

Minutes subject to approval at the November 6, 2023 meeting



**MINUTES
SAN RAFAEL CITY COUNCIL SPECIAL MEETING
MONDAY, OCTOBER 16, 2023 AT 5:00 P.M.**

In-Person:

**San Rafael City Hall
Third Floor Conference Room
1400 Fifth Avenue, San Rafael, CA 94901**

Watch online:

Watch on Zoom Webinar: <https://tinyurl.com/ccsp-2023-10-16>

Listen by phone: (669) 900-9128

ID: 868-6585-5413#

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

Absent: None

Also Present: City Clerk Lindsay Lara

Mayor Kate called the meeting to order at 5:04 p.m. and requested City Clerk Lindsay Lara call the roll. All members of the City Council were present.

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

1. Boards, Commissions and Committees Interviews

Interview Applicants for the Fire Commission, Park and Recreation Commission, Pickleweed Advisory Committee, and Make Appointments (CC):

a. Fire Commission Interviews

Interview Applicants and Make an Appointment to Fill One Unexpired Four-Year Term to the End of October 2025 on the Fire Commission Due to the Resignation of Nadine Atieh Hade (CC)

Recommended Action - Appoint one applicant

The City Council interviewed the following applicants: Brian Waterbury, Donna McCusker and John Chung. Gerrod Herndon withdrew his application.

After discussion, there was consensus to appoint Donna McCusker to fill one unexpired four-year term to the end of October 2025 on the Fire Commission, and Council recommended Staff return to a future City Council meeting to recommend appointment of John Chung as first Alternate Member and Brian Waterbury as second Alternate Member on the Fire Commission.

b. Park & Recreation Commission Interviews
Interview Applicants and Make Appointments to Fill Two Four-Year Terms to the End of October 2027 on the Park and Recreation Commission Due to the Expiration of Terms of Mark Machado and Cicily Emerson (CC)

Recommended Action - Appoint two applicants

The City Council interviewed the following applicants: Andrei Pasternak and Cicily Emerson. Gerrod Herndon, Danielle Mahoney, and Losalini Reeves withdrew their applications.

Mayor Kate declared a recess at 6:16 p.m.

Mayor Kate called the meeting back in session at 6:23 p.m.

Vice Mayor Llorens Gulati moved, and Councilmember Kertz seconded, to appoint Andrei Pasternak and Cicily Emerson to fill two four-year terms to the end of October 2027 on the Park & Recreation Commission.

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

c. Pickleweed Advisory Committee Interviews
Interview Applicants and Make an Appointment to Fill One Four-Year Alternate Member Term to the End of October 2027 on the Pickleweed Advisory Committee (CC)

Recommended Action - Appoint one applicant

Mayor Kate declared a recess at 6:27 p.m.

Mayor Kate called the meeting back in session at 6:30 p.m.

The City Council interviewed the following applicants: Darlin Ruiz. Gerrod Herndon withdrew his application, and Mydung Nguyen was not interviewed due to scheduling, but a subcommittee of the City Council interviewed her the week prior for the Police Accountability and Advisory Committee.

Mayor Kate declared a recess at 6:43 p.m.

Mayor Kate called the meeting back in session at 6:55 p.m.

Vice Mayor Llorens Gulati moved, and Councilmember Kertz seconded to appoint Darlin Ruiz to fill one four-year alternate member term to the end of October 2027 on the Pickleweed Advisory Committee, and recommended Staff return to a future City Council meeting to change the bylaws to allow for more than one Alternate Member, and an appointment of Mydung Nguyen as the second Alternate Member.

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

ADJOURNMENT:

Mayor Kate adjourned the meeting at 7:04 p.m.

OPEN SESSION:

Mayor Kate announced Closed Session items.

CLOSED SESSION:

Closed Session:

a. CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION

Government Code section 54956.9(d)(1): 3 cases

- a. California Newspapers Partnership v. City of San Rafael (Marin Superior Court, Case No. CV0000041)
- b. Theo Emison v. City of San Rafael (Marin Superior Court, Case No. CV0000039)
- c. Shaleeta Boyd, et al. v. City of San Rafael, et al. (U.S. District Court, N.D. Cal., Case No. 23-cv-04085-EMC)

LINDSAY LARA, City Clerk

APPROVED THIS ____ DAY OF _____, 2023

KATE COLIN, Mayor