

**AGENDA**

**SAN RAFAEL CITY COUNCIL MEETING – MONDAY, MARCH 20, 2006  
(WITH SUPPLEMENTAL INFORMATION FOR COUNCILMEMBERS)  
COUNCIL CHAMBER, CITY HALL, 1400 FIFTH AVENUE, SAN RAFAEL, CALIFORNIA**

Members of the public may speak on Agenda items.

**OPEN SESSION – COUNCIL CHAMBER – 6:30 PM**

Mayor Boro announced Closed Session items.

**CLOSED SESSION – CONFERENCE ROOM 201 – 6:30 PM**

- 1. a) Conference with Legal Counsel – Existing Litigation  
Government Code Section 54956.9(a)  
Case Name: Teresa Carey v. City of San Rafael, et.al.  
Marin County Superior Court Case No. CV052653
  
- b) Conference with Labor Negotiators – Government Code Section 54957.6  
Negotiators: Ken Nordhoff, Nancy Mackle, Lydia Romero, Donna Williamson, Roger Crawford  
Employee Organization(s): San Rafael Firefighters' Association  
San Rafael Fire Chief Officers' Association  
San Rafael Police Association  
San Rafael Police Mid-Management Association  
Confidential Unit  
Western Council of Engineers  
SEIU Miscellaneous & Supervisory

Mayor Boro announced that no reportable action was taken.

**ORAL COMMUNICATIONS OF AN URGENCY NATURE:**

**8:24 PM**

None.

**CONSENT CALENDAR:**

**RECOMMENDED ACTION:**

ALL MATTERS ON THE CONSENT CALENDAR ARE TO BE APPROVED BY ONE MOTION, UNLESS SEPARATE ACTION IS REQUIRED ON A PARTICULAR ITEM:

APPROVAL OF THE FOLLOWING ACTION:

- 2. Approval of Minutes of Regular Meeting of Monday, March 6, 2006 (CC) Approve as submitted.

**Minutes approved as submitted.**

- 3. Resolution Approving Recipient of the Richard P. O'Brien and Mary Ferrario O'Brien Citizen of the Year Award (CD) Adopt Resolution.

**ADOPTED RESOLUTION NO. 11925 – RESOLUTION OF APPRECIATION TO LIONEL ASHCROFT, RECIPIENT OF THE RICHARD P. O'BRIEN AND MARY FERRARIO O'BRIEN CITIZEN OF THE YEAR AWARD**

- 4. Summary of Legislation Affecting San Rafael (CM) Approve staff recommendation.

**Approved staff recommendation:  
CDBG Funding – 25% cut – OPPOSE**

*American Sign Language interpreters and assistive listening devices may be requested by calling (415) 485-3198 (TDD) or (415) 485-3064 (voice) at least 72 hours in advance. Copies of documents are available in accessible formats upon request.*

*Public transportation is available through Golden Gate Transit, Line 22 or 23. Paratransit is available by calling Whistlestop Wheels at (415) 454-0964.*

*To allow individuals with environmental illness or multiple chemical sensitivity to attend the meeting/hearing, individuals are requested to refrain from wearing scented products.*

5. Resolution Approving the Sole Source Purchase of Four 12 Lead Capable Heart Rate Monitor/Defibrillators and Associated Equipment for an Amount not to Exceed \$137,500.00 from Zoll Medical Corporation of Chelmsford, Maine (FD) Adopt Resolution.

**ADOPTED RESOLUTION NO. 11926 – RESOLUTION APPROVING THE SOLE SOURCE PURCHASE OF FOUR 12 LEAD CAPABLE HEART MONITOR/DEFIBRILLATORS AND ASSOCIATED EQUIPMENT FOR AN AMOUNT NOT TO EXCEED \$137,500 FROM ZOLL MEDICAL CORPORATION OF CHELMSFORD, MAINE**

6. Resolution Authorizing the Allocation of Assistance to Firefighter Grant (AFG) Funds to Install Vehicle Exhaust Systems at each of the Fire Stations in San Rafael, with the Exception of Station 4 which already has a System Installed (FD) Adopt Resolution.

**ITEM REMOVED FROM AGENDA AT THE REQUEST OF STAFF**

7. Resolution of Appreciation to the Book Fund Committee, San Rafael Public Library (Lib) Adopt Resolution.

**ADOPTED RESOLUTION NO. 11927 – RESOLUTION OF APPRECIATION TO THE BOOK FUND COMMITTEE, SAN RAFAEL PUBLIC LIBRARY**

8. Monthly Investment Report for Month Ending February, 2006 (MS) Accept report.

**Accepted Monthly Investment Report for month ending February 2006, as presented.**

9. Resolution Authorizing Participation in the Local Government Sharing Program (AB63) with the Franchise Tax Board Via Agreement No. C0525213 (MS) Adopt Resolution.

**ADOPTED RESOLUTION NO. 11928 – RESOLUTION AUTHORIZING PARTICIPATION IN THE LOCAL GOVERNMENT SHARING PROGRAM (AB63) WITH THE FRANCHISE TAX BOARD VIA AGREEMENT NO. C0525213**

10. Resolution Authorizing the Mayor to Execute an Agreement Between the City and Bacciocco Enterprises, LLC, Regarding Future Proceedings for Annexation of Real Property, Lands of Daphne/Bacciocco, 200 Lucas Valley Road, APN #164-270-03 (PW) Adopt Resolution.

**ADOPTED RESOLUTION NO. 11929 – RESOLUTION AUTHORIZING THE MAYOR TO EXECUTE AN AGREEMENT BETWEEN THE CITY AND BACCIOTTO ENTERPRISES, LLC, REGARDING FUTURE PROCEEDINGS FOR ANNEXATION OF REAL PROPERTY, LANDS OF DAPHNE/BACCIOTTO, 200 LUCAS VALLEY ROAD (APN 164-270-03), TO THE CITY OF SAN RAFAEL**

11. Resolution Authorizing Temporary Closure of Alto Street from Larkspur Street to Belvedere Street to Allow for the First Cesar Chavez Community Celebration on March 25, 2006 from 8:00 a.m. to 6:00 p.m. (RA) Adopt Resolution.

**ADOPTED RESOLUTION NO. 11930 – RESOLUTION AUTHORIZING THE TEMPORARY CLOSURE OF ALTO STREET FROM LARKSPUR STREET TO BELVEDERE STREET FOR THE FIRST CESAR CHAVEZ COMMUNITY CELEBRATION ON MARCH 25, 2006**

**SPECIAL PRESENTATIONS:**

12. Presentation of Resolution of Appreciation to Book Fund Committee, San Rafael Public Library (Lib)

**Mayor Boro presented Resolution of Appreciation to Ursula Davidson and Lionel Ashcroft representing Book Fund Committee, San Rafael Public Library.**

13. Presentation of Resolution of Appreciation to the Recipient of the Richard P. O'Brien and Mary Ferrario O'Brien Citizen of the Year Award (CD)

**Mayor Boro presented Resolution of Appreciation to Lionel Ashcroft, recipient of the Richard P. O'Brien and Mary Ferrario O'Brien Citizen of the Year award.**

**CITY MANAGER'S REPORT:**

14. **Measure 'S' Oversight Advisory Committee:**  
Mr. Nordhoff announced that the deadline for receipt of applications for the Measure 'S' Oversight Advisory Committee was extended to 12 Noon, Tuesday, March 28, 2006, and noted that as of today (3/20/06), ten applications had been received. He requested an early meeting with the City Council on April 3, 2006 to conduct interviews. Mayor Boro noted that all applicants would be interviewed.

**COUNCILMEMBER REPORTS:**

15. a) **Comcast:**  
Councilmember Miller reported that the Comcast/MTA agreement, received on Thursday last, March 16, 2006, accomplished a great deal for the City and was far superior than anything negotiated previously. He distributed copies of the PowerPoint presentation relating to the Agreement and expressed thanks to Councilmember Dan Hillmer, Larkspur, for his work over the past 9 ½ years.
- Explaining that this was a franchise agreement between all of the cities in Marin, excluding Novato, Mayor Boro thanked Councilmember Miller for his dedication and hard work on this issue.
- b) **Public Employees Retirement Health Care Reform Forum:**  
Hosted by Marin County Supervisors Cynthia Murray and Susan Adams, Councilmember Heller reported that this forum, held Friday, March 17, 2006 in the City's Council Chamber, was an introduction to some of the ways municipalities could look at ideas coming forward for healthcare.
- c) **Marin County Transit District:**  
Councilmember Heller reported that today the short-range transit plan was passed, which effectively prepares local busses for operation in the County. She indicated that this would be a slow and perhaps final parting of the ways with the Golden Gate Bridge, Highway and Transportation District which had been running all transit in Marin County. Councilmember Heller explained that with this partnership, the Golden Gate Bridge, Highway and Transportation District would run busses for the Marin County Transit District, and while not perfect, she believed things would become better on the transit level.
- d) **Governor's Infrastructure Plan and Bond Proposals:**  
Noting there would not be an infrastructure bond on the June ballot, and perhaps not in November either, Councilmember Cohen believed this further strengthened the need to fix Proposition 42. He explained that a few years back voters decided to take the sales tax on the sale of gasoline and earmark it for roads. An emergency exemption was used by every administration since the law was passed and this was the first year it was actually funded – six years after its passage. He indicated that signature gathering was underway to qualify a proposition on the November ballot to ensure the money went where the voters intended, i.e., to fund transportation and local roads, and he urged all to sign the petition.

ADJOURNMENT: 8:40 p.m.