corporation under the laws of the State of California, and is empowered thereby to undertake essential community renewal and lower-income housing assistance activities; and

WHEREAS, COUNTY OF MARIN is a duly constituted subdivision of the State of California, and is also empowered by State law to undertake essential community renewal and lower-income housing assistance activities; and

WHEREAS, Government Code Sections 6500, et seq., authorize two or more public agencies to jointly exercise any power common to both; and

WHEREAS, it is mutually desired by the parties hereto to enter into a Cooperation Agreement, in accord with the Housing and Community Development Act of 1974, as amended, and applicable Federal rules and regulations adopted pursuant thereto, whereby the parties shall jointly undertake community renewal and lower-income housing assistance activities, including those funded by the Community Development Block Grant Entitlement Program (CDBG), the HOME Investment Partnerships Program (HOME), and the Emergency Solutions Grants Program (ESG).

NOW, THEREFORE, BE IT HEREBY RESOLVED as follows:

1. The parties hereto agree to cooperate to undertake, or assist in undertaking, community renewal and lower-income housing assistance activities, pursuant to the Housing and Community Development Act of 1974, as amended, the HOME Investment Partnerships Act, as amended, and the Stewart B. McKinney Homeless Assistance Act, as amended. City agrees to undertake, or assist in undertaking, community renewal and lower-income housing assistance activities. This Cooperation Agreement shall become effective for an initial three-year term on October 1, 2020, and be in effect through, and shall not be terminated prior to, September 30, 2023, after which the term shall be automatically renewed unless action is taken by the County or City prior to the end of the term electing not to participate in a new qualification period. This Cooperation Agreement shall automatically renew for participation in successive three-year qualification periods upon expiration of each qualification period, unless the County or the City provides written notice to the other party at by the date specified in HUD's urban county qualification notice for the next qualification period that it is electing to discontinue its participation in this Cooperation Agreement for the successive qualification period. A copy of that notice shall be sent to the other party and to the local Housing and Urban Development (HUD) Field Office, to the designated contacts detailed in Section 16 below. County shall provide City with written notice by the date specified in HUD's urban county qualification notice for the next qualification period of its right not to participate in the urban county for a successive three- year term with a copy of the notification sent to the

HUD Field Office City may discontinue its participation by taking those actions set forth by Section 6 of this agreement, in conjunction with notification to the County and HUD as specified herein. In the event that the County proposes to enter into an agreement on terms that would replace or amend the terms of this agreement for any subsequent qualification period then County shall notify City of the terms being proposed as soon as County becomes aware of the need to replace or amend this agreement, but in any event by no later than the date specified in HUD's urban county qualification notice for election to discontinue its participation in this Cooperation Agreement for the next qualification period. Thereafter, City shall notify County as to whether it shall accept the proposed terms by no later than the time required to notify the County of its intent to elect to discontinue participation as specified in HUD's urban county qualification notice for the next qualification period. The parties stipulate and agree to adopt any changes necessary to meet the requirements for a cooperation agreement set forth in an urban county qualification notice applicable to a subsequent three-year urban county qualification period. The parties shall submit such amendment to HUD as provided in the urban county qualification notice. Failure to do so shall result in the automatic renewal for such qualification period being void. This agreement shall remain in effect until the Community Development Block Grant, HOME Investment Partnership Program, and Emergency Solutions Grants Program funds from appropriations for federal fiscal years 2021, 2022, 2023, and any program income received with respect to activities carried out during the three-year qualification period are expended and the funded activities completed, or until such time as it is replaced by a fully executed agreement of the parties. Neither County nor City may terminate or withdraw from this Cooperation Agreement while it remains in effect.

2. Upon certification of Marin County, including all or a portion of the incorporated cities within the County, as an "urban county" for federal fiscal years 2021, 2022, and 2023, and subsequent three-year periods thereafter, under the Housing and Community Development Act of 1974, as amended, and applicable rules and regulations adopted pursuant thereto, a Priority Setting Committee shall be formed consisting of one (1) representative designated by each of the cities with a population over 50,000 and one (1) representative designated by the Board of Supervisors. All other participating cities and towns may each designate up to one representative. With mutual consent of the Board of Supervisors and each of the participating cities, the Priority Setting Committee may be expanded to include one or more additional community member(s) who represent the interests of racial and ethnic minorities, individuals with disabilities, and/or other protected classes. Each representative shall have equal voting rights on the Committee. The Committee shall prepare a proposed budget for the use of funds, and any other documentation required by the U.S. Department of Housing and Urban Development (HUD) for the Community Development Block Grant Program, the HOME Investment Partnerships Program, and the Emergency Solutions Grants Program, including, but not limited to, a list of specific projects to be undertaken and priorities for implementation for both housing and community development projects.

In preparing its proposed plans, project priorities, proposed budget, and other documentation, the Committee shall disseminate complete information to citizens of Marin County concerning its proposals and alternatives; shall conduct public hearings to obtain the views of citizens on community development and housing needs; and shall provide citizens with adequate opportunity to participate in the development of programs and priorities.

To ensure adequate participation in the planning process, three planning areas will be designated which will include the cooperating incorporated cities as well as adjacent

unincorporated areas. These will be the Novato Planning Area, the San Rafael Planning Area, and the County Other Planning Area, which consists of rural and small communities.

3. After deduction of administrative expenses and public service allocations consistent with HUD regulations, forty percent (40%) of the net Community Development Block Grant monies and one hundred percent (100%) of the net HOME Investment Partnerships Program monies allocated annually to the County of Marin as an "urban county" under the Housing and Community Development Act of 1974, as amended, and the HOME Investment Partnerships Act, as amended, shall be allocated for housing purposes on a countywide basis. The portion of CDBG funds described in the immediately preceding sentence shall be known as "CDBG Countywide Housing funds." Distribution of such funds will be made by the Board of Supervisors, on recommendation of the Priority Setting Committee. Such distribution will be consistent with HUD guidelines and evaluation criteria developed by participating cities and the county, to ensure consistency and facilitate implementation of countywide housing goals.
 - a. The Priority Setting Committee will seek to allocate funds based on the principles of geographic equity and the general Community Development Block Grant funding distribution formula used by HUD to determine Marin County's allocation, the latest available countywide data on population, the extent of poverty, and the extent of housing overcrowding, with the provision that the extent of poverty be counted twice. However, a different distribution formula is hereby expressly authorized if and when necessary to comply with Title I of the Housing and Community Development Act of 1974, as amended. Recommendations for the use of funds shall be made by the Priority Setting Committee, as described above in Section 2, and then referred to the Marin County Board of Supervisors. The Marin County Board of Supervisors will make the final funding decisions. If any project submitted by County as a portion of the Community Development Block Grant documentation is found to be ineligible by HUD, the proposed project shall not be funded. In such an event, the County, acting in concert with the Priority Setting Committee may submit an alternative priority project which is within the original cost and in line with the stated needs and objectives of County, provided such a resubmission conforms with the rules and regulations of the Department of Housing and Urban Development for the administration of Title I of the Housing and Community Development Act of 1974, as amended.
4. Upon completion of Priority Setting Committee deliberations, the proposed budget and other documentation shall be submitted to the Marin County Board of Supervisors for review and approval. The Marin County Board of Supervisors will have final responsibility for selecting Community Development Block Grant (CDBG), HOME, and ESG activities and submitting the Consolidated Plan and other documentation to HUD.
5. For any Planning Area with a population of 50,000 or more (according to population estimates issued by the U.S. Department of Housing and Urban Development), the system described in Section 3 of this Agreement for allocation of Community Development Block Grant funds will, at the option of the largest city in the Planning Area be modified as follows:

The City Council of the largest city in the Planning Area will prepare the proposed list of projects for the use of (a) that Planning Area's funds, and (b) that Planning Area's "proportional share" of

CDBG Countywide Housing funds allocated according to the formula described in Section 3 of this Agreement. The City Council will establish its own system for setting local funding priorities, but its process for selecting projects must include a public hearing and consistency with all regulations. The City Council must consider the needs of all eligible persons who reside within census tracts associated with the City, including those residing outside the city limits, but will not be subject to any quotas with regard to the type or location of projects. The resulting recommendations will be referred to the full Priority Setting Committee and then to the Marin County Board of Supervisors for review and approval. The Priority Setting Committee will recommend allocation of HOME and ESG funds on a countywide basis, but may restrict the CDBG Countywide Housing funds remaining under its jurisdiction to geographic areas not implementing the provisions of this paragraph.

This Section 5 shall not be applied in any year that the total Community Development Block Grant monies allocated to Marin County is less than \$500,000. In any year that the total Community Development Block Grant monies allocated to Marin County is less than \$500,000, the Priority Setting Committee will make all funding recommendations pursuant to the system described in Section 3.

6. To exercise its rights under Section 1 to discontinue its participation in this agreement City may terminate its participation in this Cooperation Agreement and membership on the Priority Setting Committee by a single majority vote of its governing body. Such termination shall take effect only at the end of the federal three-year urban county qualification period in which the action is taken and following notice to the County and HUD as specified in Section 1. The first qualification period to which this agreement shall apply will end September 30, 2023. Subsequent urban county qualification periods will end September 30 on every third year following that date.
7. This Cooperation Agreement shall not exempt any project from the required local government planning approval process. Community Development Block Grant, HOME, and ESG funds received by County may be allocated to projects only through the process described in this Cooperation Agreement.
8. Pursuant to the Cooperation Agreement, County, acting through the Board of Supervisors, shall be the primary general-purpose local governmental unit under the Housing and Community Development Act of 1974, as amended. It shall be the responsibility of County to apply for grants, to administer all funds received, and to undertake or assist in undertaking essential community renewal and lower income housing assistance activities. County shall have the authority to carry out activities which will be funded from annual Community Development Block Grants, from HOME Investment Partnerships Program funds, and from Emergency Solutions Grants Program funds from Federal Fiscal Years 2021, 2022, and 2023, and subsequent three-year periods thereafter, appropriations and from any program income generated from the expenditure of such funds. Records shall be kept by County in accordance with approved accounting procedures, and said records shall be available for public inspection at all times.

9. County, City, and all other cooperating cities shall take all actions necessary to assure compliance with the urban county's certification under section 104(b) of Title I of the Housing and Community Development Act of 1974, as amended, regarding Title VI of the Civil Rights Act of 1964, the Fair Housing Act, and affirmatively furthering fair housing. County, City, and all other cooperating cities shall also take all actions necessary to assure compliance with Section 109 of Title I of the Housing and Community Development Act of 1974 (which incorporates Section 504 of the Rehabilitation Act of 1973 and the Age Discrimination Act of 1975), and other applicable laws.

Use of urban county funds for activities in, or in support of, any cooperating city that does not affirmatively further fair housing within its own jurisdiction or that impedes the county's actions to comply with the county's fair housing certification shall be prohibited.

Pursuant to 24 CFR 570.501(b), City is subject to the same requirements applicable to sub recipients, including the requirement of a written agreement as described in 24 CFR 570.503.

County, City, all other cooperating cities, metropolitan cities, urban counties, units of general local government, Indian tribes, and insular areas that directly or indirectly receive funds provided under Title I of the Housing and Community Development Act of 1974, as amended, may not sell, trade, or otherwise transfer all or any portion of such funds to another such entity in exchange for any other funds, credits, or non-Federal considerations, but must use such funds for activities eligible under Title I of the Housing and Community Development Act of 1974, as amended.

10. City shall inform County of any income generated by the expenditure of Community Development Block Grant funds, HOME Investment Partnerships Program funds, or ESG funds received by City. Any such program income shall be paid to County for use for eligible activities in accordance with all Community Development Block Grant, HOME Investment Partnerships Program, and ESG requirements as may then apply. County has the responsibility for monitoring and reporting to HUD on the use of any such program income, thereby requiring appropriate recordkeeping and reporting by City as may be needed for this purpose. In the event of close-out or change in status of City, any program income that is on hand or received subsequent to the close-out or change in status shall be paid to County.
11. The following standards shall apply to real property acquired or improved in whole or in part using Community Development Block Grant, HOME, or ESG funds that is within the control of a participating City.
 - a. City shall give County timely notification of any modification or change in the use of the real property from that planned at the time of acquisition or improvement including disposition.
 - b. City shall reimburse County in an amount equal to the current fair market value (less any portion thereof attributable to expenditures of funds other than Community Development Block Grant, HOME, or ESG) of property acquired or improved with Community Development Block Grant, HOME, or ESG funds

that is sold or transferred for a use which does not qualify under the Community Development Block Grant, HOME, or ESG regulations.

- c. City shall pay to County any program income generated from the disposition or transfer of property prior to or subsequent to the close-out, change of status or termination of the cooperation agreement between County and City. Any program income shall be allocated by County for eligible activities in accordance with all Community Development Block Grant, HOME, or ESG requirements as may then apply.
12. The parties hereto agree that the final responsibility for analyzing needs, setting objectives, developing plans, selecting projects for community development and housing assistance, selecting Community Development Block Grant, HOME, and ESG activities, and filing the Consolidated Plan and other required documentation rests with County, as required by the Housing and Community Development Act of 1974, as amended.
13. The City shall defend, save, hold harmless and indemnify the County, its officers, agents and employees from all liabilities and claims for any fines, penalties, bodily injury, death, sickness or damages of any type from any cause whatsoever that arises from or is connected with (i) the City's failure to comply with any requirement of the CDBG Act and the HOME Act or the regulations, guidelines, bulletins or circulars that are issued pursuant thereto, and (ii) any City activity that is financed by funds granted hereunder pursuant to the CDBG Act and the HOME Act. Without limiting the foregoing, the provisions of this paragraph apply fully in the event the City participates in the Section 312 Federal Rehabilitation Loan Program in conjunction with the Community Development Block Grant and HOME Investment Partnerships Act programs.
14. By executing this Community Development Block Grant Program Cooperation Agreement, City understands that it may not apply for grants under the State Community Development Block Grant Program from appropriations for fiscal years during the period in which it participates in the urban county's Community Development Block Grant Program; that it will be part of the urban county for the HOME Program and ESG if the urban county receives HOME and ESG funding, respectively; that it may receive formula allocations under the HOME Program and ESG only through the urban county; and that, even if County does not receive a HOME formula allocation, City cannot form a HOME consortium with other local governments except through the urban county. This does not preclude City or County from applying to the State for HOME or ESG funds, if the State allows.
15. The cooperating unit of general local government has adopted and is enforcing:
 - a. A policy prohibiting the use of excessive force by law enforcement agencies within its jurisdiction against any individuals engaged in non-violent civil rights demonstrations; and
 - b. A policy of enforcing applicable State and local laws against physically barring entrance to or exit from a facility or location which is the subject of such non-violent civil rights demonstrations within jurisdictions.

The phrase "cooperating unit of general local government" has the same meaning in this Cooperation Agreement as it does in HUD Notice #CPD-13-04.

16. All notices under this agreement shall be in writing (unless otherwise specified) delivered to the parties by hand, by commercial courier service, electronic mail, or by United States mail, postage prepaid, addressed to the parties at the addresses set forth below or such other addresses as the parties may designate by notice.
17. Nothing contained in this agreement shall be construed to create, and the parties do not intend to create, any rights in third parties.
18. Except as otherwise provided herein, this agreement may not be changed, modified or rescinded except in writing, signed by all parties hereto, and any attempt at oral modification of this agreement shall be void and of no effect.
19. This agreement may be executed in multiple originals, each of which is deemed to be an original, and may be signed in counterparts

IN WITNESS WHEREOF, the parties have executed the above instrument on the day and year first above written.

COUNTY OF MARIN


CITY OF SAN RAFAEL

By: 
 Katie Rice, President
 Board of Supervisors

By: 
 Gary O. Phillips,
 Mayor

ATTEST:

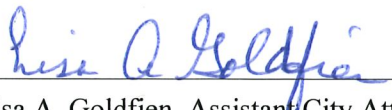
ATTEST:


 Deputy Clerk of the Board


 for Lindsay Lara,
 City Clerk

MASTER FORM APPROVED AS TO FORM:

 Tarisha Bal
 Deputy County Counsel
 County of Marin


 Lisa A. Goldfien, Assistant City Attorney

FIRST AMENDMENT TO THE COOPERATION AGREEMENT BETWEEN THE COUNTY OF MARIN AND CITY OF SAN RAFAEL FOR A COMMUNITY DEVELOPMENT PROGRAM

This FIRST AMENDMENT (“First Amendment”) to that certain Community Development Block Grant and Home Investment Partnerships Program Cooperation Agreement between the County of Marin, a political subdivision of the State of California, hereinafter called "County," and City of San Rafael, a municipal corporation of the State of California, located in the County of Marin, hereinafter called "City," collectively referred to as “Parties,” dated on or about June 24, 2020 (“Cooperation Agreement”), is hereby entered into between the Parties, effective July 25, 2023.

The purpose of this First Amendment is to renew the Cooperation Agreement for federal fiscal years 2024-2026 and to incorporate into the Cooperation Agreement language as required by the U.S. Department of Housing and Urban Development (HUD), Office of Community Planning and Development (CPD) Notice 23-02.

Accordingly, the County of Marin and the City hereby agree as follows:

1. Amendment to Paragraph 9. Paragraph 9 of the Cooperation Agreement is hereby amended as follows:

County, City, and all other cooperating cities shall take all actions necessary to assure compliance with the urban county’s certification under section 104(b) of Title I of the Housing and Community Development Act of 1974, as amended, and that the grant will be conducted and administered in conformity with Title VI of the Civil Rights Act of 1964, the Fair Housing Act, and the implementing regulations at 24 CFR part 100, and will affirmatively further fair housing. See 24 CFR § 91.225(a) and Affirmatively Furthering Fair Housing Definitions and Certifications (86 FR 30779, June 10, 2021), to be codified at 24 CFR 5.151 and 5.152. County, City, and all other cooperating cities shall also take all actions necessary to assure compliance with Section 109 of Title I of the Housing and Community Development Act of 1974 (which incorporates Section 504 of the Rehabilitation Act of 1973 and the Age Discrimination Act of 1975), and the implementing regulations at 24 CFR part 6, which incorporates Section 504 of the Rehabilitation Act of 1973, and the implementing regulations at 24 CFR part 8, Title II of the Americans with Disabilities Act, and the implementing regulations at 28 CFR part 35, the Age Discrimination Act of 1975, and the implementing regulation at 24 CFR part 146, and Section 3 of the Housing and Urban Development Act of 1968, and other applicable laws.

Use of urban county funds for activities in, or in support of, any cooperating city that does not affirmatively further fair housing within its own jurisdiction or that impedes the county’s actions to comply with the county’s fair housing certification shall be prohibited. The City must also sign the assurances and certifications in the HUD 424-B, attached hereto.

Pursuant to 24 CFR 570.501(b), City is subject to the same requirements applicable to subrecipients, including the requirement of a written agreement as described in 24 CFR 570.503.

County, City, all other cooperating cities, metropolitan cities, urban counties, units of general local government, Indian tribes, and insular areas that directly or indirectly receive funds provided under Title I of the Housing and Community Development Act of 1974, as amended, may not sell, trade, or otherwise transfer all or any portion of such funds to another such entity in exchange for any other funds, credits, or non-Federal considerations, but must use such funds for activities eligible under Title I of the Housing and Community Development Act of 1974, as amended.

2. Amendment to Fiscal Year References. All references in the Cooperation Agreement to “federal fiscal years 2021, 2022, and 2023” are hereby amended to refer to “federal fiscal years 2021, 2022, 2023, 2024, 2025, and 2026.”
3. All Other Provisions Unchanged. All provisions of the Cooperation Agreement not explicitly amended through this First Amendment remain in full force and effect.
4. Authority to Execute Amendment. The person signing on behalf of the City of San Rafael certifies to the County that he/she/they has the authority to execute this First Amendment, and that execution of this First Amendment on behalf of the City is in accord with all City processes for obtaining such signature. The person executing this First Amendment on behalf of the City recognizes that the County will rely on this certification in order to procure funds from HUD for use by the City.

IN WITNESS WHEREOF, the Parties have executed the above instrument on the day and year first above written.

COUNTY OF MARIN

CITY OF SAN RAFAEL

By: _____
Stephanie Moulton-Peters, President
Board of Supervisors

By: _____
Mayor Kate Colin

ATTEST:

ATTEST:

Deputy Clerk of the Board

Clerk

MASTER FORM APPROVED AS TO FORM:

Brandon Halter
Deputy County Counsel
County of Marin

SECOND AMENDMENT TO THE COOPERATION AGREEMENT BETWEEN THE COUNTY OF
MARIN AND CITY OF SAN RAFAEL FOR A COMMUNITY DEVELOPMENT PROGRAM

This SECOND AMENDMENT (“Second Amendment”) to that certain Community Development Block Grant and Home Investment Partnerships Program Cooperation Agreement between the County of Marin, a political subdivision of the State of California, hereinafter called "County," and City of San Rafael, a municipal corporation of the State of California, located in the County of Marin, hereinafter called "City," collectively referred to as “Parties,” dated on or about June 24, 2020 (“Original Agreement”), as amended by that certain First Amendment to the Cooperation Agreement between the Parties effective July 25, 2023 (First Amendment, and together with the Original Agreement, the “Cooperation Agreement”), is hereby entered into between the Parties, effective September 30, 2023.

The purpose of this Second Amendment is to incorporate into the Cooperation Agreement language the U.S. Department of Housing and Urban Development (HUD), Office of Community Planning and Development (CPD) Notice 23-02 requires be included in the Cooperation Agreement. The Parties intended to include such required language in the Cooperation through the First Amendment, but inadvertently failed to do so. This Second Amendment is intended to correct that omission.

Accordingly, the County of Marin and the City hereby agree as follows:

1. Amendment to Paragraph 9. Paragraph 9 of the Cooperation Agreement is hereby amended as follows:

County, City, and all other cooperating cities shall take all actions necessary to assure compliance with the urban county’s certification under section 104(b) of Title I of the Housing and Community Development Act of 1974, as amended, and that the grant will be conducted and administered in conformity with Title VI of the Civil Rights Act of 1964, the Fair Housing Act, and the implementing regulations at [24 CFR part 1](#), 24 CFR part 100, and will affirmatively further fair housing. See 24 CFR § 91.225(a) and Affirmatively Furthering Fair Housing Definitions and Certifications (86 FR 30779, June 10, 2021), to be codified at 24 CFR 5.151 and 5.152. County, City, and all other cooperating cities shall also take all actions necessary to assure compliance with Section 109 of Title I of the Housing and Community Development Act of 1974 (which incorporates Section 504 of the Rehabilitation Act of 1973 and the Age Discrimination Act of 1975), and the implementing regulations at 24 CFR part 6, which incorporates Section 504 of the Rehabilitation Act of 1973, and the implementing regulations at 24 CFR part 8, Title II of the Americans with Disabilities Act, and the implementing regulations at 28 CFR part 35, the Age Discrimination Act of 1975, and the implementing regulation at 24 CFR part 146, and Section 3 of the Housing and Urban Development Act of 1968, and other applicable laws.

IN WITNESS WHEREOF, the Parties have executed the above instrument on the day and year first above written.

COUNTY OF MARIN

CITY OF SAN RAFAEL

By: _____
Stephanie Moulton-Peters, President
Board of Supervisors

By: _____
Mayor

ATTEST:

ATTEST:

Deputy Clerk of the Board

Clerk

MASTER FORM APPROVED AS TO FORM:


Brandon Halter
Deputy County Counsel
County of Marin



Agenda Item No: 4.c
Meeting Date: September 18, 2023

SAN RAFAEL CITY COUNCIL AGENDA REPORT

Department: Police Department

Prepared by: Alex Holm, Lieutenant **City Manager Approval:** 

TOPIC: OFFICE OF TRAFFIC SAFETY GRANT APPROVAL

SUBJECT: RESOLUTION ACCEPTING THE STATE OF CALIFORNIA OFFICE OF TRAFFIC SAFETY "TRAFFIC RECORDS IMPROVEMENT PROJECT" GRANT FUNDS IN THE AMOUNT OF \$12,900, AND AUTHORIZING THE CITY MANAGER TO EXECUTE A GRANT AGREEMENT.

RECOMMENDATION:

Staff recommends that the City Council adopt the resolution approving the utilization of \$12,900 from the California Office of Traffic Safety Traffic Records Improvement Project grant funds and authorizing the City Manager to execute the Grant Agreement.

BACKGROUND:

The San Rafael Police Department (Police Department) is required by law to send all traffic collision reports to the California Highway Patrol (CHP) Statewide Integrated Traffic Records System (20008 (a) CVC). These reports are currently authored through the computer aided dispatch and records management system, which are then submitted via the United States Postal Service. This process results in significant personnel time and resources being expended each month and approximately thirty to forty personnel hours per year. To streamline the submission process to the Statewide Integrated Traffic Records System, Police Department has identified a software solution which would allow the Police Department to submit the reports electronically.

In 2022, the Police Department discovered the availability of OTS grant funding to implement electronic collision report submission solutions. Accordingly, an application for the Traffic Records Improvement Project (TRIP) grant was submitted in January 2023. The grant has been conditionally approved by OTS pending City approval.

ANALYSIS:

Less than twenty percent of California law enforcement agencies currently electronically transfer collision data to the California Highway Patrol Statewide Traffic Records System, with no Marin County Law Enforcement Agencies utilizing this method. The Police Department aims to lead by example, leveraging technological advancements for efficiency. By obtaining approval for the OTS TRIP Grant fund acceptance, the San Rafael Police Department will procure Sun Ridge System's "CHP 555 Transfer

FOR CITY CLERK ONLY

Council Meeting: _____

Disposition: _____

Interface" module, facilitating electronic submission of traffic collision cases to the Statewide Traffic Records System. This electronic transfer will automate data formatting and input into the State records management system, providing real-time access to uniform traffic statistics. Moreover, this initiative seeks to encourage other Marin County Law Enforcement Agencies to embrace electronic filing.

Electronic submission of traffic collision data is anticipated to significantly reduce staff time and CHP's turnaround time for publishing collision data. Presently, the manual submission process contributes to up to a two to three-year backlog of traffic records statistics, delaying analysis, planning, and safety improvement initiatives. The San Rafael Police Department's proactive approach supports efficiency by electronically transmitting collision report data.

COMMUNITY OUTREACH:

None recommended.

FISCAL IMPACT:

The recommendation included in this staff report authorizes acceptance of a State OTS grant of \$12,900 as well as a corresponding budget augmentation establishing an appropriation for the expenditure of grant funds. Acceptance of the grant results in no net-impact on local funding as the grant will fully cover the one-time \$12,900 cost of the Sun Ridge System's "CHP 555 Transfer Interface" module.

OPTIONS:

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

1. Authorize the City Manager to accept the grant award.
2. Direct staff to return with more information.
3. Take no action.

RECOMMENDED ACTION:

Staff recommends that the City Council adopt the resolution approving the utilization of \$12,900 from the California Office of Traffic Safety Traffic Records Improvement Project grant funds and authorizing the City Manager to execute the Grant Agreement.

ATTACHMENTS:

1. California Office of Traffic Safety Traffic Records Improvement Project Grant – Tentative Agreement
2. Quote from Sun Ridge Systems for the "CHP 555 Transfer Interface and Allied Agency Reporting Service" add-on module
3. Resolution

1. GRANT TITLE Traffic Records Improvement Project	
2. NAME OF AGENCY San Rafael	3. Grant Period From: 10/01/2023 To: 09/30/2024
4. AGENCY UNIT TO ADMINISTER GRANT San Rafael Police Department	
5. GRANT DESCRIPTION State and local agencies need timely, accurate, complete, accessible, and uniform traffic records to identify and prioritize traffic safety issues, to choose appropriate safety countermeasures and evaluate their effectiveness. Traffic records improvement grants provide traffic safety stakeholders with the ability to plan and initiate traffic records improvement projects such as the purchase and implementation of traffic crash reporting systems as well as electronic citation equipment and software.	
6. Federal Funds Allocated Under This Agreement Shall Not Exceed: \$12,900.00	
7. TERMS AND CONDITIONS: The parties agree to comply with the terms and conditions of the following which are by this reference made a part of the Agreement: <ul style="list-style-type: none">• Schedule A – Problem Statement, Goals and Objectives and Method of Procedure• Schedule B – Detailed Budget Estimate and Sub-Budget Estimate (if applicable)• Schedule B-1 – Budget Narrative and Sub-Budget Narrative (if applicable)• Exhibit A – Certifications and Assurances• Exhibit B* – OTS Grant Program Manual• Exhibit C – Grant Electronic Management System (GEMS) Access *Items shown with an asterisk (*), are hereby incorporated by reference and made a part of this agreement as if attached hereto. <p>These documents can be viewed at the OTS home web page under Grants: www.ots.ca.gov.</p> We, the officials named below, hereby swear under penalty of perjury under the laws of the State of California that we are duly authorized to legally bind the Grant recipient to the above described Grant terms and conditions. IN WITNESS WHEREOF, this Agreement has been executed by the parties hereto.	
8. Approval Signatures	
A. GRANT DIRECTOR NAME: Justin Graham TITLE: Administrative Services Sergeant EMAIL: 494@srpd.org PHONE: (415) 485-3000 ADDRESS: 1375 Fifth Avenue San Rafael, CA 94901 _____ (Signature) (Date)	B. AUTHORIZING OFFICIAL NAME: Christine Alilovich TITLE: City Manager EMAIL: christine.alilovich@cityofsanrafael.org PHONE: (415) 485-3070 ADDRESS: 1400 Fifth Avenue San Rafael, CA 94901 _____ (Signature) (Date)
C. FISCAL OFFICIAL NAME: Beth Minka TITLE: Police Business Office Administrator EMAIL: 412@srpd.org PHONE: (415) 485-3040 ADDRESS: 1375 Fifth Avenue San Rafael, CA 94901 _____ (Signature) (Date)	D. AUTHORIZING OFFICIAL OF OFFICE OF TRAFFIC SAFETY NAME: Barbara Rooney TITLE: Director EMAIL: barbara.rooney@ots.ca.gov PHONE: (916) 509-3030 ADDRESS: 2208 Kausen Drive, Suite 300 Elk Grove, CA 95758 _____ (Signature) (Date)

E. ACCOUNTING OFFICER OF OFFICE OF TRAFFIC SAFETY NAME: Carolyn Vu ADDRESS: 2208 Kausen Drive, Suite 300 Elk Grove, CA 95758	9. SAM INFORMATION SAM #: CRDWQSJB4AR1 REGISTERED ADDRESS: 1400 5th Avenue, Room 204 CITY: San Rafael, CA 94901-1993 ZIP+4: San Rafael 94901-1993
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10. PROJECTED EXPENDITURES						
FUND	CFDA	ITEM/APPROPRIATION	F.Y.	CHAPTER	STATUTE	PROJECTED EXPENDITURES
				AGREEMENT TOTAL		\$12,900.00
				AMOUNT ENCUMBERED BY THIS DOCUMENT		\$12,900.00
<i>I CERTIFY upon my own personal knowledge that the budgeted funds for the current budget year are available for the period and purpose of the expenditure stated above.</i>				PRIOR AMOUNT ENCUMBERED FOR THIS AGREEMENT		\$ 0.00
				TOTAL AMOUNT ENCUMBERED TO DATE		\$12,900.00
OTS ACCOUNTING OFFICER'S SIGNATURE			DATE SIGNED			

<p>1. PROBLEM STATEMENT</p> <p>In 2022 and 2023, The California Office of Traffic Safety notified OTS STEP Grant Agencies, including the San Rafael Police Department (SRPD), that grant funding existed to enable police agencies to be able to send crash reports to CHP SWITRS electronically versus hand mailing them to CHP SWITRS. This would greatly increase the turnaround time that CHP SWITRS published crash data. The San Rafael Police Department is currently one of the many agencies that are sending crash reports via the mail to SWITRS. The San Rafael Police Department has the desire to be proactive and support the more efficient ability to send collision report data electronically with the hopes of getting the CHP SWITRS data backlog reduced from several years to less than a year.</p> <p>There are no Marin County Law Enforcement Agencies filing electronically. The San Rafael Police Department strives to be a model agency for advancing its capabilities through technological advancement. SRPD would set an example for our Marin County Law Enforcement partners to join the capability of electronically filing crash data to CHP SWITRS.</p> <p>The San Rafael Police Department will more efficiently send crash data to CHP SWITRS, so that in turn CHP SWITRS can decrease the backlog in publishing crash data that the San Rafael Police Department uses.</p>	
<p>2. PERFORMANCE MEASURES</p> <p>A. Goals:</p> <ol style="list-style-type: none"> 1. Reduce the number of persons killed in traffic crashes. 2. Reduce the number of persons injured in traffic crashes. 	
<p>B. Objectives:</p> <ol style="list-style-type: none"> 1. Purchase a new electronic crash reporting program or upgrade an existing electronic crash reporting program to the latest version available that includes the capability of exporting complete crash report records to a departmental records management system (RMS) and the California Highway Patrol's Statewide Integrated Traffic Records System (SWITRS). 	<p>Target Number 1</p>
<p>3. METHOD OF PROCEDURE</p> <p>A. Phase 1 – Program Preparation (1st Quarter of Grant Year)</p> <ul style="list-style-type: none"> • Determine specific system requirements. • Determine specific equipment requirements. • Request vendor price quotation per host agency requirements. • Procure an electronic crash reporting system with the following functionalities: <ul style="list-style-type: none"> • System licensing with installation and training. • GIS based mapping. • Segment crash diagramming tool. • Ability to create or import crash reports. • Ability to import and export agency RMS files. • Ability to perform complete analysis of crash reports. • Secure database accessible by appropriate agency personnel. • Ability to export complete crash report to the California Highway Patrol's Statewide Integrated Traffic Records System. 	
<p>B. Phase 2 – Program Operations (Throughout Grant Year)</p> <ul style="list-style-type: none"> • Select vendor for system development, implementation, and installation. • Monitor and oversee progress of system/software development. 	
<p>C. Phase 3 – Data Collection & Reporting (Throughout Grant Year)</p> <ul style="list-style-type: none"> • Prepare and submit grant claims invoice (due January 30, April 30, July 30, and October 30). 	

- Successful project completion and confirmation of successful transmission of crash reports by the California Highway Patrol is required before submission of invoice claims seeking reimbursement from OTS.
- Prepare and submit quarterly performance reports (due January 30, April 30, July 30, and October 30).
 - Collect and report quarterly appropriate data that supports the progress of goals and objectives.
 - Provide a summary of quarterly accomplishments and explanations for objectives not completed.
 - Collect, analyze, and report statistical data relating to the grant goals and objectives.

4. METHOD OF EVALUATION

Using the data compiled during the grant, the Grant Director will complete the "Final Evaluation" section in the fourth/final Quarterly Performance Report (QPR). The Final Evaluation should provide a brief summary of the grant's accomplishments, challenges and significant activities. This narrative should also include whether goals and objectives were met, exceeded, or an explanation of why objectives were not completed.

5. ADMINISTRATIVE SUPPORT

This program has full administrative support, and every effort will be made to continue the grant activities after grant conclusion.

FUND NUMBER	CATALOG NUMBER (CFDA)	FUND DESCRIPTION	TOTAL AMOUNT
405c TR-24	20.616	State Traffic Safety Information System Improvements	\$12,900.00

COST CATEGORY	FUND NUMBER	UNIT COST OR RATE	UNITS	TOTAL COST TO GRANT
A. PERSONNEL COSTS				
<u>Straight Time</u>				\$0.00
<u>Overtime</u>				\$0.00
Category Sub-Total				\$0.00
B. TRAVEL EXPENSES				
				\$0.00
				\$0.00
Category Sub-Total				\$0.00
C. CONTRACTUAL SERVICES				
				\$0.00
Category Sub-Total				\$0.00
D. EQUIPMENT				
Traffic Crash Database System Interface	405c TR-24	\$12,900.00	1	\$12,900.00
Category Sub-Total				\$12,900.00
E. OTHER DIRECT COSTS				
				\$0.00
Category Sub-Total				\$0.00
F. INDIRECT COSTS				
				\$0.00
Category Sub-Total				\$0.00
GRANT TOTAL				\$12,900.00

GRANT AGREEMENT

TR24022

Schedule B-1

BUDGET NARRATIVE	
PERSONNEL COSTS	-
TRAVEL EXPENSES	-
CONTRACTUAL SERVICES	-
EQUIPMENT	Traffic Crash Database System Interface - Computer programming required to interface crash database with other existing agency, Records Management Systems, or CHP's Statewide Integrated Traffic Records System database allowing the systems to be electronically integrated for transfer of data.
OTHER DIRECT COSTS	-
INDIRECT COSTS	-
STATEMENTS/DISCLAIMERS	

Certifications and Assurances for Fiscal Year 2024 Highway Safety Grants (23 U.S.C. Chapter 4 or Section 1906, Public Law 109-59, as amended by Section 25024, Public Law 117-58)

The officials named on the grant agreement, certify by way of signature on the grant agreement signature page, that the Grantee Agency complies with all applicable Federal statutes, regulations, and directives and State rules, guidelines, policies, and laws in effect with respect to the periods for which it receives grant funding. Applicable provisions include, but are not limited to, the following:

GENERAL REQUIREMENTS

The State will comply with applicable statutes and regulations, including but not limited to:

- 23 U.S.C. Chapter 4—Highway Safety Act of 1966, as amended;
- Sec. 1906, Public Law 109-59, as amended by Sec. 25024, Public Law 117-58;
- 23 CFR part 1300—Uniform Procedures for State Highway Safety Grant Programs;
- 2 CFR part 200—Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards;
- 2 CFR part 1201—Department of Transportation, Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards.

NONDISCRIMINATION

(applies to all subrecipients as well as States)

The State highway safety agency [and its subrecipients] will comply with all Federal statutes and implementing regulations relating to nondiscrimination (“Federal Nondiscrimination Authorities”). These include but are not limited to:

- *Title VI of the Civil Rights Act of 1964 (42 U.S.C. 2000d et seq., 78 stat. 252)*, (prohibits discrimination on the basis of race, color, national origin);
- *49 CFR part 21* (entitled *Non-discrimination in Federally-Assisted Programs of the Department of Transportation—Effectuation of Title VI of the Civil Rights Act of 1964*);
- *28 CFR 50.3* (U.S. Department of Justice Guidelines for Enforcement of Title VI of the Civil Rights Act of 1964);
- *The Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, (42 U.S.C. 4601)*, (prohibits unfair treatment of persons displaced or whose property has been acquired because of Federal or Federal-aid programs and projects);
- *Federal-Aid Highway Act of 1973, (23 U.S.C. 324 et seq.)*, and *Title IX of the Education Amendments of 1972*, as amended (*20 U.S.C. 1681-1683* and *1685-1686*) (prohibit discrimination on the basis of sex);
- *Section 504 of the Rehabilitation Act of 1973, (29 U.S.C. 794 et seq.)*, as amended, (prohibits discrimination on the basis of disability) and *49 CFR part 27*;
- *The Age Discrimination Act of 1975*, as amended, (*42 U.S.C. 6101 et seq.*), (prohibits discrimination on the basis of age);
- *The Civil Rights Restoration Act of 1987*, (Pub. L. 100-209), (broadens scope, coverage, and applicability of Title VI of the Civil Rights Act of 1964, The Age Discrimination Act of 1975 and Section 504 of the Rehabilitation Act of 1973, by expanding the definition of the terms “programs or activities” to include all of the programs or activities of the Federal aid recipients, subrecipients and contractors, whether such programs or activities are Federally-funded or not);
- *Titles II and III of the Americans with Disabilities Act (42 U.S.C. 12131-12189)* (prohibits discrimination on the basis of disability in the operation of public entities, public and private transportation systems, places of public accommodation, and certain testing) and *49 CFR parts 37 and 38*;
- *Executive Order 12898, Federal Actions to Address Environmental Justice in Minority Populations and Low-Income Populations* (preventing discrimination against minority populations by discouraging programs, policies, and activities with disproportionately high and adverse human health or environmental effects on minority and low-income populations);
- *Executive Order 13166, Improving Access to Services for Persons with Limited English Proficiency* (requiring that recipients of Federal financial assistance provide meaningful access for applicants and beneficiaries who have limited English proficiency (LEP));
- *Executive Order 13985, Advancing Racial Equity and Support for Underserved Communities through the Federal Government* (advancing equity across the Federal Government); and
- *Executive Order 13988, Preventing and Combating Discrimination on the Basis of Gender Identity or Sexual Orientation* (clarifying that sex discrimination includes discrimination on the grounds of gender identity or sexual orientation).

The preceding statutory and regulatory cites hereinafter are referred to as the "Acts" and "Regulations," respectively.

GENERAL ASSURANCES

In accordance with the Acts, the Regulations, and other pertinent directives, circulars, policy, memoranda, and/or guidance, the Recipient hereby gives assurance that it will promptly take any measures necessary to ensure that:

"No person in the United States shall, on the grounds of race, color, or national origin, be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination under any program or activity, for which the Recipient receives Federal financial assistance from DOT, including NHTSA."

The Civil Rights Restoration Act of 1987 clarified the original intent of Congress, with respect to Title VI of the Civil Rights Act of 1964 and other non-discrimination requirements (the Age Discrimination Act of 1975, and Section 504 of the Rehabilitation Act of 1973), by restoring the broad, institutional-wide scope and coverage of these nondiscrimination statutes and requirements to include all programs and activities of the Recipient, so long as any portion of the program is Federally assisted.

SPECIFIC ASSURANCES

More specifically, and without limiting the above general Assurance, the Recipient agrees with and gives the following Assurances with respect to its Federally assisted Highway Safety Grant Program:

1. The Recipient agrees that each "activity," "facility," or "program," as defined in § 21.23(b) and (c) of 49 CFR part 21 will be (with regard to an "activity") facilitated, or will be (with regard to a "facility") operated, or will be (with regard to a "program") conducted in compliance with all requirements imposed by, or pursuant to the Acts and the Regulations.
2. The Recipient will insert the following notification in all solicitations for bids, Requests For Proposals for work, or material subject to the Acts and the Regulations made in connection with all Highway Safety Grant Programs and, in adapted form, in all proposals for negotiated agreements regardless of funding source: *"The [name of Recipient], in accordance with the provisions of Title VI of the Civil Rights Act of 1964 (78 Stat. 252, 42 U.S.C 2000d to 2000d-4) and the Regulations, hereby notifies all bidders that it will affirmatively ensure that in any contract entered into pursuant to this advertisement, disadvantaged business enterprises will be afforded full and fair opportunity to submit bids in response to this invitation and will not be discriminated against on the grounds of race, color, or national origin in consideration for an award."*
3. The Recipient will insert the clauses of appendix A and E of this Assurance (also referred to as DOT Order 1050.2A) in every contract or agreement subject to the Acts and the Regulations.
4. The Recipient will insert the clauses of appendix B of DOT Order 1050.2A, as a covenant running with the land, in any deed from the United States effecting or recording a transfer of real property, structures, use, or improvements thereon or interest therein to a Recipient.
5. That where the Recipient receives Federal financial assistance to construct a facility, or part of a facility, the Assurance will extend to the entire facility and facilities operated in connection therewith.
6. That where the Recipient receives Federal financial assistance in the form of, or for the acquisition of, real property or an interest in real property, the Assurance will extend to rights to space on, over, or under such property.
7. That the Recipient will include the clauses set forth in appendix C and appendix D of this DOT Order 1050.2A, as a covenant running with the land, in any future deeds, leases, licenses, permits, or similar instruments entered into by the Recipient with other parties:
 - a. for the subsequent transfer of real property acquired or improved under the applicable activity, project, or program; and
 - b. for the construction or use of, or access to, space on, over, or under real property acquired or improved under the applicable activity, project, or program.
8. That this Assurance obligates the Recipient for the period during which Federal financial assistance is extended to the program, except where the Federal financial assistance is to provide, or is in the form of, personal property, or real property, or interest therein, or structures or improvements thereon, in which case the Assurance obligates the Recipient, or any transferee for the longer of the following periods:
 - a. the period during which the property is used for a purpose for which the Federal financial assistance is extended, or for another purpose involving the provision of similar services or benefits; or
 - b. the period during which the Recipient retains ownership or possession of the property.
9. The Recipient will provide for such methods of administration for the program as are found by the Secretary of Transportation or the official to whom he/she delegates specific authority to give reasonable guarantee that it, other recipients, sub-recipients, sub-grantees, contractors, subcontractors, consultants, transferees, successors in interest, and other participants of Federal financial assistance under such program will comply with all requirements imposed or pursuant to the Acts, the Regulations, and this Assurance.
10. The Recipient agrees that the United States has a right to seek judicial enforcement with regard to any matter arising under the Acts, the Regulations, and this Assurance.

By signing this ASSURANCE, the State highway safety agency also agrees to comply (and require any sub-recipients, sub-grantees, contractors, successors, transferees, and/or assignees to comply) with all applicable provisions governing NHTSA's access to records, accounts, documents, information, facilities, and staff. You also recognize that you must comply with any program or compliance reviews, and/or complaint investigations conducted by NHTSA. You must keep records, reports, and submit the material for review upon request to NHTSA, or its designee in a timely, complete, and accurate way. Additionally, you must comply with all other reporting, data collection, and evaluation requirements, as prescribed by law or detailed in program guidance.

The State highway safety agency gives this ASSURANCE in consideration of and for obtaining any Federal grants, loans, contracts, agreements, property, and/or discounts, or other Federal-aid and Federal financial assistance extended after the date hereof to the recipients by the U.S. Department of Transportation under the Highway Safety Grant Program. This ASSURANCE is binding on the State highway safety agency, other recipients, sub-recipients, sub-grantees, contractors, subcontractors and their subcontractors', transferees, successors in interest, and any other participants in the Highway Safety Grant Program. The person(s) signing below is/are authorized to sign this ASSURANCE on behalf of the Recipient.

THE DRUG-FREE WORKPLACE ACT OF 1988 (41 U.S.C. 8103)

The Subgrantee will provide a drug-free workplace by:

- a. Publishing a statement notifying employees that the unlawful manufacture, distribution, dispensing, possession or use of a controlled substance is prohibited in the grantee's workplace, and specifying the actions that will be taken against employees for violation of such prohibition;
- b. Establishing a drug-free awareness program to inform employees about:
 1. The dangers of drug abuse in the workplace;
 2. The grantee's policy of maintaining a drug-free workplace;
 3. Any available drug counseling, rehabilitation, and employee assistance programs;
 4. The penalties that may be imposed upon employees for drug violations occurring in the workplace;
 5. Making it a requirement that each employee engaged in the performance of the grant be given a copy of the statement required by paragraph (a);
- c. Notifying the employee in the statement required by paragraph (a) that, as a condition of employment under the grant, the employee will—
 1. Abide by the terms of the statement;
 2. Notify the employer of any criminal drug statute conviction for a violation occurring in the workplace no later than five days after such conviction;
- d. Notifying the agency within ten days after receiving notice under subparagraph (c)(2) from an employee or otherwise receiving actual notice of such conviction;
- e. Taking one of the following actions, within 30 days of receiving notice under subparagraph (c)(2), with respect to any employee who is so convicted—
 1. Taking appropriate personnel action against such an employee, up to and including termination;
 2. Requiring such employee to participate satisfactorily in a drug abuse assistance or rehabilitation program approved for such purposes by a Federal, State, or local health, law enforcement, or other appropriate agency;
- f. Making a good faith effort to continue to maintain a drug-free workplace through implementation of all of the paragraphs above.

POLITICAL ACTIVITY (HATCH ACT)

(applies to all subrecipients as well as States)

The State will comply with provisions of the Hatch Act (5 U.S.C. 1501-1508), which limits the political activities of employees whose principal employment activities are funded in whole or in part with Federal funds.

CERTIFICATION REGARDING FEDERAL LOBBYING

(applies to all subrecipients as well as States)

CERTIFICATION FOR CONTRACTS, GRANTS, LOANS, AND COOPERATIVE AGREEMENTS

The undersigned certifies, to the best of his or her knowledge and belief, that:

1. No Federal appropriated funds have been paid or will be paid, by or on behalf of the undersigned, to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with the awarding of any Federal contract, the making of any Federal grant, the making of any Federal loan, the entering into of any cooperative agreement, and the extension, continuation, renewal, amendment, or modification of any Federal contract, grant, loan, or cooperative agreement;

2. If any funds other than Federal appropriated funds have been paid or will be paid to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with this Federal contract, grant, loan, or cooperative agreement, the undersigned shall complete and submit Standard Form-LLL, "Disclosure Form to Report Lobbying," in accordance with its instructions;
3. The undersigned shall require that the language of this certification be included in the award documents for all sub-awards at all tiers (including subcontracts, subgrants, and contracts under grant, loans, and cooperative agreements) and that all subrecipients shall certify and disclose accordingly.

This certification is a material representation of fact upon which reliance was placed when this transaction was made or entered into. Submission of this certification is a prerequisite for making or entering into this transaction imposed by section 1352, title 31, U.S. Code. Any person who fails to file the required certification shall be subject to a civil penalty of not less than \$10,000 and not more than \$100,000 for each such failure.

RESTRICTION ON STATE LOBBYING (applies to subrecipients as well as States)

None of the funds under this program will be used for any activity specifically designed to urge or influence a State or local legislator to favor or oppose the adoption of any specific legislative proposal pending before any State or local legislative body. Such activities include both direct and indirect (e.g., "grassroots") lobbying activities, with one exception. This does not preclude a State official whose salary is supported with NHTSA funds from engaging in direct communications with State or local legislative officials, in accordance with customary State practice, even if such communications urge legislative officials to favor or oppose the adoption of a specific pending legislative proposal.

CERTIFICATION REGARDING DEBARMENT AND SUSPENSION (applies to all subrecipients as well as States)

INSTRUCTIONS FOR PRIMARY TIER PARTICIPANT CERTIFICATION (STATES)

1. By signing and submitting this proposal, the prospective primary tier participant is providing the certification set out below and agrees to comply with the requirements of 2 CFR parts 180 and 1200.
2. The inability of a person to provide the certification required below will not necessarily result in denial of participation in this covered transaction. The prospective primary tier participant shall submit an explanation of why it cannot provide the certification set out below. The certification or explanation will be considered in connection with the department or agency's determination whether to enter into this transaction. However, failure of the prospective primary tier participant to furnish a certification or an explanation shall disqualify such person from participation in this transaction.
3. The certification in this clause is a material representation of fact upon which reliance was placed when the department or agency determined to enter into this transaction. If it is later determined that the prospective primary tier participant knowingly rendered an erroneous certification, in addition to other remedies available to the Federal Government, the department or agency may terminate this transaction for cause or default or may pursue suspension or debarment.
4. The prospective primary tier participant shall provide immediate written notice to the department or agency to which this proposal is submitted if at any time the prospective primary tier participant learns its certification was erroneous when submitted or has become erroneous by reason of changed circumstances.
5. The terms **covered transaction, civil judgment, debarment, suspension, ineligible, participant, person, principal, and voluntarily excluded**, as used in this clause, are defined in 2 CFR parts 180 and 1200. You may contact the department or agency to which this proposal is being submitted for assistance in obtaining a copy of those regulations.
6. The prospective primary tier participant agrees by submitting this proposal that, should the proposed covered transaction be entered into, it shall not knowingly enter into any lower tier covered transaction with a person who is proposed for debarment under 48 CFR part 9, subpart 9.4, debarred, suspended, declared ineligible, or voluntarily excluded from participation in this covered transaction, unless authorized by the department or agency entering into this transaction.
7. The prospective primary tier participant further agrees by submitting this proposal that it will include the clause titled "Instructions for Lower Tier Participant Certification" including the "Certification Regarding Debarment, Suspension, Ineligibility and Voluntary Exclusion—Lower Tier Covered Transaction," provided by the department or agency entering into this covered transaction, without modification, in all lower tier covered transactions and in all solicitations for lower tier covered transactions and will require lower tier participants to comply with 2 CFR parts 180 and 1200.
8. A participant in a covered transaction may rely upon a certification of a prospective participant in a lower tier covered transaction that it is not proposed for debarment under 48 CFR part 9, subpart 9.4, debarred, suspended, ineligible, or voluntarily excluded from the covered transaction, unless it knows that the certification is erroneous. A participant is responsible for ensuring that its principals are not suspended, debarred, or

otherwise ineligible to participate in covered transactions. To verify the eligibility of its principals, as well as the eligibility of any prospective lower tier participants, each participant may, but is not required to, check the System for Award Management Exclusions website (<https://www.sam.gov/>).

9. Nothing contained in the foregoing shall be construed to require establishment of a system of records in order to render in good faith the certification required by this clause. The knowledge and information of a participant is not required to exceed that which is normally possessed by a prudent person in the ordinary course of business dealings.
10. Except for transactions authorized under paragraph 6 of these instructions, if a participant in a covered transaction knowingly enters into a lower tier covered transaction with a person who is proposed for debarment under 48 CFR part 9, subpart 9.4, suspended, debarred, ineligible, or voluntarily excluded from participation in this transaction, in addition to other remedies available to the Federal Government, the department or agency may terminate the transaction for cause or default.

CERTIFICATION REGARDING DEBARMENT, SUSPENSION, AND OTHER RESPONSIBILITY MATTERS— PRIMARY TIER COVERED TRANSACTIONS

1. The prospective primary tier participant certifies to the best of its knowledge and belief, that it and its principals:
 - a. Are not presently debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded from participating in covered transactions by any Federal department or agency;
 - b. Have not within a three-year period preceding this proposal been convicted of or had a civil judgment rendered against them for commission of fraud or a criminal offense in connection with obtaining, attempting to obtain, or performing a public (Federal, State, or local) transaction or contract under a public transaction; violation of Federal or State antitrust statutes or commission of embezzlement, theft, forgery, bribery, falsification or destruction of records, making false statements, or receiving stolen property;
 - c. Are not presently indicted for or otherwise criminally or civilly charged by a governmental entity (Federal, State, or local) with commission of any of the offenses enumerated in paragraph (1)(b) of this certification; and
 - d. Have not within a three-year period preceding this application/proposal had one or more public transactions (Federal, State, or local) terminated for cause or default.
2. Where the prospective primary tier participant is unable to certify to any of the Statements in this certification, such prospective participant shall attach an explanation to this proposal.

INSTRUCTIONS FOR LOWER TIER PARTICIPANT CERTIFICATION

1. By signing and submitting this proposal, the prospective lower tier participant is providing the certification set out below and agrees to comply with the requirements of 2 CFR parts 180 and 1200.
2. The certification in this clause is a material representation of fact upon which reliance was placed when this transaction was entered into. If it is later determined that the prospective lower tier participant knowingly rendered an erroneous certification, in addition to other remedies available to the Federal Government, the department or agency with which this transaction originated may pursue available remedies, including suspension or debarment.
3. The prospective lower tier participant shall provide immediate written notice to the person to which this proposal is submitted if at any time the prospective lower tier participant learns that its certification was erroneous when submitted or has become erroneous by reason of changed circumstances.
4. The terms **covered transaction, civil judgment, debarment, suspension, ineligible, participant, person, principal, and voluntarily excluded**, as used in this clause, are defined in 2 CFR parts 180 and 1200. You may contact the person to whom this proposal is submitted for assistance in obtaining a copy of those regulations.
5. The prospective lower tier participant agrees by submitting this proposal that, should the proposed covered transaction be entered into, it shall not knowingly enter into any lower tier covered transaction with a person who is proposed for debarment under 48 CFR part 9, subpart 9.4, debarred, suspended, declared ineligible, or voluntarily excluded from participation in this covered transaction, unless authorized by the department or agency with which this transaction originated.
6. The prospective lower tier participant further agrees by submitting this proposal that it will include the clause titled "Instructions for Lower Tier Participant Certification" including the "Certification Regarding Debarment, Suspension, Ineligibility and Voluntary Exclusion—Lower Tier Covered Transaction," without modification, in all lower tier covered transactions and in all solicitations for lower tier covered transactions and will require lower tier participants to comply with 2 CFR parts 180 and 1200.
7. A participant in a covered transaction may rely upon a certification of a prospective participant in a lower tier covered transaction that it is not proposed for debarment under 48 CFR part 9, subpart 9.4, debarred, suspended, ineligible, or voluntarily excluded from the covered transaction, unless it knows that the certification is erroneous. A participant is responsible for ensuring that its principals are not suspended, debarred, or

otherwise ineligible to participate in covered transactions. To verify the eligibility of its principals, as well as the eligibility of any prospective lower tier participants, each participant may, but is not required to, check the System for Award Management Exclusions website (<https://www.sam.gov>).

8. Nothing contained in the foregoing shall be construed to require establishment of a system of records in order to render in good faith the certification required by this clause. The knowledge and information of a participant is not required to exceed that which is normally possessed by a prudent person in the ordinary course of business dealings.
9. Except for transactions authorized under paragraph 5 of these instructions, if a participant in a covered transaction knowingly enters into a lower tier covered transaction with a person who is proposed for debarment under 48 CFR part 9, subpart 9.4, suspended, debarred, ineligible, or voluntarily excluded from participation in this transaction, in addition to other remedies available to the Federal Government, the department or agency with which this transaction originated may pursue available remedies, including suspension or debarment.

CERTIFICATION REGARDING DEBARMENT, SUSPENSION, INELIGIBILITY AND VOLUNTARY EXCLUSION— LOWER TIER COVERED TRANSACTIONS

1. The prospective lower tier participant certifies, by submission of this proposal, that neither it nor its principals is presently debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded from participating in covered transactions by any Federal department or agency.
2. Where the prospective lower tier participant is unable to certify to any of the statements in this certification, such prospective participant shall attach an explanation to this proposal.

BUY AMERICA (applies to subrecipients as well as States)

The State and each subrecipient will comply with the Buy America requirement (23 U.S.C. 313) when purchasing items using Federal funds. Buy America requires a State, or subrecipient, to purchase with Federal funds only steel, iron and manufactured products produced in the United States, unless the Secretary of Transportation determines that such domestically produced items would be inconsistent with the public interest, that such materials are not reasonably available and of a satisfactory quality, or that inclusion of domestic materials will increase the cost of the overall project contract by more than 25 percent. In order to use Federal funds to purchase foreign produced items, the State must submit a waiver request that provides an adequate basis and justification for approval by the Secretary of Transportation.

CERTIFICATION ON CONFLICT OF INTEREST (applies to subrecipients as well as States)

GENERAL REQUIREMENTS

No employee, officer, or agent of a State or its subrecipient who is authorized in an official capacity to negotiate, make, accept, or approve, or to take part in negotiating, making, accepting, or approving any subaward, including contracts or subcontracts, in connection with this grant shall have, directly or indirectly, any financial or personal interest in any such subaward. Such a financial or personal interest would arise when the employee, officer, or agent, any member of his or her immediate family, his or her partner, or an organization which employs or is about to employ any of the parties indicated herein, has a financial or personal interest in or a tangible personal benefit from an entity considered for a subaward. Based on this policy:

1. The recipient shall maintain a written code or standards of conduct that provide for disciplinary actions to be applied for violations of such standards by officers, employees, or agents.
 - a. The code or standards shall provide that the recipient's officers, employees, or agents may neither solicit nor accept gratuities, favors, or anything of monetary value from present or potential subawardees, including contractors or parties to subcontracts.
 - b. The code or standards shall establish penalties, sanctions, or other disciplinary actions for violations, as permitted by State or local law or regulations.
2. The recipient shall maintain responsibility to enforce the requirements of the written code or standards of conduct.

DISCLOSURE REQUIREMENTS

No State or its subrecipient, including its officers, employees, or agents, shall perform or continue to perform under a grant or cooperative agreement, whose objectivity may be impaired because of any related past, present, or currently planned interest, financial or otherwise, in organizations regulated by NHTSA or in organizations whose interests may be substantially affected by NHTSA activities. Based on this policy:

1. The recipient shall disclose any conflict of interest identified as soon as reasonably possible, making an immediate and full disclosure in writing to NHTSA. The disclosure shall include a description of the action which the recipient has taken or proposes to take to avoid or mitigate such conflict.
2. NHTSA will review the disclosure and may require additional relevant information from the recipient. If a conflict of interest is found to exist, NHTSA may (a) terminate the award, or (b) determine that it is otherwise in the best interest of NHTSA to continue the award and include appropriate provisions to mitigate or avoid such conflict.
3. Conflicts of interest that require disclosure include all past, present, or currently planned organizational, financial, contractual, or other interest(s) with an organization regulated by NHTSA or with an organization whose interests may be substantially affected by NHTSA activities, and which are related to this award. The interest(s) that require disclosure include those of any recipient, affiliate, proposed consultant, proposed subcontractor, and key personnel of any of the above. Past interest shall be limited to within one year of the date of award. Key personnel shall include any person owning more than a 20 percent interest in a recipient, and the officers, employees or agents of a recipient who are responsible for making a decision or taking an action under an award where the decision or action can have an economic or other impact on the interests of a regulated or affected organization.

PROHIBITION ON USING GRANT FUNDS TO CHECK FOR HELMET USAGE

(applies to all subrecipients as well as States)

The State and each subrecipient will not use 23 U.S.C. Chapter 4 grant funds for programs to check helmet usage or to create checkpoints that specifically target motorcyclists.

POLICY ON SEAT BELT USE

In accordance with Executive Order 13043, Increasing Seat Belt Use in the United States, dated April 16, 1997, the Grantee is encouraged to adopt and enforce on-the-job seat belt use policies and programs for its employees when operating company-owned, rented, or personally-owned vehicles. The National Highway Traffic Safety Administration (NHTSA) is responsible for providing leadership and guidance in support of this Presidential initiative. For information and resources on traffic safety programs and policies for employers, please contact the Network of Employers for Traffic Safety (NETS), a public-private partnership dedicated to improving the traffic safety practices of employers and employees. You can download information on seat belt programs, costs of motor vehicle crashes to employers, and other traffic safety initiatives at www.trafficsafety.org. The NHTSA website (www.nhtsa.gov) also provides information on statistics, campaigns, and program evaluations and references.

POLICY ON BANNING TEXT MESSAGING WHILE DRIVING

In accordance with Executive Order 13513, Federal Leadership On Reducing Text Messaging While Driving, and DOT Order 3902.10, Text Messaging While Driving, States are encouraged to adopt and enforce workplace safety policies to decrease crashes caused by distracted driving, including policies to ban text messaging while driving company-owned or rented vehicles, Government-owned, leased or rented vehicles, or privately-owned vehicles when on official Government business or when performing any work on or behalf of the Government. States are also encouraged to conduct workplace safety initiatives in a manner commensurate with the size of the business, such as establishment of new rules and programs or re-evaluation of existing programs to prohibit text messaging while driving, and education, awareness, and other outreach to employees about the safety risks associated with texting while driving.



To: Lieutenant Alex Holm, San Rafael Police Department
From: Tamera Melrose
Subject: Quotation for RIMS Software
Date: August 16, 2023

The following is a quotation for RIMS software based upon your recent request.

Item	Price
RIMS CHP 555 Export to SWITRS Link Software	\$10,000
Installation Completed via Remote Access and Phone	\$900
Annual Support and Updates – First Year	\$2,000
TOTAL	\$12,900

The CHP 555 Transfer, known as the Allied Agency Reporting Service (AARS), by the California Highway Patrol (CHP), is an interface available to RIMS customers that will electronically transfer California 555 Collision Reports directly to CHP.

This quotation is for RIMS software only and does not include any set up or testing to CHP's internet portal. Please refer to the attached CHP 555 Transfer documentation for further information about this interface. The CHP can provide further details to ensure successful transfers of 555 Collision Reports from the RIMS export interface.

If you plan to purchase via a purchase order, Sun Ridge Systems may require customers to make some minor modifications to the purchase order's Standard Terms and Conditions. Specifically, sections related to Warranty and Indemnification may require modification. Examples of these modifications can be provided upon request.

This quotation is valid for 90 days and may change thereafter. If you have any questions, please call me on 800-474-2565. Thank you for your continued interest in RIMS.

By signing and accepting this quote, I agree that I have signature authority on behalf of my department and/or organization and this signature will be an electronic representation of my signature for all purposes when I use them on documents, including legally binding contracts – just the same as a wet ink signature on paper.

Authorized by: Name and Title

Date:

RESOLUTION NO.

RESOLUTION APPROVING THE ACCEPTANCE AND APPROPRIATION OF STATE OF CALIFORNIA OFFICE OF TRAFFIC SAFETY GRANT FUNDS IN THE AMOUNT OF \$12,900 FOR THE “TRAFFIC RECORDS IMPROVEMENT PROJECT” (“TRIP”) GRANT AND AUTHORIZING THE CITY MANAGER TO EXECUTE A GRANT AGREEMENT AND ANY OTHER DOCUMENTS RELATED TO THE GRANT

Whereas, the State of California, Office of Traffic Safety has tentatively approved a grant to the City of San Rafael in the amount of \$12,900 in grant funds; and

Whereas, this grant money may be spent to pay for software associated with the electronic submission of traffic collision data to the California Highway Patrol Statewide Integrated Traffic Records; and

NOW, THEREFORE BE IT RESOLVED, that the City Council approves the acceptance and appropriation of \$12,900 in California Office of Traffic Safety grant funds for the Traffic Records Improvement Project (TRIP), with funds to be appropriated in the Safety Grant Fund 281; and authorizes the City Manager to execute a Grant Agreement and any documents related to the Grant in a form approved by the City Attorney.

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 18th day of September 2023 by the following vote, to wit:

AYES: COUNCILMEMBERS:

NOES: COUNCILMEMBERS:

ABSENT: COUNCILMEMBERS:

Lindsay Lara, City Clerk



Agenda Item No: 4.d
Meeting Date: September 18, 2023

SAN RAFAEL CITY COUNCIL AGENDA REPORT
Department: Public Works & Library and Recreation
Prepared by: April Miller, Public Works Director
Jill Tokutomi, Library & Recreation Assistant
Director/City Librarian
City Manager Approval: 

File No.: 06.01.251

TOPIC: DOWNTOWN LIBRARY MODERNIZATION PROJECT AGREEMENT AMENDMENT
SUBJECT: APPROVE AND AUTHORIZE THE CITY MANAGER TO EXECUTE A FIRST AMENDMENT TO THE PROFESSIONAL SERVICES AGREEMENT WITH NOLL & TAM ARCHITECTS FOR ARCHITECTURAL, ENGINEERING, AND INTERIOR DESIGN SERVICES ASSOCIATED WITH THE DOWNTOWN LIBRARY MODERNIZATION PROJECT, FOR A TOTAL AMOUNT NOT TO EXCEED \$391,731, AND TO EXTEND THE TERM OF THE CONTRACT BY AN ADDITIONAL TWELVE MONTHS

RECOMMENDATION:

Approve and authorize the City Manager to execute a first amendment to the professional services agreement with Noll & Tam Architects for architectural, engineering, and interior design services associated with the Downtown Library Modernization Project, for a total amount not to exceed \$391,731, and to extend the term of the contract by an additional twelve months.

BACKGROUND:

The San Rafael Public Library (1100 E St) was constructed in 1909 with funding from Andrew Carnegie. The building has been modified significantly with an addition and parking garage in 1960 to the north-facing side and in 1976 the parking garage was enclosed to create additional public space. As a result of community interest, the City commissioned a [2019 Existing Facilities Report](#) which outlined the facility upgrades needed to sustain the current building for the next 5 years, and a [2019 Library Facility Planning Study](#) which proposed longer-term options to address San Rafael’s need for additional library space.

The Downtown Library Modernization Project seeks to address a selection of critical infrastructure, accessibility and life-safety upgrades identified in the existing facilities report as well as some design improvements to create a more open, flexible environment that better meets the library’s operational needs. This project does not increase the square footage of the building and does not address the long-term need for additional library space as identified in the Library Facility Planning Study.

FOR CITY CLERK ONLY

Council Meeting: _____

Disposition: _____

SAN RAFAEL CITY COUNCIL AGENDA REPORT / Page: 2

The City has secured \$3,000,000 in funding for this project, which includes \$2,000,000 in [California State Library grants](#) and \$1,000,000 in memorial funds donated to the City for the purpose of improving library facilities.

ANALYSIS:

The City issued a request for proposal (RFP) for these services on November 1, 2022, and as a result received four proposals from qualified firms. All firms were evaluated by City staff based on criteria specified in the RFP including, but not limited to, completeness of the proposal, understanding of the project scope of work, ability to meet deadlines and operate within budget, relevant experience and success in similar projects, qualified and experienced personnel in the project team, and references by former clients on similar projects. City staff found Noll & Tam Architects and their subconsultants to be the most qualified consultant team for this project.

On January 17, 2023, the City executed a Professional Services Agreement ([PSA](#)) with Noll & Tam Architects (Noll & Tam) for the Preliminary Design portion of the project, for an amount not to exceed \$67,905. Noll & Tam worked with City staff to evaluate critical building maintenance needs and staff operational needs and develop preliminary design plans. On July 5, 2023, the architects submitted Preliminary Design Plans (Attachment 2), which was reviewed by City staff and the Library Trustees at the July 11th Board of Library Trustees meeting, which was open to the public.

As per the preliminary plans, the project will address the following life-safety and critical infrastructure improvements:

- Maintain and re-balance the HVAC system.
- Upgrade electrical systems to meet code.
- Upgrade the interior staircase for improved accessibility.
- Upgrade existing plumbing and restroom infrastructure and add two additional ADA compliant restrooms (one on each floor for a total of four public restrooms).
- Install manual fire alarm system.
- Add an ADA accessible lift to downstairs staff work area and remove existing ramp.
- Remove the non-safety interior glass walls outside the existing children's area.

Additionally, the preliminary plans provide an overview of the proposed design improvements. These improvements were selected as having the greatest long-term benefit while fitting within the project budget. They include:

- Replace lighting in the 1st and 2nd floor of the Carnegie wing.
- Reconfigure the main entry lobby and make the children's area more open with an improved entryway, more flexible layout, and opportunities for programming.
- Replace the existing children's service desk with a 2-person service desk that serves both the lobby and the children's area.
- Return the current technical services staff work area to a small public programming room.
- Relocate the public computing stations and Memory Lab from the Carnegie wing to the northern addition.
- Redesign the 2nd floor Carnegie wing into a reading room with updated finishes, flexible collection, and programming space.
- Relocate the teen space and add two booths behind the service desk for public workspace, tutoring, etc.

- Replace some of the existing shelving and furniture with flexible mobile shelving and furniture that is more ergonomic and attractive.
- Remove existing staff restrooms from downstairs staff work area and reconfigure space into a staff meeting room, create additional staff workspace with removal of ramp, and improve acoustics for existing staff offices.

Staff is supportive of the preliminary design plans and believes that the proposed changes will provide the greatest benefit in terms of both building safety, usability and improving the public experience, while still considering the City's overall goal of pursuing a larger Downtown Library expansion.

Following the finalization of the preliminary design plans, City staff requested that Noll & Tam provide an updated fee proposal for completing the concept design phase, developing construction documents, and providing construction administration and close-out services. As such, Noll & Tam submitted an additional services request, dated August 30, 2023, (Attachment 3). The total cost of these services is \$323,826. Staff reviewed this proposal and found it to be complete and within industry standards. The proposal has been incorporated into the City's standard professional services agreement, included as Attachment 1.

ENVIRONMENTAL DETERMINATION:

Staff reviewed the scope of work necessary for the Downtown Library Modernization project and determined that it qualifies for a categorical exemption under the California Environmental Quality Act (CEQA) Guidelines, Section 15301 for Existing Facilities. The key consideration to obtain a categorical exemption is that the project involves negligible or no expansion of use. Qualifying examples that are in line with the scope of the Downtown Library Modernization project include, but are not limited to, alterations of existing public structures, facilities, mechanical equipment, plumbing, and such. Therefore, staff intend to obtain a categorical exemption under the California Environmental Quality Act (CEQA) Guidelines, Section 15301 for Existing Facilities during the design phase of the project.

COMMUNITY OUTREACH:

The publicly available 2019 Existing Facilities Report found substantial weaknesses in the areas of safety, access, building systems, architectural issues, and functionality regarding the Downtown library. This report along with the 2019 Library Facility Planning study and previous studies can be found on the City of San Rafael [website](#).

The Board of Library Trustees, consisting of community representatives, viewed and provided feedback to the preliminary plans at a public meeting on July 11, 2023. Feedback from the Trustees was positive, and the Board was in support of the proposed plans.

FISCAL IMPACT:

The Downtown Library Modernization Project is identified and budgeted in the City's 2023-24 Capital Improvement Program. Staff proposes to fund the first amendment associated with the architectural, engineering, and interior design services of this project by utilizing a total of \$391,731 in memorial funds that were donated to the City for the purpose of improved Library facilities and services that are accessible to all (Fund 712).

This amount will count towards the \$1,000,000 dollar-for-dollar matching funds required for the Building Forward Grant awarded for this project.

OPTIONS:

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

1. Adopt the resolution as presented.
2. Do not accept the proposal from Noll & Tam Architects and direct staff to reissue the RFP. This option will delay this project.
3. Do not accept the proposal from Noll & Tam Architects and provide further direction to staff.

RECOMMENDED ACTION:

1. Approve and authorize the City Manager to execute a first amendment to the professional services agreement with Noll & Tam Architects for architectural, engineering, and interior design services associated with the Downtown Library Modernization Project, for a total amount not to exceed \$391,731; and to extend the term of the contract by an additional twelve months.

ATTACHMENTS:

1. Draft First Amendment to Professional Service Agreement
2. Preliminary Design Plans developed by Noll & Tam Architects
3. Exhibit A - Noll & Tam Additional Services Request, dated August 30, 2023

**FIRST AMENDMENT TO THE PROFESSIONAL SERVICES AGREEMENT WITH
NOLL & TAM FOR ADDITIONAL DESIGN SERVICES RELATED TO THE
DOWNTOWN LIBRARY IMPROVEMENT PROJECT**

THIS FIRST AMENDMENT to the Professional Services Agreement by and between the **CITY OF SAN RAFAEL** (hereinafter “**CITY**”), and **NOLL & TAM**, (hereinafter “**CONSULTANT**”), is made and entered into as of the _____ day of _____, 2023.

RECITALS

WHEREAS, the **CITY** and **CONSULTANT** entered into a Professional Services Agreement dated January 17, 2023 to perform professional services in connection with **CITY’S** Downtown Library Improvement Project, City Project No. 11413-01, for an amount not to exceed \$67,905.00 (the “**Agreement**”); and

WHEREAS, **CITY** requires additional professional services from the **CONSULTANT**, and the **CONSULTANT** is willing to provide such services.

AMENDMENT TO AGREEMENT

NOW, THEREFORE, the parties hereby agree to amend the Agreement as follows:

1. Article II of the Agreement, entitled “**DUTIES OF CONSULTANT**” is hereby amended to include the additional services set forth in **CONSULTANT’S** proposal dated August 30, 2023, attached to this First Amendment as Exhibit A and incorporated herein by reference.
2. Article IV of the Agreement, entitled “**COMPENSATION**” is hereby amended to include additional compensation payable to **CONSULTANT** for the services described in Exhibit A to this First Amendment, in accordance with the “**Total Proposed Fee**” included in Exhibit A, in a not-to-exceed amount of \$323,826, and to change the total not-to-exceed amount under the Agreement to \$391,731.
3. Article V of the Agreement, entitled “**TERM OF AGREEMENT**” is hereby amended to extend the term by 12 months to end on January 17, 2025.
3. Except as specifically amended herein, all of the other provisions, terms and obligations of the Agreement between the parties shall remain valid and shall be in full force.

IN WITNESS WHEREOF, the parties have executed this First Amendment on the day, month, and year first above written.

CITY OF SAN RAFAEL

CONSULTANT

CRISTINE ALILOVICH, City Manager

By: _____

Name: _____

Title: _____

ATTEST:

[If Contractor is a corporation, add signature of second corporate officer]

LINDSAY LARA, City Clerk

By: _____

Name: _____

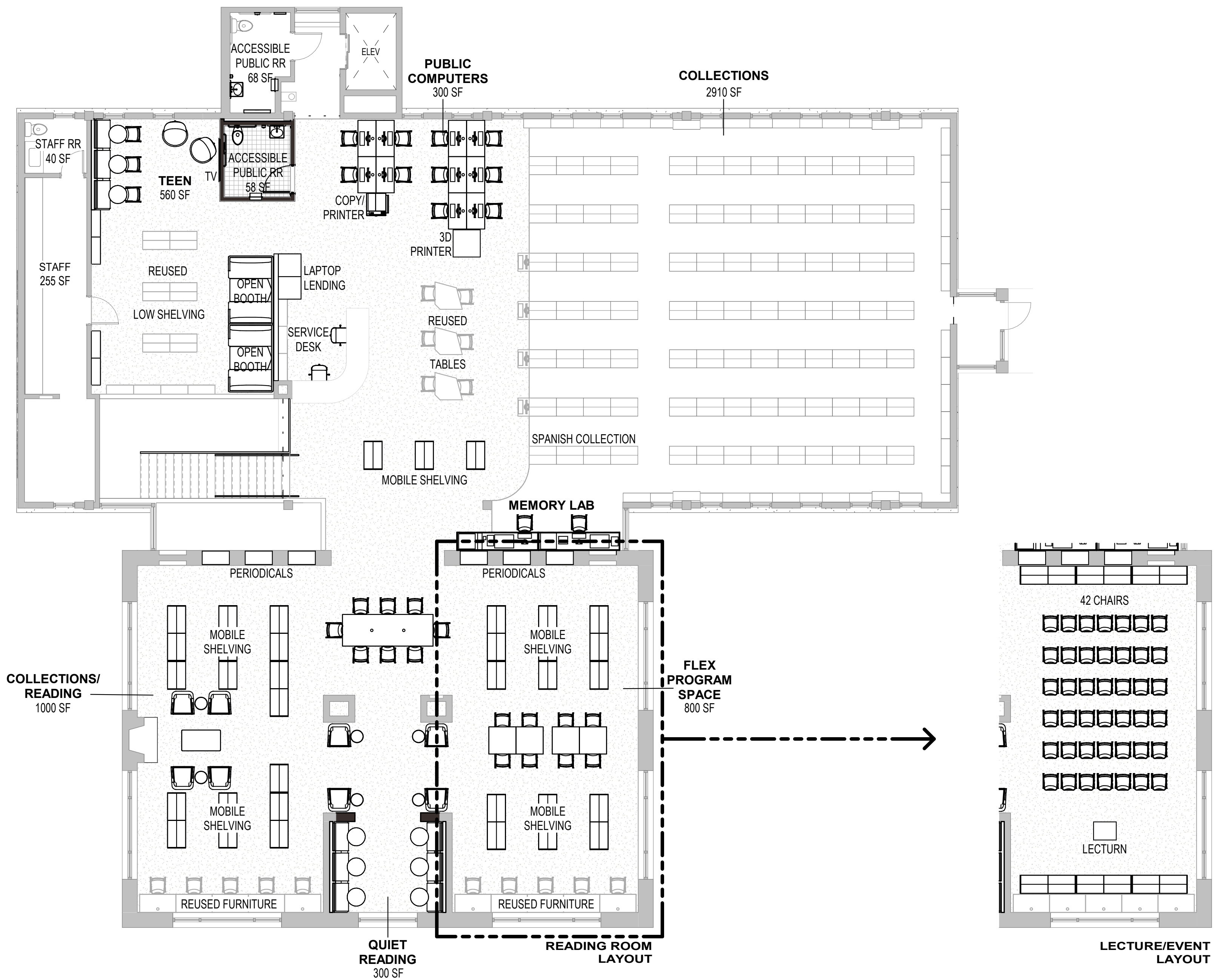
Title: _____

APPROVED AS TO FORM:

ROBERT F. EPSTEIN, City Attorney



1 01 - FLOOR PLAN
D1.2 1/8" = 1'-0"



2 02 - FLOOR PLAN
D1.2 1/8" = 1'-0"

PROPOSED FLOOR PLANS

07/05/23

Downtown Library Renovation

San Rafael Public Library

NOLL & TAM
ARCHITECTS

San Rafael Downtown Library Modernization
ADDITIONAL SERVICE REQUEST NO. 2
August 30, 2023



Attn: Fabiola Guillen

Fabiola Guillen
Project Manager
Department of Public Works
City of San Rafael

Re: Downtown Public Library Modernization Project
1100 E Street, San Rafael, CA 94901

Dear Ms. Guillen,

Noll & Tam Architects has amended our proposal for architectural consulting services, dated March 14, 2023, to include conclusion of the concept phase of work as well as Construction Documents and Construction Administration and Close-out Services as outlined in the attached Exhibit A and consultant proposals.

Project Description:

Downtown Public Library Modernization Project

Building Size: Approx. 15,000 SF

Client Construction Budget: \$2.2M

Design Schedule: Construction Documents (Sept 2023 – Dec 2023), Permit (Jan – March 2024), Bidding/Negotiation (March – April 2024), Construction Administration (May – October 2024)

Downtown Public Library Modernization Project

San Rafael, CA

August 30, 2023

		CONSTRUCTION DOCUMENTS	BIDDING/ NEGOTIATIONS	CONSTRUCTION ADMINISTRATION/ PROJECT CLOSE-OUT	OTHER	TOTALS
Basic Service	Consultant					
Architectural Services	Noll & Tam	\$55,180	\$4,080	\$54,975	\$0	\$114,235
MP Engineering	Capital	\$22,440	\$2,420	\$6,380	\$0	\$31,240
Cost Estimating	TBD Consultants	\$30,938	\$0	\$0	\$0	\$30,938
Electrical/Data/Lighting	Capital	\$31,845	\$2,123	\$8,492	\$0	\$42,460
Subtotal Basic Services		\$140,403	\$8,623	\$69,847	\$0	\$218,873
Supplemental Services	Consultant					
Retro-Commissioning	Capital	\$11,253	\$0	\$0	\$0	\$11,253
Interiors / FF&E	Noll & Tam	\$24,000	\$12,000	\$8,000	\$0	\$44,000
Concept Phase Schedule Extension	Noll & Tam	\$0	\$0	\$0	\$36,000	\$36,000
Signage	Allowance	\$9,900	\$550	\$2,750	\$0	\$13,200
Subtotal Supplemental Services		\$45,153	\$12,550	\$10,750	\$36,000	\$104,453
Subtotal Basic and Supplemental Services		\$185,556	\$21,173	\$80,597	\$36,000	\$323,326
Reimbursable Expense Allowance		\$0	\$0	\$0	\$0	\$500
					Total Proposed Fee	\$323,826

Our basic fee for this scope shall be lump sum fixed fee as listed above of **Three Hundred Twenty-three Thousand Eight Hundred Twenty-six dollars \$323,826**, billed monthly on a percent complete basis. Services rendered beyond the agreed scope of work will be billed at our hourly rates.

Sincerely,

Approved:

Chris Noll

Principal

Fabiola Guillen

Project Manager, Public Works

date

EXHIBIT A
SCOPE OF WORK

For A/E Services for the

SAN RAFAEL DOWNTOWN LIBRARY MODERNIZATION

VERSION: August 17, 2023

I. CONCEPT PHASE EXTENSION

This scope includes the additional time spent aligning the concept scope and the project budget from May – July 2023 as well as the following:

- Electrical Site Visit – 7/18/2023

II. CONSTRUCTION DOCUMENT PHASE

1. Architectural

- a. Site Plan showing location of building and proposed changes to streets, curb, gutters, sidewalks, and the location of exterior utilities and service lines
- b. Floor Plans / Roof Plans / Reflected Ceiling Plans
- c. Selected Interior Elevations
- d. Technical Specifications documenting all building systems and materials required for the construction of the project. Consultant shall review and provide comments regarding City front end documents (Division 00 and 01) including, but not necessarily limited to: **Invitation to Bid, Instructions to Bidders, Proposal Format, Contract Agreement, General Conditions, and Construction Administration Procedures.** Consultant is responsible to incorporate City front end documents with the Consultant's Project Manual that includes the Contract Specifications as part of the Bid Set.

2. Mechanical / Plumbing

- a. See attached Capital Engineering Proposal

3. Electrical/Telecommunications / Data / Security / AV / Paging / Acoustics

- a. See attached Capital Engineering Proposal

4. Interior Design and Finishes

- a. Consultant shall refine and develop all design items and finalize the selection of colors, materials, fabrics, and furniture. Consultant shall refine, develop, and detail any custom millwork and update the interiors' budget and schedule. Consultant shall prepare presentation boards showing final furniture and fabric selections/designs for City written approval.
- b. Consultant shall prepare the following deliverables: plans of standard furniture items and office systems furniture reflecting the concept plan scope, working drawings and specifications for any other special millwork items, written technical specifications for standard furniture items and

office system furniture, duplicate record binders of fabrics, furniture cuts and finishes. The furniture selected by this contract is for furniture only and does not include procurement of computers, copiers or other technology equipment. Nor do the services include the selection of incidental items such as trash cans, pencil sharpeners, etc. The professional services for the office furniture include assistance with the selection of a furniture manufacturer's system, finishes, electrical needs and space plan. They do not include a parts and pieces order which will be provided by the vendor, as is standard in the industry.

- c. Furniture shall be specified from negotiated contracts to preclude a bidding process. Furniture bidding services can be provided as an additional service.

5. Signage

- a. See attached Matthew Williams proposal.

6. Retro Commissioning

- a. See attached Capital Engineering Proposal

7. Cost Estimate

- a. Cost Estimate of 65% Construction Documents
- b. Consultant shall meet with City as necessary to reconcile any cost differences between the project budget and the statement of probable construction cost. Based on the final review comments by City and its other consultants, the Consultant shall provide a Final Statement of Probable construction cost prior to the start of the Bidding Phase of the 95% Construction Documents Set.

8. Client Direction:

- a. Consultant shall review and provide a written response to all comments generated by City, which are generated from the review of the deliverables provided by the Consultant at 65% and 95% Construction Documents. City shall prepare and present all comments for this phase to the Consultant in a single response within the designated time period defined by the Project Schedule.
- b. Consultant's response to out-of-sequence City comments shall be compensated as an additional service.

9. Constructability Review:

- a. When the 95% Construction Documents are complete, City shall have the option to engage a third party to perform a constructability review and provide their comments to City for the Consultant's review. The third party review shall be completed within 14 calendar days and would include a written report to City. The Consultant shall meet with City and the third party to review the comments and the Consultant shall provide a response prior to the start of the Bidding Phase to all comments indicating what action, if any, was taken by the Consultant. Any review by City or a third party does not relieve the Consultant of its design responsibility and the design is and remains the sole responsibility of the Consultant.

10. Meetings:

Consultant shall prepare and attend the following meetings at locations specified by City:

- a. "Client Staff" 3
- b. "Public Presentations" 1

Additional meetings, if required, will be considered Additional Services

11. Plan Check Process and Permitting: [Authority Having Jurisdiction]

- a. Consultant shall coordinate with Authorities as required to develop documents meeting regulatory requirements for the State / County and City. The Consultant shall submit the construction documents to the Building Department for a Building Permit and shall make revisions to the plans as necessary in order for the Authority to issue required building permits.
- b. Consultant shall provide number of sets of the Construction Documents required by the AHJ for Building Department Plan Check. Following Building Department Back Check, Consultant shall provide four (4) sets of the Bid Set of the Construction Documents to City and an additional set to an outside printing agency for distribution by City as needed for Permitting.

12. Deferred Design Build Portions of the Work

Portions of the Work will be described as design build, or deferred approval elements, of the design, including, but not limited to, the following:

- a. Fire Alarm

II. BIDDING / NEGOTIATION PHASE

A. Assistance with Bidding:

Consultant shall assist City in identifying and evaluating potential bidders, including rendering interpretations and clarifications of the Drawings and Specifications in appropriate written form.

B. Addenda:

Prepare any required Addenda to the Bid Package.

C. Pre-Bid Conference:

The Consultant and its key sub-consultants shall attend the Pre-bid Conference and provide a technical overview of the design intent and answer questions from prospective bidders. The Pre-bid Conference will be held at the project site. Consultant shall attend up to two (2) additional meetings as necessary during this phase.

D. Respond to Bidder Questions:

Prepare written answers to questions, addenda, interpretations and clarifications in a timely manner; and obtain written approval from City

- E. Deliverables:** Consultant shall provide digital pdfs of Conformed Construction Documents containing any and all changes issued by addenda during the bidding period. These documents shall be prepared and delivered two weeks after the bid date.

III. CONSTRUCTION ADMINISTRATION PHASE

A. CONSTRUCTION ADMINISTRATION PHASE

The scope of services provided by the Consultant in this phase shall be coordinated with such construction management services as City may elect to obtain, and the scope of Consultant's services for this phase shall be separately negotiated, including compensation.

B. Observation:

Consultant shall visit the site at intervals appropriate to the stage of construction to become generally familiar with the progress and quality of the Work and to determine and to advise City in general if the Work is proceeding in accordance with the Contract Documents. This includes special site visits by Consultant on a timely basis appropriate for approvals required of Consultant as specified in the Construction Documents. However, Consultant shall not be required to make exhaustive or continuous on-site inspections to check the quality or quantity of the work.

C. Other Meetings:

The Consultant shall attend bi-weekly virtual job construction progress meetings during the course of construction with minimum monthly in-person site visits, additional on an as-needed basis. The Consultant's structural, mechanical and electrical sub-consultants shall visit the site as appropriate when work related to their engineering discipline is in progress. The estimated length of the construction phase is 6 months, and this proposal includes 18 construction progress meetings noted above. If the construction schedule extends beyond this time frame, and additional construction progress meetings are needed, or if additional meetings are required within the estimated time frame, they will be provided as an additional service.

D. Construction Responsibility:

Consultant shall not be responsible for construction means, methods, techniques, sequences or procedures, or for safety precautions and programs in connection with the Project, and shall not be responsible for the Contractor's failure to carry out work in accordance with the Contract Documents. Consultant shall be available on site to the Contractor as reasonably required to provide timely interpretations of the Drawings and Specifications to avoid critical project delay.

E. Requests for Information:

The Consultant shall be required to respond to Contractor generated RFI's in a timely manner to avoid critical project delay.

F. Access:

Consultant shall at all times have access to the work wherever it is in preparation or progress.

G. Extent of Assistance by Consultant:

Consultant shall assist City in ascertaining that, to the best of their knowledge, information and belief, the quality of the work is in accordance with the Contract Documents (subject to an evaluation of the work) for conformance with the Contract Documents upon substantial completion, to the results of any subsequent tests required by or performed under the Contract Documents, to minor deviations from the Contract

Documents correctable prior to completion; and that the Contractor is entitled to payment in the amount certified upon delivery of the appropriate lien waivers.

H. Rejection of Work:

Consultant may recommend that City reject work of the Contractor, which does not conform to the Contract Documents. Whenever, in Consultant's reasonable opinion, it is necessary or advisable for the implementation of the intent of the Contract Documents, Consultant may recommend special inspection or testing of the work in accordance with the provisions of the Contract Documents, whether or not such work is then fabricated, installed or completed.

I. Inspection and Tests:

The Consultant shall review special inspection and test reports and make written recommendations to the City.

J. Submittals and Shop Drawings:

Consultant shall receive submittals, including shop drawings, product data and samples from the Contractor and shall review and take appropriate action, but only for conformance with the design concept of the Project and with the provisions and intent of the Contract Documents. Consultant's review and approval shall not relieve the Contractor of its obligation to comply with the Contract Documents. Consultant shall be entitled to additional services for the third and subsequent reviews of any submittal (typically back-charged to Contractor, at client's option).

K. Substitutions:

Consultant shall review substitution requests as an additional service (typically back-charged to Contractor, at client's option).

L. Change Order Entitlement and Cost Estimate Review:

The Consultant shall review entitlement and the scope of work included in Contractor-generated Request for Changes and provide written recommendations to City. City shall be responsible for preparing the cost estimate and negotiating the change with the Contractor. Extensive review and negotiation over specific change requests will be considered an additional service.

M. Certificates of Payment

The Consultant shall review and approve Certificates of Payment submitted by the Contractor for payment by City.

N. Interior Contract Administration/Installation:

Consultant shall provide the following services: review delivery/installation schedules, answer dealer's questions, review dealer's submittals, and prepare a final punch list on furniture items. Consultant shall also be available to solve problems that might arise during the installation period and assist City with close out of all vendors and work performed by contractors. Evaluating substitutions can be provided as an additional service.

O. Project Close-Out

When the Contractor indicates in writing that work or a portion thereof, has reached Substantial Completion, the Consultant shall visit the site and review and edit the punch list prepared by the

Contractor. Once the Contractor indicates all items on the punch list have been completed, the Consultant shall return to the site as needed to review and confirm the work has been completed to the Consultant's satisfaction. Additional site visits to review incomplete work shall be an extra service (typically back-charged to Contractor, at client's option).

P. Final Completion:

After instruction from City, Consultant shall visit the Site to determine the Dates of Substantial Completion and Final Completion and shall issue appropriate certificates as set forth in the General Conditions.

Q. Warranties and Manuals:

Consultant shall review the operation and maintenance manual on all systems to be provided by the Contractor for completeness.

R. Record Drawings:

The Contractor shall maintain an up-to-date set of drawings reflecting construction conditions of the work by the Contractor and the subcontractors, including all changes to the documents. Consultant's review of the as-built drawings and annotated specifications shall be based upon Consultant's observations at the site and its knowledge of the contract documents. Upon completion of the work, the Contractor shall forward the as-built drawings and annotated specifications to Consultant with its certificate as to their accuracy. Consultant shall receive and review for accuracy and completeness the Contractor's submission of as-built drawings, and annotated specifications and operation and maintenance manuals. The Consultant will then update the electronic documents accordingly and provide CAD as-built drawings and specifications, which will serve as the "Record Documents" for the project.

S. Fundamental Commissioning:

Consultant shall provide the following basic commissioning, see attached engineering proposals.

IV. EXCLUSIONS

The following items are excluded from the current Scope of Work:

2. Architectural:

- a. Preparation of any Environmental or CEQA Reports
- b. Value Engineering Services may be provided as an additional service
- c. Life cycle cost analysis

3. Civil Design

4. Structural Design

5. Electrical:

- a. Emergency generator
- b. Photovoltaic system design

6. Fire Protection

- a. Design of Fire Sprinkler System

7. Elevators:

- a. Modification of existing elevators

8. LEED Certification

9. Acoustic:

- a. Environmental noise survey may be provided as an additional service

10. Telecommunications:

- a. Relocation of IDF/MDF

11. Interior Design:

- a. Move coordination services
- b. Owner Purchasing Department to manage bid process and bid packages for furniture if negotiated contracts not selected or otherwise required.
- c. Selection and specification of library automation systems (we will provide infrastructure and design to accommodate what the Library selects)

12. Public Art:

- a. Public Art/Artist selection and coordination with artists and artwork in the building may be provided as an additional service

13. Fundraising and Donor Recognition:

- a. Assistance with fundraising or grant applications, and the preparation of any donor recognition materials may be provided as an additional service.

A. Project Description:

1. The project is located at 1100 E Street, San Rafael Ca. 94901.
2. The project was originally constructed in 1906 (5,000sf) and a subsequent addition was built in 1959 (11,000sf). The building was remodeled 1995.
3. The existing building has no fire sprinklers, and we believe the current CBC will not require them. The City of San Rafael may require at their discretion, that Fire Sprinklers may be desired. Generally for Design-Assist Projects we see a FP Contractor coming on board during the design process. To that end our proposal excludes any Fire Sprinkler Design Services.

B. Scope of Services:

1. The scope of basic services shall include heating, ventilating and air conditioning design services, and plumbing design.
2. *Construction Documents Phase:* Prepare construction drawings and technical specifications for tenant plumbing systems and components as outlined under Design Development Phase above.
3. *Bidding/Contract Award Phase:* Prepare plumbing addenda and clarification documents, interpret plumbing drawings and specifications where required to clarify the intent of construction documents
4. *Construction Phase:* Review shop drawings and submittal data for general compliance with mechanical contract documents, respond to RFI's, prepare change order documents where required to meet existing job conditions, and provide 3 periodic site visits during the course of construction.
5. *Seismic Anchorage and Restraint Systems:* Pre-approved restraint systems are assumed as the predominance of the piping and ductwork support systems. Any deviations from the pre-approved systems or specialty restraints and anchors for equipment or piping will require structural calculations and associated documentation. CEI will not assume the responsibility for the calculations but will provide the drawing documentation based on mark-ups provided by the Structural Engineer of record.

C. Extra Services: The following services are not included in the basic proposal. The Engineer shall be additionally compensated for work hereunder when the Architect requests such services in writing.

1. Design services to provide alternate bid items, and descriptions of phased construction except as identified in Paragraphs A and B above.
2. Employment of special sub consultants at the request of the Architect.
3. Preparation of owning or operating cost studies.

4. Life cycle cost analyses, energy effectiveness studies and preparation of maintenance or operating manuals, except as listed otherwise in this proposal.
5. Design services related to landscape sprinklers, site drainage, site sewer, or special piping systems.
6. Work outside the five feet line of the building.
7. Detailed itemized cost estimates.
8. Fire Sprinkler Design Services.

D. Materials and Services Furnished by the Architect:

1. Base sheets of architectural floor plans and site plan with drawing files in AutoCAD or compatible format, along with full-size PDF files of the working drawings. Half-size prints of all of the construction drawings shall be provided at time of first DSA submission and at time of release of bid documents to the Bidders.
2. All reproduction, including drawings, specifications and reports.

A. Project Description: The project is located at 1100 E Street, San Rafael, CA. As we understand the San Rafael Public Library was originally constructed in 1909. The Library has undergone two expansions since this time, in the 1960's when an addition was added and the most recent in 2008 with a major HVAC system renovation project. The intent of this proposed Retro-Cx effort is to functionally test the HVAC and related controls and recommend corrections, and enhancements to retune the performance of the system as close as possible to its original design intent.

B. Assumptions:

1. General:
 - a. The scope of work will be documented in no more than one phase of construction.
 - b. The project delivery method is xxx.

C. Scope of Services:

1. Commissioned Systems
 - a. HVAC and Related Controls
2. Sampling strategy during the functional tests per the list below:
 - a. 100% HVAC and Related Controls
3. **Retro-Commissioning Scope of work:**
 - a. Assessment Phase
 - 1) Review any available As-built drawings, Test and Balance reports, Control documents/sequences and O&Ms.
 - b. Investigation Phase
 - 1) Interview with the facility operator to discuss any known ongoing, operational or comfort issues.
 - 2) If trends are available, then we will perform a 2 weeks trend data review analysis prior to the functional testing.
 - 3) Functional Testing:
 - (1) Development: Write functional tests for commissioned systems and distribute them to the owner for review and comments. Revise and finalize the test procedures accordingly.
 - (2) Witnessing: Attend functional testing of commissioned systems executed by the owner or the owner's contractor.

- (3) Recording: Commissioning Agent to complete the functional test forms and maintain a commissioning issues log indicating any test failures.
 - 4) Commissioning Corrective Action Matrix (CCAM) – Document and track Cx issues found during this and previous phases.
 - 5) **Add Alt#2:** Issues Back-check: When the Commissioning Agent is notified that noted corrections have been made, CxA will back-check the corrections and update the CCAM log. Test and issues log will be provided to the owner.
 - c. Hand Off Phase
 - 1) Commissioning Report: CxA will assemble content provided by self and others and provide a Cx Report summarizing the Cx Activities and Results including the as-built Sequence of operations.
4. Summary of major activities provided in this fee proposal:
 - a. Three Virtual Team meetings during the Assessment and Investigation phase.
 - b. One Trend review analysis of 2 weeks data is included.
 - c. No TAB Sample verification / Startup Witnessing / Duct leakage Testing / Piping Pressure testing site visits.
 - d. Up to Two days of Functional Testing site visits. (Limited to Two person-days)
 - e. **Add Alt#2:** Up to One day of Issues Back-check site visits. (Limited to One person-day)

D. Clarifications:

1. This proposal is assuming only one round of functional testing on existing equipment

E. Extra Services: The following services are not included in this proposal.

1. Energy Audit
2. Implementation of recommendations or Back-check of issues found during the functional tests. (See Add Alt#2)
3. Employment of special sub-consultants at the request of the Client.
4. Life cycle cost analyses, owning or operating cost studies, and energy effectiveness studies.

DATE: 8.8.2023

Ms. Amy B. Watson, AIA
Senior Associate
Noll & Tam Architects
729 Heinz Avenue #7
Berkeley CA. 94710

PROJECT: SAN RAFAEL LIBRARY RENOVATION
CITY OF SAN RAFAEL
SAN RAFAEL, CA

SUBJECT: PROPOSAL FOR MECHANICAL AND PLUMBING SERVICES –
CONSTRUCTION DOCUMENTS THROUGH CONSTRUCTION ADMINISTRATION

Dear Amy,

We are pleased to offer this fee proposal for engineering services for the subject project.

Please reach out if you have any questions, comments, or concerns.

A. Project Description:

1. The project is located at 1100 E Street, San Rafael Ca. 94901.
2. The project was originally constructed in 1906 (5,000sf) and a subsequent addition was built in 1959 (11,000sf). The building was remodeled 1995.

B. Scope of Services:

1. The scope of basic services shall include electrical, fire alarm, and low voltage design as described in the Project Description.
 - a. Provide LED lighting and controls in Carnegie Building.
 - b. Provide emergency lighting and illuminated exit signage.
 - c. Relocate existing main building panels. Reconnect existing circuits.
 - d. Relocate existing panel in Circulation. Reconnect existing circuits.
 - e. Provide receptacles through building.
 - f. Provide new power panels for connection of receptacles and equipment. Extend power from existing switchboard on exterior of building.
 - g. Provide data outlets. Connect to existing MDF with CAT 6 cables.
 - h. Provide intrusion detectors or relocate as necessary.
 - i. Provide manual fire alarm system.

2. *Construction Documents Phase:* Prepare construction drawings and technical specifications for electrical systems and components as outlined under Design Development Phase above.
3. *Bidding/Contract Award Phase:* Prepare electrical, fire alarm, and low voltage addenda and clarification documents, interpret electrical, and low voltage drawings and specifications where required to clarify the intent of construction documents
4. *Construction Phase:* Review shop drawings and submittal data for general compliance with electrical contract documents, respond to RFI's, prepare change order documents where required to meet existing job conditions, and provide 3 periodic site visits during the course of construction.
5. *Seismic Anchorage and Restraint Systems:* Pre-approved restraint systems are assumed as the predominance of the piping and ductwork support systems. Any deviations from the pre-approved systems or specialty restraints and anchors for equipment or piping will require structural calculations and associated documentation. CEI will not assume the responsibility for the calculations but will provide the drawing documentation based on mark-ups provided by the Structural Engineer of record.

C. Extra Services: The following services are not included in the basic proposal. The Engineer shall be additionally compensated for work hereunder when the Architect requests such services in writing.

1. Design services to provide alternate bid items, and descriptions of phased construction except as identified in Paragraphs A and B above.
2. Employment of special sub consultants at the request of the Architect.
3. Preparation of owning or operating cost studies.
4. Life cycle cost analyses, energy effectiveness studies and preparation of maintenance or operating manuals, except as listed otherwise in this proposal.
5. Design services related to landscape architectural fountains, water features or water displays, landscape sprinklers, site drainage, site utilities, or special piping systems not specifically noted in proposal.
6. Work outside the five feet line of the building unless noted otherwise.
7. Detailed itemized cost estimates.
8. The modification of electrical drawings (AutoCAD files) to show final mechanical and electrical ceiling devices that will be used directly by Architect to show locations of ceiling devices on Architectural drawings by the means of directly referencing or linking the mechanical and electrical files or model.

9. Partnering sessions, value engineering sessions or review of Contractor or Construction Manager proposed cost cutting recommendations.
10. Work involved in securing utility company rebates.
11. Additional time over and above the normal and customary to clarify, negotiate, or otherwise respond to unreasonable or inaccurate interpretations of the code by the code officials including circumstances where we become “caught in the middle” between code interpretations of office reviewers and field reviewers.
12. Non-Title 24 commissioning of building systems, services related to the development of commissioning plans and services related to support third party commissioning of the building, other than as described above.
13. Title-24 required Division 01 specifications, functional testing, development of the systems manual, operational training, and the commissioning report.
14. Design services related to LEED certification or other sustainability (WELL, Green Guide for Health Care, etc.) of building, studies necessary to determine feasibility of certification and the preparation or coordination of the documentation necessary for certification.
15. Design services related to CHPS certification of building, studies necessary to determine feasibility of CHPS certification and the preparation or coordination of the documentation necessary for CHPS certification.
16. Changes to Basis of Design if the Owners Project Requirements are changed following completion of the Schematic Design phase or significant changes in physical configuration after Design Development, significant changes in Revit or AutoCAD project setup such as but not limited to, change in coordinates, changes in or additional phasing.
17. Redesign required due to a construction cost guarantee by the prime design professional or for other reasons that are not the responsibility of the Consulting Engineer is not included.
18. Review of submittals beyond described above.
19. Engineering work caused from construction that is installed differently from the permitted drawings if work could be installed as shown and permitted.
20. Engineering rework resulting from other trades not coordinating or installing work different from approved coordination drawings.

D. Materials and Services Furnished by the Architect:

1. Base sheets of architectural floor plans and site plan with drawing files in AutoCAD or compatible format, along with full-size PDF files of the working drawings. Half-size prints of all of the construction drawings shall be provided at time of first DSA submission and at time of release of bid documents to the Bidders.



93 Moraga Way
Suite 206
Orinda, CA
94563

August 3, 2023 rev2

Amy Watson
Noll & Tam Architects
729 Heinz Ave. #7
Berkeley, CA 94710

Phone 415 981 9430
Direct 415 872 0999
Mobile 415 205 6460
abeyer@tbdconsultants.com
www.tbdconsultants.com

**Re: San Rafael Carnegie Library Renovation – CD Phase
Fee Proposal for Cost Consulting Services**

Dear Amy,

We are pleased to offer Cost Consulting services for the above project.

We understand the project occurs at the existing Carnegie Library at 1100 E Street, San Rafael, CA. The project includes a renovation focused on upgrades for accessibility, building MEPFS systems, life safety, operations, reconfiguration, and interior finishes. The project occurs in both the 5,000 gsf original 2 story wing, as well as the 6,000 gsf 2 story addition wing.

Scope of Services

Our fee proposal is based on providing the following:

- i. 65% CD: 1 Estimate draft + 1 revision per estimate review comments.
- ii. 95% CD: 1 Estimate draft (limited to an update of the 65% estimate) + 1 revision per estimate review comments.
- iii. Allowance for mtgs for design coordination (4 hrs) and estimate reviews (4 hrs).

The estimates will identify the total cost of construction based on the quantities or allowances with composite unit rates where applicable reflecting the scope of work and the current market conditions. The estimate will utilize TBD's standard format, Uniformat II (a systems format), and not via the shopping list style provided in the prior project phase. We will not obtain any bids or opinions of cost from subcontractors unless the work is of such a unique nature that no other cost information is available. Noll & Tam and their design consultants shall provide design docs for our use. Should additional work be required, our standard hourly billing rate of \$225 in 2023 / \$235 in 2024 will apply, in the absence of an Add Service Proposal.

Notable Exclusions:

The following items are excluded from the scope in this fee proposal:

- Reconciliation with estimates by others.
- Attending in-person meetings.
- Site visits.
- Estimating soft costs.
- Estimating design options.
- Estimating design changes when providing the estimate revision of each estimate draft.
- Estimating complex alternates, or estimating lots of alternates.
- Value analysis / value engineering, or other cost studies.
- Design & estimate 'churning' to reach a budget.
- Estimating 100% CD design documents



Signage Design and Consulting

9 August 2023	Chris Noll	Noll & Tam Architects	San Rafael Downtown Library
	Amy Watson	729 Heinz Avenue #7	Revitalization
	Kari Holmquist	Berkeley, CA 94710	

1: Overview

Project Description

The following proposal outlines the Scope of Work, sets forth estimated costs and working conditions, and defines specifications for exterior and interior signage design and consulting services for the renovation and revitalization of the San Rafael Downtown Library located at 1100 E Street in San Rafael, California. Matthew Williams Design (MWD) will provide design and consulting services for the development of exterior and interior wayfinding, area identification, and code-required signage for the newly-renovated library.

MWD will work closely with Noll & Tam Architects (N&T) and designated staff to provide clearly understandable, aesthetically pleasing, and cost-effective signage and wayfinding which will reflect the architectural character of the newly-renovated library, and be designed in accordance with the City of San Rafael's LEED requirements where applicable. MWD will coordinate with N&T, designated San Rafael Library staff, and designated staff from the City of San Rafael and the Marin County Planning Department as required during the course of the project. All signage will comply with California Title 24/ADAAG, Title 19, and the CBC as applicable. The Scope of Work will be divided into four phases as described in Section 2: Project Development.

MWD will be responsible for programming and schematic design, design development, preparation of construction documents for competitive bid, and contract administration. The construction documents will include a sign schedule and sign location plans, annotated design intent drawings, and performance specifications.

MWD anticipates addressing the following signage components:

Interior Signage

Self-checkout	Counter information/Service desks
Basement staff area	Children's Storytime
Memory Lab	Directional, informational, and operational signage
Visitor, administrative, and staff-oriented signage	Directory and/or orientation display
Room identification	Stack, section, and area identification
ADA and Title 24 signage	Fire/Life safety



2. Project Development

Phase 1: Programming, Concept, and Schematic Design (SD):

- Review and establish scope of project; develop design criteria for interior and exterior signage with N&T.
- Review SD drawings, including plans from engineers and Architectural narratives.
- Review and establish operational requirements for the signage.
- Review site plan, floor plan, and circulation patterns.
- Identify all exterior and interior sign types to be utilized.
- Develop preliminary sign location plans and sign schedule.
- Develop schematic drawings for representative elements of the interior and exterior sign families, showing approximate size, shape, and typography, with preliminary color and material recommendations.
- Review preliminary sign location plans, sign schedule, and schematic design options with N&T for comment and selection of a design option. Incorporate comments.
- Ensure all exterior signage complies with the requirements of the City of San Rafael Sign Ordinance.
- Ensure code compliance throughout the system.
- Develop submittal with selected schematic design option, sign schedule, sign location plans, and specifications for preliminary fabrication/installation estimate for client review.
- Review all details of the schematic design phase with N&T and designated San Rafael Library staff for comments and approval.

Consultant Deliverables

- Preliminary sign schedule and sign location plans.
- Schematic design options.
- Submittal for fabrication/installation estimate (95% Arch. CD).

Phase 2: Design Development (DD):

- Incorporate comments from schematic design phase.
- Develop and refine all sign types including graphic layout, colors, recommended materials, and finishes.
- Review and coordinate all sign types with N&T and designated San Rafael Library staff.
- Review site plan, architectural, structural, electrical, and reflected ceiling plans with respect to proposed placement of signage to identify and resolve potential conflicts.
- Obtain “over the counter” review and approval of exterior signage from the planning department, if necessary.
- Continue development of sign location plans and sign schedule.
- Present design development drawings to N&T and library staff for review and approval.

Consultant Deliverables

- Approved design development package: sign schedule, sign location plans, design development drawings, preliminary specifications.



Phase 3: Construction Documents (CD):

- Incorporate comments from design development review.
- Finalize sign schedule and sign location plans.
- Continue coordination with N&T and designated San Rafael Library staff.
- Prepare annotated design intent drawings and performance specifications, including qualified sign vendors, for all sign types.
- Specify all interior sign types from the Standards. The design intent drawings will indicate graphic layouts, materials, finishes, colors, and relevant dimensions. Methods of fabrication will be suggested, but not shown in detail.
- Submit 90% complete package for permit, coordination, review and comments. Incorporate comments.
- Submit 100% construction documents suitable for competitive bid.

Consultant Deliverables:

- 90% Submittal for final review and permit.
- 100% Submittal for bid.

Included in Phase 3 are three meetings:

- Kickoff meeting.
- Coordination meeting with N&T.
- Coordination meeting with designated San Rafael Library staff.

Phase 4: Construction Administration (CA):

- Attend prefabrication conference with the selected sign subcontractor to confirm project conditions, specifications, submittals, and schedule prior to start of fabrication.
- Review shop drawings, samples, and prototypes to ensure compliance with design intent.
- Provide clarification to the sign subcontractor for drawings and specifications. Respond to RFIs.
- Continue coordination with N&T and designated San Rafael Library staff.
- Conduct a pre-installation walkthrough with the signage fabricator.
- Conduct a punchlist walkthrough and prepare a punchlist of all items requiring corrections. Backpunch the work.

Consultant Deliverables:

- Completed and punched work.

Included in Phase 4 are:

- One prefabrication conference.
- One pre-installation walkthrough.
- One site visit for punchlist.
- One site visit for backpunch.



SAN RAFAEL CITY COUNCIL AGENDA REPORT

Department: Community Development

**Prepared by: Alicia Giudice, Director
Don C. Jeppson,
Chief Building Official**

City Manager Approval: 

TOPIC: PERMIT IMPROVEMENT PROGRAM & CUSTOMER SATISFACTION SURVEY

SUBJECT: MARIN BUILDERS ASSOCIATION & MARIN ECONOMIC FORUM PERMIT IMPROVEMENT PROGRAM - PHASE II REPORT

RECOMMENDATION:

Accept the Marin Builders Association and Marin Economic Forum's Permit Improvement Program - Phase II Report

BACKGROUND:

In 2018, in partnership with the Marin Builders Association (MBA) and the Marin Economic Forum, the City of San Rafael administered a survey of Community Development Department clients, like homeowners or contractors, to gain data and insights into their overall satisfaction with the Department. The results of this can be found in the [Permit Simplicity Initiative, Customer Service Assessment – Phase I Report](#).

In 2021, building on the success of this report and MBA's other successful collaborations with County of Marin, City of Novato, and Town of Tiburon, the City contracted MBA for a Phase II report aimed to further improve the permit process experience for applicants and with a primary goal of decreasing illegal construction activity throughout all jurisdictions in Marin County.

This Phase II Report was developed after several months of data collection, one-on-one interviews, surveys, and focus groups. The report provides a synthesis of this data, as well as a snapshot of the overall customer experience. It includes findings from building professionals and homeowner surveys, focus groups, and one-on-one interviews. The report captures feedback from 105 completed online surveys from applicants that applied for permits with the City of San Rafael between **January and November 2022**.

FOR CITY CLERK ONLY

Council Meeting:

Disposition:

ANALYSIS:

Results from the Phase II Survey suggest that applicants are happy with the permit process service they receive from the City staff. The “net promoter score” or NPS, which measures customer experience and predicts business growth, for Phase II was +34.7 or 34.7 percentage points more promoters than detractors. This is well above the Phase I NPS of +8.3, indicating that staff have made significant improvements. This NPS is higher than any other Marin jurisdiction. There are several factors contributing to this service-oriented culture of success:

- The staff gets all-around ‘gold stars.’ San Rafael staffers were consistently praised for their communication, diligence, and customer service.
- Transparency is fundamental in San Rafael; for example, staff at the counter will share their screen with clients, so they’re both privy to the same information in real-time. This is just one simple but impactful gesture that signals a commitment to customer service.
- Respondents laud the staff as having a connection to the bigger picture and commitment to the community they serve.
- The permit team is ‘plugged-in’ to clients’ needs. This was cited as being partially due to the inspectors as in-house, versus using third-party inspectors.
- Though Trackit is highly praised, one building pro noted “it’s not the software, it’s the people.”
- A few participants mentioned that everyone on the team helps.
- The Trackit online system is seamless and “does what it is designed to do.”
- San Rafael’s online permit system is seen as efficient and intuitive. It can replace a trip to the permit office for building professionals.
- San Rafael is considered to be very consistent, contributing to an internal culture of pride in their work.

The Phase II report has provided a range of short-term, mid-term and long-term recommendations to support best practices for the City to consider, although no specific time frames were defined by the report. Staff agrees with the recommendations and will work to implement them based on how they align with the overall City Council Goals and Objectives, and when the City would have the available staff capacity to implement them over the next few years.

Short-term

1. Map and track processes in such a way as to increase ease for both customers and staff to navigate permit applications.
 - a. Establish overarching department goals (and goals for Building Techs) of increasing the amount of permitted work and reducing the amount of unpermitted work.
2. Establish quarterly meetings focused primarily on challenges faced by staff and include one to two applicants to reflect on their experiences.

SAN RAFAEL CITY COUNCIL AGENDA REPORT / Page: 3

3. Consider having FAQ hours or someone educated in permitting simply available to answer questions and acting as an information source.
4. Consider public service/customer service training for all permit staff from counter staff to inspectors. This could be facilitated by the Human Resources Department.
5. Improve online descriptions, navigation, and graphics (see specific website recommendations below). Have a group of homeowners that have little knowledge of the process review the website and offer their recommendations.
6. Reactivate links at bottom of left column at this URL: <https://www.cityofsanrafael.org/departments/building/>

Mid-term

1. Establish metrics for measuring responses to your Google form survey and how often is the feedback reviewed?
2. Add to “Tell us what you thought of this service?” Expand beyond virtual counter to all permit applications when they are closed.
3. Evaluate software needs versus features for Trackit, Accela, Camino and how each would interact with current Selectron platform.
4. Review cost benefit and implementation needs of updating software to latest version of Trackit.
5. Have “secret shoppers” with varying levels of familiarity apply for a permit online. This will provide valuable feedback on how to improve the website.

Long-term

1. Repeat the NPS survey annually and consider marginal changes in attitudes and whether respondents would recommend the city as a place to build. Partner with the Marin Builders Association to explore resources to continue the program annually.
2. Automate as many processes as possible, as well as ensure any and all plans that are outsourced are final spot checked by local examiners at the City of San Rafael.
3. Set goals for online and face-to-face applications as a way to allow applicants to provide more materials without physically visiting San Rafael.
4. Track net promoter score results and make adjustments.
5. Consider tracking peer and aspirant municipalities as a way to monitor comparable organizations for best practices.
6. Continue participation in Marin County Codes Advisory Board (MCCAB).

COMMUNITY OUTREACH:

Between January and November 2022, MBA interviewed City permit applicants, had on-site discussions with City employees, and distributed a survey to approximately 2,500 recent permit customers.

FISCAL IMPACT:

There is no direct fiscal impact associated with acceptance of the report, however the

implementation of recommendations and best practices listed in the report may require varying levels of funding. Many of the recommendations and best practices can be advanced within existing resources (ex. coordination, outreach, and process improvements), while others will require supplemental funding (ex. permit software, virtual inspections, and training). The City anticipates identifying and pursuing funding support through state grants and utilizing existing resources including permit fees collected by the General Fund.

OPTIONS:

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

1. Accept the report.
2. Direct Staff to return with additional information.
3. Take no action.

RECOMMENDED ACTION:

Accept the Marin Builders Association (MBA) and Marin Economic Forum's Permit Improvement Program - Phase II Report.

ATTACHMENTS:

1. Marin Builders Association and Marin Economic Forum's Permit Improvement Program - Phase II Report.



City of San Rafael

Permit Improvement Program (PIP) Phase II Report



March 2023

Authored by:

**Marin Builders Association
and Marin Economic Forum**



Introduction

Marin Builders Association (MBA), in partnership with the City of San Rafael, administrated Phase II of the Permit Improvement Program (PIP) for City of San Rafael's Community Development Department (CDD).¹ Building on the success of MBA's previous collaborations with other jurisdictions (County of Marin, City of Novato, and Town of Tiburon), this next phase aims to further improve the permit process experience for applicants.

The primary goal remains to decrease illegal construction activity throughout all Marin County jurisdictions. Participants (customers) were recent permit applicants, a mix of homeowners or building professionals. The PIP collects data from participants via online surveys, focus groups, one-on-one interviews, and in-person observations that all provided insight into how CDD and City of San Rafael staff members interact with customers from the **customer** perspective.

In this report, MBA, in conjunction with Marin Economic Forum (MEF), provides conclusions, recommendations and best-practices examples to help improve the City of San Rafael's permitting process and culture to generate more permitted versus unpermitted construction.

Potential Lost Revenue of \$2.2 Million – \$3.1 Million from Non-Permitted Work

Based on conservative estimates from Novato, San Rafael, and the County of Marin, the percentage of non-permitted construction in Marin in 2022 is estimated to be between 40 to 50 percent.² The City of San Rafael's total fees collected for permits in fiscal year 2021-22 was approximately \$3.1 million.³ Thus, non-permitted work is estimated to be approximately \$2.2 million to \$3.1 million per year of lost revenue to the City of San Rafael; in essence, the amount of permit revenue would double if all estimated, non-permitted work became permitted.

Phase II has a long-term objective of customer-experience improvement. Better process can lead to more permitted work, safer construction projects, and capture revenue for the City of San Rafael.

Direct Efforts Yielded 4.0% Response Rate to Customer Satisfaction Survey

The Phase II PIP survey was distributed to permit applicant contacts, a list provided and verified by city staff of approximately 2,500 recent customers. Marin Builders Association (MBA) provided and distributed the online survey. MBA acted as direct contact for distribution of the survey, including building professionals that are MBA members. Efforts yielded 105 completed, online surveys (an aggregate 4.0 percent response rate). Because this is an opinion survey based on a finite number of potential customers (not a scientific study), the sample size is sufficient to accurately represent permit-

¹ See CDD reference data at <https://www.cityofsanrafael.org/departments/community-development/>

² Based on estimates from building officials and residential resale program data in Novato and San Rafael, and for the County of Marin (unincorporated county).

³ See San Rafael budget data at <https://www.cityofsanrafael.org/city-budget/>

customers' sentiment. The figures show there was dispersion among the respondents; the process was random in terms of surveying a subset of residents and building professionals seeking permitting services. Data collection, focus groups, on-site discussions with City of San Rafael staff, and one-on-one interviews with owners and building professionals for this project were conducted between January and November 2022.

The survey had four distinct sections:

1. Respondent's demographics and interactions with the City of San Rafael's Community Development Department (CDD) in seeking a permit or solution to a related issue;
2. Information regarding services and the customer experience in specific ways (time, precision, consistency, etc.);
3. Overall satisfaction levels based on a method similar to a Net Promoter Score (NPS) defined below; and
4. Recommendations were also requested, and the Appendix provides verbatim survey responses to questions about process improvements and comparisons to other jurisdictions.

The final question provides data on a "net promoter score" or NPS⁴. In some ways, this is perhaps the most illuminating question in the survey. The NPS is generally defined as the likelihood that a customer or client picked at random would recommend a vendor's good or service to another person. The NPS is best considered over time; in the figures below, we show the proportion of responses in 2018 (Phase I) and in 2022 (Phase II). The data comparisons can show how improvements and changes generally created positive feedback and "word-of-mouth" advertising for the City of San Rafael's building department.

The following bullets are general rules to follow with net promoter scores:

- Answers 9 or 10 would most likely recommend the service (promoters);
- Answers 7 or 8 are neutral (passives); and
- Answers 0 and 6 most likely would not recommend the service (detractors).

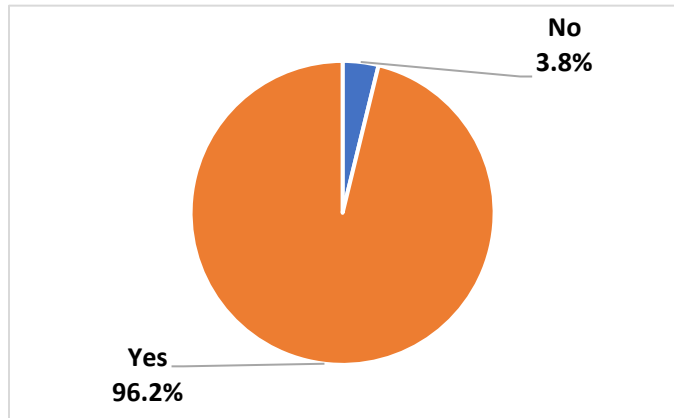
The NPS score for Phase II was **+34.7**, or 34.7 percentage points more promoters than detractors. In Phase I, the NPS was +8.3, so significant improvement has taken place. The figure on the bottom of page 8 shows the comparative data for Phase I and Phase II.

Let's now turn to the data from the survey.

⁴ Net Promoter Score®, or NPS®, measures customer experience and predicts business growth. This proven metric transformed the business world and now provides the core measurement for customer experience management programs. Respondents are divided into Promoters, Passives, and Detractors. Subtracting the percentage of Detractors from the percentage of Promoters (Passives are Neutral) yields the Net Promoter Score, which can range from a low of -100 (if every customer is a Detractor) to a high of 100 (if every customer is a Promoter). For more visit <https://www.netpromoter.com/know/>

Survey Responses: Respondent Demography

In the first survey question, participants were asked if they had engaged with the City of San Rafael in the last year seeking a building permit. 96.2% of the respondents said they had used the City of San Rafael permitting window in the last year.



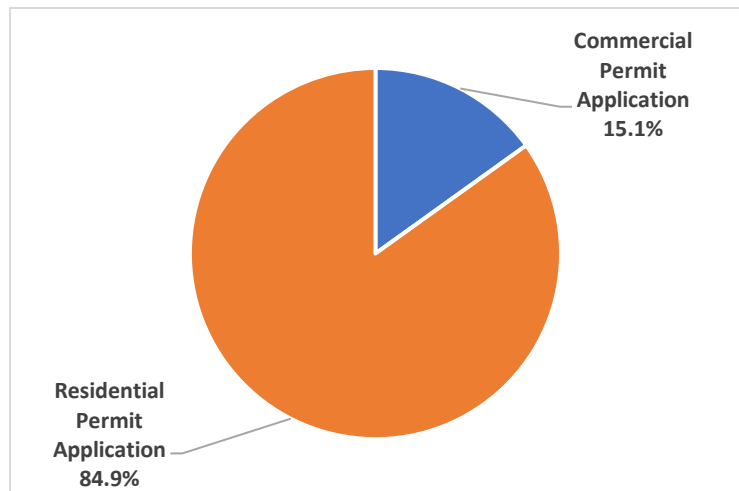
Type of Applicant and Main Interactions with City of San Rafael

The next question asked respondents to describe their relationship to projects seeking a permit with the City of San Rafael. Of those responding, a broad mix of business owners, property owners, contractors, and other service providers responded to the survey.

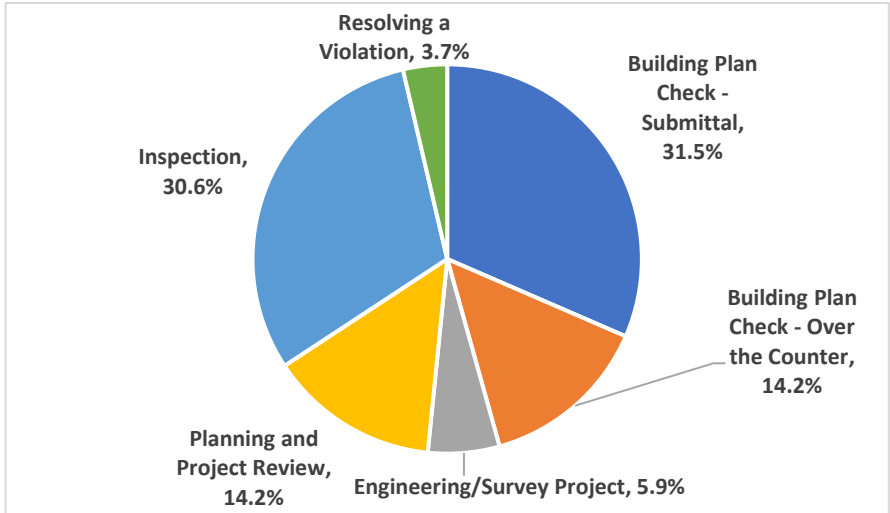
Type of Applicant	% Respondents
Architect	10.5%
Business Owner	2.9%
Contractor	43.8%
Property Owner	36.2%
Other	6.6%

84.9% of Survey Respondents Filed for a Residential Permit Application

The survey also asked the type of permit application pursued by the applicant. In a large proportion of the respondents (84.9 percent), a residential permit was pursued. Commercial permitting covers all uses beyond residential, including senior-facility units where there are care facilities as part of the services provided on-site. Multi-family units (classic apartments) are considered residential.



In the next question, the survey asked reasons why permit applicants visited the City of San Rafael. Generally, inspections and building plan checks are the reasons for coming to City Hall. While the mix of reasons to come to the City of San Rafael are broad, building plan checks are the main reason, both over the counter and initial submission (45.7 percent of the time); inspections are also a common reason to interact with the City of San Rafael (30.6 percent of respondents). These results are similar to those received from projects with the City of Novato and the County of Marin overall.⁵

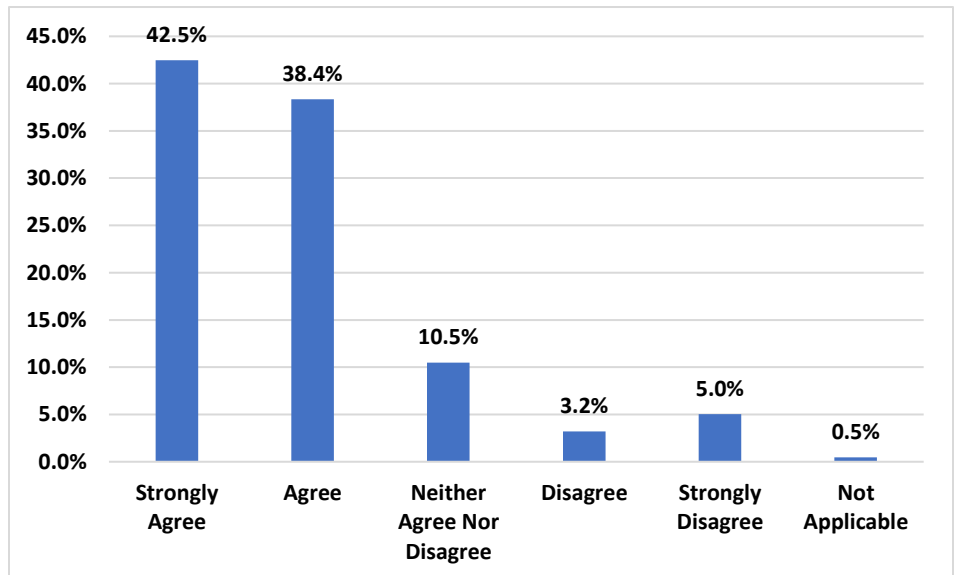


The survey then asked four questions about customer interactions and about the customer’s willingness to promote seeking permitted work with the City of San Rafael (Net Promoter Score).

Main Survey Questions

Timeliness and Professional Help at City of San Rafael: 80.9% of Respondents Agreed

These questions are really about customer service and the conversion of unpermitted work to permitted based on the **perceived ease and partnership** the building community has with jurisdictions across Marin County. These questions started with how applicants experienced timeliness, professionalism, and receptive staff when they interacted with the City of San Rafael. One of the classic concerns of builders and property owners is that municipal staff are not concerned about the timing of decisions or their demeanor with applicants.



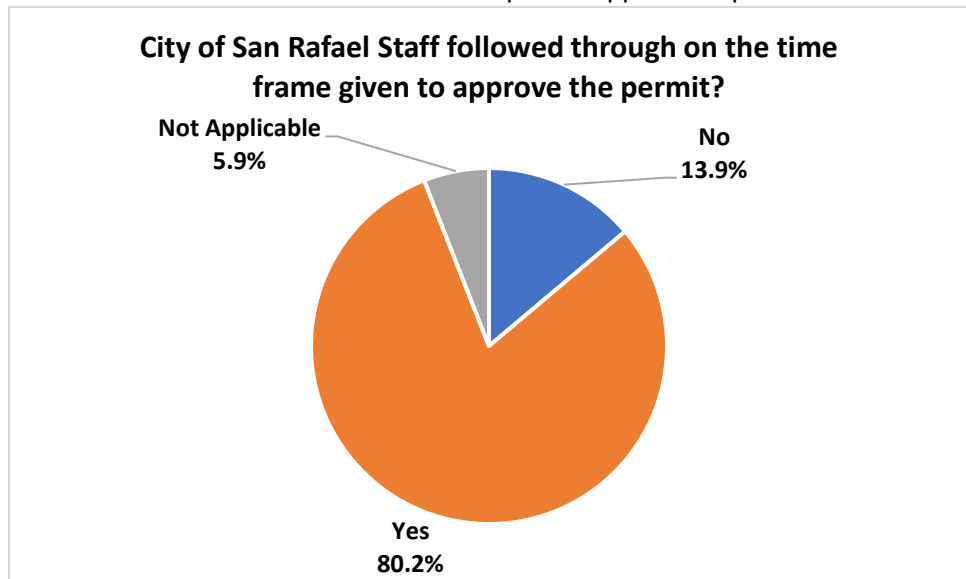
⁵ See <https://www.marinbuilders.com/permit-simplicity-and-customer-satisfaction>

Question: Staff responded in a timely, professional, and friendly manner:

Response	Interaction Type					
	Building Plan Check	Building Plan Check – Over the Counter	Engineering/ Surveying projects	Planning/ Project Review	Inspection	Resolving a Violation
Strongly Agree	28	15	7	11	25	7
Agree	29	10	3	13	29	0
Neither Agree Nor Disagree	5	4	2	5	7	0
Disagree	3	0	0	1	2	1
Strongly Disagree	4	2	1	1	3	0
Totals	69	31	13	31	67	8

80.2% of respondents agreed that timeframes were followed

The next two questions focused on the timeframe in terms of the permit application process. In other jurisdictional studies, the timeframe initially provided by staff became a goal for customers in terms of customer service. Reducing time to a permitting decision or action is a consistent customer concern for permitting services.

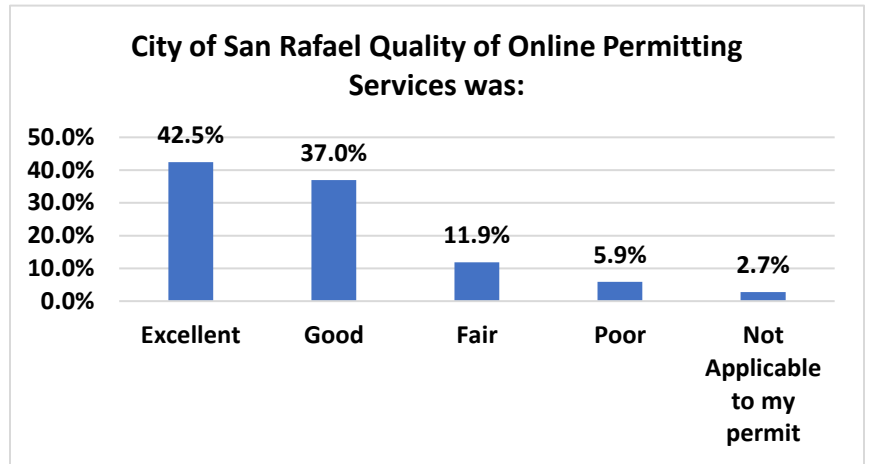


Was the permit approved in time frame given originally by city staff?

	Building Plan Check – Submittal	Building Plan Check – Over the Counter	Engineering/ Survey Project	Planning/Project Review	Inspection	Resolving a Violation
No	17	7	15	0	20	1
Yes	59	42	14	12	26	10
Not Applicable	4	5	1	1	2	0
Totals	77	54	30	13	48	11

79.5% of Respondents that used online permitting services considered the services good or excellent

Because much of the application process for builders has moved online from submitting plans to interacting with municipal building and planning staff otherwise, this survey asked about respondents' perceptions of those online services for City of San Rafael. Once again, the responses were generally very positive for the residential applicants, more mixed for the limited commercial applicants.

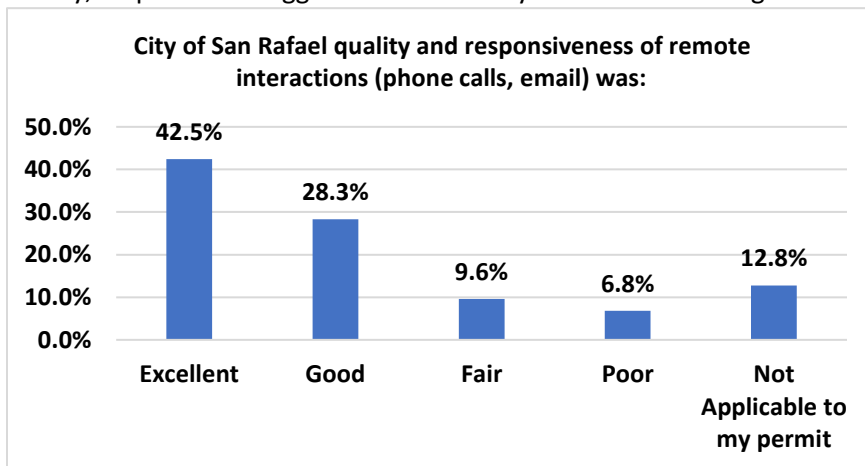


Quality of City of San Rafael online services (E-permitting, website, virtual counter)?

	Building Plan Check - Submittal	Building Plan Check - Over the Counter	Engineering/Survey Project	Planning/Project Review	Inspection	Resolving a Violation
Excellent	29	14	7	12	25	6
Good	27	11	3	12	27	1
Fair	7	3	3	5	8	0
Poor	5	2	0	2	4	0
Not Applicable	1	1	0	0	3	1
Totals	69	31	13	31	67	8

80.8% of Respondents that used remote permitting services (phone, emails) considered the services good or excellent

The next question was about staff interactions with applicants. A long-standing perception is that building and permitting staff are not friendly when applicants interact with a municipality. In this survey, respondents suggested that the City of San Rafael was good to excellent in its interaction.



Quality of City of San Rafael remote staff INTERACTIONS (virtual meetings, phone calls, emails) was:

	Building Plan Check – Submittal	Building Plan Check – Over the Counter	Engineering/ Survey Project	Planning/ Project Review	Inspection	Resolving a Violation
Excellent	28	12	6	13	27	7
Good	22	8	4	10	18	0
Fair	6	3	1	4	7	0
Poor	5	3	1	2	4	0
Not Applicable to my permit	8	5	1	2	11	1
Totals	69	31	13	31	67	8

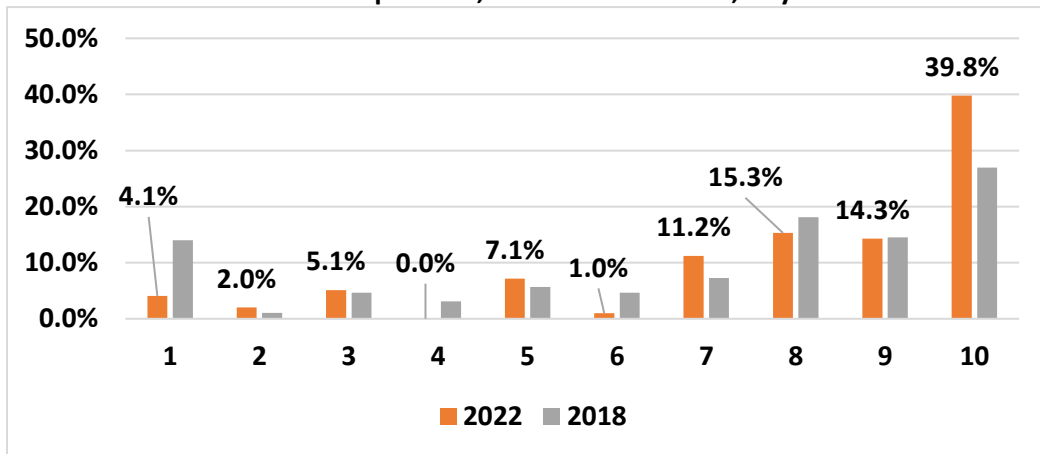
The final question asked of respondents was to provide data on a “net promoter score” or NPS. In some ways, this is perhaps the most important question in the survey. The NPS is generally defined as the likelihood that a customer or client picked at random would recommend a vendor’s good or service to another person. The NPS is best considered over time; in the figures below, we show the proportion of responses in 2018 (Phase I) and in 2022 (Phase II). The data comparisons can show how improvements and changes generally created positive feedback and “word-of-mouth” advertising for the City of San Rafael.

The following bullets are general rules to follow with net promoter scores:

- Answers 9 or 10 would most likely recommend the service (promoters);
- Answers 7 or 8 are neutral (passives); and
- Answers 0 and 6 most likely would not recommend the service (detractors).

The NPS score for Phase II was **+34.7**, or 34.7 percentage points more promoters than detractors. In Phase I, the NPS was **+8.3**, so significant improvement has taken place since Phase I in 2018. The figure below shows the comparative data.

Net Promoter Score Data Comparisons, Phase I and Phase II, City of San Rafael



Conclusions

Respondents to this survey were generally pleased with the permit processes at the City of San Rafael, and the net promoter score moved in a positive direction. This suggests improvements have been made by City of San Rafael management and staff. More permit applicants are recommending the permitting processes in San Rafael than not. The speed of review, information flow, general efficiency, and costs continue to be concerns; however, qualitative feedback (see Appendix below) is primarily positive.

Recommendations

The recommendations provided here are short-term and long-term and aimed at supporting best practices.

Short-term

1. Map and track processes in such a way as to increase ease for both customers and staff to navigate permit applications.
 - a. Establish overarching department goals (and goals for Building Techs) of increasing the amount of permitted work **and** reducing the amount of unpermitted work.
2. Establish quarterly meetings focused primarily on challenges faced by staff and include one to two applicants to reflect on their experiences.
3. Consider having FAQ hours or someone educated in permitting simply available to answer questions and acting as an information source.
4. Consider public service/customer service training for all permit staff from counter staff to inspectors. This could be facilitated by the Human Resources Department.
5. Improve online descriptions, navigation, and graphics (see specific website recommendations below). Have a group of homeowners that have little knowledge of the process review the website and offer their recommendations.
6. Reactivate links at bottom of left column at this URL:
<https://www.cityofsanrafael.org/departments/building/>

Mid-term (Phase III)

1. Establish metrics for measuring responses to your Google form survey and how often is the feedback reviewed?
2. Add to “Tell us what you thought of this service?” Expand beyond virtual counter to all permit applications when they are closed. We can elaborate further on this in Phase III.
3. Evaluate software needs versus features for Trackit, Accela, Camino and how each would interact with current Selectron platform.
4. Review cost benefit and implementation needs of updating software to latest version of Trackit.
5. Have “secret shoppers” with varying levels of familiarity apply for a permit online. This will provide valuable feedback on how to improve the website.

Long-term

1. Repeat the NPS survey annually and consider marginal changes in attitudes and whether respondents would recommend the city as a place to build. Partner with the Marin Builders Association to explore resources to continue the program annually.
2. Automate as many processes as possible, as well as ensure any and all plans that are outsourced are final spot checked by local examiners at the City of San Rafael.
3. Set goals for online and face-to-face applications as a way to allow applicants to provide more materials without physically visiting San Rafael.
 - a. Initial results of survey suggest improved customer service is needed for online services.
4. Track net promoter score results and make adjustments.
5. Consider tracking peer and aspirant municipalities as a way to monitor comparable organizations for best practices.
6. Continue participation in Marin County Codes Advisory Board (MCCAB).

Focus Groups

In November 2022, MBA staff and consultants met with permit applicants that used the City of San Rafael. While other jurisdictions struggle with ‘permit purgatory,’ the San Rafael permit office ensures building professionals and homeowners’ projects are in forward motion. Participants quoted getting permits approved in under three days as an average.

There are several factors contributing to this service-oriented culture of success:

- The staff gets all-around ‘gold stars.’ San Rafael staffers were consistently praised for their communication, diligence, and customer service.
- Transparency is fundamental in San Rafael; for example, staff at the counter will share their screen with a client so they’re both privy to the same information in real-time. This is just one simple but impactful gesture that signals commitment to customer service.
- The staff is lauded by respondents as having a connection to the bigger picture and commitment to the community they serve.
- The permit team is ‘plugged-in’ to clients’ needs. This was cited as being partially due to the inspectors as in-house, versus using third-party inspectors.
- Though Trackit is highly praised (more on that below), one building pro noted “it’s not the software, it’s the people.”
- A few participants mentioned that everyone on the team helps.
- The Trackit online system is seamless and *“does what it is designed to do.”*
 - a. San Rafael’s online permit system is seen as efficient and intuitive. It can replace a trip to the permit office for building professionals.
- San Rafael is considered to be very consistent, contributing to an internal culture of pride in their work.

RECOMMENDATIONS

1. There seems to be a disconnect between Public Works and the building department. What can be explored enable better inter-departmental communications?
2. The San Rafael permit office was celebrated in our groups as “the only department that figured out how to run (during COVID); they pivoted quickly and figured out how to issue permits.” Prior to COVID, over-the-counter project reviews were a service that made this jurisdiction stand out. Is it possible to build on this success? Is this an opportunity for San Rafael to take a further leadership role and apply learnings to other agencies/departments in Marin?
3. Participants are grateful for San Rafael’s permit office hours; is it possible to change the inspection window to shorter increments, versus AM/PM?
4. San Rafael’s staff utilizes current version of Trackit to its fullest capabilities. Can this software be upgraded to a newer version with additional features? (See Mid-term- Phase III recommendations)
5. Perhaps it is worth discussing an incentives program - e.g., a bonus structure for outside vendors and plan checkers based on how quickly clients move through the online process.
6. San Rafael’s staff is seen as empathetic to their clients’ and community’s needs. Might other jurisdictions consider internal messaging for their staff to help contextualize the bigger picture? For example- when permits are being delayed, this might mean kitchens aren’t completed

before a newborn's arrival or elderly people have a difficult time showering while they await a bathroom renovation. This would be one way to humanize the problem and aid in an approach with service at the heart.

7. With the 2023 'atmospheric river' events and the aging housing stock in San Rafael, explore e-inspections for re-roofing permits. Especially for reputable roofing contractors in the county. Several jurisdictions are adopting this simple process. It saves roofing contractors and city staff time.

Website Recommendations

1. Home Page:
 - a. Add a brief description of the difference between planning and building.
2. Having the "What we do" on the home page gives customers a clear and transparent description of the goals of the department.
3. On the Apply for Permit page
 - a. Videos are very prominent and helpful.
4. Make "where to schedule an inspection" more prominent.
5. Create and add a revised version of the current Google Poll/survey to "tell us what you thought of our service" at the conclusion of final inspection.
 - a. Add the "tell us what you thought of our service" to multiple pages.
 - b. Add How did we do today? Simple green smile, yellow indifference, and red frown.



6. It is helpful to have the contact information of staff displayed prominently across multiple pages.
7. The use of simple "how to" videos are very helpful for customers. Consider creating 4 or 5 basic videos for frequently asked questions.
8. Add search function throughout.

Best Practices

AUTOMATED INSPECTION APPOINTMENT SERVICE

Sonoma County has an automated inspection appointment service. This feature offers clients an easy way to schedule appointments.

<https://permitsonoma.org/permitservices/inspections/inspectionsscheduling>

VIRTUAL INSPECTIONS

Adding virtual or photo submittal inspections for more common projects like water heaters and re-roofs would save time for customers and staff. Inspectors could increase their bandwidth while decreasing the traveltime involved in the inspection process, and customers could more easily set up inspections at times

convenient for themselves as well as the inspector. This is especially true as COVID-19 ends in some ways and a new way of doing inspections may begin, including a Zoom call with the customer using their mobile device to walk an inspector through the job(s).

<https://sonomacounty.ca.gov/PRMD/Video-Inspections/>

<https://building.arlingtonva.us/inspections/virtual-inspections/>

TIMELINES

Adding timelines to the CDD web pages for both Planning and Building Departments would help customers visualize the process without having to contact the building department directly. This could provide the customer with a detailed outline of potential response times. This addition of clear expectations will save time for staff member and permit customers.

<https://www.smgov.net/Departments/PCD/Permits/Plan-Review/Plan-Review-Types-and-Timelines/>

CUSTOMER FLOW CHART

City of Santa Rosa permit process Flow Chart

<https://www.srcity.org/DocumentCenter/View/35601/2019-Simplified-Building-Permit-Workflow---Public?bidId=>

PERMIT FEES ESTIMATOR

The City of Petaluma has Fees Estimator that allows customers to better budget for permitting costs.

<https://petalumaca-energovweb.tylerhost.net/apps/SelfService#/estimate>

EMAIL ETIQUETTE

Planning/Building departments receive a large number of emails daily. The City of Monterey offers customers information on “email etiquette.” This saves staff time, speeds up the process and ultimately saves the homeowner and the contractor money.

<https://files.monterey.org/Document%20Center/CommDev/Building%20&%20Safety/Email-Etiquette-During-Covid.pdf>

Staff Feedback

Staff Interviews and Feedback Session, City of San Rafael

On July 20, 2022 the City of San Rafael and Marin Builders Association Conducted a conversation with key staff members. Below are the takeaways from that meeting.

- Staff are customer service focused and strive to respond back to customers within 24 hours.
- There is a customer service focus that is driven from City Council > to City Manager > to Department Managers.
- Transparency is important.
- Staff members take pride in their jobs and there is a professional work environment.
- Staff motivates each other to work smarter, harder, and better. This creates higher performance levels.
- Online presence and expertise are top priorities.
- Staff shared that homeowners (vs. builders) often are underprepared and need more information.
- Homeowner applicants would benefit from better preparation before submitting an application.
- Staff encourages homeowners to use licensed professionals.
- Staff feels there should be more basic educational information for homeowners (FAQ). See video recommendation above.
- Staff can jump into different roles and have knowledge about many different jobs in the department. Cross training is important.

Appendix

The final three questions of the survey asked for comments versus classic survey answers. This Appendix provides those answers in their raw form for each question. Any emphases in the responses provided remain in their original form.

Was there someone or something that worked well for you during the process?

- *Almost all the information is available online and that helps tremendously. Website may need some improvements in terms of graphics and user interface.*
- *Being able to do everything online rather than having to take time off of work to go in and stand at the counter during very limited operating hours is a HUGE improvement.*
- *Being able to download the permit, plans, and other information easily has been great. San Rafael exceeds the surrounding towns when it comes to permits and we've pulled at least a dozen in the last year.*
- *Communicating by phone works well. The automated phone system needs improvement.*
- *Counter personnel and inspectors are great.*
- *Head of building very helpful with ADU permit. Don't know names of staff that answered the phone, but they were always helpful. Building Inspectors very reasonable and friendly.*
- *I am doing a kitchen and laundry room remodel. I did my own drawings using Excel and followed examples they have online. It was quick easy and smooth. I called with a couple of questions and the service was prompt and helpful.*
- *I do like that a "receipt" is produced at time of submittal.*
- *I got online approval in about one week.*
- *I had a one-on-one conversation with a woman at the San Rafael Building department that walked me through the application process.*
- *I'm a solar contractor. Since San Rafael has gone to electronic permitting via Erakat, the experience and time savings of not having to do over the counter has been very positive and much more efficient.*
- *It would be nice to know about what time the inspector will come because with a commercial building you have to hang out for a long time if they don't come early.*
- *Mostly I use the online portal. It seems that they have it all worked out and they are few if any delays or issues.*
- *Nice and professional service.*
- *Online works great. Phone inquiries get responses!*
- *Response times were amazing. I had a virtual meeting to obtain architectural plans for my home (built in 2010) and it was emailed to me within 15 minutes, which was incredible!*
- *Building plan review very responsive. Clerks were prompt and thorough and planning staff was helpful and prompt.*
- *The inspector was more than helpful, the only inspector on the Bay Area that really cares.*
- *San Rafael staff are extremely friendly and helpful.*
- *Staff is all helpful.*
- *The chief building inspector is excellent.*
- *The process was easy, but the timing was difficult. All I was doing was a basic kitchen and bathroom remodel in my home which I intended to sell. The market was shifting, so I was in a rush to get it on the market, time was of importance.*
- *The remote drop-in hours were great!*

If you have pulled a permit in other jurisdictions, how did it compare to your experience with the City of San Rafael? If your experience was better in another jurisdiction, choose "Other"

- *City of San Rafael was better.*
- *San Rafael is a joy in comparison to some other jurisdictions in Marin.*
- *Above average. Marin County instant online solar/battery process was easier, where the compliance check is done at inspection. But still City of San Rafael permit process has always been a smooth process.*
- *Before the electronic submission, the City of Novato had a much easier, more pleasant process with a greater number of hours, spacious areas to spread out your plans & comfortable lobby. But now San Rafael's online submission is better than Novato's.*
- *Had a challenge with keeping track of issuing the correct job copy. Other than that City was great compared to others.*
- *City of San Rafael was Better than Better and user friendly!*
- *County permit process and inspection is better!*
- *I have pulled permits in Palo Alto, CA., Summit, NJ, both of which were much cheaper than San Rafael.*
- *I would like better communication on when a permit is issued and to state on the "receipt" itself that it is issued with the line to 'check the portal for status' removed.*
- *San Anselmo continues to be very difficult compared to San Rafael.*
- *Marin County is the easiest for Solar Installations.*
- *Some other cities have a faster turnaround time once plan check comments are responded to.*
- *Some other jurisdictions in the South Bay were better and easier to work with.*
- *San Rafael is one of the top cities to work with.*
- *The online process of most re-roof permits has been easy.*
- *San Rafael is similar or better than most.*
- *The experience in San Rafael was better because of the online options. But the cost of a permit vs Sunnyvale is more than 5x.*
- *San Rafael's process ranks among the highest of all 25 jurisdictions I work in.*

Do you have any suggestions for improving the permit customer experience in the City of San Rafael?

- *Two-hour time of arrival for inspection.*
- *Extremely favorable experience with San Rafael. Less with Mill Valley and horrendous with Novato.*
- *Faster approvals for smaller projects.*
- *Get rid of any delays in the process.*
- *Have certain portions be auto-filled (i.e. insurance policy number, contractor address, etc.)*
- *I had an application with a long list of attachments. I re-submit in response to comments, & ALL new attachments go to the bottom of the list, making it impossible to see your "SUBMIT BUTTON" at the very top of the screen. (Please ADD a 2nd Submit button).*
- *I have been submitting online for the last 2 years, I actually liked going into the office and submitting...then you can answer a planner or intake person's question then and there. Online sometimes takes a longer to get a response.*
- *I have heard that the walk-in process is slow and takes some time to get through the line. Perhaps having more staff to assist through the rush would be better.*
- *I preferred when you did in-house plan reviews instead of sending it out to engineering firms that use a blanket approach for everything. San Rafael is unique. Having someone with local knowledge is critical.*
- *I think the Marin County online solar and battery process work great, and avoid the problems with installation time frames, PG&E MSP cutovers, etc.*
- *I would add the full process from issuing permit steps somewhere in the documentation.*
- *If the 3rd parties used could move a little faster. There was some confusion (the 3rd party reviewer had outdated information) which delayed the process*
- *Improve the online process. Improve the portal UI. Make it easier to find expired permits.*
- *It would be great if the phone system was simpler to talk directly to individuals.*
- *It would be helpful if there were a dedicated staff who could answer questions regarding code that wasn't a field inspector who was actually available.*
- *Just maybe a little faster.*
- *Keep up the good work. It was a pleasure dealing with the City compared to other agencies!!*
- *Make the online descriptions of when a permit is/isn't required easier to read -- RN it's very jargony.*
- *Improve user-friendliness of web site.*
- *No. San Rafael is not the problem. San Rafael is by far the best building department in Marin to work with.*
- *Not really. I appreciate that inspections are next day, generally and that you can choose from AM or PM, which a lot of jurisdictions don't do.*
- *Other cities/towns/county allow picture documentation for re-roof inspections/self-certifications.*
- *Our swimming pool contractor stated we waited for months to get approval for our pool. Secondly, regarding our roof inspection for the permit, were home all day, never saw anyone? For the \$ we paid, we'd at least expect them to get out of the car.*
- *Permit application online was not completely clear.*
- *Permit cost way too high! Basic kitchen remodel - new cabinets, countertops, sink moved 12 inches and electrical outlets brought up to code - \$3,000! No knocking down of walls or new appliances. Long-time San Rafael resident and homeowner.*

- *Plan Checking can be quicker for smaller projects. (Baths, kitchens, minor remodels)*
- *Respond in a timely manner. If permits were incorrectly submitted, reach out to inform them so they can correct them. Working together seems like it would help the process be smoother and provide better results for both parties.*
- *The 3rd party plans examiner provided far too many comments including comments regarding items that were actually included in the original drawing submittal.*
- *The cost of the permit is a strong deterrent to getting one at all, let alone the future increase in property taxes. After going through it, I'm surprised anyone gets permits. Of course, I think most people don't, which is a problem for safety.*
- *The online permit process is very difficult, so difficult that we ended up pulling it offline and submitting the old-fashioned way and had our permit in less than a week after waiting nearly 90 days online.*
- *The over-the-counter process was great. The online system is also very good. Beside wanting faster turnaround times to design review and structural projects, I can't think of ways to make it better.*
- *The permit process for a DIY kit metal patio cover installation was so difficult, that we had to hire a contractor to complete the process. We worked at this on our own remotely for 3 months because Covid restrictions closed the office.*
- *The processing time can take up to a month or longer sometimes.*
- *Overall San Rafael was the best experience from other 10 cities I worked in the area. San Rafael at least answer the phone :) compared to others.*
- *They should provide a load calculation sheet in the application process.*
- *Try to have normal people use your website to test it. Make it easy, not intuitive. No reason NOT to!*
- *We had a bad experience with a former inspector who wouldn't tell us what we needed to do to correct the problem. After the inspection, he never closed out the permit, which we found out about later. There needs to be better verification & oversight.*
- *When you apply online you need a code for the type of work. To get the code you have to call and listen to a long recording. Please make the codes available as a page on the website, not a phone number.*
- *We had a very smooth experience with San Rafael. We have many friends in other jurisdictions in Marin and it has been a nightmare for them. Thank you, San Rafael!!*



SAN RAFAEL CITY COUNCIL AGENDA REPORT

Department: Finance

Prepared by: Paul Navazio, Finance Director

City Manager Approval: _____

TOPIC: FISCAL YEAR 2022-2023 YEAR-END BUDGET AMENDMENTS

SUBJECT: RESOLUTION ADOPTING AMENDMENTS TO THE CITY OF SAN RAFAEL BUDGET FOR FISCAL YEAR 2022-2023 FOR THE PURPOSE OF CONFIRMING AUTHORIZED APPROPRIATIONS AND TRANSFERS

RECOMMENDATION: Adopt the resolution.

BACKGROUND: The FY 2022-23 city-wide budget was last presented to the City Council on [June 5, 2023](#), in conjunction with the approval of the FY 2023-24 budget. At that time, staff provided updated revenue and expenditure projections and noted budget adjustments expected to be formally requested as part of the year-end update.

Since the close of the fiscal year on June 30, 2023, staff has reviewed the revenues and expenditures in the General Fund, special revenue funds and other special purpose funds. This review has yielded additional adjustments that are specific to year-end clean-up and are included as part of the recommendations in this report to, where appropriate, align the budget with actual results, consistent with past guidance provided by the City's outside auditors.

The purpose of these amendments is to formally authorize the appropriations supporting expenditures and transfers required in certain funds to fulfill their respective purposes and functions through June 30, 2023. City Council approval of the proposed resolution provides formal authority to incorporate these adjustments as part of the final FY 2022-23 budget. Details of the proposed budget amendments are presented in Attachment 1.

FOR CITY CLERK ONLY

Council Meeting:

Disposition:

ANALYSIS:

General Fund

Revenues: The original FY 2022-23 budget, adopted on [June 21, 2022](#), projected \$95,870,730 in revenues. The City worked with two revenue consulting companies (HdL and Management Partners/Baker Tilly) and other local agencies to project revenues for FY 2022-23. The mid-year budget review (updated budget) presented on [February 6, 2023](#), estimated an increase in revenues of \$1,500,000 for a projected balance of \$97,370,730 due to higher than anticipated sales and use tax receipts. On [June 5, 2023](#), revenues were projected to be \$97,684,030 which was 0.3% above the updated budget, based on activity through April.

General Fund revenues of \$97,598,031 were recorded through June 30, 2023, representing a favorable variance of \$227,301 (0.2%) above the amended budget, and only slightly (\$86,004) below the projection reported in the June 5th report. General Fund revenue highlights include:

- Property taxes, which account for about 30% of the General Fund budget, ended the year at \$18.76 million, or 5.4% above the adopted budget. Property tax revenues continued to achieve strong growth at 4.3% over prior the year and an average of 5.1% over the last three years. Growth can be expected to slow a bit in the coming year with high interest rates cooling the housing market, but it remains a strong and stable revenue stream for City.
- Sales taxes revenues ended the fiscal year at \$18.76 million, falling \$0.96 million short of projections, mainly attributable to a correction of the original favorable adjustment to past receipts that was received in the first quarter of the year. However, as noted, other revenue items outperformed the adjusted budget, making up the difference.
- In other revenue items, investment earnings have begun to rebound with the City's investment gain of \$623,493. This is mainly a function of the reduction of the prior year's unrealized loss as securities purchased in the ultra-low interest environment begin to mature. The City can expect to see even larger returns on the investment portfolio into the coming fiscal year as rates stabilize and securities mature.

Other sources and Transfers In from other funds: During the year, it was noted that the estimated transfer of \$650,000 from the Gas Tax Fund to reimburse for staff time related to projects was better utilized for ongoing needs within the Fund and, as a result, not transferred to the General Fund. Staff also requested transfers in be increased by \$11,070 to account for the transfer of Cannabis Fund resources to support the SAFE Team pilot. City Council action to authorize these two adjustments to the General Fund are included in the proposed resolution.

Expenditures: The original approved FY 2022-23 expenditure budget (net of transfers) totaled \$91,943,644 and was increased by \$1,475,859 to \$93,419,503 during the mid-year review process. Expenditures through June 30, 2023, were \$87,981,879, reflecting a budgetary savings of \$5.44 million (or 6.1%) below budget. The budgetary savings realized in the General Fund is largely attributable to salary savings of \$5.38 million due to vacancies across all City departments.

Based on these results, and consistent with the proposal included in the June 5th report, staff is requesting City Council authorization to transfer realized General Fund savings to the Liability Fund (605) and Capital Projects Fund (401) to support anticipated settlement claims as well as in support of specific capital projects and future critical infrastructure needs. These are detailed in the following section.

Other uses and Transfers Out to other funds: The following final budget adjustments and transfers (out) are being recommended for City Council action in order to be reflected in the final FY 2022-23 General Fund budget:

- Appropriation supporting the transfer of \$5,000,000 in one-time General Fund savings to the Liability Fund (\$2385,000) and Capital Project Fund (\$2,615,000). This transfer will be offset by a reduction in the General Fund personnel budget appropriation.
- Appropriation to support the transfer out of \$7,250,000 in American Rescue Plan Act (ARPA) funds to the Stormwater Fund (205) in support of the San Quentin Pump Station Repair project. This represents a use of prior period, one-time funds and not current resources.
- Staff also recommends the transfer of \$586,926 from the General Fund to the Essential Facilities Fund (420). Consistent with prior Council policy, 1/3 of the revenues received from the voter-approved Measure E Transaction and Use Tax is to be transferred, at year-end, to the Essential Facilities Fund to support specific capital projects included in the Essential Facilities Plan. This year, that amount is approximately \$4.9 million; however, the General Fund made principal and interest payments towards the debt on the facilities in the amount of \$4.3 million. This leaves a balance of \$586,926 to transfer to the Essential Facilities Fund to support ongoing capital projects.

The proposed changes to the General Fund revenues, expenditures and transfers are detailed in the table below. The net impact of all proposed changes on the General Fund is \$1,225,856 of reduced revenues and increased transfers.

General Fund	Adopted Budget FY 2022-23	Current Budget	Projected Changes	Projected Budget	Projected Unaudited Results
Revenues	95,870,730	97,370,730		97,370,730	97,598,031
Transfers in	1,770,072	1,770,072	(638,930)	1,131,142	1,131,142
Total Resources	97,640,802	99,140,802	(638,930)	98,501,872	98,729,173
Expenditures	91,943,644	93,419,503	(5,000,000)	88,419,503	87,981,879
Operating Transfer out	3,307,000	3,956,200	586,926	4,543,126	4,543,126
Project Transfer out	-	-	12,250,000	12,250,000	12,250,000
Total Appropriations	95,250,644	97,375,703	7,836,926	105,212,629	104,775,005
Net Result	2,390,158	1,765,099	(8,475,856)	(6,710,757)	(6,045,832)
Allocations					
Use/(Source) of Emergency Reserves	(165,454)	(322,570)	(59,430)	(382,000)	(338,000)
Use of Prior Period funds	-	-	7,250,000	7,250,000	7,250,000
Unassigned Funds Available	2,224,704	1,442,529	(1,285,286)	157,243	866,168

Other Funds

Staff is requesting the approval of a total of \$7,869,327 in increased resources and \$953,114 in increased appropriations to Other Funds, reflecting the amendments included above as well as selected adjustments impacting only other funds, including:

SAN RAFAEL CITY COUNCIL AGENDA REPORT / Page: 4

- Appropriation of \$1,766,667 in Essential Facilities Fund (420) to reflect the approved budget for the construction of Fire Stations 54 & 55.
- Increases in appropriations for the Library Assessment Fund (215) and Library Fund (214) of \$22,571 and \$11,790, respectively.
- Transfers to the Gas Tax Fund (206) from the East Francisco Boulevard Maintenance Fund (402) and Mariposa Maintenance Fund (404) of \$6,909 and \$479, respectively. These transfers are proposed to utilize the remaining assessment district fund balances for the maintenance of improvements.

The net impact of all proposed changes on other funds of \$6,916,213 in additional resources is summarized below:

Other Funds	Adopted Budget FY 2022-23	Approved Changes	Current Budget	Proposed Changes	Revised Budget
Revenues	77,022,806	4,556,039	81,578,845	-	81,578,845
Transfers in	3,392,000	669,350	4,061,350	12,844,314	16,905,664
Total Resources	80,414,806	5,225,389	85,640,195	12,844,314	98,484,509
Expenditures	90,479,411	16,445,769	106,925,180	1,809,656	108,734,836
Transfers out	1,855,072	45,163	1,900,235	(631,542)	1,268,693
Total Appropriations	92,334,483	16,490,932	108,825,415	1,178,114	110,003,529
Net Results	(11,919,677)	(11,265,543)	(23,185,220)	11,666,200	(11,519,020)

Other year-end communications: In the prior year, the City reported its pension liability as fully funded. However, this was mainly the result of extreme market volatility during the fiscal year ended June 30, 2021, impacting the actuarial valuation. After incorporating the subsequent market losses of the fiscal year ended June 30, 2022, the City will once again report a pension liability. This was expected and the City’s pension liability fell to 90% funded for the reporting period of June 30, 2023. Although no longer reported as fully funded, the City remains in strong financial position with its pension obligations.

As staff completes its preparation of the government-wide financial statements for the year-end audit, net results are estimated at around \$500,000, when adjusting for the one-time transfer of prior-year funds allocated to the San Quentin Pump Station Project. Staff will not have a finalized amount until the audit is completed as there could be other revenues pertaining to FY 2022-23 that trickle in through the end of September and the auditors could have proposed adjustments based on their review. Staff is recommending that the bulk of the net unassigned funds be assigned as following:

- \$338,000 to the emergency and cash flow reserve to adhere to the City Council-approved policy which requires minimum target reserve levels at 10% of General Fund operating expenditures. Staff has deferred its recommendation to increase the reserve level to 12% of General Fund operating expenditures as there are currently projects on the horizon that are supported by grants and require a City match. Staff recommends keeping net available funds for purposes of matching the grants when the time comes.

- Any remaining fund balance following the above requested assignment would be earmarked for required grant matching for the Pickleweed Park Field Renovation Project, of which a total of \$4.24 million is needed.

The Parking Services Fund has experienced a slow recovery from the adverse impacts of the pandemic. However, towards the latter half of the fiscal year, the fund began to show strong revenue growth and ultimately ended the year with positive results of \$729,000 following year-end accrual entries. Revenue gains began to materialize in January and have continued through the end of the fiscal year, approaching pre-pandemic levels. Although further sustained growth is necessary to ensure the long-term viability of the fund, revenue is trending in the right direction and the fund appears to have regained its footing following the challenges of the pandemic.

FISCAL IMPACT: This action authorizes the formal appropriation of resources in the FY 2022-23 to support the actual expenditure and transfer activity through June 30, 2023, as described in this report. No spending authority beyond what was spent or committed as of June 30, 2023, is created through this action.

OPTIONS:

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

1. Adopt the resolution.
2. Adopt the resolution with modifications.
3. Take no action.

RECOMMENDATION: Adopt the resolution.

ATTACHMENTS:

1. Proposed FY 2022-23 Budget Amendments
2. Resolution approving fiscal year 2022-23 amendments with Exhibit I

Proposed FY 2022-23 Budget Amendments - Final Budget

	General Fund		Other Funds	
	Revenues & Transfers IN	Expenditures & Transfers Out	Revenues & Transfers IN	Expenditures & Transfers Out
<i>Expenditure Appropriations</i>				
Increased appropriations to Essential Facilities Capital Projects fund (420) to support the construction of fire stations 54 and 55.				1,766,667
Increased appropriations to Library Assessment fund (215) to support projects funded by Measure C set-aside funds				22,571
Increased appropriations to Library fund (214) to support library renovation project				11,790
Increased appropriations for the Police Youth Services fund (230) to support Camp Kuga program				6,985
Increased appropriations to the Wildfire Prevention Fund (242) for project support				1,151
Increased appropriations for the Abandoned Vehicle Abatement Program (200) for project support				493
Reduce appropriations reflecting General Fund Salary Savings		(5,000,000)		
<i>Transfers</i>				
Transfer from General Fund (Salary Savings) to Liability Fund (605) and Capital Fund (401)		5,000,000		
			2,385,000	
			2,615,000	
Transfer of assigned General Fund balance to Stormwater (205) for the San Quentin Pump Station project		7,250,000	7,250,000	
Transfer of one third Measure E use tax, less debt service, to the Essential Facilities Fund (420)		586,926	586,926	
Transfer from Cannabis Fund (216) to General Fund to support SAFE Team project	11,070			11,070
Transfer from East Francisco Boulevard Maintenance fund (402) to Gas Tax (206) to utilize remaining assessment district funds for the maintenance of improvements			6,909	
				6,909
Transfer from Mariposa Maintenance Fund (404) to Gas Tax (206) to utilize remaining assessment district funds for the maintenance of improvements			479	
				479
Eliminate FY2022-23 transfer from Gas Tax (206) to general fund intended to off-set staff costs	(650,000)			(650,000)
Proposed Amendments (9/18/2023)	(638,930)	7,836,926	12,844,314	1,178,115

RESOLUTION NO.

RESOLUTION OF THE SAN RAFAEL CITY COUNCIL ADOPTING AMENDMENTS TO THE CITY OF SAN RAFAEL BUDGET FOR FISCAL YEAR 2022-2023 FOR THE PURPOSE OF CONFIRMING AUTHORIZED APPROPRIATIONS AND TRANSFERS

WHEREAS, the City Council approved Resolution No. 15100 adopting the fiscal year 2022-2023 budget; and

WHEREAS, the City Council approved Resolution No. 15189 amending the fiscal year 2022-2023 budget, and took other actions during the year to authorize spending; and

WHEREAS, as part of the fiscal year-end closing process, staff has reviewed and analyzed actual revenues, expenditures and transfers through June 30, 2023, has identified a need for additional budget adjustments, and has submitted its analysis and recommendations in a report to the City Council; and

WHEREAS, after examination, deliberation and due consideration, the City Council has approved the same report and recommendations;

NOW, THEREFORE, BE IT RESOLVED, by the San Rafael City Council that Resolution No. 15189 for fiscal year 2022-2023 is further amended to authorize the following adjustments to resources and appropriations, which are reflected in the Consolidated Funds Schedule (Exhibit I attached hereto and incorporated herein by reference):

Revenues:

Fund	Current Budget	Resources	Transfers in	Revised Budget
001 - General Fund	99,140,802		(638,930)	98,501,872
205 - Stormwater Fund	830,000		7,250,000	8,080,000
206 - Gas Tax Fund	31,718,646		7,388	31,726,034
401 - Capital Improvement Fund-City	3,814,800		2,615,000	6,429,800
420 - Measure E-Public Safety Facility	-		586,926	586,926
605 - Liability Insurance Fund	2,364,880		2,385,000	4,749,880
Total Revenue Adjustments			12,205,384	

Expenditures:

Fund	Current Budget	Appropriations	Transfers out	Revised Budget
001 - General Fund	97,375,703	(5,000,000)	12,836,926	105,212,629
200 - Abandoned Vehicle Abatement	175,092	493		175,585
205 - Stormwater Fund	5,201,216			5,201,216
206 - Gas Tax Fund	30,718,910		(650,000)	30,068,910
214 - Library Fund	100,000	11,790		111,790
215 - Library Special Assessment Fund	1,147,300	22,571		1,169,871
216 - Measure G - Cannabis	159,055		11,070	170,125
230 - Police Youth Services Fund	25,063	6,985		32,048
242 - Measure C Wildfire Prevention Parcel Tax	2,326,909	1,151		2,328,060
402 - East Francisco Blvd. Mtce Fund	-		6,909	6,909
404 - Mariposa Maintenance Fund	-		479	479
420 - Measure E-Public Safety Facility	4,446,830	1,766,667		6,213,497
Total Expenditure Adjustments		(3,190,343)	12,205,384	

I, LINDSAY LARA, Clerk of the City of San Rafael, hereby certify that the foregoing resolution was duly and regularly introduced and adopted at a special meeting of the Council of said City on Monday, the 18th day of September 2023 by the following vote, to wit:

AYES: COUNCILMEMBERS:

NOES: COUNCILMEMBERS:

ABSENT: COUNCILMEMBERS:

LINDSAY LARA, City Clerk

TABLE I
CHANGES TO GENERAL FUND REVENUES AND OTHER SOURCES

General Fund	Adopted Budget FY 2022-23	Approved Changes	Current Budget	Proposed Changes	Revised Budget
Revenues	95,870,730	1,500,000	97,370,730	-	97,370,730
Transfers in	1,770,072		1,770,072	(638,930)	1,131,142
FY 22-23 Resources	97,640,802	1,500,000	99,140,802	(638,930)	98,501,872
FY 21-22 Rollover	-	-	-	-	-
Total Resources	97,640,802	1,500,000	99,140,802	(638,930)	98,501,872

TABLE II
CHANGES TO GENERAL FUND EXPENDITURES AND OTHER USES

General Fund	Adopted Budget FY 2022-23	Approved Changes	Current Budget	Proposed Changes	Revised Budget
Expenditures	91,943,644	1,475,859	93,419,503	(5,000,000)	88,419,503
Transfer out	3,307,000	649,200	3,956,200	586,926	4,543,126
Transfer out-CIP	-	-	-	12,250,000	12,250,000
Total Appropriations	95,250,644	2,125,059	97,375,703	7,836,926	105,212,629

TABLE III
CHANGES TO OTHER FUND EXPENDITURES AND OTHER USES

Other Funds	Adopted Budget FY 2022-23	Approved Changes	Current Budget	Proposed Changes	Revised Budget
Revenues	77,022,806	4,556,039	81,578,845	-	81,578,845
Transfers in	3,392,000	669,350	4,061,350	12,844,314	16,905,664
FY 22-23 Resources	80,414,806	5,225,389	85,640,195	12,844,314	98,484,509
FY 21-22 Rollover	-	-	-	-	-
Total Resources	80,414,806	5,225,389	85,640,195	12,844,314	98,484,509
Expenditures	90,479,411	16,445,769	106,925,180	1,809,656	108,734,836
Transfer out	1,855,072	45,163	1,900,235	(631,542)	1,268,693
Total Appropriations	92,334,483	16,490,932	108,825,415	1,178,114	110,003,529
Net Results	(11,919,677)	(11,265,543)	(23,185,220)	11,666,200	(11,519,020)

TABLE IV
CITY-WIDE APPROPRIATION SUMMARY

All Funds	Adopted Budget FY 2022-23	Approved Changes	Current Budget	Proposed Changes	Revised Budget
General Fund	95,250,644	2,125,059	97,375,703	7,836,926	105,212,629
Other Funds	92,334,483	16,490,932	108,825,415	1,178,114	110,003,529
Total Expenditures	187,585,127	18,570,828	206,155,955	9,015,040	215,170,995