

(Vice-Mayor Cohen absent from meeting)

ACTION AGENDA

AGENDA

**SAN RAFAEL CITY COUNCIL MEETING – MONDAY, FEBRUARY 5, 2007
(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 items.

CLOSED SESSION – CONFERENCE ROOM 201 – 7:00 PM

1. a) Conference with Legal Counsel - Existing Litigation
Government Code Section 54956.9(a)
Case Name: MHC Financing, et al. v. City of San Rafael, et al.
U.S. District Court, Northern Dist. of CA, Case # C003785
- b) Conference with Legal Counsel - Existing Litigation
Government Code Section 54956.9(a)
Case Name: MHC Financing, et al. v. City of San Rafael, et al. (MHC II)
U.S. District Court, Northern Dist. of CA, Case # C043325
- c) Conference with Labor Negotiators – Government Code Section 54957.6
Negotiators: Ken Nordhoff, Jim Schutz, Nancy Mackle, Lydia Romero,
Donna Williamson, Richard Whitmore
Employee Organization(s): San Rafael Fire Chief Officers' Association
San Rafael Police Mid-Managers Association
Western Council of Engineers
Unrepresented Management/Mid Management

City Attorney Gary Ragghianti announced that no reportable action was taken on Closed Session items 1.a) or 1.b).

Mayor Boro announced at 10:55 p.m. that no reportable action was taken on Closed Session item 1.c).

2. INTRODUCTION OF NEW EMPLOYEES: 8:17 PM

**The following new employees were introduced to the City Council by:
Ken Nordhoff, City Manager's Office, and Fire Chief John Montenero and Administrative Support Chief, Keith Schoenthal, Fire Department.**

**City Manager's Office:
Sylvia Gonzalez, Administrative Assistant III**

**Fire Department:
Roxanna Atkins, Administrative Analyst**

ORAL COMMUNICATIONS OF AN URGENCY NATURE:

Christmas Lights on Trees on Fourth Street:

Kate Sullivan, San Rafael resident, indicating she believed the continuous lighting of the trees on Fourth Street was causing light pollution, recommended they be taken down for eleven months of the year and put up at Christmas time.

Mayor Boro directed Andy Preston, Public Works Director, to follow up on the issue of light pollution and report back to Ms. Sullivan and the City Council.

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.

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:

3. Approval of Minutes of Regular Meeting of Tuesday, January 16, 2007 (CC) Approve as submitted.

Minutes approved as submitted. (Vice-Mayor Cohen absent from meeting)

4. Resolution Authorizing Renewal of the Contract with Emanuels Jones & Associates for Legislative Advocacy Services on Behalf of the Marin County Council of Mayors and Councilmembers (CM) Adopt Resolution.

ADOPTED RESOLUTION NO. 12185 – RESOLUTION AUTHORIZING THE CITY OF SAN RAFAEL TO RENEW THE CONTRACT WITH EMANUELS JONES & ASSOCIATES FOR LEGISLATIVE ADVOCACY SERVICES ON BEHALF OF THE MARIN COUNTY COUNCIL OF MAYORS AND COUNCILMEMBERS FOR THE PERIOD OF JANUARY 1, 2007 THROUGH DECEMBER 31, 2007 (Vice-Mayor Cohen absent from meeting)

5. Resolution of Appreciation to Nancy Rosa, Retiring Co-Executive Director of The Canal Alliance (CS) Adopt Resolution.

ADOPTED RESOLUTION NO. 12186 – RESOLUTION OF APPRECIATION TO NANCY ROSA RETIRING CO-EXECUTIVE DIRECTOR OF THE CANAL ALLIANCE (Vice-Mayor Cohen absent from meeting)

6. Resolution Approving a Contract Amendment (CPRE-6197, Amendment 01) with the Department of Education which Provides an Additional \$9,586.00 in Funds for Preschool Services for a Total Contract Amount of \$171,506.00 and Authorizing the City Manager to Sign Contract Documents (CS) Adopt Resolution.

ADOPTED RESOLUTION NO. 12187 – RESOLUTION AUTHORIZING ENTERING INTO A CONTRACT (CPRE-6197 AMENDMENT 01) WITH THE DEPARTMENT OF EDUCATION FOR STATE PRESCHOOL SERVICES AND AUTHORIZING THE CITY MANAGER TO SIGN CONTRACT DOCUMENTS IN THE AMOUNT OF \$171,506.00 (Vice-Mayor Cohen absent from meeting)

7. Resolution Approving a Contract Amendment (CLTK-6049, Amendment 01) with the Department of Education which Provides an Additional \$10,212 in Funds for Extended Day Child Care Services for a Total Amount of \$118,062.00 and Authorizing the City Manager to Sign Contract Documents (CS) Adopt Resolution.

ADOPTED RESOLUTION NO. 12188 – RESOLUTION AUTHORIZING ENTERING INTO A CONTRACT (CLTK-6049 AMENDMENT 01) WITH THE DEPARTMENT OF EDUCATION FOR EXTENDED DAY CHILD CARE SERVICES (LATCHKEY) AND AUTHORIZING THE CITY MANAGER TO SIGN CONTRACT DOCUMENTS IN THE AMOUNT OF \$118,062.00 (Vice-Mayor Cohen absent from meeting)

8. FY 2005-2006 Annual Financial Audit Report; The Gann Appropriation Limit Report, The Single Audit Report and the Management Letter/Report (FN) **Item removed from agenda at request of staff.**

9. Report and Recommendation Regarding Repealing Resolution Nos. 4027 and 4332 and Adoption of a New Resolution Establishing New Employer-Employee Relations Procedures (MS) Adopt Resolution.

ADOPTED RESOLUTION NO. 12189 – RESOLUTION ESTABLISHING NEW EMPLOYER-EMPLOYEE RELATIONS (and repealing Resolution Nos. 4027 and 4332) (Vice-Mayor Cohen absent from meeting)

10. Reorganization of Human Resources Department: (MS) Adopt Resolutions (2).
a) Adoption of Resolution Approving Reorganization of the Human Resources Department; and
b) Adoption of Resolution Approving an Amendment to the Agreement with Leslie Loomis, Interim Human Resources Manager

a) **ADOPTED RESOLUTION NO. 12194 – RESOLUTION APPROVING THE REORGANIZATION OF THE HUMAN RESOURCES DEPARTMENT (Vice-Mayor Cohen absent from meeting)**

b) **ADOPTED RESOLUTION NO. 12195 – RESOLUTION TO AMEND THE AGREEMENT WITH LESLIE LOOMIS TO PROVIDE HUMAN RESOURCES SERVICES (Vice-Mayor Cohen absent from meeting)**

11. Report on Bid Opening and Resolution Awarding Contract to R-E Corporation, in the Amount of \$1,048,984.00, for the Library HVAC and Window Replacement 2006 (Rebid); Project No. 11066. (Bid Opening Held on 1/23/2007) (PW) Adopt Resolution.

ADOPTED RESOLUTION NO. 12190 – RESOLUTION AWARDING THE CONTRACT FOR LIBRARY HVAC AND WINDOW REPLACEMENT 2006 (REBID), PROJECT NO. 11066, TO R-E CORPORATION IN THE AMOUNT OF \$1,048,984 (lowest responsible bidder) (Vice-Mayor Cohen absent from meeting)

12. Resolution Authorizing an Amended Acquisition Agreement for the Realignment of DuBois Street (re: Best Buy) (RA) Adopt Resolution.

ADOPTED RESOLUTION NO. 12191– RESOLUTION APPROVING EXECUTION OF AN AMENDED ACQUISITION AGREEMENT AND THE MAINTENANCE AGREEMENT FOR THE REALIGNMENT OF DUBOIS STREET (Best Buy, 700 Du Bois) (Vice-Mayor Cohen absent from meeting)

13. Resolution Authorizing the Temporary Closure of A Street to Julia Street for the Search for the Cause Film Festival Event on Wednesday, March 28, 2007 from 12:00 Noon. to 9:00 p.m. (RA) Adopt Resolution.

ADOPTED RESOLUTION NO. 12192 – RESOLUTION AUTHORIZING THE TEMPORARY CLOSURE OF “A” STREET FROM FOURTH STREET TO JULIA STREET FOR THE SEARCH FOR THE CAUSE FILM FESTIVAL SPECIAL EVENT ON WEDNESDAY, MARCH 28, 2007 FROM 12:00 NOON TO 9:00 PM (Vice-Mayor Cohen absent from meeting)

SPECIAL PRESENTATION:

14. Presentation of Resolution of Appreciation to Nancy Rosa, Retiring Co-Executive Director of The Canal Alliance (CS)

Mayor Boro presented Resolution of Appreciation to Nancy Rosa, Retiring Co-Executive Director of The Canal Alliance (**Vice-Mayor Cohen absent from meeting**)

COUNCIL CONSIDERATION:

NEW BUSINESS

15. Resolution Adopting Amendments to the City of San Rafael Budget for Fiscal Year 2006-2007 (FN)

Accepted report, including Eighteen Month Review of Department Goals and Objectives, and **ADOPTED RESOLUTION NO. 12193 – RESOLUTION AMENDING THE 2006-2007 BUDGET (Vice-Mayor Cohen absent from meeting)**

COUNCILMEMBER REPORTS:

16. a) **U.S. Conference of Mayors - Washington, DC:**
Mayor Boro reported on his attendance at the U.S. Conference of Mayors in Washington, DC on January 24, 25 and 26, 2007, and distributed to Councilmembers, City Manager Nordhoff and City Clerk Leoncini a pamphlet outlining the new President, Doug Palmer's, ten-point program.
- b) **City Livability Award:**
Mayor Boro invited Community Services Director, Carlene McCart, and Pickleweed Park Community Center Supervisor, Dave Donery, to work on an application featuring the Pickleweed Park Project, for submission as San Rafael's entry for the **City Livability Award**, by March 2, 2007.
- c) **Michael Doyle, Deceased:**
With sadness, Councilmember Miller announced the death of Michael Doyle, Consultant to the Downtown Visioning and internationally known for the entire visioning process in both the public and private sectors.

Reporting that it had been his pleasure to have known Michael Doyle at Pacific Bell prior to his retirement, and in San Rafael, Mayor Boro stated he was a very enthusiastic man, giving his heart and soul to the City.

Mayor Boro adjourned the City Council meeting at **9:25 p.m.** in memory of Michael Doyle, and returned to Closed Session.