



MINUTES

SAN RAFAEL CITY COUNCIL – TUESDAY, JANUARY 19, 2021

CORONAVIRUS (COVID-19) ADVISORY NOTICE

In response to Executive Order N-29-20, the City of San Rafael will no longer offer an in-person meeting location for the public to attend. This meeting will be streamed through YouTube Live at www.youtube.com/cityofsanrafael. Comments submitted via YouTube Live must be submitted according to the directions located on the YouTube video description. The City is not responsible for any interrupted service. To ensure the City Council receives your comments, submit written comments to the City Clerk prior to the meeting. For more information regarding real-time public comments, please visit our Live Commenting Pilot page at <https://www.cityofsanrafael.org/live-commenting-pilot/>.

Want to listen to the meeting and comment in real-time over the phone? Call the telephone number listed on this agenda and dial the Meeting ID when prompted. Feel free to contact the City Clerk's office at 415-485-3066 or by email to lindsay.lara@cityofsanrafael.org if you have any questions.

Any member of the public who needs accommodations should contact the City Clerk (email lindsay.lara@cityofsanrafael.org or phone at 415-485-3066) who will use their best efforts to provide reasonable accommodations to provide as much accessibility as possible while also maintaining public safety in accordance with the City procedure for resolving reasonable accommodation requests.

Present: Mayor Kate
Councilmember Bushey
Councilmember Kertz
Councilmember Llorens Gulati

Absent: None

Also Present: City Manager Jim Schutz
City Attorney Rob Epstein
City Clerk Lindsay Lara

REGULAR MEETING AT 7:00 P.M.

Watch on Webinar: <https://tinyurl.com/CC-2021-01-19>

Watch on YouTube: www.youtube.com/cityofsanrafael

Listen by phone: (669) 900-9128,

ID: 899-2635-9885

Spanish Interpretation Available on Webinar: <https://tinyurl.com/CC-2021-01-19>

OPEN SESSION

1. None.

CLOSED SESSION

2. Closed Session: - None.

Mayor Kate called the meeting to order at 7:02 p.m. and invited City Clerk Lindsay Lara to call the roll. All members of the City Council were present.

Mayor Kate provided opening remarks, which included Martin Luther King Day and the 2021 Presidential Inauguration, a land acknowledgement and gratitude to the public and City staff participating tonight.

City Clerk Lindsay Lara informed the community that the meeting would include Spanish language simultaneous interpretation on the Spanish Zoom channel and would be streamed live to YouTube and members of the public would provide public comment either on the telephone or through YouTube live chat. She explained the process for community participation through the telephone and on YouTube.

OPEN TIME FOR PUBLIC EXPRESSION

Mayor Kate invited public comment.

Correspondence in real-time through YouTube, Zoom or telephone

- Marina Palma addressed the City Council regarding the COVID-19 vaccine
- Jeanne and David Ross addressed the City Council regarding the proposed driveway closure at 3rd and Lindaro
- Satbir Hundal addressed the City Council regarding the permanent driveway closure at 3rd and Lindaro Street

CITY MANAGER'S REPORT:

3. City Manager's Report:

City Manager Jim Schutz announced:

- Special City Council Meeting to select vacant City Council seat to be held on Tuesday, January 26 at 5:00 p.m.
- COVID-19 and the City's response updates
- Planning Commission Meeting on the Draft Downtown Precise Plan covering the Draft Form Based Code to be held on Tuesday, January 26 at 7:00 p.m.

COUNCILMEMBER REPORTS:

(including AB 1234 Reports on Meetings and Conferences Attended at City Expense)

4. Councilmember Reports:

- Councilmember Bushey reported on meetings with the San Rafael Sanitation Agency and Central Marin Sanitation Agency.
- Councilmember Llorens Gulati reported on meetings with Canal Alliance and Voces Del Canal, Marin Organizing Committee and the Federation of San Rafael Neighborhoods.
- Mayor Kate reported on a Marin Transit meeting.

CONSENT CALENDAR:

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

Councilmember Kertz moved and Councilmember Llorens Gulati seconded to approve the Consent Calendar

5. Consent Calendar Items:

- a. **Approval of Minutes**
Approve Minutes of City Council / Successor Agency Regular Meeting of Monday, December 21, 2020 (CC)
Approved minutes as submitted
- b. **Quarterly Investment Report**
Acceptance of City of San Rafael Quarterly Investment Report for the Quarter Ending December 31, 2020 (Fin)
Accepted report
- c. **Library and Community Center Conceptual Design Professional Services Agreement Resolution Approving and Authorizing the City Manager to Execute a Professional Services Agreement with Noll & Tam Architects in an Amount Not to Exceed \$81,924, for a Conceptual Design for a Combined Public Library and Community Center in Albert Park, as an Option for a Future New Library Downtown (LR)**
Resolution 14886 - Resolution Approving and Authorizing the City Manager to Execute a Professional Services Agreement with Noll & Tam Architects in an Amount Not to Exceed \$81,924, for a Conceptual Design for a Combined Public Library and Community Center in Albert Park, as an Option for a Future New Library Downtown

AYES: Councilmembers: Bushey, Kertz, Llorens Gulati & Mayor Kate

NOES: Councilmembers: None

ABSENT: Councilmembers: None

PUBLIC HEARINGS:

6. Public Hearings:

- a. **[Temporary Moratorium on Certain Rent Increases Urgency Ordinance Enacting a Temporary Moratorium on Rent Increases for Tenants Residing in Certain Residential Units and in U.S Census Tracts Most Disproportionately Impacted by COVID-19 and Setting Forth the Facts Constituting Such Urgency \(CM\)](#)**

Cristine Alilovich presented the staff report.

Staff responded to questions from Councilmembers.

Mayor Kate invited public comment.

Speakers: Rhea Brown, Marin Organizing Committee, Patti Breitman, Marin Organizing Committee, George Pegelow, Ursula Lindsay, Fair Housing Advocates of Northern California, Len Rifkind, Marina Palma, Voces Del Canal, Jennifer Coleman, Sara Trimble, Children for

Change, Josh Sullivan, Legal Aid of Marin, Marta Villela Morales, Marin Organizing Committee, Lisa Leavitt, Marin Community Clinics, Bob Pendoley, Marin Organizing Committee, John Reynolds, Romeo Arrieta, Marin Association of Realtors, Linda Jackson, Sustainable San Rafael, Alex Khalfin, California Apartment Association, Evelyn, Omar Carrera, Canal Alliance, Bettye Kray, Marin Organizing Committee, Aurelia Vargas, Voces Del Canal, Stephanie Haffner, Legal Aid of Marin, Kate, Raphael, Tori Gomez, Children for Change, Judith Bloomberg, Marin Organizing Committee, Laura Giacomini, Marin Organizing Committee, Gail Dorph, Marin Organizing Committee, Hannah Bichkoff, Cristina Garcia, Marin Organizing Committee, Peter Mendoza, Marin Center for Independent Living, Doris Mazariegos, Name withheld, Angela Giacomini, Marin Organizing Committee, Aidan O'Sullivan

Staff responded to public comment.

Staff responded to questions from Councilmembers.

Councilmembers provided comments.

Councilmember Bushey moved and Councilmember Llorens Gulati seconded to adopt Urgency Ordinance 1987, with the addition of the revision in Section 4 indicating, "except where such decrease is due to State or local orders mandating discontinuation of certain Housing Services"

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

Adopted Urgency Ordinance 1987 – An Ordinance of the City Council of the City of San Rafael Enacting a Temporary Moratorium on Rent Increases for Tenants Residing in Certain Residential Units and in U.S Census Tracts Most Disproportionately Impacted by COVID-19 and Setting Forth the Facts Constituting Such Urgency

Meeting called to Recess

Meeting called back into Session

Lindsay Lara, City Clerk read aloud additional public comments, which are noted in the Open Time for Public Expression section

- b. **Marin Sanitary Service Rates and Fees for 2021**
Resolutions of the City Council of the City of San Rafael (CM):
 - i. **Amending the Master Fee Schedule Increasing the Refuse Impact Fee, to be Effective Retroactively to January 1, 2021**

ii. **Establishing Maximum Rates Collected by Marin Sanitary Service for Refuse and Recyclable Material Collection and Disposal Services, to be Effective Retroactively to January 1, 2021**

Cory Bytof, Sustainability Program Manager and Garth Schultz, R3 Consulting Group presented the staff report.

Staff responded to questions from Councilmembers.

Marin Sanitary Service staff including, Patty Garbarino, Justin Wilcock and Jason Raleigh gave a presentation.

Mayor Kate invited public comment.

Speakers: Bill Carney, Sustainable San Rafael, Randy Dodd

Staff responded to public comment.

Councilmembers provided comment.

Councilmember Bushey moved and Councilmember Kertz seconded to adopt the resolution

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

Resolution 14887 - Amending the Master Fee Schedule Increasing the Refuse Impact Fee, to be Effective Retroactively to January 1, 2021

Councilmember Bushey moved and Councilmember Kertz seconded to adopt the resolution

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

Resolution 14888 – Resolution Establishing Maximum Rates Collected by Marin Sanitary Service for Refuse and Recyclable Material Collection and Disposal Services, to be Effective Retroactively to January 1, 2021

SAN RAFAEL SUCCESSOR AGENCY:

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

Member Bushey moved and Member Kertz seconded to approve the Consent Calendar

1. Consent Calendar:

- a. **Quarterly Investment Report**
Acceptance of Successor Agency Quarterly Investment Report for the Quarter Ending December 31, 2020 (Fin)

Accepted report

- b. **Recognized Obligation Payment Schedule (ROPS) for Fiscal Year 2021-22**
Acceptance of ROPS Report and Authorization to Submit to the Marin County Successor Agency Oversight Board and the State Department of Finance (Fin)

Accepted report

AYES: Members: Bushey, Kertz, Llorens Gulati & Chair Kate

NOES: Members: None

ABSENT: Members: None

ADJOURNMENT:

Mayor Kate adjourned the meeting at 10:52 p.m.

LINDSAY LARA, City Clerk

APPROVED THIS ____ DAY OF _____, 2020

KATE COLIN, Mayor