



AGENDA

SAN RAFAEL CITY COUNCIL - MONDAY, NOVEMBER 6, 2023

REGULAR MEETING AT 7:00 P.M.
San Rafael City Council Chambers
1400 Fifth Avenue, San Rafael, CA 94901

Watch Online:

Watch on Zoom Webinar: <https://tinyurl.com/cc-2023-11-06>

Watch on YouTube: www.youtube.com/cityofsanrafael

Listen by phone: (669) 444-9171

ID: 844-3204-9611#

One Tap Mobile: +16694449171,,84432049611# US

This meeting will be held in-person. This meeting is being streamed to YouTube at www.youtube.com/cityofsanrafael.

How to participate in the meeting:

- Provide them in-person at the meeting. You are welcome to come to the meeting and provide public comment in-person. Each speaker will have 2-minutes to provide public comment.
- Submit your comments by email by 4:00 p.m. the day of the meeting.

If you experience technical difficulties during the meeting, please contact city.clerk@cityofsanrafael.org.

OPEN SESSION - THIRD FLOOR CONFERENCE ROOM - 5:00 P.M.

1. Mayor Kate to announce Closed Session items.

CLOSED SESSION - THIRD FLOOR CONFERENCE ROOM - 5:00 P.M.

2. Closed Session:

- a. Conference with Labor Negotiators - Government Code Section 54957.6
Lead Negotiators: Timothy L. Davis and Allison B. Hernandez (Burke, Williams & Sorensen)
Agency Designated Representatives: Cristine Alilovich, Paul Navazio, Marissa Sanchez, Sylvia Gonzalez, Angela Nicholson, and Angela Robinson Piñon
Employee Organizations: San Rafael Police Mid-Management Association; Public Employee Union, Local 1; San Rafael Firefighters' Association; San Rafael Police Association; SEIU Local 1021; Western Council of Engineers; San Rafael Fire Chief Officers' Association; San Rafael Police Mid-Management Association; San Rafael Fire Chief Officers' Association; Unrepresented Mid-Management; Unrepresented Executive Management
- b. CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION
Government Code section 54956.9(d)(1): 1 case
Shaleeta Boyd, et al. v. City of San Rafael, et al. (U.S. District Court, N.D. Cal., Case No. 23-cv-04085-EMC)

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 Special and Regular City Council Meetings of October 2, 2023 and Special City Council Meetings of October 16, 2023 and October 23, 2023 (CC)

Recommended Action - Approve minutes as submitted

b. **Fire Commission Appointments**

Appointment of John Chung and Brian Waterbury to Fill Two Four-Year Terms as Alternate Members to the End of October 2027 on the Fire Commission (CC)

Recommended Action - Approve Appointments

c. **Pickleweed Advisory Committee**

Resolution Adopting New Bylaws for the Pickleweed Advisory Committee and Appointing Mydung Nguyen as an Alternate Member to the End of October 2027 on the Pickleweed Advisory Committee (CC)

Recommended Action - Adopt Resolution and Approve Appointment

d. **Proclamation in Recognition of Native American Heritage Month 2023 (CM)**

Recommended Action - Receive and file

e. **City Quarterly Investment Report**

Acceptance of City of San Rafael Quarterly Investment Report for the Quarter Ending September 30, 2023 (Fin)

Recommended Action - Accept Report

f. **Professional Services Agreement for Labor Negotiations Services**

Professional Services Agreement with Burke, Williams & Sorensen, LLP for Labor Negotiation Services, In an Amount Not to Exceed \$150,000 (HR)

Recommended Action - Authorize the City Manager to Enter into Agreement

g. **Albert Park Netting and Fencing Project**

Albert Park Netting and Fencing Project Bid Rejection (PW)

Recommended Action - Reject the Bid for the Albert Park Netting and Fencing Project and Direct Staff to Develop Design Alternatives

h. **Essential Facilities Construction Project - Fire Station 55 Site Improvements**

Authorize the City Manager to Approve Contract Amendments to the Construction Agreement with Michael Paul Company, Inc. for Miscellaneous Unforeseen Conditions Associated with the Fire Station 55 Site Work Project (PW)

Recommended Action - Authorize the City Manager to Approve Contract Amendments

SPECIAL PRESENTATIONS

5. Special Presentations:
 - a. **Presentation of Proclamation in Recognition of United Against Hate Week 2023 and Support for Not in Our Town (CM)**
 - b. **Presentation of Proclamation in Recognition of Mark Machado, Former Park and Recreation Commissioner, for 16 Years of Service (LR)**

PUBLIC HEARINGS

6. Public Hearings:
 - a. **Marin Sanitary Service Rates for 2024**
Recommended Action - Removed from agenda
 - b. **City Council Meeting Commencement Time**
Consideration of An Ordinance Amending Section 2.04.10 of the San Rafael Municipal Code Concerning Regular Meetings (CC)
Recommended Action - Waive further reading of the Ordinance and refer to it by title only, and introduce the Ordinance

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.

SAN RAFAEL SUCCESSOR AGENCY:

1. Consent Calendar:
 - a. **Successor Agency Quarterly Investment Report**
Acceptance of Successor Agency Quarterly Investment Report for the Quarter Ending September 30, 2023 (Fin)
Recommended Action - Accept Report

ADJOURNMENT:

OPEN SESSION - COUNCIL CHAMBERS - FOLLOWING ADJOURNMENT

7. Mayor Kate to announce Closed Session items.

CLOSED SESSION - THIRD FLOOR CONFERENCE ROOM - FOLLOWING ADJOURNMENT

8. Closed Session:
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b. CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION

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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/>.