

AGENDA

**SAN RAFAEL CITY COUNCIL MEETING – MONDAY, DECEMBER 4, 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 – 7:00 PM

Mayor Boro announced Closed Session item.

CLOSED SESSION – CONFERENCE ROOM 201 – 7:00 PM

- 1. Conference with Labor Negotiators – Government Code Section 54957.6
 Negotiators: Ken Nordhoff, Nancy Mackle, Lydia Romero,
 Donna Williamson, Richard Whitmore
 Employee Organization(s): San Rafael Fire Chief Officers' Association
 San Rafael Police Mid-Management Association
 Western Council of Engineers
 SEIU Miscellaneous & Supervisory

City Attorney Gary Ragghianti announced that no reportable action was taken.

ORAL COMMUNICATIONS OF AN URGENCY NATURE:

8:05 PM

Canal Neighborhood Business / Police:

Amanda Beltran, Canal Area, through an interpreter, reported problems concerning her business and San Rafael Police.

Mayor Boro requested that City Manager Ken Nordhoff and Chief of Police Matt Odetto work with Ms. Beltran to address the issues concerning the existing ordinance.

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 Special Joint Redevelopment Agency/City Council Meeting of June 5, and Special and Regular Meetings of Monday, November 20, 2006 (CC)

Approve as submitted.

Minutes approved as submitted. (Councilmember Cohen abstaining from Minutes of Special Meeting of 11/20/06, due to absence from meeting)

- 3. Paramedic Services Special Tax – Measure P: (CC)
 - a) Resolution Declaring Canvass of Returns and Results of Consolidated Special Municipal Election Held on November 7, 2006, Re: Measure P - Paramedic Services Special Tax on Residential Units and Non-Residential Structures and Appropriations Limit Increase
 - b) ORDINANCE NO. 1846 – “An Ordinance of the City Council of the City of San Rafael Amending Sections 3.28.040 and 3.28.050 of Chapter 3.28 of the San Rafael Municipal Code, to Increase the Maximum Special Paramedic Tax Rate on Residential Units and on Non-Residential Structures and to Increase the City’s Appropriations Limit in Connection Therewith”

a) Adopt Resolution.

c) Accept Ordinance No. 1846.

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.

- a) **ADOPTED RESOLUTION NO. 12159 – RESOLUTION DECLARING CANVASS OF RETURNS AND RESULTS OF CONSOLIDATED SPECIAL MUNICIPAL ELECTION HELD ON NOVEMBER 7, 2006, RE: MEASURE P – PARAMEDIC SERVICES SPECIAL TAX ON RESIDENTIAL UNITS AND ON NON-RESIDENTIAL STRUCTURES, AND APPROPRIATIONS LIMIT INCREASE**
- b) **Accepted Ordinance No. 1846 – “AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SAN RAFAEL AMENDING SECTIONS 3.28.040 AND 3.28.050 OF CHAPTER 3.28 OF THE SAN RAFAEL MUNICIPAL CODE, TO INCREASE THE MAXIMUM SPECIAL PARAMEDIC TAX RATE ON RESIDENTIAL UNITS AND ON NON-RESIDENTIAL STRUCTURES AND TO INCREASE THE CITY’S APPROPRIATIONS LIMIT IN CONNECTION THEREWITH”**

- 4. Resolution Authorizing the City Manager to Execute a Professional Services Contract with Stuart Blakesley, an Independent Contractor, for Fire Inspection and Plan Check Services (CD) Adopt Resolution.

ADOPTED RESOLUTION NO. 12160 – RESOLUTION AUTHORIZING AN AGREEMENT WITH STUART BLAKESLEY TO PROVIDE FIRE PREVENTION PLAN CHECK AND EXAMINATION SERVICES (Term: Three (3) months commencing on December 5, 2006 and ending on March 5, 2007. Upon mutual agreement of both parties, and subject to approval of City Manager, may be extended six (6) additional months)

- 5. SECOND READING AND FINAL ADOPTION OF ORDINANCE NO. 1844 – “An Ordinance of the City Council of the City of San Rafael Amending Various Sections of the San Rafael Municipal Code to Remove References to the Fire Marshal, Deputy Fire Marshal, and Fire Prevention Bureau Inspectors, to be Consistent with the Recent Amendments of Chapters 4.04 and 4.08 of the San Rafael Municipal Code in Connection with the Fire Department Phase II Reorganization” (CD/FD) Approve final adoption of Ordinance No. 1844.

Approved final adoption of Ordinance No. 1844.

- 6. Resolution Authorizing Volunteer Program Coordinator to Enter Into an Agreement with State of California, California Coastal Commission for Whale Tail Grant (CM) Adopt Resolution.

ADOPTED RESOLUTION NO. 12161 – RESOLUTION AUTHORIZING SUBMISSION OF A GRANT PROPOSAL AND AGREEMENT WITH THE CALIFORNIA COASTAL COMMISSION FOR A WHALE TAIL GRANT IN AMOUNT OF \$38,000

- 7. Resolution Approving and Authorizing the City Manager to Execute a Promissory Note Between the City and the Superior Court of California / County of Marin for the Repayment of Court Revenues (FIN) Adopt Resolution.

ADOPTED RESOLUTION NO. 12162 – RESOLUTION APPROVING AND AUTHORIZING THE CITY MANAGER TO EXECUTE A PROMISSORY NOTE BETWEEN THE CITY AND THE SUPERIOR COURT OF CALIFORNIA / COUNTY OF MARIN FOR THE REPAYMENT OF COURT REVENUES

- 8. Resolution Authorizing the City Manager to Execute a Joint Powers Agreement with the Novato Fire Protection District for Third Party Billing Services for the San Rafael Fire Department’s Paramedic Ambulance Program (FD) Adopt Resolution.

ADOPTED RESOLUTION NO. 12163– RESOLUTION AUTHORIZING THE CITY MANAGER TO EXECUTE A JOINT POWERS AGREEMENT WITH THE NOVATO FIRE PROTECTION DISTRICT FOR THIRD PARTY BILLING SERVICES FOR THE SAN RAFAEL FIRE DEPARTMENT’S PARAMEDIC AMBULANCE PROGRAM (3 year agreement commencing January 1, 2007 and ending on December 31, 2009, subject to extension by agreement of City Manager and District Fire Chief.)

- 9. Resolution of Appreciation to Jim McElrath, Fire Captain, Employee of the Quarter Ending September 30, 2006 (FD) Adopt Resolution.

ADOPTED RESOLUTION NO. 12164 – RESOLUTION OF APPRECIATION TO JIM MCELRATH, FIRE CAPTAIN, EMPLOYEE OF THE QUARTER ENDING SEPTEMBER 30, 2006

- 10. SECOND READING AND FINAL ADOPTION OF ORDINANCE NO. 1845 – “An Ordinance of the City Council of the City of San Rafael Amending Chapter 7.04 of the San Rafael Municipal Code Regarding Emergency Services, to Revise the Applicable Definitions and the Powers of the Director of Emergency Services” (MS) Approve final adoption of Ordinance No. 1845.

Approved final adoption of Ordinance No. 1845.

- 11. Resolution of Appreciation to Ideale Gambera, Volunteer in Policing for Adopt Resolution.

the San Rafael Police Department (PD)

ADOPTED RESOLUTION NO. 12165 – RESOLUTION OF APPRECIATION TO IDEALE GAMBERA, VOLUNTEER IN POLICING FOR THE SAN RAFAEL POLICE DEPARTMENT

SPECIAL PRESENTATIONS:

12. Presentation of Resolution of Appreciation to Jim McElrath, Fire Captain, Employee of the Quarter Ending September 30, 2006 (FD)

Mayor Boro presented Resolution of Appreciation to Jim McElrath, Fire Captain, Employee of the Quarter ending September 30, 2006.

13. Swearing-in of Chief of Police, Matthew C. Odetto (PD)

City Clerk Jeanne Leoncini swore-in Chief of Police, Matthew C. Odetto.

COUNCILMEMBER REPORTS:

14. None

ADJOURNMENT: 8:20 PM to a reception in City Hall Lobby.