



AGENDA

SAN RAFAEL CITY COUNCIL - MONDAY, FEBRUARY 5, 2024

REGULAR MEETING AT 6:00 P.M.
San Rafael City Council Chambers
1400 Fifth Avenue, San Rafael, CA 94901

Watch Online:

Watch on Zoom Webinar: <http://tinyurl.com/cc-2024-02-05>

Watch on YouTube: www.youtube.com/cityofsanrafael

Listen by phone: (669) 444-9171

ID: 844-3204-9611#

One Tap Mobile: +16694449171,,84432049611#

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:

- 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 to city.clerk@cityofsanrafael.org 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 PM

1. Mayor Kate to announce Closed Session items.

CLOSED SESSION - THIRD FLOOR CONFERENCE ROOM - 5:00 PM

2. Closed Session:
 - a. CONFERENCE WITH LEGAL COUNSEL—ANTICIPATED LITIGATION
Initiation of litigation (Paragraph (4) of subdivision (d) of Government Code Section 54956.9): 1 potential case
 - b. CONFERENCE WITH LEGAL COUNSEL—EXISTING LITIGATION
Paragraph (1) of subdivision (d) of Government Code Section 54956.9: 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)

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

Absent: None

Also Present: City Manager Cristine Alilovich
City Attorney Robert Epstein
City Clerk Lindsay Lara

Mayor Kate called the meeting to order at 6:03 p.m. and invited City Clerk Lindsay Lara to call the roll. All members of the City Council were present.

City Attorney Rob Epstein announced there was no reportable action in the Closed Session held prior to the regular meeting.

Mayor Kate provided opening remarks, which included gratitude to City staff, especially to the Public Works, Police and Fire Departments for their work during the storms. Also, she included a land acknowledgment.

City Clerk Lindsay Lara announced the process for Spanish interpretation for the evening. She informed the community that the in-person meeting would also be recorded and streamed live to YouTube and through Zoom. She noted the two-minute timer for public comment and closed captioning on Zoom.

CITY MANAGER AND COUNCILMEMBER REPORTS:
(including AB 1234 Reports on Meetings and Conferences Attended at City Expense)

3. City Manager and Councilmember Reports:

City Manager Cristine Alilovich announced:

- Gratitude to Public Works staff and First Responders for their work during the storms
- Police Advisory and Accountability Committee Bylaws Update
- Mayor Kate selected as 1 of 8 mayors nationwide to be a part of the Just City Mayoral Fellowship through the Mayors' Institute on City Design
- King Tide Event to be held Saturday, February 10 at the AI Boro Community Center at 9 a.m.
- 2nd Annual FeBREWary in downtown San Rafael

City Councilmember Reports:

- Vice Mayor Hill attended a Marin County Council of Mayors and Councilmembers (MCCMC) meeting where he heard reports from the Golden Gate Bridge, Highway & Transportation District. Also, he attended the Ritter Center ground-breaking celebration.
- Councilmember Llorens Gulati reported on the quarterly Climate Change Action Plan (CCAP) forum hosted by Marin Academy. Also, she noted the upcoming King Tide event.
- Councilmember Kertz participated in the Point-in-Time Count, provided opening remarks at a forum to recognize the International Holocaust Memorial Day. She attended a Marin Wildfire Prevention Authority board meeting, a First 5 Marin County Childrens Summit and the Ritter Center celebration.
- Councilmember Bushey worked with the Peacock Gap Homeowners Association to resolve a landscaping issue, met with the United Market CEO and met with the owners of Marin Roofing. She attended a MCCMC quarterly County Water Managers meeting, and a Marin Transit meeting.
- Mayor Kate attended a Sonoma Marin Area Rapid Transit (SMART) meeting, the Ritter Center celebration, the Ranch Water ribbon-cutting, a Transportation Authority of Marin (TAM) Safe Routes to Schools meeting, a meeting with Laurel Dell second graders, a Gun Safety Collaborative and the swear-in ceremony for Senator Mike McGuire.

Mayor Kate invited public comment.

Speaker: Name withheld

CONSENT CALENDAR:

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

Councilmember Llorens Gulati moved and Councilmember Bushey seconded to approve the Consent Calendar.

4. Consent Calendar Items:

- a. **Approval of Minutes**
Approve Minutes of the Special and Regular City Council Meetings of January 16, 2024 (CC)
Approved minutes as submitted
- b. **San Rafael Residential Parking Permit Program**
Authorize the City Manager to Negotiate and Enter into a Professional Services Agreement with Dixon Resources Unlimited for the Development of a Residential Parking Permit Program in the Amount Not to Exceed \$150,000 with the Authority to Amend this Agreement up to an Additional \$75,000 for Additional Phases of Work and Appropriate \$225,000 to the Parking Division's Fiscal Year 2023-24 Contractual Services Budget (CM)
Authorized City Manager to execute agreement, with the authority to amend this agreement up to an additional \$75,000 for additional phases of work and appropriate \$225,000 to the Parking Division's Fiscal Year 2023-24 Contractual Services Budget
- c. **Downtown San Rafael Business Improvement District Advisory Board Appointments Resolution Appointing Downtown Business Improvement District Advisory Board Members (ED)**
Resolution 15271 - Resolution Appointing Downtown Business Improvement District Advisory Board Members
- d. **City Quarterly Investment Report**
Acceptance of City of San Rafael Quarterly Investment Report for the Quarter Ending December 31, 2023 (Fin)
Accepted report
- e. **California Department of Fish and Wildlife Oil Response Trailer Grant Resolution Authorizing the City Manager to Enter into a Funding Agreement with the California Department of Fish and Wildlife (CDFW) and Designating a Representative for the Oil Response Trailer Project and Appropriating Funding for the Project (FD)**
Resolution 15272 - Resolution Authorizing the City Manager to Enter into a Funding Agreement with the California Department of Fish and Wildlife (CDFW) and Designating a Representative for the Oil Response Trailer Project and Appropriating Funding for the Project
- f. **Report On Calendar Year (CY) 2023 Fire Prevention Inspections of Certain Occupancies Resolution Acknowledging Receipt of a Report Made by the Fire Chief Regarding the 2023 Annual Fire Prevention Inspection of Certain Occupancies Pursuant to Sections 13146.2 and 13146.3 of the California Health and Safety Code (FD)**
Resolution 15273 - Resolution Acknowledging Receipt of a Report Made by the Fire Chief Regarding the 2023 Annual Fire Prevention Inspection of Certain Occupancies Pursuant to Sections 13146.2 and 13146.3 of the California Health and Safety Code

- g. **Replacement of Structural Firefighting Turnouts**
Authorize the City Manager to Purchase Twenty-Six Sets of Structural Firefighting Turnouts from Allstar Fire Equipment Inc., in an Amount Not to Exceed \$123,511 (FD)
Authorized the City Manager to purchase twenty-six sets of structural firefighting turnouts from Allstar Fire Equipment Inc., in an amount not to exceed \$123,511

- h. **Crosswalk Funding Agreements**
Resolutions Related to the Metropolitan Transportation Commission (MTC) Funding Agreements (PW)
 - i. **Resolution Accepting and Authorizing the City Manager to Enter into a Funding Agreement with MTC for \$38,000 in TDA Funds for the Crosswalk Safety Improvement Project**
Resolution 15274 - Resolution Accepting and Authorizing the City Manager to Enter into a Funding Agreement with MTC for \$38,000 in TDA Funds for the Crosswalk Safety Improvement Project

 - ii. **Resolution Approving and Authorizing the City Manager to Enter into a Funding Agreement with MTC for \$25,000 in TDA Funds for the Francisco Boulevard East Mid-Block Crossing Enhancement Project**
Resolution 15275 - Resolution Approving and Authorizing the City Manager to Enter into a Funding Agreement with MTC for \$25,000 in TDA Funds for the Francisco Boulevard East Mid-Block Crossing Enhancement Project

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

SPECIAL PRESENTATIONS

5. Special Presentations:

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

- a. **Proclamation Supporting Black History Month (HR)**

Mayor Kate presented the Proclamation.

PUBLIC HEARINGS

6. Public Hearings:

- a. **Gender-Neutral Language Amendments to Municipal Code**
Introduction of an Ordinance Amending the San Rafael Municipal Code in its Entirety to Replace Gender-Specific Language with Gender-Neutral Language (CC)

City Clerk Lindsay Lara presented the Staff Report.

Staff responded to questions from the City Council.

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

Councilmembers provided comments.

Councilmember Kertz moved and Councilmember Bushey seconded to introduce an Ordinance amending the San Rafael Municipal Code in its entirety to replace gender-specific language with gender-neutral language, waive further reading of the ordinance, and refer to it by title only.

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

The City Clerk read the title of the ordinance:
An Ordinance of the City of San Rafael Amending the San Rafael Municipal Code in its Entirety to Replace Gender-Specific Language with Gender-Neutral Language

OTHER AGENDA ITEMS:

7. Other Agenda Items:

- a. [Police Advisory and Accountability Committee Bylaws](#)
Resolution Establishing the Bylaws for the Police Advisory and Accountability Committee (PD)

Angela Robinson-Piñon, Assistant City Manager, presented the Staff Report.

Staff responded to questions from the City Council.

Mayor Kate invited public comment.

Speakers: Paula Kamena, Salamah Locks, Stephen Bingham, Gabriel Garcia, Name Withheld

Staff responded to questions from the community.

Councilmembers provided comments.

Councilmember Llorens Gulati moved and Councilmember Kertz seconded to adopt the resolution.

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

Resolution 15276 - Resolution Establishing the Bylaws for the Police Advisory and Accountability Committee

OPEN TIME FOR PUBLIC EXPRESSION

- Anabel, Voces del Canal, addressed the City Council regarding renter protections.
- Lucie Hollingsworth, Legal Aid of Marin, addressed the City Council regarding renter protections.
- Ethan Stroll, Legal Aid of Marin, addressed the City Council regarding renter protections.
- Name Withheld addressed the City Council regarding renter protections.
- Marina Palma addressed the City Council regarding renter protections.
- Glendy Barrios addressed the City Council regarding renter protections.
- Aurelia Vargas, Voces de Canal, addressed the City Council regarding renter protections.

- Elsie Mejia addressed the City Council regarding renter protections.
- Cruz Vargas, Voces de Canal, addressed the City Council regarding renter protections.
- Estela Veliz addressed the City Council regarding renter protections.
- Zoila Rios, Voces del Canal, addressed the City Council regarding renter protections.
- Diana Benitez, Canal Alliance, addressed the City Council regarding renter protections.
- Carol Underwood addressed the City Council regarding renter protections.
- Omar Carrera, Canal Alliance, addressed the City Council regarding renter protections.
- Luis Martinez addressed the City Council regarding renter protections.
- Name Withheld addressed the City Council regarding renter protections.
- Irene De Leon, Voces de Canal, addressed the City Council regarding renter protections.
- Tawny addressed the City Council regarding renter protections.
- Kris Parra addressed the City Council regarding renter protections.

Mayor Kate invited City Manager Cristine Alilovich to provide contact information to the City's Code Enforcement Division.

SAN RAFAEL SUCCESSOR AGENCY:

1. Consent Calendar:

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

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

- a. **Successor Agency Quarterly Investment Report**
Acceptance of Successor Agency Quarterly Investment Report for the Quarter Ending December 31, 2023 (Fin)
Accepted report

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

ADJOURNMENT:

Mayor Kate adjourned the meeting at 8:24 p.m.

 LINDSAY LARA, City Clerk

APPROVED THIS ____ DAY OF _____, 2024

 KATE COLIN, Mayor