



AGENDA

SAN RAFAEL CITY COUNCIL – MONDAY, MAY 17, 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.

CLOSED SESSION AT 5:30 P.M.

Watch on Webinar: <https://tinyurl.com/cs-2021-05-17>

Watch on YouTube: www.youtube.com/cityofsanrafael

Listen by phone: (669) 900-9128

ID: 845-0956-8445#

OPEN SESSION

1. Mayor Kate to announce Closed Session item.

CLOSED SESSION

2. Closed Session:
 - a. Conference with Labor Negotiators - Government Code Section 54957.6
Lead Negotiators: Timothy L. Davis and Stephanie Vollmer (Burke, Williams & Sorensen)
Agency Designated Representatives: Jim Schutz, Cristine Alilovich, Nadine Hade, Thomas Wong, Carmen Valdez, and Sylvia Gonzalez-Shelton
Employee Organization: SEIU - Childcare; San Rafael Police Mid-Management Association; Public Employee Union, Local 1; San Rafael Firefighters' Association; San Rafael Police Association; SEIU Local 1021; Western Council of Engineers; San Rafael Fire Chief Officers' Association; Unrepresented Mid-Management; Unrepresented Executive Management

REGULAR MEETING AT 7:00 P.M.

Watch on Webinar: <https://tinyurl.com/cc-2021-05-17>

Watch on YouTube: www.youtube.com/cityofsanrafael

Listen by phone: (669) 900-9128

ID: 899-2635-9885#

OPEN TIME FOR PUBLIC EXPRESSION

The public is welcome to address the City Council at this time on matters not on the agenda that are within its jurisdiction. Please be advised that pursuant to Government Code Section 54954.2, the City Council is not permitted to discuss or take action on any matter not on the agenda unless it determines that an emergency exists, or that there is a need to take immediate action which arose following posting of the agenda. Comments may be no longer than two minutes and should be respectful to the community.

CITY MANAGER'S REPORT:

3. City Manager's Report:

COUNCILMEMBER REPORTS:

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

4. Councilmember Reports:

CONSENT CALENDAR:

The opportunity for public comment on consent calendar items will occur prior to the City Council's vote on the Consent Calendar. The City Council may approve the entire consent calendar with one action. In the alternative, items on the Consent Calendar may be removed by any City Council or staff member, for separate discussion and vote.

5. Consent Calendar Items:

a. Approval of Minutes

Approve Minutes of City Council / Successor Agency Regular Meeting of Monday, May 3, 2021 and Special Meetings of Friday, April 30, 2021 and Monday, May 10, 2021 (CC)

Recommended Action – Approve minutes as submitted

b. Residential Building Resale (RBR) Report

Resolution Adopting an Extension of Temporary Measures for Administering the Residential Building Record Program ("RBR Program") Set Forth in San Rafael Municipal Code Title 12 (Building Regulations), Chapter 12.36 (Report of Residential Building Record) During the High Demand Real Estate Market and COVID-19 Pandemic (CD)

Recommended Action – Adopt Resolution

c. MIDAS Agreement Fiscal Year 2021-22

Resolution Authorizing the City Manager to Execute a General Services Agreement with Marin Information and Data Access Systems (MIDAS) for Information Technology Services from July 1, 2021 Through June 30, 2022, for An Amount Not to Exceed \$93, 021 (DS)

Recommended Action – Adopt Resolution

- d. **Servers and Storage Area Network (SAN) Replacement**
Resolution Authorizing the City Manager to Execute a Purchase of Servers and Network Storage Equipment through Xantrion, Inc. at a Cost Not to Exceed \$180,000 (DS)
Recommended Action – Adopt Resolution

- e. **1075 Francisco Boulevard East Parcel Map Approval (Hampton Hotels)**
Resolution Approving a Parcel Map for the Merging of Four Lots to Two Lots at 1075 Francisco Boulevard East (PW)
Recommended Action – Adopt Resolution

- f. **Temporary Street Closure to Support Vaccination Efforts in the Canal Neighborhood**
Resolution Authorizing Saturday Street Closures to Support Canal Alliance’s Effort to Provide COVID-19 Vaccinations from Saturday May 1, 2021 Through Saturday July 10, 2021 (PW)
Recommended Action – Adopt Resolution

- g. **IDA Townhomes (West End/IDA Street – 8 Townhomes)**
Resolution Approving Stormwater Facilities Maintenance Agreements and Final Subdivision Map for the IDA Townhomes Subdivision (PW)
Recommended Action – Adopt Resolution

- h. **Marin History Museum Lease of Boyd Gate House**
Final Adoption of Ordinance No. 1993: Ordinance Approving a Lease of Real Property at 1125 B Street (Boyd Gate House), to the Marin History Museum (PW)
Recommended Action – Final Adoption of Ordinance No. 1993

SPECIAL PRESENTATIONS

6. Special Presentations:

- a. Public Works Recognition Week and Appreciation Video

OTHER AGENDA ITEMS

7. Other Agenda Items:

- a. **Greenhouse Gas Emissions Report and Climate Action Priorities Update**
 - i. San Rafael Greenhouse Gas Inventory Report (CM)
Recommended Action – Accept Report

 - ii. 2021-2023 Two-Year Work Plan Priorities Report (CM)
Recommended Action – Accept Report

SAN RAFAEL SUCCESSOR AGENCY:

- 1. Consent Calendar: - None.

ADJOURNMENT:

Any records relating to an agenda item, received by a majority or more of the Council less than 72 hours before the meeting, shall be available for inspection online. Sign Language interpreters may be requested by calling (415) 485-3066 (voice), emailing Lindsay.lara@cityofsanrafael.org or using the California Telecommunications Relay Service by dialing "711", at least 72 hours in advance of the meeting. Copies of documents are available in accessible formats upon request.



MINUTES

SAN RAFAEL CITY COUNCIL – MONDAY, MAY 3, 2021

CORONAVIRUS (COVID-19) ADVISORY NOTICE

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CLOSED SESSION AT 5:00 P.M.

Watch on Webinar: <https://tinyurl.com/cs-2021-05-03>

Watch on YouTube: www.youtube.com/cityofsanrafael

Listen by phone: (669) 900-9128

ID: 894-2480-4134#

OPEN SESSION

1. Mayor Kate to announce Closed Session item.

CLOSED SESSION

2. Closed Session:
 - a. Conference with Labor Negotiators - Government Code Section 54957.6
Lead Negotiators: Timothy L. Davis and Stephanie Vollmer (Burke, Williams & Sorensen)
Agency Designated Representatives: Jim Schutz, Cristine Alilovich, Nadine Hade, Thomas Wong, Carmen Valdez, and Sylvia Gonzalez-Shelton
Employee Organization: SEIU - Childcare; San Rafael Police Mid-Management Association; Public Employee Union, Local 1; San Rafael Firefighters' Association; San Rafael Police Association; SEIU Local 1021; Western Council of Engineers; San Rafael Fire Chief Officers' Association; Unrepresented Mid-Management; Unrepresented Executive Management

REGULAR MEETING AT 7:00 P.M.

Watch on Webinar: <https://tinyurl.com/cc-2021-05-03>

Watch on YouTube: www.youtube.com/cityofsanrafael

Listen by phone: (669) 900-9128

ID: 817-3692-0337#

Mayor Kate called the meeting to order at 7:01 p.m. and invited City Clerk Lindsay Lara to call the roll. All members of the City Council were present.

City Attorney Robert Epstein announced that no reportable action was taken in the Closed Session held prior to the meeting.

Mayor Kate provided opening remarks, which included Mental Health Awareness Month, Asian American and Pacific Islander Heritage Month, Wildfire Awareness Month, National Salad, Salsa and Strawberry Month and a land acknowledgment.

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

OPEN TIME FOR PUBLIC EXPRESSION

Mayor Kate invited public comment.

Correspondence in real-time through YouTube, Zoom or telephone

- Wes Sitchler, Tiffany Haley, Jamie Poirier, Marlene Austin, Zachary Baron, Jill Tokutomi, Joan Peck, Margaret Stawowy (all City employees) addressed the City Council regarding SEIU Local 1021 labor negotiations

CITY MANAGER'S REPORT:

3. City Manager's Report:

City Manager Jim Schutz announced:

- COVID-19 and the City's response update
- Drought and water conservation update
- Downtown Farmers Market starts TH, May 6, 5:00-8:00 p.m.
- Wildfire Preparedness Community Workshop on TH, May 13, 5:00-7:30 p.m.

COUNCILMEMBER REPORTS:

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

4. Councilmember Reports:

- Councilmember Bushey reported on a library subcommittee meeting and Point San Pedro Road Coalition activities.

- Councilmember Hill reported on a preliminary meeting with Don Jeppson, ADA Access Advisory Committee Coordinator and attended a soft opening of new restaurant Menya Shono.
- Councilmember Kertz reported on Homelessness, Marin Wildfire Prevention Authority (MWPA), Goals and Objectives meetings and Earth Day activities.
- Councilmember Llorens Gulati reported on MCCMC Climate, MCCMC Economic Recovery and Marin Promise meetings and Earth Day activities.
- Mayor Kate reported on MCCMC Economic Recovery, Los Guilicos Shelter Village, Transportation Authority of Marin (TAM), Marin Transit and SMART meetings.

CONSENT CALENDAR:

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

Councilmember Hill moved and Councilmember Bushey 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, April 19, 2021 (CC)
Approved minutes as submitted
- b. **Contract for SB 1383 Compliance Planning**
Resolution Authorizing the City Manager to Enter into a Contract with R3 Consulting Group, Inc. in an Amount Not to Exceed \$155,096 for Senate Bill 1383 Planning Work for the Cities of San Rafael and Larkspur; Towns of Ross, Fairfax and San Anselmo; The Las Gallinas Valley Sanitary District; and the County of Marin (CM)
Resolution 14903 - Resolution Authorizing the City Manager to Enter into a Contract with R3 Consulting Group, Inc. in an Amount Not to Exceed \$155,096 for Senate Bill 1383 Planning Work for the Cities of San Rafael and Larkspur; Towns of Ross, Fairfax and San Anselmo; The Las Gallinas Valley Sanitary District; and the County of Marin
- c. **Marinwood Wildfire Prevention Services Agreement**
Resolution Approving and Authorizing the City Manager to Execute an Agreement between the City of San Rafael and the Marinwood Community Services District for Wildfire Prevention Services, Including Defensible Space Evaluations (FD)
Resolution 14904 - Resolution Approving and Authorizing the City Manager to Execute an Agreement between the City of San Rafael and the Marinwood Community Services District for Wildfire Prevention Services, Including Defensible Space Evaluations
- d. **MCSTOPPP Full Trash Capture Device Project**
Resolution Approving and Authorizing the City Manager to Execute a First Amendment to the Agreement with Schaaf & Wheeler Consulting Civil Engineers, Inc. for Design and Environmental Engineering Services Associated with the MCSTOPPP

Full Trash Capture Device Project, in an Additional Amount Not to Exceed \$50,090 (PW)

Resolution 14905 - Resolution Approving and Authorizing the City Manager to Execute a First Amendment to the Agreement with Schaaf & Wheeler Consulting Civil Engineers, Inc. for Design and Environmental Engineering Services Associated with the MCSTOPPP Full Trash Capture Device Project, in an Additional Amount Not to Exceed \$50,090

e. Senate Bill 1, Road Maintenance and Rehabilitation Account (RMRA): FY 2021-22 Projects

Resolution Approving the FY 2021-22 Projects List for Senate Bill 1: The Road Repair and Accountability Act (PW)

Resolution 14906 - Resolution Approving the FY 2021-22 Projects List for Senate Bill 1: The Road Repair and Accountability Act

f. Canal Neighborhood Pedestrian Improvements Project

Resolution Awarding and Authorizing the City Manager to Execute a Construction Agreement for the Canal Neighborhood Pedestrian Improvements Project, City Project No. 11381, to Team Ghilotti, Inc. in the Amount of \$673,141, and Authorizing Contingency Funds in the Amount of \$86,859, for a Total Appropriated Amount of \$760,000 (PW)

Resolution 14907 - Resolution Awarding and Authorizing the City Manager to Execute a Construction Agreement for the Canal Neighborhood Pedestrian Improvements Project, City Project No. 11381, to Team Ghilotti, Inc. in the Amount of \$673,141, and Authorizing Contingency Funds in the Amount of \$86,859, for a Total Appropriated Amount of \$760,000

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

NOES: Councilmembers: None

ABSENT: Councilmembers: None

SPECIAL PRESENTATIONS

6. Special Presentations:

a. Presentation of Proclamation Supporting National Police Week

Mayor Kate presented a Proclamation to Police Chief David Spiller.

Police Chief David Spiller provided comments.

b. Presentation of Proclamation Supporting Public Service Recognition Week

Mayor Kate presented a Proclamation to Interim HR Director Carmen Valdez.

Interim HR Director Carmen Valdez provided comments.

PUBLIC HEARINGS

7. Public Hearings:

a. **BioMarin Development Agreement**

Resolution Approving the First Anniversary Annual Report for the Executed Development Agreement (Ordinance 1982) Between BioMarin Pharmaceutical and the City of San Rafael for the Development of An Expanded San Rafael Corporate Center (750-790 Lindaro Street and 781-791 Lincoln Avenue and 999 3rd Street) (CD)

Paul Jensen, Community Development Director presented the Staff Report.

Shar Zamanpour, BioMarin Pharmaceutical Inc. provided comments.

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

Councilmembers provided comments.

Councilmember Bushey 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 14908 - Resolution Approving the First Anniversary Annual Report for the Executed Development Agreement (Ordinance 1982) Between BioMarin Pharmaceutical and the City of San Rafael for the Development of An Expanded San Rafael Corporate Center (750-790 Lindaro Street and 781-791 Lincoln Avenue and 999 3rd Street)

b. **Marin History Museum Lease of Boyd Gate house**

First Introduction: Consideration of an Ordinance Approving a Lease of Real Property at 1125 B Street (Boyd Gate House), to the Marin History Museum (PW)

Bill Guerin, Public Works Director presented the Staff Report.

Mayor Kate provided comments.

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

Councilmembers provided comments.

Councilmember Bushey moved and Councilmember Llorens Gulati seconded to pass the Ordinance to print.

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

NOES: Councilmembers: None

ABSENT: Councilmembers: None

OTHER AGENDA ITEMS

8. Other Agenda Items:

- a. **Measure A Work Plan and Preliminary Capital Improvement Program**
Resolution Approving the Measure A Work Plan for Proposed Expenditure of Measure A Funds for July 1, 2021 – June 30, 2022; And Report on Preliminary Three-Year Capital Improvement Program (Fin)

Bill Guerin, Public Works Director introduced April Miller, Senior Civil Engineer who presented the Staff Report.

Staff responded to questions from Councilmembers.

Mayor Kate invited public comment.

Speaker: Tarrell Kullaway, Marin County Bicycle Coalition

Councilmembers provided comments.

Councilmember Bushey 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 14909 - Resolution Approving the Measure A Work Plan for Proposed Expenditure of Measure A Funds for July 1, 2021 – June 30, 2022

Councilmember Bushey moved and Councilmember Llorens Gulati seconded to accept the report.

Accepted Report

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

- b. **Marin-Sonoma Bike Share Program**
Resolution Authorizing Bolt Mobility to Operate Shared Electric Bicycles within City Limits and Authorizing the City Manager to Enter into a Coordination Agreement with Bolt Mobility, the Sonoma County Transportation Authority, Transportation Authority of Marin, and Partner Agencies to Implement a Regional Bike Share Program (PW)

Bill Guerin, Public Works Director introduced Lauren Davini, Traffic Engineer who presented the Staff Report.

Staff, including Scott McDonald, Transportation Authority of Marin (TAM), responded to questions from Councilmembers.

Mayor Kate invited public comment.

Speakers: Sunny Lee, Warren Wells, Marin County Bicycle Coalition

Staff responded to public comments.

Councilmembers provided comments.

Councilmember Kertz moved and Councilmember Hill seconded to adopt the resolution.

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

Resolution 14910 - Resolution Authorizing Bolt Mobility to Operate Shared Electric Bicycles within City Limits and Authorizing the City Manager to Enter into a Coordination Agreement with Bolt Mobility, the Sonoma County Transportation Authority, Transportation Authority of Marin, and Partner Agencies to Implement a Regional Bike Share Program

c. **Third Street Improvements**

Resolution Accepting the Third Street Rehabilitation Project and Directing Staff to Request Construction Funding from the Transportation Authority of Marin (PW)

Councilmember Hill acknowledged that he has a conflict of interest due to the proximity of his residence to this project. He left the meeting before this item at 9:30 p.m.

Bill Guerin, Public Works Director introduced April Miller, Senior Civil Engineer who presented the Staff Report.

Staff responded to questions from Councilmembers.

Mayor Kate invited public comment.

Speakers: Warren Wells, Marin County Bicycle Coalition, Belle Cole Organizing for Action (OFA), Jean Severinghaus, Bill Carney, Sustainable San Rafael, Sunny Lee, Lisa Merigian, John Reynolds, Chris, Donald Herzog, Parker Day, Rodney, Rick Coates, Lauren, Greg, Sarah Boudreau, Sean, Matt Farber, Emily McFarland and Douglas Kelley, Dr. Geoffrey Fletcher, Hans, Richard and Alison Whittaker, Henry Diaz, Debra Melvin, Mike Ferro, Patrick Walsh, Susan, Barbara Jean Jones, John, John Anicetti, Dave Rhoads, Andres, Raoul Wertz, Theresa

Kamler, Scott Ferguson, Mike Cass, Christopher Lish, Bill Melbostad, name withheld, Max Ernst, Phil Mooney, Nathan Cohen, Kate Powers, Lori

Councilmembers provided comments. Staff responded to further questions.

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

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

NOES: Councilmembers: None

ABSENT: Councilmembers: Hill

Resolution 14911 - Resolution Accepting the Third Street Rehabilitation Project and Directing Staff to Request Construction Funding from the Transportation Authority of Marin

Councilmember Hill returned to the meeting after this item at 10:38 p.m.

SAN RAFAEL SUCCESSOR AGENCY:

1. Consent Calendar: - None.

ADJOURNMENT:

Mayor Kate adjourned the meeting at 10:38 p.m.

LINDSAY LARA, City Clerk

APPROVED THIS ____ DAY OF _____, 2021

KATE COLIN, Mayor

Minutes subject to approval at the meeting of May 17, 2021

MINUTES

SAN RAFAEL CITY COUNCIL SPECIAL MEETING FRIDAY, APRIL 30, 2021 AT 2:00 P.M.



Watch Webinar: <https://tinyurl.com/SPCC-2021-04-30>

Listen by phone: (669) 900-9128,
ID: 848-4537-8900#

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

Absent: None

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

Mayor Kate called the meeting to order at 2:05 p.m. and invited City Clerk Lindsay Lara to call the roll. All members of the City Council were present.

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

Vice Mayor Bushey left the meeting from 2:30 p.m. to 3:32 p.m.

Recess from 3:35 p.m. to 3:40 p.m.

a. **City Council Draft Goals and Objectives for Fiscal Year 2021/22**

Review and Discussion on the Draft City Council Goals and Objectives for Fiscal year 2021/22

ADJOURNMENT:

Mayor Kate adjourned the meeting at 4:00 p.m.

LINDSAY LARA, City Clerk

APPROVED THIS ____ DAY OF _____, 2021

Kate Colin, Mayor

MINUTES



SAN RAFAEL CITY COUNCIL SPECIAL MEETING MONDAY, MAY 10, 2021 AT 5:00 P.M.

Watch Webinar: <https://tinyurl.com/SPCC-2021-05-10>

Listen by phone: (669) 900-9128,
ID: 863-8627-6445#

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

Absent: None

Also Present: City Manager Jim Schutz
City Clerk Lindsay Lara

Mayor Kate called the meeting to order at 5:03 p.m.

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

1. **Planning Commission Interviews**

Interview Applicants and Make an Appointment to Fill One Unexpired Four-Year Term to the End of June 2022 on the Planning Commission Due to the Resignation of Elias Hill (CC)

The City Council interviewed the following applicants: Camille Harris, Denis Avdic, Esme Octavia Lazarre, John Kakinuki, Jon Haveman, Stephen Roth and Braydan Young. Anthony Psychoyos withdrew his application.

After discussion, there was consensus to appoint Jon Haveman to the unexpired term to the end of June 2022 and recommended staff bring forward a recommendation to appoint Camille Harris to the upcoming vacant term on the Planning Commission.

2. **Fire Commission Interviews**

Interview Applicants and Make an Appointment to Fill One Four-Year Term to the End of March 2025 on the Fire Commission Due to the Resignation of Elias Hill (CC)

The City Council interviewed the following applicants: Braydan Young and Kenneth Johnson. Mark Yatman withdrew his application.

After discussion, there was consensus to appoint Ken Johnson to the unexpired term to the end of March 2025.

3. **Marin County Commission on Aging Interviews
Interview Applicants and Make an Appointment to Fill One Three-Year Term to the End
of April 2024 as the San Rafael Representative on the Marin County Commission on
Aging Due to the Expiration of Term of Salamah Locks (CC)**

The City Council interviewed the following applicants: Rhea Brown and Salamah Locks. Mark Yatman and Braydan Young withdrew their applications.

After discussion, there was consensus to reappoint Salamah Locks to the end of April 2024.

ADJOURNMENT:

Mayor Kate adjourned the meeting at 7:52 p.m.

LINDSAY LARA, City Clerk

APPROVED THIS ____ DAY OF _____, 2021

Kate Colin, Mayor




Agenda Item No: 5.b
Meeting Date: May 17, 2021

SAN RAFAEL CITY COUNCIL AGENDA REPORT

Department: COMMUNITY DEVELOPMENT

Prepared by: Paul A. Jensen, Director
Don Jeppson, Chief Building Official

City Manager Approval: _____ 

TOPIC: RESIDENTIAL BUILDING RESALE (RBR) REPORT

SUBJECT: RESOLUTION ADOPTING AN EXTENSION OF TEMPORARY MEASURES FOR ADMINISTERING THE RESIDENTIAL BUILDING RECORD PROGRAM (“RBR PROGRAM”) SET FORTH IN SAN RAFAEL MUNICIPAL CODE TITLE 12 (BUILDING REGULATIONS), CHAPTER 12.36 (REPORT OF RESIDENTIAL BUILDING RECORD) DURING THE HIGH DEMAND REAL ESTATE MARKET AND COVID-19 PANDEMIC

RECOMMENDATION:

Adopt resolution to extend temporary measures for administering the RBR Program.

BACKGROUND:

History

In 1973, the City Council adopted Ordinance No. 1128, which established the City’s Residential Building Resale (RBR) Program. The provisions and requirements of the RBR Program are codified in San Rafael Municipal Code (SRMC) Chapter 12.36 (Report of Residential Building Record). SRMC Section 12.36.010 requires that prior to the sale or exchange of any residential building, the property owner is required to obtain a “report of residential building record” (resale report). The program includes a City inspection for which the findings are incorporated in the resale report. While the RBR Program is not a common service and practice in most California cities, this program is in place in all local jurisdictions in Marin County, except for the County of Marin.

In December 2016, following a performance audit of the RBR Program by the California State Auditor’s Office, the City Council adopted a substantially revised and updated Program. The City Council adopted [Ordinance No. 1945](#) setting forth new municipal code provisions for the RBR Program. In tandem with this action, the Council adopted: a) [Resolution No. 14243](#) which sets forth adopted policies, practices, and procedures for administering and enforcing the RBR Program; and b) Resolution No. 14244, which updated the RBR Program fee schedule.

FOR CITY CLERK ONLY

File No.: _____

Council Meeting: _____

Disposition: _____

In November 2020, the City Council adopted Resolution No. 14870 which temporarily adjusted RBR fees and temporarily ceased the City’s inspection portion of the RBR Program for six months. The resolution allowed, with an assessment from Community Development Department staff on the status of the real estate market and the COVID-19 pandemic, an extension of temporary measures with approval of the City Council.

The following tables provide Building-Related Permit activity for the past two years and RBR statistics for the past four years:

Building-Related Permits	Year-to-Date 2021	Year-to-Date 2020 (comparison)
New Building Permit Applications Received (Total Valuation)	1,292 (\$67 million)	989 (\$41.3 million)
Building Permits Issued (Fees Collected)	1,136 (\$2.2 million)	936 (\$4.3 million)
Projects and Permits Completed through Final Inspection	984	781
Residential Building Resale Inspection Reports Issued	308	173

Reporting Year	Total RBRs Issued	Total Monthly Average	Total Refunds Issued
2017	634	50	15
2018	635	49	23
2019	592	45	19
2020	638	53	38
2021 (Year-to-date)	308	77	NA

High Demand Real Estate Market & COVID 19 Pandemic

As recently reported in Bay Area news, San Francisco and the South Bay are experiencing an exodus of City residents that are moving outward to the suburbs. A combination of factors is causing this exodus including: 1) a permanent and sustained shift in the workforce to working from home which started during the COVID 19 Shelter-in-Place Order; 2) high rents in San Francisco; and 3) low interest rates for real estate loans (mortgage interest rates are below 3%). Our local realtors have reported record numbers of new clients seeking housing in Marin. Further, the available real estate inventory is low, so property that is placed on the market sells quickly, resulting in shorter transaction periods.

As a result of this spike in activity, the RBR applications are at a record high (as cited above, monthly average has jumped 35%) and one Building Inspector has been dedicated to administering the inspections and resale reports. Other staff in the Building Division have had to step in to assist during periods of heavy application/inspection activity. Because of reduced staffing resulting from the COVID-19 pandemic and increased demand for building permits, there were delays in processing, inspecting, and issuing the resale reports before the temporary measures were adopted. As the sellers, buyers and realtors rely on the information from the RBR in the property sale process, the delays in the issuance of the resale reports has been challenging for our customers.

Temporary RBR Program Measures

Staff has continued close collaboration with the Marin Association of Realtors to meet the current high demand for real estate. We have agreed to the following, which is outlined in the attached resolution:

1. Continue to temporarily cease the City inspection part of the process.

2. Prepare and issue a resale report that provides property information and the permit history on file with the City.
3. Continue temporarily reduced RBR fees. The recommended fee reduction is discussed in the Fiscal Impact section of this report.
4. Apply these interim measures through December 31, 2021.

ANALYSIS:

Staff finds that the extension of temporary measures will assist in reducing turnaround time for issuance of a resale report and allow the City’s RBR inspector to be deployed to other, needed inspection services. Further, the issuance of an RBR report that provides the property permit history only would be like the resale programs in Marin where no inspection is completed (e.g., Town of Corte Madera). For now, the other advantage is one of safety to the customer and the Building Inspector. With the current high demand real estate market where the available inventory is selling quickly, a great number of sellers are remaining in their homes during the property listing and sale process. As a result, there is a greater number of person-to-person encounters during the RBR inspection process. There are two downsides to these interim measures. First, without a City inspection, unpermitted work would not be identified and cited for correction. Second, if unpermitted work is not cited, there would be a temporary reduction in projected revenue (discussed below in Fiscal Impact section) that is generated from the issuance of retroactive permits with fines/penalties.

FISCAL IMPACT:

The administration of the RBR Program is funded by fees. As noted above, on December 5, 2016 the City Council adopted an update of the RBR Program fee schedule. The adopted RBR fees are presented in the table below. The fees are based on a 2016 cost study that was prepared by staff, which represents staff time to complete the service, including a minor amount of overhead. Completing the field inspection and reporting the inspection findings represents about 50% of the service time and cost represented in the adopted fees. Therefore, staff is recommending that during this interim period, the RBR fees be temporarily reduced as presented in the table below (right column).

RBR Service	Currently Adopted Report Fees	Temporary Fee Reduction (Recommended)
Resale Report- Single-Family Residential	\$290.00	\$145.00
Resale Report - Duplex	\$290.00/unit	\$145.00/unit
Resale Report- Multiple-Family/Apartments First Unit.	\$270.00	\$135.00
Each additional Multiple-Family Dwelling/Apt. Unit	\$30.00	\$15.00
Resale Report- Condominiums	\$255.00	\$128.00
Appeal	\$100.00	NA

Please note two factors. First, a “not applicable” entry has been placed in this table for appeals. An appeal is offered to the customer that challenges the field inspection findings that are reported in the RBR. If, during this interim period no field inspections are conducted, there would be no appeals. Second, during this interim period, the fee would not be refundable. The current refund that is offered is for a “clean” resale report that is issued based on the findings of the field inspection, which would not be conducted during this interim period.

As noted, revenue is generated by the retroactive permits and penalties for unpermitted work that is disclosed as part of the RBR inspection process. If inspections are ceased to the end of the year, it is estimated that \$80,000-100,000 in projected revenue from retroactive building permit and penalties (investigation fees) may not be realized.

OPTIONS:

The City Council has the following options to consider on this matter:

1. Adopt the resolution as proposed by staff.
2. Adopt the resolution with modifications.
3. Direct staff to return with more information.
4. Take no action.

RECOMMENDED ACTION:

Adopt resolution.

ATTACHMENTS:

1. Resolution
2. Correspondence

RESOLUTION NO.

RESOLUTION OF THE SAN RAFAEL CITY COUNCIL ADOPTING AN EXTENSION OF TEMPORARY MEASURES FOR ADMINISTERING THE RESIDENTIAL BUILDING RECORD PROGRAM (“RBR PROGRAM”) SET FORTH IN SAN RAFAEL MUNICIPAL CODE TITLE 12 (BUILDING REGULATIONS), CHAPTER 12.36 (REPORT OF RESIDENTIAL BUILDING RECORD) DURING THE HIGH DEMAND REAL ESTATE MARKET AND COVID-19 PANDEMIC

WHEREAS, on December 16, 2016, the City Council adopted Ordinance No. 1945 amending San Rafael Municipal Code Title 12, Chapter 12.36 (Report of Residential Building Record), which set forth the general administration and enforcement of what is known as the RBR Program. The RBR Program requires that upon resale of any residential property with the City, the property seller shall obtain from the City a report (resale report) of the City permit records and City inspection of the property. The resale report provides an added level of disclosure to the purchaser of the property; and

WHEREAS, in tandem with the adoption of Ordinance No. 1945, on December 16, 2016 the City Council adopted: a) Resolution No. 14243 which sets forth the specific policies, practices, and procedures for administering the RBR Program; and b) Resolution No. 14244 which amended the City’s Master Fee Schedule to update fees specific to the RBR Program; and

WHEREAS, Resolution No. 14243 includes, among others the specific process steps for and required information to be included in a resale report. The resale report must include a complete history of the property permit records (Building and Planning Division permits) and code enforcement cases on file with the City. Further, a property inspection must be conducted by a City inspector and the resale report shall include the findings of the inspection and shall cite violations and/or unpermitted construction that must be corrected or remedied. This resolution also includes a commitment that within seven (7) business days following City receipt of the RBR application, City staff is to contact the property owner/seller or their representative to schedule a date and time for City inspection of the property; and

WHEREAS, on November 16, 2020, the City Council adopted Resolution No. 14757 which temporarily adjusted RBR fees and temporarily ceased the City’s inspection portion of the RBR Program for six months. The resolution allowed, with an assessment from Community Development Department staff on the status of the real estate market and the COVID-19 pandemic, an extension of temporary measures with approval of the City Council.

WHEREAS, San Francisco and the South Bay continues experiencing an exodus of residents moving outward to the suburbs. A combination of factors is causing this exodus including: 1) a permanent and sustained shift in the workforce to working from home which started during the COVID 19 Shelter-in-Place Order ; 2) high rents in the San Francisco and South Bay; and 3) the low interest mortgage loan rates. The high demand real estate market has resulted in a low inventory and shorter property sale transaction periods; and

WHEREAS, during the COVID-19 pandemic building permits and RBRs have increased while there have been significant budget cuts and staffing reductions resulting in slower processing times and inspection scheduling for resale reports; and

WHEREAS, the Community Development Department staff has continued to collaborate with Marin Association of Realtors on the extension of temporary, interim measures for administering the RBR Program during the pandemic and this high demand real estate market. The interim measures include temporarily ceasing the City inspection portion of the RBR Program through December 31, 2021;

NOW, THEREFORE, BE IT RESOLVED, that the City Council hereby adopts the following temporary measures for administering the RBR Program:

1. The City inspection, reporting of the inspection results, and the citing of violations and unpermitted improvements outlined in and required by City Council Resolution No. 14243 shall cease during this temporary period. All other RBR Program tasks and actions outlined in Resolution No. 14243 shall continue to be administered by the City.
2. During this temporary period, the contents of the resale reports shall follow the requirements set forth in San Rafael Municipal Code Chapter 12.36 (Report of Residential Building Record), Section 12.36.060 (contents of report) except that the report will not include City site inspection findings.
3. The RBR application and related fees shall temporarily be adjusted as follows:

RBR Service	Temporary Fee Reduction
Resale Report- Single-Family Residential	\$145.00
Resale Report - Duplex	\$145.00/unit
Resale Report- Multiple-Family/Apartments First Unit.	\$135.00
Each additional Multiple-Family Dwelling/Apt. Unit	\$15.00
Resale Report- Condominiums	\$128.00
Appeal	NA

During this temporary period, no refunds will be issued.

4. During this temporary period, issued resale reports shall continue to be valid for a period of six (6) months with the ability for a one-time extension of up to an additional 90 days.
5. These temporary measures shall be in place and in effect through December 31, 2021.
6. Following the sunset date of these temporary enforcement of the RBR Program shall resume consistent with the adopted policies, practices and procedures set forth in City Council Resolution No. 14243. Further, at that time, the RBR fees shall return to the full application fee amounts set forth in the City of San Rafael Master Fee Schedule.

I, LINDSAY LARA, Clerk of the City of San Rafael, hereby certify that the foregoing resolution was adopted at a regular meeting of the City Council on the 17th day of May 2021.

AYES: COUNCILMEMBERS:

NOES: COUNCILMEMBERS:

ABSENT: COUNCILMEMBERS:

LINDSAY LARA, City Clerk

Don Jeppson

From: Romeo Arrieta <romeoa@marincountyrealtors.com>
Sent: Thursday, May 6, 2021 1:50 PM
To: Don Jeppson
Subject: Re: RBRs

Don,

I just wanted to follow up on our conversation today. We understand that the temporary changes to the Resale Inspection program are set to expire on 5/16/2021.

Given the factors of high demand in the real estate market at this time, the Marin Association of REALTORS supports extending these provisions. I mentioned in our conversation that perhaps an extension to either the beginning or end of the month would be an easier message to communicate. For example, extending these provisions to December 1, December 31 or January 1 would be an easier to communicate as it aligns with the end of a month or year.

I want to thank you and your department for continuing to work with our association to ensure the safety of San Rafael residents.

I would also like to take this opportunity to thank you and the building department for coming up with “out of the box” ideas to continue to serve San Rafael Residents and the Marin REALTORS who serve them. We are quite impressed with the virtual office hours and various ways that your staff has been able to adapt to the challenges of the COVID era.

Please don't hesitate to contact me if you have any questions. I appreciate and look forward to the opportunity to work with you on this or future endeavors between the REALTOR community and the San Rafael Building Department.

Romeo Arrieta



Chief Executive Officer
Marin Association of REALTORS®
40 Mitchell Blvd. San Rafael, CA 94903
RomeoA@MarinCountyRealtors.com
415.507.1011




Agenda Item No: 5.c
Meeting Date: May 17, 2021

SAN RAFAEL CITY COUNCIL AGENDA REPORT

Department: Digital Service & Open Government

Prepared by: Vinh Pham,
Data & Infrastructure Manager

City Manager Approval: _____ 

TOPIC: MIDAS AGREEMENT FISCAL YEAR 2021-22

SUBJECT: RESOLUTION AUTHORIZING THE CITY MANAGER TO EXECUTE A GENERAL SERVICES AGREEMENT WITH MARIN INFORMATION AND DATA ACCESS SYSTEMS (MIDAS) FOR INFORMATION TECHNOLOGY SERVICES FROM JULY 1, 2021 THROUGH JUNE 30, 2022, FOR AN AMOUNT NOT TO EXCEED \$93,021

RECOMMENDATION: Adopt the resolution.

BACKGROUND: The Marin Information and Data Access Systems (MIDAS) program connects Marin County to its municipal and non-profit business partners by providing internet access and support for private, network-based shared applications, including Marin Law Enforcement Data Systems (MLEDS) and MarinMap. MIDAS is the primary internet provider for the County of Marin, the cities and towns of Marin (excluding Corte Madera), law enforcement and public safety agencies, and special districts. MIDAS services include managing, maintaining, and monitoring the MIDAS Wide Area Network (WAN) connected through the Emergency Operations Facility (EOF) data center. Included with this staff report is a MIDAS infographic page for your viewing.

ANALYSIS: The City of San Rafael relies on MIDAS as the primary connection to the internet and other internal technology resources at five facilities. In addition to providing connectivity, MIDAS and its partners maintain systems to monitor performance, use, and security.

MIDAS services include:

- Maintaining the life cycle of equipment, configurations, backups, and software.
- Monitoring network usage including bandwidth, routing, and flows.
- Maintaining firewall equipment and policies for endpoints and using MIDAS firewall services.
- Configuring and maintaining remote user SSL VPN access.
- Maintaining wireless equipment and maintenance for customers use MIDAS wireless services.

FOR CITY CLERK ONLY

File No.: _____
Council Meeting: _____
Disposition: _____

SAN RAFAEL CITY COUNCIL AGENDA REPORT / Page: 2

- Maintaining public DNS server/zone files.
- Billing and support.

The costs of services will be paid Quarterly as set forth in the following table:

Site Name	Site Speed (megabit-per-second)	Cost
City Hall and Public Safety Center	500 Mbps	\$5,481.15
Public Works / Sanitation District	100 Mbps	\$4,705.23
Albert J. Boro Community Center	20 Mbps	\$4,181.82
San Rafael Community Center	100 Mbps	\$4,705.23
Terra Linda Community Center	20 Mbps	\$4,181.82
Quarterly Cost		\$23,255.25
Annual Cost		\$93,021

Annual cost comparison 2017 - 2021

2017	2018	2019	2020	2021	Average
\$92,400	\$101,400	\$84,212	\$79,498	\$93,021	\$90,106

San Rafael Municipal Code section 2.55.100(C) provides that the City Council may waive the requirement for competitive bidding for goods and services that can only be obtained from a sole source or that are specialty in nature. Because of the unique nature of the MIDAS services in connecting the County and cities in Marin to enable shared use of applications and other services, staff recommends that competitive bidding for this contract should be waived.

FISCAL IMPACT: The annual cost of MIDAS has shifted over the past five years due to changes in the MIDAS fee model, increases in bandwidth at City facilities, and the addition of new service at the Public Safety Center. The total expected expenditure is \$93,021 for FY 2021-22 and is appropriated through the draft budget in the Telecommunication Fund - 609.

OPTIONS: The City Council has the following options to consider on this matter:

1. Adopt resolution authorizing the City Manager to execute a general services agreement with MIDAS from July 1, 2021 through June 30, 2022, for an amount not to exceed \$93,021.
2. Direct staff to return with more information.

RECOMMENDED ACTION: Adopt the resolution.

ATTACHEMENTS:

1. Resolution
2. MIDAS Agreement
3. MIDAS Infographic

RESOLUTION NO.

RESOLUTION OF THE SAN RAFAEL CITY COUNCIL AUTHORIZING THE CITY MANAGER TO EXECUTE A GENERAL SERVICES AGREEMENT WITH MARIN INFORMATION AND DATA ACCESS SYSTEMS (MIDAS) FOR INFORMATION TECHNOLOGY SERVICES FROM JULY 1, 2021 THROUGH JUNE 30, 2022, FOR AN AMOUNT NOT TO EXCEED \$93,021

WHEREAS, the City of San Rafael uses Marin Information and Data Access Systems (MIDAS) to connect to Marin County and its municipal and non-profit business partners; and

WHEREAS, the City of San Rafael uses MIDAS for internet access; and

WHEREAS, the City of San Rafael uses MIDAS for network-based shared applications; and

WHEREAS, the City of San Rafael uses MIDAS for accessing Marin Law Enforcement Data Systems (MLEDS); and

WHEREAS, the City of San Rafael uses MIDAS for MarinMap; and

WHEREAS, the City of San Rafael wishes to continue using MIDAS services; and

WHEREAS, City of San Rafael Municipal Code Section 2.55.100(C) allows the City Council to waive competitive bidding for purchases of goods and services that can only be obtained from a sole source or that are specialty in nature. Because of the unique nature of the MIDAS services in connecting the County and cities in Marin to enable shared use of applications and other services, staff recommends that competitive bidding for this contract should be waived;

NOW, THEREFORE BE IT RESOLVED, that the San Rafael City Council waives competitive bidding and authorizes the City Manager to execute a general services agreement with Marin Information and Data Access Systems (MIDAS) for information technology services from July 1, 2021 through June 30, 2022, for an amount not to exceed \$93,021 and in a form approved by the City Attorney.

I, Lindsay Lara, Clerk of the City of San Rafael, hereby certify that the foregoing resolution was duly and regularly introduced and adopted at a regular meeting of the San Rafael City Council held on the 17th day of May 2021 by the following vote, to wit:

AYES: COUNCILMEMBERS:

NOES: COUNCILMEMBERS:

ABSENT: COUNCILMEMBERS:

LINDSAY LARA, City Clerk

**Agreement between County of Marin and the City of San Rafael
using Marin Information and Data Access System**

This Marin Information and Data Access System Agreement (“Agreement”) is made and entered into by and between the County of Marin (“County”), a political subdivision of the State of California and the City of San Rafael (“Customer”).

RECITALS

Whereas, MIDAS connects the County and local entities by providing Internet access and support for private, network-based shared applications, such as Marin Law Enforcement Data System (“MLEDS”) and MarinMap.

Whereas, Marin Information and Data Access System (“MIDAS”) services include managing, maintaining, and monitoring the MIDAS Wide Area Network (“WAN”) connected through data centers at the Marin County Civic Center and Emergency Operations Facility (“EOF”), fielding public and user inquiries, and supporting the identification and development of network-based applications.

Whereas, the purpose of this Agreement is to facilitate usage of MIDAS by establishing operating provisions, service levels, and shared costs.

OPERATING PROVISIONS

1. EFFECTIVE DATE AND TERM

For convenience, this Agreement shall become effective on the date of the County’s signature (“Effective Date”). The Agreement shall remain in effect until it is terminated in accordance with Section 2.

2. TERMINATION

This Agreement shall terminate on June 30, 2022 (“Initial Agreement Term”). This Agreement shall automatically renew under the same terms and conditions for successive periods of 12 months each after the Initial Agreement Term. The County or Customer may terminate the successive 12 month period of the Agreement without cause only with notice of no fewer than 60 days prior to June 30 of each year. At the time of notice of termination, both parties shall agree upon a termination of services process no later than the last business day of May of the current Agreement term. If a termination of services process is not reached by the last business day of May of the current Agreement Term, the Agreement and services will be extended in 30 day increments until a termination of services process is reached.

3. AMENDMENT

This Agreement may be amended only by the written agreement between the County and Customer.

**Agreement between County of Marin and the City of San Rafael
using Marin Information and Data Access System**

4. SCOPE AND RESPONSIBILITIES

The MIDAS network and the MIDAS Partners (the employees, affiliates, suppliers, and licensors of MIDAS) will provide managed network services, firewall and security monitoring, remote access VPN, network customer service and support, access to shared applications including MarinMap, and a security connection to the Marin Law Enforcement Data Systems (MLEDS) for participating members.

MIDAS and its partners are responsible for trouble resolution, annual network upgrades, support of the network and its clients. While MIDAS and its partners maintain systems to monitor performance, use, and security, it is the responsibility of the Customer to report problems with the service and any incidents that impact the operation or network security of the MIDAS network.

a. MIDAS Management

With supervision by County Information and Services Technology (“IST”) staff, MIDAS is primarily managed by a private network integrator and IT consultancy (“Contractor”). Contractor shall provide services according to the defined service levels as outlined here:

- Maintain the life cycle of equipment, configurations, backups, and software.
- Monitor network use including bandwidth, routing, and flows.
- Maintain firewall equipment and policies for endpoints using MIDAS firewall services.
- Configure and maintain remote user SSL VPN access.
- Manage wireless equipment and maintenance for customers use MIDAS wireless services.
- Maintain public DNS server/zone files.
- Billing and support

b. Customer Support and Trouble Reporting

MIDAS Customers have multiple methods for requesting technical support. These include:

- Monday-Friday, 8-5pm PST: (415) 842-3275
- <https://support.marinit.com/support>
- Email: support@marinit.com

c. MIDAS Invoicing and Payments

MIDAS and the County will invoice the Customer on a monthly or quarterly basis for services. Customer payment is due by the due date on the bill, which is thirty days from the invoice date. If MIDAS and/or County does not receive payment by the Due Date indicated on Customer’s bill, Customer’s account will become past due. Any fees or penalties applied by the Carrier will be added to the Customer’s bill. An additional 1.5% of the overdue balance will be applied to the Customer’s bill as a late fee for every month the account is past due.

**Agreement between County of Marin and the City of San Rafael
using Marin Information and Data Access System**

Questions about Customer’s bill or disputes about a specific charge should be referred to the MIDAS team: Christophe Meneau (cmeneau@marincounty.org), or Javier Trujillo (jtrujillo@marincounty.org) with Customer’s concerns and the MIDAS team will investigate and notify Customer of the results.

5. COST OF SERVICES

The costs of services will be paid Quarterly in the follow table

Name	Address/Location	Provider	Speed	Service Fee	Service Description
Public Safety Center	1375 Fifth avenue, San Rafael, CA	AT&T	500	\$2,436.15	ASE
		MIDAS		\$3,045.00	Service Network Connection
Public Works / Sanitation District	111 Morphew Street, San Rafael, CA	AT&T	100	\$1,660.23	ASE
		MIDAS		\$3,045.00	Service Network Connection
Alboro Community Center *	50 Canal Street, San Rafael, CA	AT&T	250*	\$1,136.82	ASE
		MIDAS		\$3,045.00	Service Network Connection
San Rafael Community Center	618 B Street, San Rafael, CA	AT&T	100	\$1,660.23	ASE
		MIDAS		\$3,045.00	Service Network Connection
Terra Linda Community Center	670 Del Ganado Road, San Rafael, CA	AT&T	20	\$1,136.82	ASE
		MIDAS		\$3,045.00	Service Network Connection
San Rafael	<TBD IP address space>	MIDAS		\$0.00	Public IP address space
				\$23,255.25	Estimated total. Taxes and fees from Carriers vary

*Service billed at rate for 20 mbps. Canal Wifi responsible for additional bandwidth costs

The Customer can request changes in bandwidth and providers for access to the MIDAS core network. All carrier circuit charges are determined by purchase agreements with carriers on a case by case basis and by Customer selection of circuit bandwidth. In some cases, service will require additional fees for construction and installation. Customer is entitled to request direct invoices for carrier services upon request to the MIDAS team. Charges for individual carrier services are directly passed to the Customer with no price markup – taxes and fees can vary month to month.

Customer may request onboarding of additional sites or increases in bandwidth for existing sites during the term of this Agreement. Additions shall be made under the same terms and conditions and cost structure as existing sites. Customer may request disconnection of a site(s) during the term of this Agreement subject to provisions of Section 2 – the termination clause.

6. INDEMNIFICATION

Customer agrees to hold harmless and indemnify MIDAS, the County, and MIDAS partners from and against any claim arising from the use of the MIDAS network, including any liability or expense arising from all claims, losses, damages (actual and consequential), suits, judgments, litigation costs and attorneys’ fees, of every kind and nature. Nothing in these terms will be deemed to confer any third-party rights or benefits.

7. Disclaimer of Warranties

**Agreement between County of Marin and the City of San Rafael
using Marin Information and Data Access System**

MIDAS, the County, and the MIDAS Partners disclaim any and all responsibility or liability for the accuracy, content, completeness, legality, reliability, operability or availability of information or material displayed in or accessible through MIDAS network. MIDAS Partners disclaim any responsibility for the deletion, failure to store, mis-delivery, or untimely delivery of any information or material. MIDAS Partners disclaim any responsibility for any harm resulting from downloading or accessing any information or material on the Internet through MIDAS network. By choosing to use other services (such as an application or website) while using MIDAS network, your use of those services will be governed by the terms and conditions provided to you in association with those services.

8. Miscellaneous Provisions

This Agreement will be governed by and construed in accordance with the laws of the State of California. Customer and County agree to submit to the exclusive jurisdiction of the courts located within the County of Marin, California to resolve any legal matter arising from this Agreement, its terms, or use of MIDAS network. If for any reason a court of competent jurisdiction finds any provision or portion of the provisions to be unenforceable, the remainder of the provisions will continue in full force and effect.

9. SEVERABILITY

If one or more clauses, sentences, paragraphs, or provisions of this Agreement shall be held to be unlawful, invalid or unenforceable, it is hereby agreed by the County and Customer that the remainder of the Agreement shall not be affected thereby. Such clauses, sentences, paragraphs, or provisions shall be deemed reformed to be lawful, valid, and enforced to the maximum extent possible.

In Witness Whereof, the County and Customer execute this Agreement as below.

City of San Rafael (Customer)


By: _____

Print Name: _____

Title: _____

Date: _____

County of Marin

By:  _____

Print Name: **Javier Trujillo**

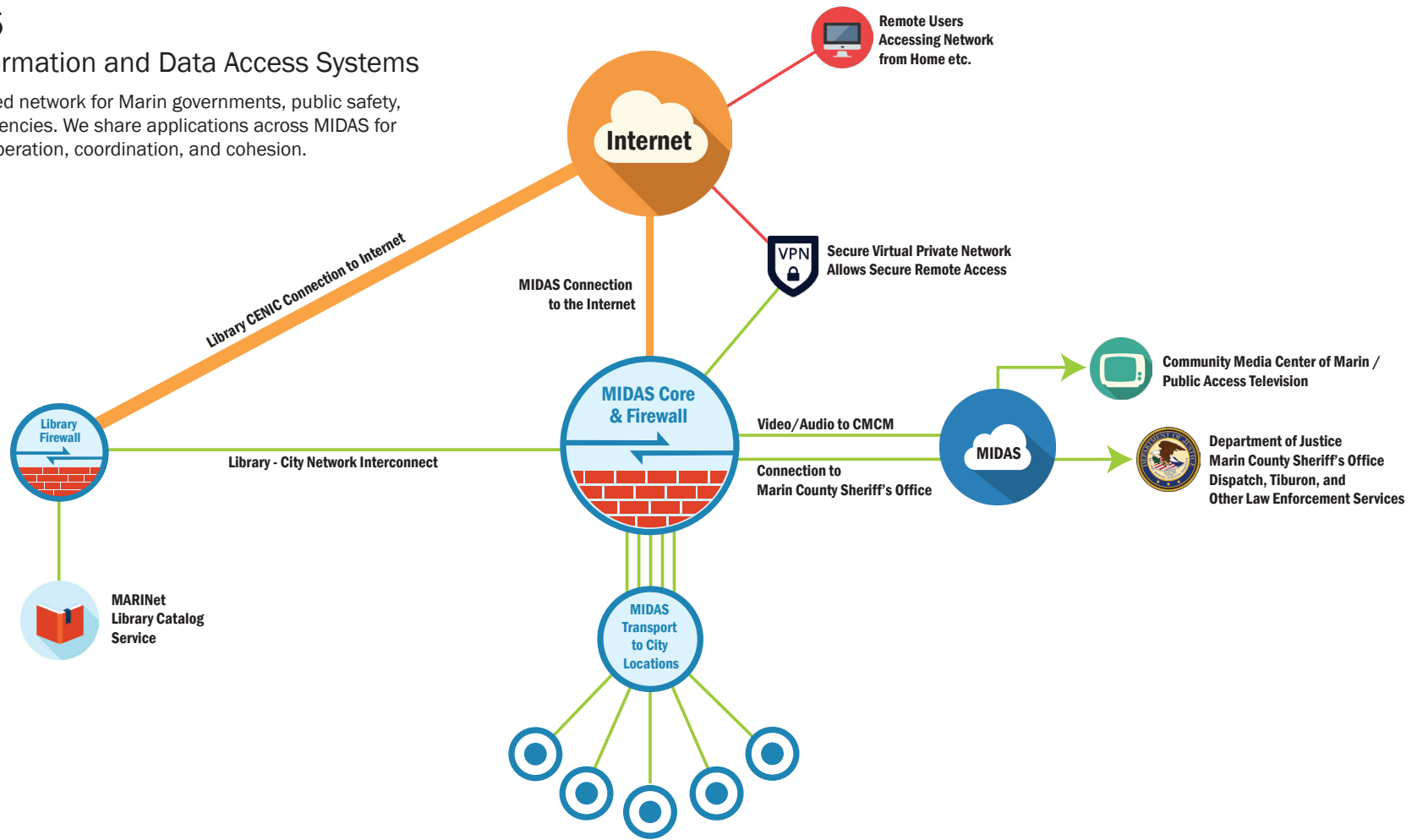
Title: **Chief Assistant Director**

Date: **3/25/2021**

MIDAS

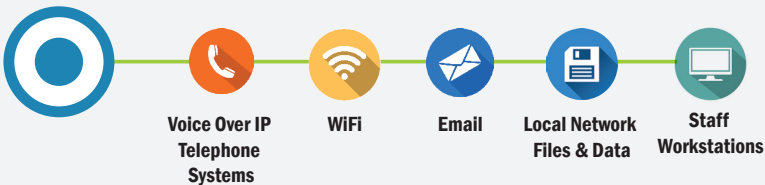
Marin Information and Data Access Systems

We are a shared network for Marin governments, public safety, and special agencies. We share applications across MIDAS for increased cooperation, coordination, and cohesion.



City Networks & Services

We connect to the Internet, VoIP, and Shared Services through MIDAS.



MIDAS connects the County to its municipal and non-profit business partners by providing support for private network-based shared applications such as:

- Government Cable Television & Granicus stream for video.
- Web Emergency Operations Center
- Records Management System (RMS)
- Computer Aided Dispatch (CAD)
- Finger printing
- Shared 911 Dispatching

- MarinMap – GIS (Geographic Information System)
- Public Safety Agencies
- Automatic Vehicle Locator
- Marin Law Enforcement Data System (MLEDS)
- Northern CA Computer Crimes Task Force
- Major Crimes Task Force




Agenda Item No: 5.d
Meeting Date: May 17, 2021

SAN RAFAEL CITY COUNCIL AGENDA REPORT

Department: Digital Service & Open Government

Prepared by: Vinh Pham,
Data & Infrastructure Manager

City Manager Approval: _____ 

TOPIC: SERVERS AND STORAGE AREA NETWORK (SAN) REPLACEMENT

SUBJECT: RESOLUTION AUTHORIZING THE CITY MANAGER TO EXECUTE A PURCHASE OF SERVERS AND NETWORK STORAGE EQUIPMENT THROUGH XANTRION, INC. AT A COST NOT TO EXCEED \$180,000

RECOMMENDATION: Adopt the Resolution authorizing the City Manager to execute a purchase of servers and network storage equipment through Xantrion, Inc. at a cost not to exceed \$180,000.

BACKGROUND: The Department of Digital Service and Open Government (Digital) currently uses a combination of Dell and Cisco equipment to host the City’s storage area network (SAN) and server environment providing general purpose computer network storage services for all City departments. The SAN environment is currently made up of three systems located at the Public Safety Center (PSC), City Hall, and Public Works (Morphew) facilities. One system is dedicated specifically to a Department of Justice-compliant network for the Police Department while the other two systems support network storage for all other departments. The SANs provide integrated services that are critical to network operation and hosting critical systems for City operations. Systems hosted in this environment include:

- RIMS Police Department Computer Aided Dispatch (CAD)
- Eden Citywide finance and payroll Enterprise Resource Planning (ERP) system
- TRAKiT Building permit and land resource management system
- HDL Business license software
- Centrac traffic control systems
- GIS systems.

The current SAN hardware has reached its end of life and the City requires a new solution for hosting software systems and on-premise network infrastructure citywide.

FOR CITY CLERK ONLY

File No.: _____

Council Meeting: _____

Disposition: _____

ANALYSIS: Digital has analyzed the current server and storage environment with Dell and our managed service provider, Xantrion, and determined there are high risks in data loss, data security, and performance with existing equipment. Current network storage and server equipment was purchased in 2014 and has been in continuous operation since then. These systems have reached the end of their service life cycle of seven years and are no longer supported by the vendors, Dell, Inc. and Cisco, Inc. Third party warranties can extend their service, however, without vendor support providing security updates, a third party approach creates a security risk for City data.

The Digital team has worked with Xantrion, the Police Department, and the Department of Justice (DOJ) in rethinking how our Police data can be stored in a new environment. Keeping an eye on the future growth of cloud data hosting, we have scoped a solution that accounts for on-premise data growth over the next seven years while also recognizing that many critical systems will be moving online in the near future. By consolidating the SAN in the Public Safety Center and City Hall into one storage environment and meeting DOJ data security requirements for Police Department data we are able to upgrade our network and hosting environment with a consolidated solution. This consolidation reduces the ongoing costs for equipment replacement, warranties, and support by an estimated \$115,000.

City of San Rafael Municipal Code Section 2.55.100(C) allows the City Council to waive competitive bidding for purchases of goods and services that can only be obtained from a sole source or that are specialty in nature. Because of the Xantrion, Inc.'s specialized knowledge of the City's network systems, a lower cost for this project can be achieved, and staff recommends that competitive bidding for this contract should be waived.

FISCAL IMPACT: The cost to replace the City SAN environment with this consolidated solution will not exceed \$180,000. This cost includes purchase/installation of new servers, storage devices, warranties, and support for the seven-year service life of all equipment. Funding is available through the Technology Fund – 601.

OPTIONS: The City Council has the following options to consider on this matter:

1. Adopt the resolution as proposed, approving the purchase of equipment through Xantrion, Inc.
2. Direct staff to return with more information.

RECOMMENDED ACTION: Adopt the resolution.

ATTACHEMENTS:

1. Resolution

RESOLUTION NO.

RESOLUTION OF THE SAN RAFAEL CITY COUNCIL AUTHORIZING THE CITY MANAGER TO EXECUTE A PURCHASE OF SERVERS AND NETWORK STORAGE EQUIPMENT FROM XANTRION, INC. AT A COST NOT TO EXCEED \$180,000

Whereas, the City current servers and storage environment provide integrated services that are critical for the City operations; and

Whereas, the City current servers and storage environment have been continuously running since 2014 and reached the 7 years end of service life cycle; and

Whereas, the City desires to purchase new servers and network storage equipment to replace similar equipment currently in use by the City; and

Whereas, Xantrion, Inc. is managing the City's network systems now, and its familiarity with the City's systems will allow Xantrion, Inc. to install the new equipment in substantially less time, and at a lower cost, than would be required if the City competitively bid for those services;

Whereas, Dell has partnered with Xantrion, Inc., to ensure configuration design and offer the best available pricing; and

Whereas, City of San Rafael Municipal Code Section 2.55.100(C) allows the City Council to waive competitive bidding for purchases of goods and services that can only be obtained from a sole source or that are specialty in nature. The purchase is specialty in nature because Xantrion, Inc. will be replacing existing equipment under Xantrion, Inc.'s support contract with the City. Xantrion, Inc.'s has specialized knowledge of the City's network systems, staff recommends that competitive bidding for this contract should be waived.

NOW, THEREFORE BE IT RESOLVED, that the San Rafael City Council waives competitive bidding and authorizes the City Manager to execute a purchase from Xantrion, Inc., for the desired servers and storage equipment for a total cost not to exceed \$180,000.

I, Lindsay Lara, Clerk of the City of San Rafael, hereby certify that the foregoing resolution was duly and regularly introduced and adopted at a regular meeting of the San Rafael City Council held on the 17th day of May 2021 by the following vote, to wit:

AYES: COUNCILMEMBERS:

NOES: COUNCILMEMBERS:

ABSENT: COUNCILMEMBERS:

LINDSAY LARA, City Clerk



SAN RAFAEL CITY COUNCIL AGENDA REPORT

Department: Public Works

Prepared by: Bill Guerin,
Director of Public Works

City Manager Approval: _____

File No.: 15.10.552

TOPIC: 1075 FRANCISCO BOULEVARD EAST PARCEL MAP APPROVAL (HAMPTON HOTELS)

SUBJECT: RESOLUTION APPROVING A PARCEL MAP FOR THE MERGING OF FOUR LOTS TO TWO LOTS AT 1075 FRANCISCO BOULEVARD EAST

RECOMMENDED ACTION: Adopt a resolution to approve a parcel map merging four lots to two lots at 1075 Francisco Boulevard East.

BACKGROUND: The Planning Commission approved this project by Resolution No. 20-14 on May 12, 2020. No building permits have been issued to date. The applicant requested the Parcel Map, which merges four lots to two, be approved and recorded prior to completing frontage improvements.

Staff reviewed the map and proposed frontage improvements and determined that a subdivision improvement agreement and bonds are not required for this approval, since the conditions of approval related to the development of a hotel on these new merged parcels require the building of frontage improvements in the public right-of-way.

ANALYSIS: The lot merger will abandon several unused on-site easements and will maintain needed easements. Staff and BKF, the City’s consultant surveyor, have reviewed this map and have determined it is complete as to map form and compliance with the Subdivision Map Act.

FISCAL IMPACT: No fiscal impact is associated with this report.

OPTIONS: The City Council has the following options to consider in this matter:

1. Adopt the resolution.
2. Adopt resolution with modifications.
3. Direct staff to return with more information.
4. Take no action.

RECOMMENDED ACTION: Adopt a resolution to approve a parcel map merging four lots to two lots at 1075 Francisco Boulevard East.

ATTACHMENTS:

1. Resolution Approving a Parcel Map for the Merging of Four Lots to Two Lots at 1075

FOR CITY CLERK ONLY

Council Meeting:

Disposition:

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Francisco Boulevard East

2. Planning Commission Resolution No. 20-14
3. Parcel Map Marin Hospitality

RESOLUTION NO.

**A RESOLUTION OF THE SAN RAFAEL CITY COUNCIL APPROVING A
PARCEL MAP FOR THE MERGING OF FOUR LOTS TO TWO LOTS AT 1075
FRANCISCO BOULEVARD EAST**

WHEREAS, on May 12, 2020 the Planning Commission of the City of San Rafael adopted Resolution No. 20-14 approving a tentative parcel map for a development of a proposed Hampton Hotel on the property at 1075 Francisco Boulevard East; and

WHEREAS, the applicant has submitted a Parcel Map for said subdivision and supporting documents; and

WHEREAS, the City Engineer has examined the Parcel Map and supporting documents and has determined that they comply with the requirements of the approved vesting tentative map and the requirements of the California Subdivision Map Act; and

WHEREAS, the City Engineer and the City Attorney have recommended that no Subdivision Improvement Agreement or bonds are required for approval of this subdivision because completion of improvements is required as a condition for issuance of the building permit;

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of San Rafael that the Parcel Map for the merging of four lots to two lots at 1075 Francisco Boulevard East is hereby approved and the City Clerk is authorized to record the map in the Official Records of the County of Marin, conditioned upon receipt of all required documents and/or fees.

I, LINDSAY LARA, Clerk of the City of San Rafael, hereby certify that the foregoing resolution was duly and regularly introduced and adopted at a regular meeting of the Council of said City on 17th day of May, 2021, by the following vote to wit:

AYES:

COUNCILMEMBERS:

NOES:

COUNCILMEMBERS:

ABSENT:

COUNCILMEMBERS:

LINDSAY LARA, City Clerk

RESOLUTION NO. 20-14

RESOLUTION OF THE SAN RAFAEL PLANNING COMMISSION APPROVING USE PERMIT(S), ENVIRONMENTAL AND DESIGN REVIEW PERMIT(S), AND TENTATIVE SUBDIVISION MAP FOR A NEW 54-FOOT HIGH, 106,000 SQUARE FOOT HOTEL CONTAINING 185 ROOMS ON 2.79 ACRES AND A VEHICLE STORAGE USE ON 0.66 ACRES LOCATED AT 1075 FRANCISCO BLVD EAST
APN'S: 009-191-02, 009-191-03, 009-191-04, 009-191-09, 009-191-10

WHEREAS, the City of San Rafael has received an application for a Use Permit, Environmental and Design Review Permit, and Tentative Subdivision map for a 54-foot high, 185-room hotel at 1075 Francisco Blvd E in the General Commercial (GC) Zoning District; and

WHEREAS, The City of San Rafael has received an application for a Use Permit, and Environmental and Design Review Permit, for a vehicle storage lot at 1075 Francisco Blvd E in the General Commercial (GC) Zoning District; and

WHEREAS, on January 8, 2019 the project received Conceptual Design Review by the City of San Rafael Design Review Board pursuant to Section 14.25.030(B) of the San Rafael Municipal Code; and

WHEREAS, in response to Shelter in Place Orders issued by the State of California and Marin County associated with COVID-19, the City Manager authorized an interim review process for projects subject to review by the City of San Rafael Design Review Board through issuance of a Policy Statement, signed on April 1, 2020; and

WHEREAS, on March 25, 2020 the project received Formal Design Review by a subcommittee of the City of San Rafael Design Review Board consistent with the Policy Statement described above and the subcommittee recommended approval of the design to the Planning Commission; and

WHEREAS, on May 12, 2020, the San Rafael Planning Commission held a duly noticed public hearing on the proposed Use Permits (UP19-016; UP19-046), Environmental and Design Review Permits (ED19-038; ED19-098), and Tentative Subdivision Map (TS19-003), accepting all oral and written public testimony and the written report of the Community Development Department staff; and

WHEREAS, upon review of the application, the Planning Commission finds that the project is exempt from the requirements of the California Environmental Quality Act (CEQA) pursuant to Section 15332 of the CEQA Guidelines because it involves an infill development project that meets the following criteria:

- a. The project is consistent with the applicable general plan designation and all applicable general plan policies as well as with applicable zoning designations and regulations.
- b. The proposed development occurs within city limits on a project site of no more than five acres substantially surrounded by urban uses.
- c. The project site has no value as habitat for endangered, rare or threatened species.
- d. Approval of the project would not result in any significant effects related to traffic, noise, air quality, or water quality.
- e. The site can be adequately served by all required utilities and public services.

NOW THEREFORE BE IT RESOLVED, the Planning Commission makes the following findings relating to the Use Permit (UP19-016), Environmental and Design Review (ED19-038), and Major Subdivision (TS19-003) for the proposed 185-room hotel.

**USE PERMIT FINDINGS
(HOTEL - UP19-016)**

A. That the proposed use is in accord with the general plan, the objectives of the zoning ordinance, and the purposes of the district in which the site is located:

The site is designated as General Commercial (GC) on the General Plan 2020 Land Use Map which allows which allows for the establishment of general retail and service uses, including hotels. In addition, the project is consistent with the General Plan and specifically with the following key General Plan Policies:

Land Use Policies LU-9a (Nonresidential Zoning), LU-12 (Building Heights), LU-13 (Height Bonuses), LU-20a (Hotel Zoning), and LU-23 (Land Use Map) establish FAR, height, and other development standards for hotel uses. The proposed use is within a non-residential zoning district. As a development that proposes a new hotel, no FAR limits apply for the development, and therefore the project is consistent with General Plan policies LU-9a, LU-20a, and LU-23. Hotels are permitted a maximum height of 54 feet. Section 14.16.120 of the SRMC excludes mechanical equipment from the maximum height limits through approval of an Environmental and Design Review Permit. The project proposes a 54-foot height to the rooftop with a maximum overall height of 61-feet 8-inches. The additional height includes rooftop mechanical equipment and is therefore excluded from the maximum height limits. Furthermore, the design has been recommended for approval by the Design Review Board, subject to conditions contained herein. As such, the project is consistent with General Plan policies LU-12, LU-13, and LU-20a. The project meets all applicable development standards of the General Commercial Zoning District, consistent with General Plan policy LU-23.

Housing Policy H-6a (In-Lieu Fees) requires compliance with Zoning Code Section 14.16.030 which establishes affordable housing requirements for non-residential projects. The project's share of affordable housing is 0.0075 affordable units per 1,000 square feet of gross floor area. The gross floor area is 106,000 square feet. Therefore, the project is required to provide 1 affordable unit or pay the applicable in-lieu fee. Additionally, though the project does not propose any new residential development, the recent approval of the Northgate Walk Project located at 1005, 1010, 1025, and 1025 Northgate Drive compensates for the loss of the project site as a housing opportunity site. Northgate Walk is particularly applicable in compensating for the loss of this potential housing site as it includes the demolition of an existing hotel, commercial building, and gas station and construction of 136 residential units, including 30 units affordable to seniors. As conditioned, the project is required to meet affordable housing requirements and is therefore consistent with General Plan policy H-6a.

Neighborhood Policy NH-52 (New Business Development) encourages new development that benefits the neighborhood through low traffic impacts. Hotels are identified as a desired land use as they are low traffic-generators and high tax-generators. As such, the proposed project will benefit the neighborhood and is therefore consistent with this policy

Economic Vitality Policy EV-2 (Businesses that Enhance San Rafael) seeks to recruit and retain businesses that contribute to the economic vitality of the City and enhance the City's physical environment. The project will contribute to the economic vitality of the City through increased revenues. Additionally, the project will provide new employment opportunities and enhance the

physical environment by improving an existing vacant lot located near a highly visible intersection. As such, the proposed project is consistent with this General Plan policy.

Economic Vitality Policy EV-3 (Tourism) recognizes and supports tourism as a significant contributor to the City's economy. As a visitor service use that supports tourism in the City, the proposed hotel is consistent with this General Plan policy.

Economic Vitality Policy EV-8 (Diversity of our Economic Base) and EV-14 (Support for Business Areas) seek to expand the range of businesses within the City and support upgrading existing underdeveloped commercial properties. The proposed project will introduce a new hotel within the City, and the Canal Neighborhood specifically, expanding upon the range of visitor accommodating uses currently available within the City. Further, the proposed project will upgrade the existing underdeveloped lot in an established light industrial/office area of the neighborhood. As such, the proposed use is consistent with General Plan policies EV-8 and EV-14.

B. That the proposed use, together with the conditions applicable thereto, will not be detrimental to the public health, safety or welfare, or materially injurious to properties or improvements in the vicinity, or to the general welfare of the city:

The project has been reviewed by appropriate city departments, including the Building Division, Fire Department, Department of Public Works, and Marin Sanitary Service. As conditioned, the project will require application of a building permit that complies with all applicable Building and Fire Code requirements prior to construction. In addition, the applicant will be required to comply with conditions of approval imposed by the Department of Public Works and Marin Sanitary Service as contained herein.

C. That the proposed use complies with each of the applicable provisions of the zoning ordinance:

The project, as proposed and conditioned, complies with the Chapter 14 (Zoning) of the San Rafael Municipal Code (SRMC).

14.05.030 - Property development standards. The project is consistent with applicable development standards for the GC Zoning District including the following:

- **Lot Requirements:** The minimum lot area required by the district is 6,000 square feet. The proposed major subdivision includes consolidating the existing five individual lots into two. The size of Parcel 1, which will contain the proposed hotel and associated improvements will be 2.79 acres (121,710 square feet). Parcel 2, which is proposed to be used for parking will be 0.66 acres (28,566 square feet). Both proposed parcels exceed the minimum width requirement of 60 feet.
- **Floor Area Ratio:** Exhibit 4 of the General Plan 2020 identifies floor area ratios in Central San Rafael. However, as prescribed by General Plan Land Use Policy LU-20 and Section 14.16.150(A)(1), hotels are excluded from the FAR requirements.
- **Setbacks:** The General Commercial Zoning District does not have a requirement for setbacks. However, the project proposes an approximately 30-foot setback from Francisco Blvd E, 57-foot setback from the southern property line, 50-foot setback from the eastern property line, and 50-foot setback from the northern property line. The smaller of the two parcels proposed as part of the major subdivision does not propose the construction of any structures.
- **Building height:** Section 14.05.030 of the SRMC establish a 54-foot height limit for hotels. In addition to the base height of 54-feet, Section 14.16.120 provides features that are excluded from the maximum building height including mechanical equipment. The proposed building is

54-feet to the height of the roof with an additional 7-feet 8-inches to accommodate rooftop mechanical equipment, for an overall height of 61' 8". This additional height is permissible through approval of an Environmental and Design Review Permit.

Chapter 14.16 (Site and Use Regulations). The project is consistent with the following applicable site and use regulations.

- 14.16.025 - Refuse enclosure requirement. The refuse enclosure will be located in the southeast corner of the project site and will be adequately screened from view. The enclosure has been reviewed by the local refuse collection agency to ensure minimum dimensional standards are met.
- 14.16.030 - Affordable housing requirement. Section 14.16.030(I)(2) states that hotel development projects shall provide housing for project employees in very low, low, and moderate income households at a ratio of 0.0075 per 1,000 square feet of gross floor area. Required affordable units may be provided on the same site as the project, at an off-site location within the City, through the dedication of suitable real property, or through payment on an in-lieu fee subject to approval by the Planning Commission. Based on the gross floor area, the project is required to provide one affordable housing unit or pay the applicable in-lieu fee.
- 14.16.227 - Light and glare. As specified in Section 14.16.227 colors, materials, and lighting shall be designed to avoid light and glare impacts on surrounding development. Changes in lighting intensity on non-residential properties is subject to review under the criteria of the Environmental and Design Review Permit. As such, the project has been reviewed for consistency with the applicable design criteria, as further discussed below.
- 14.16.230 - Lot consolidation when development occurs. Section 14.16.230 states that new development proposing construction on more than one adjoining lot where the building is proposed to cross the shared property lines requires consolidation of those lots. The project proposes consolidation of the five existing lots into two new lots. The project is consistent with this requirement and is consistent with the requirements of the City's Subdivision Ordinance, as further analyzed below.
- 14.16.243 - Mechanical equipment screening. All mechanical equipment is adequately screened from public view as required.
- 14.16.260 - Noise standards. An acoustical study was prepared by Coffman Engineers on September 5, 2019 to determine the consistency of the project with standards identified in the General Plan. The acoustical analysis concluded that construction noise levels for the project would meet applicable regulations of the SRMC. The analysis determined that at operation the project's interior noise levels are expected to comply with the City's land use compatibility standards for hotels. Furthermore, additional traffic expected to be generated by the project will not result in noise impacts at off-site noise sensitive land uses. As such, the project is consistent with the City's noise standards. The exemption memo, included as Exhibit X, includes a thorough analysis of the project's noise impacts as it relates to applicable City standards and the California Environmental Quality Act.
- 14.16.295 - Sight distance. The SRMC requires that fencing, vegetation and improvements be established and maintained in a manner that does not reduce visibility for the safe ingress and egress of vehicles or pedestrians within a required vision triangle, which is 15 feet from the curb return at any intersection or driveway. Any improvements or vegetation located within the established vision triangle must not exceed a height of three feet. With conditions of approval the project will comply with this requirement.
- 14.16.370 - Water-efficient landscape. The landscape plan submitted by the applicant indicates proposed species including trees, shrubs, and groundcover will require low and moderate water usage. As specified in Section 14.16.370(C)(1) of the SRMC, project approval is subject to

conditions which require the applicant to provide written verification of plan approval from the Marin Municipal Water District (MMWD) prior to the issuance of a building permit or grading permit.

Chapter 14.18 (Parking Standards). The project proposes to provide parking consistent with Chapter 14.18 of the SRMC including 195 automobile spaces, 16 of which will be designated for clean air vehicles and 57 will be compact, and 20 bicycle parking spaces including 10 short-term and 10 long-term. Furthermore, the project has been reviewed by the Department of Public Works to determine compliance with parking facility dimensions, and adequacy of access to the public right-of-way.

ENVIRONMENTAL AND DESIGN REVIEW FINDINGS (HOTEL - ED19-038)

A. That the project design is in accord with the general plan, the objectives of the zoning ordinance and the purposes of this chapter:

The project site is designated as General Commercial (GC) on the General Plan 2020 Land Use Map and is within the General Commercial (GC) Zoning District. Hotels are an allowable use within the GC Zoning District with prior Conditional Use Permit approval by the Planning Commission. The project is consistent with the following design-related General Plan polices:

Neighborhood Policy NH-51 (Existing Business Areas) encourages the redevelopment and upgrading of existing business areas and sites. The proposed project is located just south of Bellam Blvd/Francisco Blvd E, which is a prominent intersection within the neighborhood and consists of a newer light industrial/office area. The addition of a hotel to this area will enhance the existing business area and upgrade the overall site consistent with this policy.

Community Design Policies CD-1c (Landscape Improvement) and CD-18 (Landscaping) recognize that landscaping in a critical design component that should contribute to the overall site design and provide visual interest. Landscaping is proposed throughout the project site and has been designed to enhance the overall design of the site and reduce the visual impact of the proposed parking areas. The project has been reviewed by the Design Review Board and meets all applicable landscaping requirements including minimum requirements, species type, and water usage. As such, the project is consistent with General Plan policies CD-1c, and CD-18.

Community Design Policy CD-10 (Nonresidential Design Guidelines) seeks to preserve and enhance the design elements that contribute to the economic vitality of commercial areas. The project incorporates design criteria included in the City's Design Guidelines for Nonresidential Development including parking lot design that provides logical entry and exits, landscaping that is designed as an integral part of the development, pedestrian circulation that clearly defines movement through parking lots, and building form that provides a continuity of design, colors, materials, and architectural elements. Further, the project design has been reviewed by the Design Review Board and was found to be consistent with these applicable design criteria. As such, the project is consistent with this General Plan policy.

Community Design Policy CD-19 (Lighting) provides for adequate site lighting for safety purposes while also controlling for light spillover and glare onto surrounding development. The project proposes various types of lighting including wall sconces, LED up-lighting, LED accent lighting, bollard lighting and single and double pole parking lot lights. As a condition of project approval, the photometric study shall be recalculated to confirm illuminated exterior wall sections are included. Additionally,

illuminated exterior wall sections are required to be dimmable and limited to a single shade of white. As conditioned, the project is consistent with this policy.

Community Design Policy CD-21 (Parking Lot Landscaping) seeks to provide landscaping within parking lots to control heat build-up from pavement, reduce air pollution, provide shade cover for vehicles and soften the appearance of the parking lot. Landscaping is provided throughout the site including in parking areas. Zoning Ordinance regulations require parking lots with more than five spaces provide one canopy tree for every four parking spaces. The project will provide 195 parking spaces, which requires a minimum of 49 canopy trees. As proposed, 57 canopy trees will be provided, meeting both the intent of this policy and the regulations of the Zoning Ordinance.

Conservation Policy CON-16 (Landscape with Native Plant Species) encourages landscaping with native and compatible non-native plant species that are drought resistant. The proposed landscape palette includes species that require low to moderate water usage. Proposed parking lot trees, groundcover, shrubs, and grasses have been selected from the City's parking lot tree list and consistent with guidance provided by the Marin Municipal Water District water-wise plants website. As such, the project is consistent with this policy.

B. That the project design is consistent with all applicable site, architecture and landscaping design criteria and guidelines for the district in which the site is located:

The Design Review Board (Board) evaluated the design of the hotel project on January 8, 2019, as part of conceptual design review and on March 25, 2020 as part of a formal design review. The Design Review Board Subcommittee found that the project was appropriate in design unanimously (2-0) recommended approval of the project design to the Planning Commission, subject to conditions of approval.

C. That the project design minimizes adverse environmental impacts:

Staff conducted a "preliminary review" of the project application, plans and supportive studies and reports and determined that the application is defined as a "project" under CEQA, pursuant to CEQA Guidelines Section 15060. A project is exempt from CEQA if it qualifies for a Categorical Exemption under Article 19, Section 15300. Given the project location, scope and use, staff recommends that the project qualifies for an exemption under CEQA Guidelines Section 15332. Section 15332 exempts "infill development projects" that meet the following conditions:

- a. The project is consistent with the applicable general plan designation and all applicable general plan policies as well as with applicable zoning designation and regulations.
- b. The proposed development occurs within city limits on a project site of no more than five acres substantially surrounded by urban uses.
- c. The project site has no value, as habitat for endangered, rare or threatened species.
- d. Approval of the project would not result in any significant effects relating to traffic, noise, air quality, or water quality.
- e. The site can be adequately served by all required utilities and public services.

D. That the project design will not be detrimental to the public health, safety or welfare, nor materially injurious to properties or improvements in the vicinity.

The project has been reviewed by the appropriate agencies and appropriate conditions of approval have been incorporated to ensure the project will not be detrimental to the public health, safety, or welfare, nor materially injurious to properties or improvements in the project vicinity.

**TENTATIVE SUBDIVISION MAP FINDINGS
(TS19-003)**

- 1. The proposed map is consistent with the San Rafael general plan and any applicable, adopted specific plan or neighborhood plan;**

The proposed map will consolidate five existing lots into two lots, shown on the Tentative Map as Parcel 1 and Parcel 2. The two lots will be established as a 185-room hotel and vehicle storage lot, respectively. The General Plan supports such uses, and the applicant seeks Use Permit approval as required by the SRMC. As such, the proposed map is consistent with the San Rafael General Plan.

- 2. The design or improvement of the proposed subdivision is consistent with the San Rafael general plan and any pertinent, adopted specific plan or neighborhood plan;**

The proposed project has been reviewed for consistency with applicable General Plan policies. As discussed in the required Use Permit and Environmental and Design Review findings, the design and improvement of the proposed project and associated map is consistent with the General Plan. As such, the proposed map is consistent with this finding.

- 3. The property subject to subdivision is physically suitable for the type or density of development that is proposed;**

The proposed map has been reviewed concurrent with the proposed physical development. The subdivision will adequately accommodate the type and density of the proposed uses consistent with this finding.

- 4. The design of the subdivision or the proposed improvements are not likely to cause substantial environmental damage or substantially and avoidably injure fish or wildlife or their habitat;**

The project has been reviewed in accordance with the California Environmental Quality Act and has been found to be categorically exempt pursuant to CEQA Guidelines Section 15332. As such, the design of the subdivision and associated improvements will not cause a substantial adverse impact on the environment.

- 5. The design of the subdivision or the type of proposed improvements is not likely to cause serious health problems; and**

The project has been reviewed by appropriate city departments, including the Building Division, Fire Department, Department of Public Works, and Marin Sanitary Service. As conditioned, the project will require application of a building permit that complies with all applicable Building and Fire Code requirements prior to construction. In addition, the applicant will be required to comply with conditions of approval imposed by the Department of Public Works and Marin Sanitary Service as contained herein. As such, the design of the subdivision and associated improvements will not cause serious health problems and is therefore consistent with this finding.

- 6. The design of the subdivision or the type of proposed improvements will not conflict with easements, acquired by the public at large, for access through or use of, property within the proposed subdivision. In this connection, the city may approve the map if it is determined that alternative easements, for access or for use, will be provided, and that these will be substantially equivalent to ones previously acquired or secured for public use.**

There are no existing public access easements onsite. As such, the proposed map is consistent with this finding.

NOW THEREFORE BE IT RESOLVED, the Planning Commission makes the following findings relating to the Use Permit (UP19-046), and Environmental and Design Review Permit (ED19-098) for the proposed vehicle storage use.

**USE PERMIT FINDINGS
(VEHICLE STORAGE - UP19-046)**

A. That the proposed use is in accord with the general plan, the objectives of the zoning ordinance, and the purposes of the district in which the site is located:

The site is designated as General Commercial (GC) on the General Plan 2020 Land Use Map which allows for the establishment of general retail and service uses, including automobile sales and service uses. In addition, the project is consistent with the General Plan and specifically with the following key General Plan Policies:

Land Use LU-4a. (Reasonable Interim Uses) provides for the establishment of land uses that allow reasonable interim uses for properties that are in areas with limited traffic capacity for development. Including uses such as contractor's yards, new car storage, modular office and storage, and outdoor recreation. The continued use of Parcel 2 as a car storage lot allows for the reasonable interim use of the property consistent with this policy.

B. That the proposed use, together with the conditions applicable thereto, will not be detrimental to the public health, safety or welfare, or materially injurious to properties or improvements in the vicinity, or to the general welfare of the city:

The project has been reviewed by appropriate city departments, including the Building Division, Fire Department, Department of Public Works, and Marin Sanitary Service. As conditioned, the project will require application of a building permit that complies with all applicable Building and Fire Code requirements prior to construction. In addition, the applicant will be required to comply with conditions of approval imposed by the Department of Public Works and Marin Sanitary Service as contained herein.

C. That the proposed use complies with each of the applicable provisions of the zoning ordinance:

The proposed use complies with all applicable provisions of the Zoning Ordinance. Outdoor storage uses, which include vehicle storage are conditionally permitted in the GC Zoning District. The vehicle storage lot does not propose construction of any new buildings. Landscaping will be provided consistent with the requirements of the GC Zoning designation.

**ENVIRONMENTAL AND DESIGN REVIEW FINDINGS
(VEHICLE STORAGE - ED19-098)**

A. That the project design is in accord with the general plan, the objectives of the zoning ordinance and the purposes of this chapter:

The project site is designated as General Commercial (GC) on the General Plan 2020 Land Use Map and is within the General Commercial (GC) Zoning District. Outdoor storage, including vehicle storage, is an allowable use within the GC Zoning District with prior Conditional Use Permit approval by the Planning Commission. The project does not propose construction of any new buildings. However, landscaping has been designed consistent with the following General Plan Policies:

Community Design Policies CD-1c (Landscape Improvement) and CD-18 (Landscaping) recognize that landscaping is a critical design component that should contribute to the overall site design and provide visual interest. Landscaping is proposed around the perimeter of the project site and has been designed to enhance the overall design of the site and reduce the visual impact of the proposed vehicle storage area. The project has been reviewed by the Design Review Board and meets all applicable landscaping requirements including minimum requirements, species type, and water usage. As such, the project is consistent with General Plan policies CD-1c, and CD-18.

Community Design Policy CD-21 (Parking Lot Landscaping) seeks to provide landscaping within parking lots to control heat build-up from pavement, reduce air pollution, provide shade cover for vehicles and soften the appearance of the parking lot. Landscaping is provided around the perimeter of the site, consistent with this General Plan policy.

Conservation Policy CON-16 (Landscape with Native Plant Species) encourages landscaping with native and compatible non-native plant species that are drought resistant. The proposed landscape palette includes species that require low to moderate water usage. Proposed parking lot trees, groundcover, shrubs, and grasses have been selected from the City's parking lot tree list and consistent with guidance provided by the Marin Municipal Water District water-wise plants website. As such, the project is consistent with this policy.

B. That the project design is consistent with all applicable site, architecture and landscaping design criteria and guidelines for the district in which the site is located:

The Design Review Board (Board) evaluated the design of the hotel project on January 8, 2019, as part of conceptual design review and on March 25, 2020 as part of a formal design review. The Design Review Board Subcommittee found that the project was appropriate in design unanimously (2-0) recommended approval of the project design to the Planning Commission, subject to conditions of approval.

C. That the project design minimizes adverse environmental impacts:

Staff conducted a "preliminary review" of the project application, plans and supportive studies and reports and determined that the application is defined as a "project" under CEQA, pursuant to CEQA Guidelines Section 15060. A project is exempt from CEQA if it qualifies for a Categorical Exemption under Article 19, Section 15300. Given the project location, scope and use, staff recommends that the project qualifies for an exemption under CEQA Guidelines Section 15332. Section 15332 exempts "infill development projects" that meet the following conditions:

- a. The project is consistent with the applicable general plan designation and all applicable general plan policies as well as with applicable zoning designation and regulations.
- b. The proposed development occurs within city limits on a project site of no more than five acres substantially surrounded by urban uses.
- c. The project site has no value, as habitat for endangered, rare or threatened species.
- d. Approval of the project would not result in any significant effects relating to traffic, noise, air quality, or water quality.

e. The site can be adequately served by all required utilities and public services.

D. That the project design will not be detrimental to the public health, safety or welfare, nor materially injurious to properties or improvements in the vicinity.

The project has been reviewed by the appropriate agencies and appropriate conditions of approval have been incorporated to ensure the project will not be detrimental to the public health, safety, or welfare, nor materially injurious to properties or improvements in the project vicinity.

BE IT FURTHER RESOLVED, that the Planning Commission of the City of San Rafael approves the Use Permit, Environmental and Design Review Permit, and Tentative Subdivision Map subject to the following conditions:

**USE PERMIT
CONDITIONS OF APPROVAL (HOTEL - UP19-016)**

1. This Use Permit approves a 54-foot tall, 185-room hotel project with associated parking, access and landscape improvements at 1075 Francisco Blvd E and within the General Commercial (GC) Zoning District. Plans submitted for building permit shall be in substantial conformance to the plans approved May 12, 2020 with regard to building techniques, materials, elevations, and overall project appearance except as modified by these conditions of approval.
2. This Use Permit shall run with the land. This Use Permit shall become null and void if not vested within two (2) years from the date of approval, or no later than May 12, 2022 unless a time extension is granted before such time. Vesting shall include issuance of necessary building permits or commencement of business operations.
3. Building Permit plans shall demonstrate compliance with conditions required by Building Official Memorandum, dated May 17, 2019.
4. Building Permit plans shall demonstrate compliance with conditions required by Fire Department Memorandum, dated May 16, 2019.
5. Building Permit plans shall demonstrate compliance with standard conditions required by Department of Public Works Memorandum, dated June 3, 2019.
6. Plans submitted for building permit shall demonstrate building construction that incorporates recommendations to reduce interior noise levels included in the noise study prepared by Coffman Engineers on September 5, 2019.
7. Prior to issuance of Building Permit, the applicant shall submit an Estimated construction schedule. The schedule shall be updated regularly to reflect expected changes. This Schedule shall be provided to businesses within 300 feet of the project site and nearby businesses shall be informed of any expected changes.
8. Where feasible, project activities including site preparation, grading, and building construction should occur between September 1 and January 31 to avoid the bird nesting season. Project activities occurring between February 1 and August 31 shall require a nesting bird survey conducted by a qualified wildlife biologist no more than 14 days prior to the start of major construction activities.
9. Upon submittal of the building permit the applicant shall provide a final version of the Transportation Demand Management (TDM) Program. All measures identified in the draft TDM Program prepared by

W-Trans shall be included in the final version and shall be implemented upon commencement of operation of the project.

10. Building permit plans shall include rooftop solar panels. Roof top solar panels shall be installed Prior to Final Inspection.
11. Prior to Issuance of Building Permits, the applicant shall pay all outstanding Planning Division application processing fees.
12. Prior to Issuance of Building Permits, the applicant shall pay all development impact fees required for this project, including those fees mentioned herein and other fees required by ordinance (ie affordable housing in-lieu fee, etc.).
13. Prior to Issuance of Building Permits, the applicant shall submit plans that show the required 10 long-term spaces in addition to the existing proposed 10 short-term spaces.
14. Minor modifications or revisions to the project shall be subject to review and approval of the Community Development Department, Planning Division. Modifications deemed greater than minor by the Community Development Director shall require review and approval by the Planning Commission.
15. The project shall comply with the City construction operation limits as follows:
 - a. Construction hours shall be limited to
 - i. Weekdays between 7:00am and 6:00pm
 - ii. Saturdays between 9:00am and 6:00pm
 - iii. Sundays and holidays NO construction permitted.
 - b. Prohibit all unnecessary idling of internal combustion engines.
 - c. Equip all internal combustion engine-driven equipment with intake and exhaust mufflers that are in good condition and appropriate for the equipment. Air compressors and pneumatic equipment should be equipped with mufflers, and impact tools should be equipped with shrouds or shields.
 - d. Locate stationary noise-generating equipment, such as air compressors or portable power generators, as far as possible from sensitive receptors as feasible. If they must be located near receptors, adequate muffling (with enclosures where feasible and appropriate) shall be used reduce noise levels at the adjacent sensitive receptors. Any enclosure openings or venting shall face away from sensitive receptors.
 - e. Control noise from construction workers' radios to a point where they are not audible at existing residences bordering the project site.
 - f. Notify all adjacent noise sensitive land uses of the construction schedule in writing.
 - g. Designate a "disturbance coordinator" who would be responsible for responding to any complaints about construction noise. The disturbance coordinator will determine the cause of the noise complaint (e.g., bad muffler, etc.) and will require that reasonable measures be implemented to correct the problem. Conspicuously post a telephone number for the disturbance coordinator at the construction site and include in it the notice sent to neighbors regarding the construction schedule.
16. Due to the extent and scope of the project, third party inspection may be required on behalf of the City and funded by the developer on a deposit basis.

**ENVIRONMENTAL AND DESIGN REVIEW
CONDITIONS OF APPROVAL (HOTEL - ED19-038)**

1. This Environmental and Design Review Permit approves a 61-foot 8-inch tall, 185-room hotel project with associated parking, access and landscape improvements at 1075 Francisco Blvd E and within the General Commercial (GC) Zoning District. Plans submitted for building permit shall be in substantial conformance to the plans approved May 12, 2020 with regard to building techniques, materials, elevations, and overall project appearance except as modified by these conditions of approval.
2. This Design Review Permit (ED19-038) shall be valid for three years from approval or until May 12, 2023, and shall be null and void if a building permit is not issued or a time extension granted prior to the expiration date.
3. The project is subject to a 90-post installation lighting inspection to evaluate the need for adjustment and assure compliance with SRMC Section 14.16.227.
4. Prior to issuance of a building permit, the applicant demonstrate compliance with Marin Municipal Water District water conservation measures.
5. Prior to Installation of signs for this project, the applicant shall apply for sign review of the proposed signage.
6. The Environmental and Design Review permit is subject to all applicable conditions of approval outlined in DPW memo, date June 3, 2019, Building Division memo dated
7. Prior to Issuance of Building Permit, the applicant shall submit the stormwater control plan, which includes a written document, in addition to the erosion control plan shown on the plan set. A stormwater facility maintenance agreement shall be required. More specific information is available from MCSTOPPP, hosted on the Marin County Website. See tools and guidance, and post construction requirements at the following address:

<http://www.marincounty.org/depts/pw/divisions/mcstoppp/development/new-and-redevelopment-projects>
8. A grading permit shall be required from the Department of Public Works, located at 111 Morphew St.
9. Prior to Issuance of a Building Permit the applicant shall provide improvement plans for proposed frontage improvements.
10. Prior to commencing work within the right-of-way, the applicant shall obtain an encroachment from the Department of Public Works located at 111 Morphew St.
11. Prior to Issuance of Building Permit, the applicant shall provide a finalized traffic study.
12. In the event that any archaeological features, such as concentrations of artifacts or culturally modified soil deposits including trash pits older than fifty years of age, are discovered at any time during grading, scraping, or excavation within the property, all work shall be halted in the vicinity of the find, the Planning Division shall be notified, and a qualified archaeologist shall be contacted immediately to make an evaluation. If warranted by the concentration of artifacts or soils deposits, an archaeologist shall monitor further work in the discovery area.
13. If human remains are encountered during grading and construction, all work shall stop in the immediate vicinity of the discovered remains and the County Coroner and a qualified archaeologist shall be

notified immediately so that an evaluation can be performed. The Coroner shall contact the Native American Heritage Commission, if the remains are deemed to be Native American and prehistoric, so the "most likely descendant" can be designated.

**TENTATIVE SUBDIVISION MAP
CONDITIONS OF APPROVAL (TS19-003)**

1. This Tentative Subdivision Map approves the consolidation/reconfiguration of APNs 009-191-02, 009-191-03, 009-191-04, 009-191-09, 009-191-10 as shown on plans approved May 12, 2020.
2. Prior to issuance of a building permit, the applicant shall submit an application for a Final Subdivision Map, which shall be in substantial conformance to the Tentative Map.
3. The Tentative map is subject to all applicable conditions of approval outlined in DPW memo, date June 3, 2019 and fire safety access improvements described in Fire Department memo dated May 16, 2019.
4. Prior to issuance of a building permit for the hotel project, the applicant shall provide plans that show the following intersection and frontage improvements:
 - a. Frontage improvements shall include sidewalk, curb and gutter, an accessible crosswalk for Castro Ave, repaving of ½ the width of adjacent roadways and where necessary, street lighting, conduit for City facilities, drainage facilities. This shall be reviewed at the time of permit issuance.
 - b. Intersection improvements for Castro at Francisco shall be provided, to square the intersection which will reduce the crosswalk distance, improve the alignment for visibility and bedesigned for the current one-way traffic flow.
 - c. Francisco Blvd East is a one-way street. Vehicles exiting the southeast driveway when looking for parking will not be able to re-enter the site easily. We recommend that this be addressed with internal site circulation. Otherwise, striping/signage and/or a turnaround shall be provided.
5. This Tentative Subdivision Map (TS19-003) shall be valid for three years from approval or until May 12, 2023, and shall become null and void if a Final Subdivision Map or a time extension granted prior to the expiration date.

**USE PERMIT
CONDITIONS OF APPROVAL (VEHICLE STORAGE - UP19-046)**

1. This Use Permit approves a vehicle storage lot and associated access and landscape improvements at 1075 Francisco Blvd E and within the General Commercial (GC) Zoning District. Plans submitted for building permit shall be in substantial conformance to the plans approved May 12, 2020 with regard to building techniques, materials, elevations, and overall project appearance except as modified by these conditions of approval.
2. This Use Permit (UP19-046) shall run with the land. This Use Permit shall become null and void if not vested within two (2) years from the date of approval, or no later than May 12, 2022 unless a time extension is granted before such time. Vesting shall include issuance of necessary building permits or commencement of business operations.
3. The Use Permit is subject to all applicable conditions of approval outlined in DPW memo, date June 3, 2019, Building Division memo dated May 17, 2019 and Fire Department memo dated May 16, 2019.

4. Establishment of the vehicle storage lot shall be contingent upon the concurrent development of the 185-room hotel project (UP19-016; ED19-038; TS19-003).
5. Upon commencement of the vehicle storage lot, temporary use permit (UP19-045) shall become null and void.
6. All landscaping shall be installed and maintain in good growing condition.

**ENVIRONMENTAL AND DESIGN REVIEW
CONDITIONS OF APPROVAL (VEHICLE STORAGE - ED19-098)**

1. This Environmental and Design Review Permit approves a vehicle storage lot and associated landscape improvements at 1075 Francisco Blvd E and within the General Commercial (GC) Zoning District. Plans submitted for building permit shall be in substantial conformance to the plans approved May 12, 2020 with regard to building techniques, materials, elevations, and overall project appearance except as modified by these conditions of approval.
2. This Design Review Permit (ED19-098) shall be valid for two years from approval or until May 12, 2022, and shall be null and void if a building permit is not issued or a time extension granted prior to the expiration date.
3. The Design Review is subject to all applicable conditions of approval outlined in DPW memo, date June 3, 2019, Building Division memo dated May 17, 2019 and Fire Department memo dated May 16, 2019.
4. Plans submitted for building permit for the 185-room hotel project (UP19-016; ED19-038; TS19-003) shall include a full landscape plan which includes landscaping for the vehicle storage lot.

The foregoing Resolution was adopted at the regular City of San Rafael Planning Commission meeting held on the 12th day of May, 2020. The Planning Commission's Action is final unless it is appealed to the City Council within five (5) working days pursuant to San Rafael Municipal Code Section 14.28.030 - *Filing and time limit of appeals.*

Moved by Davidson and seconded by Schaeffer The vote is as follows:

AYES: Davidson, Loughran, Lubamersky, Schaeffer, Samudzi, Mercado
 NOES: None
 ABSENT: None

SAN RAFAEL PLANNING COMMISSION

ATTEST: 
 Paul A. Jensen, Secretary

BY: 
 Aldo Mercado, Chair

ATTACHMENT:

OWNER'S STATEMENT

I/We, the undersigned, hereby state that I/we am/are the owner(s) of or have some right, title or interest in and to the real property shown on this map entitled "Parcel Map TS19-003"; that I/we am/are the only person(s) whose consent is necessary to pass clear title to said real property; that the "Access & Utility Easement" is hereby reserved for the non-exclusive benefit of Parcel 1; that the "15' Access Easement for Maintenance of Drainage facilities only" is hereby dedicated as an easement for public purposes; and that we hereby consent to the preparation and recording of said map.

Owners:
MARIN HOSPITALITY, INC., a California corporation

by _____
Title: _____

NOTARY'S STATEMENT:

STATE OF CALIFORNIA
COUNTY OF MARIN

"A notary or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document."

On _____, before me, _____
a Notary Public, personally appeared _____

who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity on behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

Witness my hand and official seal.

Notary Public Signature _____

my Commission No. _____ my Commission Expires _____

RECORD TITLE INTEREST

Signatures of the owners of the following easements have been Omitted under the provisions of Section 66436 of the Subdivision Map Act. Their interest is such that it cannot ripen in to a fee Title and such signatures are not required by the governing body.

Owner of Interest	DN/OR	Type of Easement
State of California	Book 1101 OR Page 391 Book 10 of Surveys Page 52	Slope & Drainage purposes
City of San Rafael	Book 1913 OR Page 340	Sanitary Sewer
Public Utility	Book 5 of Surveys Page 48 Book 13 of Maps Page 3 (affects Parcel 4 of said Maps)	Anchor Easement
Public Utility	Book 5 of Surveys Page 48 Book 13 of Maps Page 3 (affects Parcel 3 of said Maps)	Public Utility Easement

TAX COLLECTOR'S STATEMENT

According to the records in the office of the undersigned, there are no liens against this subdivision, or any part thereof, for unpaid State, County, Municipal or local taxes or special assessments collected as taxes, except taxes or special assessments collected as taxes not yet payable. My estimate of taxes and special assessments collected as taxes and not yet payable is \$ _____. The land in said subdivision is not subject to a special assessment or bond which may be paid in full.

Security required pursuant to Government Code Sections 66493(a) and 66493(c) are hereby approved and accepted.

Dated: _____
Tax Collector
County of Marin,
State of California

COUNTY CLERK'S STATEMENT

I certify that all bonds, money or negotiable bonds required under the provisions of the Subdivision Map Act to secure payment for taxes and assessments have been filed with and approved by the County of Marin, namely bond(s) under Government Code Sections 66493(a) and 66493(c) in the sum of \$ _____ and \$ _____ respectively.

Dated: _____
Signed _____
Clerk of the Board of Supervisors
County of Marin, State of California

CITY CLERK'S STATEMENT

The City Council of the City of San Rafael, County of Marin, State of California, at a regular meeting held on the _____ day of _____, 2021, examined this Parcel Map, and the City Council by Resolution No. _____, duly passed at the meeting aforesaid, approved this Parcel Map, and the abandonment of the 12.5' and 5' P.U.E. located on "Parcel 1" as shown on the "Map of Bellam Subdivision No. 1" filed March 5, 1965 in Volume 3 of Maps at Page 3, Marin County Records, and as stated in the "Note" hereon, and rejected all offers of dedication to the public.

Signed this _____ day of _____, 2021

Lindsay Lara
City Clerk of the City of San Rafael,
County of Marin, State of California

CITY PLANNING COMMISSION STATEMENT

The Tentative Subdivision Map (TS19-003) was Approved with conditions by the Planning Commission of the City of San Rafael, County of Marin, State of California by Resolution No. 20-14 on May 12, 2020.

Signed this _____ day of _____, 2021

Secretary of the Planning Commission
of the City of San Rafael,
County of Marin, State of California

NOTE:
In accordance with Section 66499.20.2 of the California Subdivision Map Act Parcels 1, 2, 3 & 4 shown and delineated on the "Map of Bellam Subdivision No. 1" filed March 5, 1965 in Book 13 of Maps at Page 3, Marin County Records, and that portion of Parcel A shown and delineated on the "Reversion To Acreage" map filed June 13, 1963 in Book 11 of Maps at Page 90, Marin County Records, all as shown on "Record of Survey Map" filed June 15, 1966 in Book 5 of Surveys at Page 48, Marin County Records, are merged and re-subdivided by the recording of this Parcel Map; and pursuant to Section 66445(j) the 12.5 foot wide and the 5 foot wide Public Utility Easements shown on the above mentioned Parcel 1 are hereby abandoned, and are not shown on this Parcel Map.

SURVEYOR'S STATEMENT

This map was prepared by me or under my direction and is based upon a field survey in conformance with the requirements of the Subdivision Map Act and local ordinance at the request of Amish Patel in September 2020. I hereby state that this Parcel Map substantially conforms to the conditionally approved Tentative Map, if any, and that all monuments are of the character and occupy the positions indicated, and are sufficient to enable the survey to be retraced.

Dated: _____

Signed: _____
Paul M. Brown, PLS 5087

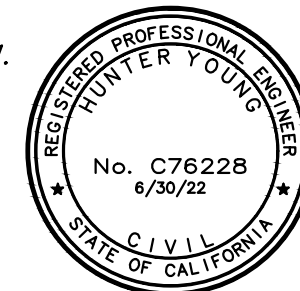


CITY ENGINEER'S STATEMENT

I, the undersigned, City Engineer of the City of San Rafael, County of Marin, State of California hereby state that I have examined this Parcel Map, that the land division as shown hereon is substantially the same as it appeared on the Tentative Map and any approved alterations thereof, and that all provisions of the Subdivision Map Act as amended and of any local ordinances applicable at the time of approval of the Tentative Map have been complied with.

Signed this _____ day of _____, 2021.

Hunter T. Young, RCE 76228
City Engineer, City of San Rafael



ACTING CITY SURVEYOR'S STATEMENT

I, the undersigned, Acting City Surveyor of the City of San Rafael, County of Marin, State of California, hereby state that I have examined this Parcel Map and that I am satisfied that this map is technically correct.

Signed this _____ day of _____, 2021

Jason Kirchmann, PLS 8806
Acting City Surveyor, City of San Rafael



RECORDER'S STATEMENT:

Filed this _____ day of _____, 2021 at _____, M. in Book _____ of Maps at Page(s) _____, at the request of the City of San Rafael.

Shelly Scott
County Recorder
Fee Paid _____
Serial No. _____ Deputy

See Agency Required Information Sheet 4 Parcel Map

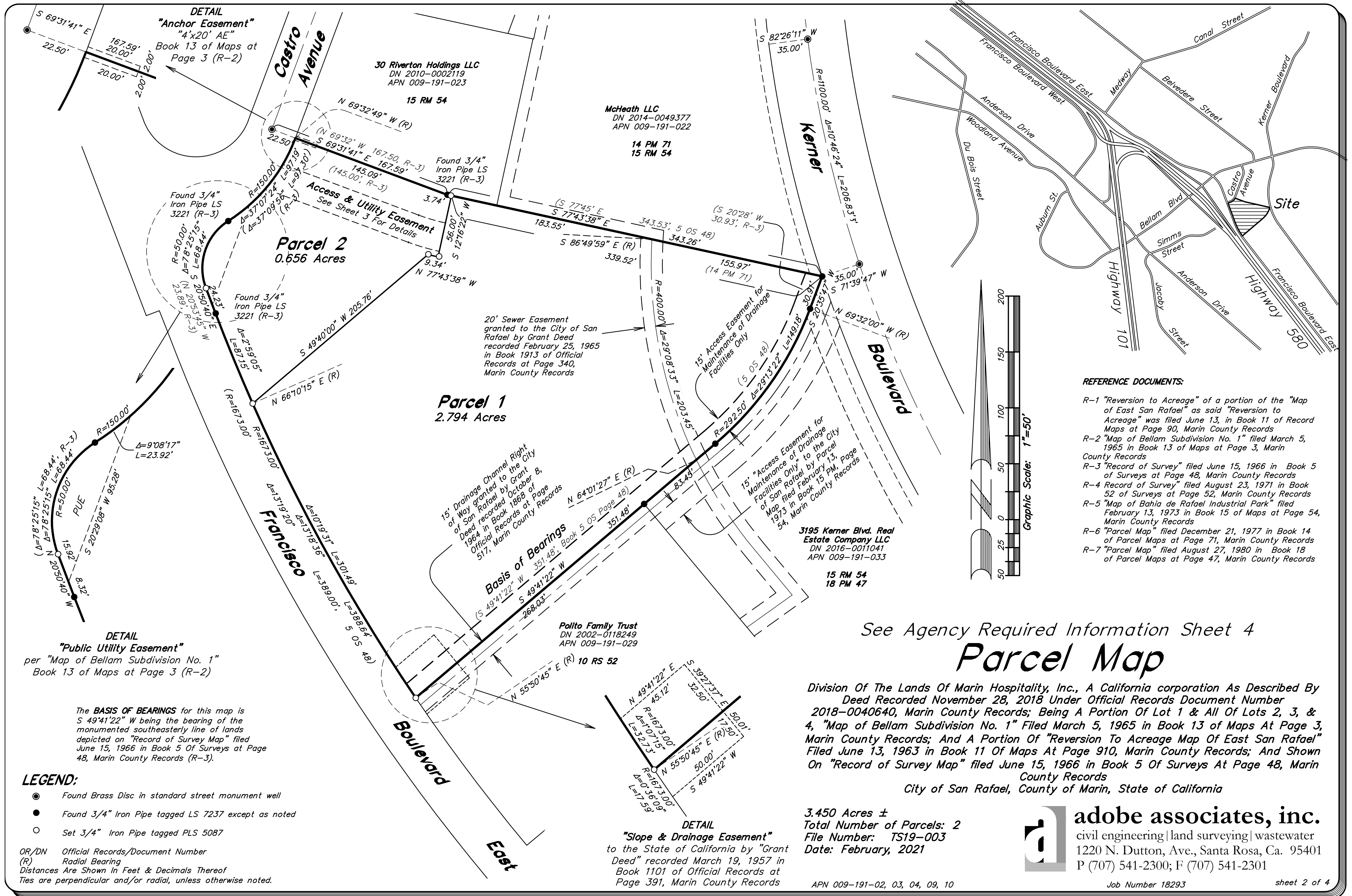
Division Of The Lands Of Marin Hospitality, Inc., A California corporation As Described By Deed Recorded November 28, 2018 Under Official Records Document Number 2018-0040640, Marin County Records; Being A Portion Of Lot 1 & All Of Lots 2, 3, & 4, "Map of Bellam Subdivision No. 1" Filed March 5, 1965 in Book 13 of Maps At Page 3, Marin County Records; And A Portion Of "Reversion To Acreage Map Of East San Rafael" Filed June 13, 1963 in Book 11 Of Maps At Page 910, Marin County Records; And Shown On "Record of Survey Map" filed June 15, 1966 in Book 5 Of Surveys At Page 48, Marin County Records

City of San Rafael, County of Marin, State of California

3.450 Acres ±
Total Number of Parcels: 2
File Number TS19-003
Date: February, 2021

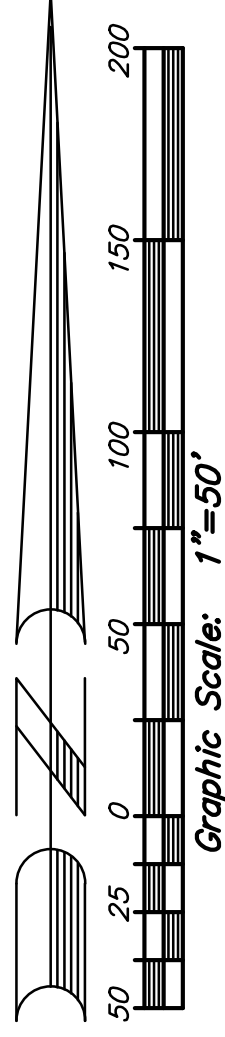


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REFERENCE DOCUMENTS:

- R-1 "Reversion to Acreage" of a portion of the "Map of East San Rafael" as said "Reversion to Acreage" was filed June 13, in Book 11 of Record Maps at Page 90, Marin County Records
- R-2 "Map of Bellam Subdivision No. 1" filed March 5, 1965 in Book 13 of Maps at Page 3, Marin County Records
- R-3 "Record of Survey" filed June 15, 1966 in Book 5 of Surveys at Page 48, Marin County Records
- R-4 "Record of Survey" filed August 23, 1971 in Book 52 of Surveys at Page 52, Marin County Records
- R-5 "Map of Bahia de Rafael Industrial Park" filed February 13, 1973 in Book 15 of Maps at Page 54, Marin County Records
- R-6 "Parcel Map" filed December 21, 1977 in Book 14 of Parcel Maps at Page 71, Marin County Records
- R-7 "Parcel Map" filed August 27, 1980 in Book 18 of Parcel Maps at Page 47, Marin County Records



See Agency Required Information Sheet 4
Parcel Map

Division Of The Lands Of Marin Hospitality, Inc., A California corporation As Described By Deed Recorded November 28, 2018 Under Official Records Document Number 2018-0040640, Marin County Records; Being A Portion Of Lot 1 & All Of Lots 2, 3, & 4, "Map of Bellam Subdivision No. 1" Filed March 5, 1965 in Book 13 of Maps At Page 3, Marin County Records; And A Portion Of "Reversion To Acreage Map Of East San Rafael" Filed June 13, 1963 in Book 11 Of Maps At Page 910, Marin County Records; And Shown On "Record of Survey Map" filed June 15, 1966 in Book 5 Of Surveys At Page 48, Marin County Records
 City of San Rafael, County of Marin, State of California

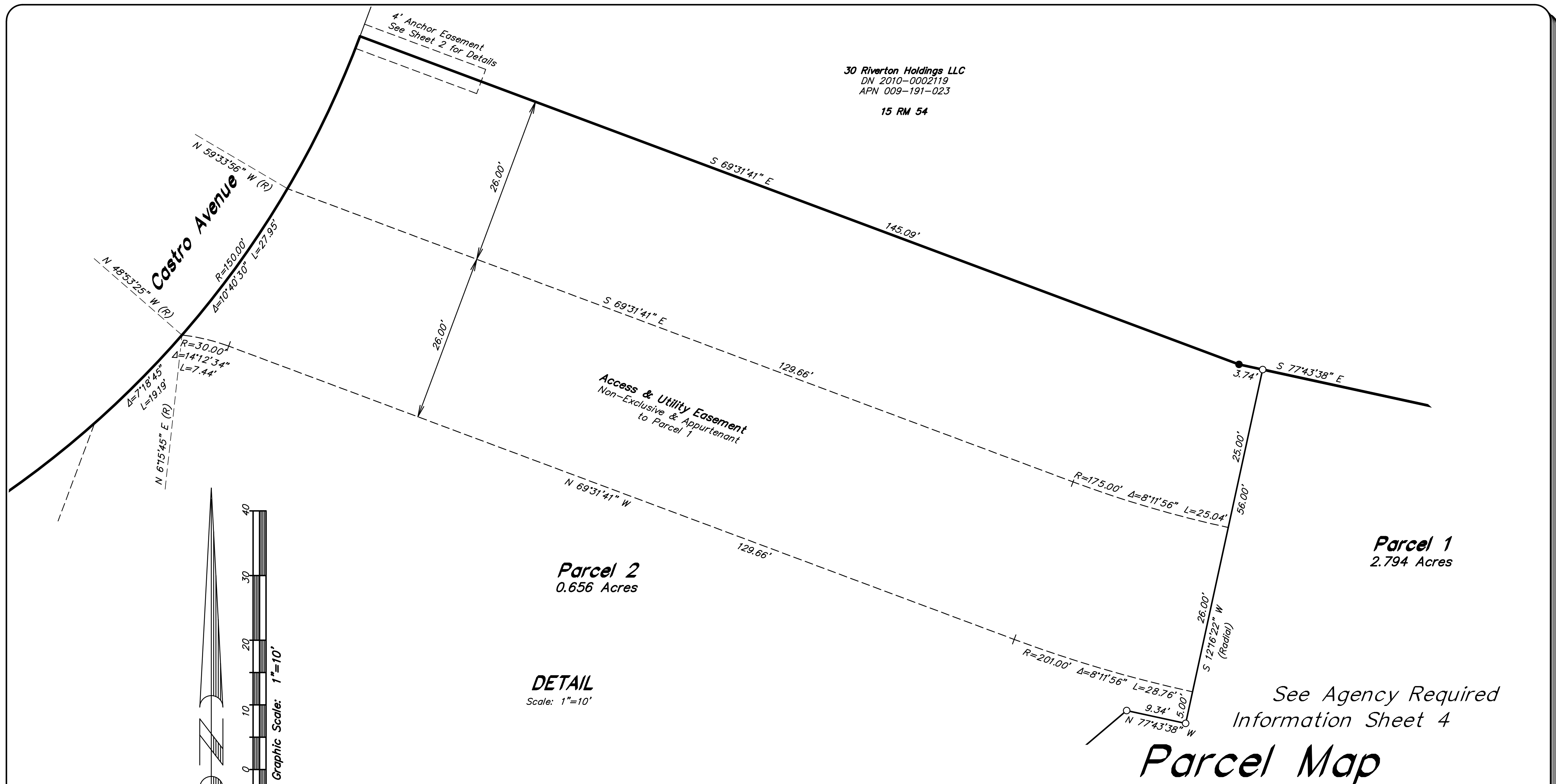
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LEGEND:

- Found Brass Disc in standard street monument well
- Found 3/4" Iron Pipe tagged LS 7237 except as noted
- Set 3/4" Iron Pipe tagged PLS 5087

OR/DN Official Records/Document Number
 (R) Radial Bearing
 Distances Are Shown in Feet & Decimals Thereof
 Ties are perpendicular and/or radial, unless otherwise noted.



Division Of The Lands Of Marin Hospitality, Inc., A California corporation As Described By Deed Recorded November 28, 2018 Under Official Records Document Number 2018-0040640, Marin County Records; Being A Portion Of Lot 1 & All Of Lots 2, 3, & 4, "Map of Bellam Subdivision No. 1" Filed March 5, 1965 in Book 13 of Maps At Page 3, Marin County Records; And A Portion Of "Reversion To Acreage Map Of East San Rafael" Filed June 13, 1963 in Book 11 Of Maps At Page 910, Marin County Records; And Shown On "Record of Survey Map" filed June 15, 1966 in Book 5 Of Surveys At Page 48, Marin County Records
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Local Agency Required Information

(In conformance with Section 66434.2 of the California Subdivision Map Act and Section 15.01.060 of the Municipal Code of the City of San Rafael, California)

All "Agency Required Information" is for informational purposes describing conditions as of the date of filing of this map, and is not intended to affect record title interest. Such information is derived from public records and reports, and inclusion hereon does not imply the correctness or sufficiency of those records. All such information is subject to change, alteration or variance in accordance with State, County and/or local ordinances and local agency regulations and procedures.

- 1) "Parcel 1" and "Parcel 2" as shown and delineated on this "Parcel Map", jointly or individually, are subject to that certain City of San Rafael Planning Commission conditional approval of the "Tentative Parcel Map", City of San Rafael File No. TS19-003, and related applications, Resolution No. 20-14 on May 20, 2020.
- 2) A Geotechnical report was prepared for this project by Miller Pacific Engineering Group dated September 22, 2020 (draft), Job Number 3020.001.
- 3) In the event that any archaeological features, such as concentrations of artifacts or culturally modified soil deposits including trash pits older than fifty years of age, are discovered at any time during grading, scraping, or excavation within the property, all work shall be halted in the vicinity of the find and the Planning Division shall be notified, and a qualified archaeologist shall be contacted immediately to make an evaluation. If warranted by the concentration of artifacts or soil deposits, an archaeologist shall monitor further work in the discovery area.
- 4) If human remains are encountered during grading and construction, all work shall stop in the immediate vicinity of the discovered remains and the County Coroner and a qualified archaeologist shall be notified immediately so that an evaluation can be performed. The Coroner shall contact the Native American Heritage Commission, if the remains are deemed to be Native American and prehistoric, so the "most likely descendant" can be designated.
- 5) Prior to issuance of a building permit for the hotel project, the applicant shall provide plans that show the following intersection and frontage improvements:
 - a) Frontage improvements shall include sidewalk, curb and gutter, an accessible crosswalk for Castro Ave., repaving of 1/2 the width of adjacent roadways and where necessary, street lighting conduit for City facilities and drainage facilities. This shall be reviewed at the time of permit issuance.
 - b) Intersection improvements for Castro at Francisco shall be provided, to square the intersection which will reduce the crosswalk distance, improve the alignment for visibility and be designed for the current one-way traffic flow.
 - c) Francisco Boulevard East is a one-way street. Vehicles exiting the southeast driveway when looking for parking will not be able to re-enter the site easily. We recommend that this be addressed with internal site circulation. Otherwise, striping/signage and/or a turnaround shall be provided.
- 5) Prior to occupancy, an elevation certificate shall be provided.

Agency Required Information Sheet Parcel Map

Division Of The Lands Of Marin Hospitality, Inc., A California corporation As Described By Deed Recorded November 28, 2018 Under Official Records Document Number 2018-0040640, Marin County Records; Being A Portion Of Lot 1 & All Of Lots 2, 3, & 4, "Map of Bellam Subdivision No. 1" Filed March 5, 1965 in Book 13 of Maps At Page 3, Marin County Records; And A Portion Of "Reversion To Acreage Map Of East San Rafael" Filed June 13, 1963 in Book 11 Of Maps At Page 910, Marin County Records; And Shown On "Record of Survey Map" filed June 15, 1966 in Book 5 Of Surveys AT Page 48, Marin County Records
City of San Rafael, County of Marin, State of California

3.45 Acres ±
Total Number of Parcels: 2
File Number: TS19-003
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SAN RAFAEL CITY COUNCIL AGENDA REPORT

Department: Public Works Department

**Prepared by: Bill Guerin, Director
Department of Public Works**

City Manager Approval: _____

A handwritten signature in black ink, appearing to be 'AS'.

TOPIC: TEMPORARY STREET CLOSURE TO SUPPORT VACCINATION EFFORTS IN THE CANAL NEIGHBORHOOD

SUBJECT: RESOLUTION AUTHORIZING SATURDAY STREET CLOSURES TO SUPPORT CANAL ALLIANCE'S EFFORT TO PROVIDE COVID-19 VACCINATIONS FROM SATURDAY MAY 1, 2021 THROUGH SATURDAY JULY 10, 2021

RECOMMENDATION: Adopt the Resolution authorizing Saturday street closures to support Canal Alliance's effort to provide Covid-19 vaccinations from Saturday May 1 through Saturday July 10, 2021.

BACKGROUND:

Coronavirus (Covid-19) has had a dramatic impact on the residents of San Rafael and especially essential workers and other people that live in the Canal neighborhood. With vaccinations becoming more available, the Canal Alliance is seeking approval to conduct free vaccinations for this community.

The Marin County Department of Public Health will help support the vaccination effort by providing a mobile vaccination unit and other logistical support. In order to effectively administer the Covid-19 vaccine, the Canal Alliance has requested approval to close a portion of Alto Street, a one block street next to the Canal Alliance offices, from Larkspur Street to mid-block, on several Saturdays between 6:30 am and 3 pm. The partial street closure will allow people seeking vaccinations to drive or walk up to the medical professionals administering the vaccine. Other businesses on this short street support the vaccination effort and can access their properties from the Belvedere Street end of Alto Street.

Canal Alliance requested the City to use the Street starting on May 1st. They intend to provide vaccinations on May 1st and 22nd, June 5th and 12th, and July 3rd and 10th. Because their request came too late for the City Council to take official action and adopt a resolution, the City Manager/Director of Emergency Services used his emergency authority to approve this temporary closure for May 1st only. The next scheduled closure is to happen on May 22nd, with additional closures occurring on the Saturdays listed above until July 10th, 2021.

FOR CITY CLERK ONLY

File No.:

Council Meeting:

Disposition:

To maximize flexibility, staff is seeking approval to close every Saturday in case the Canal Alliance schedule shifts between now and mid-July. The Council's approval for all Saturdays would not close the street more often, but would allow staff the flexibility to reschedule a date as necessary (e.g. availability of mobile unit) without the requirement to return for additional City Council approval.

ANALYSIS:

Temporary road closures require that the City Council adopt a resolution finding that the closing is necessary for the safety and protection of persons using the road during the closing, per Vehicle Code section 21101(e) which states:

*“(e) Temporarily closing a portion of any street for celebrations, parades, local special events, and other purposes when, in the opinion of local authorities having jurisdiction or a public officer or employee that the local authority designates **by resolution**, the closing is necessary for the safety and protection of persons who are to use that portion of the street during the temporary closing.”*

Department of Public Works staff will support the street closure by providing closure signage and traffic control support. The Police Department and Fire Department may provide ancillary support as well.

STREET TO BE CLOSED:

Alto Street from its intersection with Larkspur Street to mid-block at approximately the entrance to the Johnson and Daly Moving Company warehouse entrance. Future closures will occur between Saturday May 22nd, to Saturday July 10th, 2021 from 6:30 am to 3 pm each Saturday when vaccinations are scheduled. Public walk-up access to businesses will be maintained during event hours. Staff also requests the City Council to ratify the City Manager's emergency decision to approve the closure on Saturday May 1, 2021.

COMMUNITY OUTREACH:

Canal Alliance is advertising the opportunity to be vaccinated through their public outreach network. Canal Alliance has also received the support of other nearby businesses for this closure.

FISCAL IMPACT:

The City will provide in-kind services, such as “no parking” signage and traffic control support and advice. Any cost associated with this support will be minimal.

OPTIONS:

The City Council has the following options to consider on this matter:

1. Adopt resolution.
2. Adopt resolution with modifications.
3. Direct staff to return with more information.
4. Take no action.

RECOMMENDED ACTION:

Adopt the resolution.

ATTACHMENTS:

1. Resolution authorizing Saturday street closures to support Canal Alliance's effort to provide Covid-19 vaccinations from Saturday May 1 through Saturday July 10, 2021

RESOLUTION NO.

RESOLUTION OF THE SAN RAFAEL CITY COUNCIL AUTHORIZING SATURDAY STREET CLOSURES TO SUPPORT CANAL ALLIANCE'S EFFORT TO PROVIDE COVID-19 VACCINATIONS FROM SATURDAY MAY 1, 2021 THROUGH SATURDAY JULY 10, 2021

WHEREAS, the Corona Virus (Covid-19) has had a dramatic impact on the residents of San Rafael and especially essential workers and other people that live in the Canal neighborhood of the City; and

WHEREAS, the Canal Alliance, with the support of the Marin County Department of Public Health, has the capability to administer Covid-19 vaccinations to nearby residents who wish to receive it: and

WHEREAS, the Canal Alliance has requested that the City allow the temporary closure of a portion of Alto Street on several Saturdays to support their vaccination effort including May 1st, May 22nd, June 5th, June 12th, July 3rd, and July 10th, 2021; and

WHEREAS, staff additionally seeks the ability to close Alto Street on any other Saturday between May 22 and July 10, 2021 to accommodate schedule changes, if necessary, and

WHEREAS, after reviewing the request, City staff has determined and recommended that, in the interest of the safety and welfare of pedestrian and auto traffic in the Downtown area, that Alto Street should be temporarily closed to through traffic each Saturday from Saturday May 22nd to Saturday July 10th, 2021 from 6:30 am to 3 pm for scheduled vaccination efforts; and

WHEREAS, under his authority as Director of Emergency Services during the existing state of local emergency, the City Manager approved the temporary closure of Alto Street on May 1, 2021 to support the vaccination effort;

NOW THEREFORE, THE CITY COUNCIL OF THE CITY OF SAN RAFAEL HEREBY RESOLVES AS FOLLOWS:

1. That all of the above findings are true and correct.
2. That, pursuant to the authority of Vehicle Code section 21101(e), for the safety and protection of persons, both pedestrians and vehicle drivers, the City Council hereby authorizes the temporary closure of Alto Street for the dates and times described above.
3. The decision of the City Manager/Director of Emergency Services to approve the temporary closure of Alto Street on May 1, 2021 is hereby ratified and confirmed.

I, LINDSAY LARA, Clerk of the City of San Rafael, hereby certify that the foregoing Resolution was duly and regularly introduced and adopted at a regular meeting of the City Council of said City held on Monday, the 17th day of May 2021 by the following vote, to wit:

AYES: COUNCILMEMBERS:

NOES: COUNCILMEMBERS:

ABSENT: COUNCILMEMBERS:

Lindsay Lara, City Clerk



SAN RAFAEL CITY COUNCIL AGENDA REPORT

Department: Public Works

**Prepared by: Bill Guerin,
Director of Public Works**

City Manager Approval: _____

File No.: 15.08.286

TOPIC: IDA TOWNHOMES (WEST END/IDA STREET - 8 TOWNHOMES)

SUBJECT: RESOLUTION APPROVING STORMWATER FACILITIES MAINTENANCE AGREEMENTS AND FINAL SUBDIVISION MAP FOR THE IDA TOWNHOMES SUBDIVISION

RECOMMENDED ACTION: Adopt a resolution approving the Stormwater Facilities Maintenance Agreements and final subdivision map for Ida Townhomes.

BACKGROUND: The Planning Commission approved this project by Resolution No. 18-11 on October 9, 2018 which granted the following approvals:

- Environmental and Design Review Permit (ED18-021);
- Tentative subdivision map for a nine-lot subdivision with eight airspace condominiums and one common open space parcel (TS18-001);
- Variances for front yard, side yard, rear yard and driveway setbacks and minimum front landscaping (V-18-006);
- Subdivision Exception to the recreational facility requirement (EX18-003); and

The property owner/developer, 21 G Street, LLC, has completed the frontage improvements, storm drainage, stormwater treatment, utilities and all paving for the project and has now applied for approval of the final subdivision map.

ANALYSIS: The Department of Public Works and BKF, the City's consultant surveyor, have reviewed the final subdivision map (Attachment 4) and the installed frontage improvements and have determined that the final subdivision map and completed improvements are in substantial conformance with the tentative map approval in Resolution No.18-11 and the requirements of the Subdivision Map Act.

Resolution No. 18-11 also required the developer to enter into a Stormwater Facilities Maintenance Agreement and to prepare and record a Declaration of Covenants, Conditions and Restrictions (CC&R's). The CC&R's have been reviewed and approved by staff of the

FOR CITY CLERK ONLY

Council Meeting:

Disposition:

SAN RAFAEL CITY COUNCIL AGENDA REPORT / Page: 2

Community Development Department and the City Attorney's office. Staff has also reviewed and recommends that the City Council approve the Stormwater Facilities Maintenance Agreements (Attachments 2 and 3 - agreements apply to separate parts of the subdivision).

Staff has prepared a resolution approving and authorizing the City Manager to execute two separate Stormwater Facilities Maintenance Agreements and approving the final subdivision map and authorizing its recordation by the City Clerk, conditioned upon receipt of the Stormwater Facilities Maintenance Agreements signed by the developer.

FISCAL IMPACT: No fiscal impact is associated with this report. Staff costs for processing the application is covered by application fees paid by the developer.

OPTIONS: The City Council has the following options to consider in this matter:

1. Adopt the resolution.
2. Adopt the resolution with modifications.
3. Direct staff to return with more information.
4. Take no action.

RECOMMENDED ACTION: Adopt the resolution approving the Stormwater Facilities Maintenance Agreements and final subdivision map for the Ida Townhomes Subdivision.

ATTACHMENTS:

1. Resolution Approving Stormwater Facilities Maintenance Agreements and Final Subdivision Map for the Ida Townhomes Subdivision
2. Draft Stormwater Facilities Maintenance Agreement-21 G Street (Lots 7 and 8)
3. Draft Stormwater Facilities Maintenance Agreement -Ida Townhomes (Lots 1-6)
4. Subdivision Map

RESOLUTION NO.

**A RESOLUTION OF THE SAN RAFAEL CITY COUNCIL APPROVING
STORMWATER FACILITIES MAINTENANCE AGREEMENTS AND FINAL
SUBDIVISION MAP FOR THE IDA TOWNHOMES SUBDIVISION**

WHEREAS, on October 9, 2018 the San Rafael Planning Commission adopted Resolution No. 18-11 granting the following approvals for development of eight residential townhome condominiums at 21 G Street:

- A. Environmental and Design Review Permit (ED18-021);
- B. Tentative subdivision map for a nine-lot subdivision with eight airspace condominiums and one common open space parcel (TS18-001);
- C. Variances for front yard, side yard, rear yard and driveway setbacks and minimum front landscaping (V-18-006);
- D. Subdivision Exception to the recreational facility requirement (EX18-003); and

WHEREAS, the property owner, 21 G Street, LLC, has applied for approval of the final subdivision map for the subdivision, entitled “Ida Townhomes” and supporting documents; and

WHEREAS, staff has found that the frontage improvements, storm drainage, stormwater treatment, utilities and all paving for the subdivision are complete and the City Engineer and the City’s consultant surveyor have determined that the subdivision map and completed improvements are in substantial conformance with the approved tentative map and comply with the requirements of the California Subdivision Map Act; and

WHEREAS, a condition of approval of the tentative map requires the applicant to enter into a Stormwater Facilities Maintenance Agreement for the property; and

WHEREAS, the City Engineer and City Attorney have examined the two Stormwater Facilities Maintenance Agreements, for 21 G Street and Ida Townhomes, respectively, and are recommending their approval by the City Council;

NOW, THEREFORE, BE IT RESOLVED, by the City Council of the City of San Rafael that the Stormwater Facilities Maintenance Agreements included in the staff

report to the City Council is hereby approved, subject to final approval by the City Attorney as to form, and the City Manager is authorized to execute those Agreements.

BE IT FURTHER RESOLVED by the City Council that the final subdivision map for the Ida Townhomes Subdivision is hereby approved and the City Clerk is authorized to record the map in the Official Records of the County of Marin, conditioned upon receipt of the fully signed Stormwater Facilities Maintenance Agreements and all other required documents and fees.

I, **LINDSAY LARA**, Clerk of the City of San Rafael, hereby certify that the foregoing resolution was duly and regularly introduced and adopted at a regular meeting of the Council of said City on 17th day of May 2021, by the following vote to wit:

AYES: COUNCILMEMBERS:

NOES: COUNCILMEMBERS:

ABSENT: COUNCILMEMBERS:

LINDSAY LARA, City Clerk

12/3/2019

**RECORDING REQUESTED, AND
WHEN RECORDED RETURN TO:**

Stormwater Coordinator/Administrator
Public Works Department
City of San Rafael
111 Morphew Street
San Rafael, CA 94901

Draft 1.29.2021

SPACE ABOVE THIS LINE FOR RECORDERS USE

STORMWATER MANAGEMENT FACILITIES AGREEMENT

CITY OF SAN RAFAEL

**STORMWATER MANAGEMENT FACILITIES OPERATIONS AND
MAINTENANCE AGREEMENT**

PROJECT: 21 G Street

OWNERS NAMES: 21 G Street LLC

ASSESSOR'S PARCEL NUMBER: 11-232-10

**STORMWATER MANAGEMENT FACILITIES
OPERATION AND MAINTENANCE AGREEMENT**

THIS STORMWATER MANAGEMENT FACILITIES OPERATION AND MAINTENANCE AGREEMENT ("Agreement") is made and entered into this **Choose one** day of **February, 2021**, by and between **21 G Street, LLC, a California Limited Liability Company**, (hereinafter referred to as "Property Owner") and the City of San Rafael ("CITY").

RECITALS:

This Agreement is made and entered into with reference to the following facts:

WHEREAS, stormwater management facilities (hereinafter referred to as "Facilities") have been or will be installed in and must be maintained for the development called **21 G Street, a two unit residential development** located at _____ **Ida Street, San Rafael,**, Marin County, State of California and more particularly described on Exhibit "A" attached hereto and incorporated herein by reference (the "Property"); and

WHEREAS, the Property Owner is the owner of the Property **and intends to sell the two residential units and provide for maintenance of the Property by the buyers;** and

WHEREAS, the Property Owner remains fully responsible for assuring that the Facilities were designed, constructed and installed in full compliance with all applicable laws, regulations and ordinances, all requirements applicable to the development of the Property, and all Best Management Practices, in accordance with the Erosion and Sediment Control Plan; and

WHEREAS, the CITY Urban Runoff Pollution Prevention Ordinance, City of San Rafael Municipal Code chapter 9.30 ("CITY Ordinance") requires proper operation and maintenance of the Facilities constructed on this Property; and

WHEREAS, the CITY has approved the Stormwater Control Plan prepared by **CSW Stuber Stroeh** on the day of _____, as this Plan is on file at 111 Morphew Street, San Rafael 94901 and may be subsequently modified from time to time with CITY approval; and

WHEREAS, the development conditions of approval require that Facilities, as shown on the approved Stormwater Control Plan, be constructed and properly operated and maintained by the Property Owner; and

WHEREAS, the Stormwater Control Operation and Maintenance Plan (together with the Stormwater Control Plan, hereinafter the "Plans") includes an annual inspection form for the Facilities constructed on this Property, and

WHEREAS, this Agreement memorializes the Property Owner's maintenance, operations, and inspection obligations under the CITY Ordinance and the approved Plans.

NOW, THEREFORE, in consideration of the foregoing premises, the mutual covenants contained herein, and the following terms and conditions, the parties hereto agree as follows:

SECTION 1

Responsibility for Operation and Maintenance: The Property Owner will maintain printed copies of the approved Plans at the Property. The Property Owner must maintain the Facilities in good working condition acceptable to the CITY for the life of the project, and in compliance with the CITY Ordinance and the approved Plans. If significant changes to the operation and maintenance of the Facilities are proposed, the Property Owner is responsible for submitting a revised Stormwater Control Operation and Maintenance Plan to the CITY for approval. Upon transfer of the Property, the Property Owner shall provide any new owner with the current Plans and shall set forth in any transfer agreement a requirement that the new owner assume responsibilities set forth in the Plans and this Agreement.

SECTION 2

Inspection by Property Owner: The Property Owner, at its own expense, shall conduct annual inspections to ensure the Facilities are in good working order. The Property Owner may elect to use a qualified independent inspector to inspect the Facilities. The Property Owner shall send a report of the annual inspection to the Department of Public Works Stormwater Division at the addresses shown in Section 8 below. The annual inspection report shall include completion and certification of the form described in the approved Stormwater Control Operation and Maintenance Plan. If the Property Owner fails to submit the annual inspection report by December 31st, the CITY or its agents may (but without any obligation to do so) perform the inspection and invoice the Property Owner for the cost in accordance with Sections 3 and 4 below. If the inspection reveals that Facilities are not in good working order, Property Owner, at its own expense, shall undertake necessary action to restore Facilities to good working order.

SECTION 3

Right of Entry and Facility Inspection: The Property Owner hereby grants permission to the CITY, its employees and authorized agents to enter the Property, and to inspect the Facilities whenever any of the CITY or its agents deem it necessary in order to enforce provisions of the CITY Ordinance. The CITY its employees or authorized agents may enter the Property at any reasonable time to inspect the premises and Facilities operation, to inspect and copy records related to stormwater compliance, and to collect samples and take measurements. Whenever possible, these entities will provide notice prior to entry. The CITY may charge a fee to cover the costs of the inspection.

SECTION 4

Failure to Perform Required Facility Inspections, Repairs or Maintenance by the Property Owner: If the Property Owner fails to inspect and maintain the Facilities in good working order and in accordance with the approved Plans and the CITY Ordinance, the CITY, with prior notice and pursuant to the abatement procedures of San Rafael Municipal Code Chapters 1.40, 1.42, 1.44, and/or 1.46, may enter the Property to inspect or to return the Facilities to good working order and thereafter recover its

costs in accordance with the abatement procedures of San Rafael Municipal Code Chapters 1.40, 1.42, 1.44, and/or 1.46. The CITY is under no obligation to maintain or repair the Facilities, and this Agreement shall not be construed to impose any such obligation on the CITY. If the CITY under this section takes any action to inspect the Facilities or to return the Facilities to good working order, the Property Owner shall reimburse the CITY for all the costs incurred by the CITY. The CITY will provide the Property Owner with an itemized invoice of the costs and the Property Owner will have 30 days to pay the invoice. If the Property Owner fails to pay the invoice within 30 days, the CITY may secure a lien against the Property of the Property Owner in the amount of such costs. In addition, the CITY may make the cost of abatement of the nuisance caused by the failure to maintain the Facilities a special assessment against the Property that may be collected at the same time and in the same manner as ordinary taxes are collected as provided in the abatement procedures of San Rafael Municipal Code Chapters 1.40, 1.42, 1.44, and/or 1.46. This Section 4 does not prohibit the CITY from pursuing other legal recourse against the Property Owner.

SECTION 5

Indemnity: The Property Owner shall defend, indemnify and hold harmless the CITY, its officials, employees and its authorized agents from any and all costs, losses, damages, accidents, casualties, occurrences or claims which might arise or be asserted against the CITY and which are in any way connected with the construction, operation, presence, existence or maintenance of the Facilities by the Property Owner, or from any personal injury or property damage that may result from the CITY or other public entities entering the Property under Section 3 or 4 herein above.

SECTION 6

Successors and Assigns: This Agreement shall be recorded in the Office of the Recorder, Marin County, California, at the expense of the Property Owner. This Agreement and the covenants of the Property Owner set forth in numbered Sections 1 through 5 above shall run with the land, and the burdens thereof shall be binding upon each and every part of the Property and upon the Property Owner, its successors and assigns in ownership (or any interest therein), and said covenants shall inure to the benefit of and be enforceable by the CITY, its successors and assigns in ownership of each and every part of the street and storm drains.

SECTION 7

Severability: The provisions of this Agreement shall be severable and if any one of the provisions of this Agreement is adjudicated invalid by a court of competent jurisdiction it shall in no way effect any other provisions and all other provisions shall remain in full force and effect.

SECTION 8

Notices: All notices and other communications required or permitted to be given under this Agreement, including any notice of change of ownership, address or significant changes to the Facilities or Stormwater Control Operations and Maintenance Plan, shall be in writing and given by personal delivery, or deposited with the United States Postal Service, postage prepaid, addressed to the parties intended to be notified. Notice shall be deemed given as of the date of personal delivery, or if mailed, upon the date of deposit with the United States Postal Service. Notice must be given to the Property Owner, its successors and

assigns, at the address(es) shown on the records for the Property maintained by the Assessor. Notice to the CITY must be given by personal delivery or mail to both of the following addresses:

TO CITY: Public Works Director
Department of Public Works
City of San Rafael
111 Morphew Street
San Rafael, CA 94901

and,

Stormwater Coordinator or Administrator
Department of Public Works
City of San Rafael
111 Morphew Street
San Rafael, CA 94901

SECTION 9

Recordation: This Agreement shall be recorded by the Property Owner with the County Recorder within 30 days of the date of execution. Recordation shall be at the expense of the Property Owner.

SECTION 10

Effective Date and Modification: This Agreement is effective upon the date that the final signatory executes the Agreement. This Agreement shall not be modified except by written consent of both parties. Such modifications shall also be recorded in accordance with Section 9.

CITY OF SAN RAFAEL

PROPERTY OWNERS

JIM SCHUTZ, City Manager

Signature

Printed Name

ATTEST:

Signature

LINDSAY LARA, City Clerk

Printed Name

REVIEWED AND APPROVED AS TO CONTENT BY:

By: _____
BILL GUERIN, Public Works Director

REVIEWED AND APPROVED AS TO FORM:

ROBERT F. EPSTEIN, City Attorney

Attachments: Acknowledgements
Exhibit A

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

STATE OF CALIFORNIA

COUNTY OF MARIN

On _____, before me, _____, a notary public, personally appeared _____, who proved to me on the basis of satisfactory evidence to be the person whose name is subscribed to the within instrument and acknowledged to me that she executed the same in her authorized capacity, and that by her signature on the instrument the person, or the entity upon behalf of which the person acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

EXHIBIT "A"
Property Description

All that certain real property located in the City of San Rafael, County of Marin, State of California, and more particularly described as:

Lots 7 and 8 as shown on the "Map of Ida Townhomes _____" recorded in the office of the Recorder of Marin County, State of California, on _____ in Book _____ of Maps at Page _____ ("Property").

12/3/2019

**RECORDING REQUESTED, AND
WHEN RECORDED RETURN TO:**

Stormwater Coordinator/Administrator
Public Works Department
City of San Rafael
111 Morphew Street
San Rafael, CA 94901

Draft 1.29.2021

SPACE ABOVE THIS LINE FOR RECORDERS USE

STORMWATER MANAGEMENT FACILITIES AGREEMENT

CITY OF SAN RAFAEL

**STORMWATER MANAGEMENT FACILITIES OPERATIONS AND
MAINTENANCE AGREEMENT**

PROJECT: Ida Townhomes

OWNERS NAMES: 21 G Street LLC

ASSESSOR'S PARCEL NUMBER: 11-232-10

**STORMWATER MANAGEMENT FACILITIES
OPERATION AND MAINTENANCE AGREEMENT**

THIS STORMWATER MANAGEMENT FACILITIES OPERATION AND MAINTENANCE AGREEMENT ("Agreement") is made and entered into this **Choose one.** day of **February, 2021**, by and between **21 G Street, LLC, a California Limited Liability Company**, (hereinafter referred to as "Property Owner") and the City of San Rafael ("CITY").

RECITALS:

This Agreement is made and entered into with reference to the following facts:

WHEREAS, stormwater management facilities (hereinafter referred to as "Facilities") have been or will be installed in and must be maintained for the development called **Ida Townhomes, a six unit residential development** located at _____ **Ida Street, San Rafael,**, Marin County, State of California and more particularly described on Exhibit "A" attached hereto and incorporated herein by reference (the "Property"); and

WHEREAS, the Property Owner is the owner of the Property **and intends to sell the six residential units and form the Ida Townhomes Owners Association ("Association") to manage the common area at the development and maintain the Stormwater Facilities constructed at the Property** ; and

WHEREAS, the Property Owner remains fully responsible for assuring that the Facilities were designed, constructed and installed in full compliance with all applicable laws, regulations and ordinances, all requirements applicable to the development of the Property, and all Best Management Practices, in accordance with the Erosion and Sediment Control Plan; and

WHEREAS, the CITY Urban Runoff Pollution Prevention Ordinance, City of San Rafael Municipal Code chapter 9.30 ("CITY Ordinance") requires proper operation and maintenance of the Facilities constructed on this Property; and

WHEREAS, the CITY has approved the Stormwater Control Plan prepared by **CSW Stuber Stroeh** on the day of _____, as this Plan is on file at 111 Morphew Street, San Rafael 94901 and may be subsequently modified from time to time with CITY approval; and

WHEREAS, the development conditions of approval require that Facilities, as shown on the approved Stormwater Control Plan, be constructed and properly operated and maintained by the Property Owner; and

WHEREAS, the Stormwater Control Operation and Maintenance Plan (together with the Stormwater Control Plan, hereinafter the "Plans") includes an annual inspection form for the Facilities constructed on this Property, and

WHEREAS, this Agreement memorializes the Property Owner's and the Association's maintenance, operations, and inspection obligations under the CITY Ordinance and the approved Plans.

NOW, THEREFORE, in consideration of the foregoing premises, the mutual covenants contained herein, and the following terms and conditions, the parties hereto agree as follows:

SECTION 1

Responsibility for Operation and Maintenance: The Property Owner, and after sale of the lots, the Association, will maintain printed copies of the approved Plans at the Property (hereinafter "Property Owner includes the Association"). The Property Owner must maintain the Facilities in good working condition acceptable to the CITY for the life of the project, and in compliance with the CITY Ordinance and the approved Plans. If significant changes to the operation and maintenance of the Facilities are proposed, the Property Owner is responsible for submitting a revised Stormwater Control Operation and Maintenance Plan to the CITY for approval. Upon transfer of the Property, the Property Owner shall provide the Association and any new owner with the current Plans and shall set forth in any transfer agreement a requirement that the new owner assume responsibilities set forth in the Plans and this Agreement.

SECTION 2

Inspection by Property Owner: The Property Owner, at its own expense, shall conduct annual inspections to ensure the Facilities are in good working order. The Property Owner may elect to use a qualified independent inspector to inspect the Facilities. The Property Owner shall send a report of the annual inspection to the Department of Public Works Stormwater Division at the addresses shown in Section 8 below. The annual inspection report shall include completion and certification of the form described in the approved Stormwater Control Operation and Maintenance Plan. If the Property Owner fails to submit the annual inspection report by December 31st, the CITY or its agents may (but without any obligation to do so) perform the inspection and invoice the Property Owner for the cost in accordance with Sections 3 and 4 below. If the inspection reveals that Facilities are not in good working order, Property Owner, at its own expense, shall undertake necessary action to restore Facilities to good working order.

SECTION 3

Right of Entry and Facility Inspection: The Property Owner hereby grants permission to the CITY, its employees and authorized agents to enter the Property, and to inspect the Facilities whenever any of the CITY or its agents deem it necessary in order to enforce provisions of the CITY Ordinance. The CITY its employees or authorized agents may enter the Property at any reasonable time to inspect the premises and Facilities operation, to inspect and copy records related to stormwater compliance, and to collect samples and take measurements. Whenever possible, these entities will provide notice prior to entry. The CITY may charge a fee to cover the costs of the inspection.

SECTION 4

Failure to Perform Required Facility Inspections, Repairs or Maintenance by the Property

Owner: If the Property Owner fails to inspect and maintain the Facilities in good working order and in accordance with the approved Plans and the CITY Ordinance, the CITY, with prior notice and pursuant to the abatement procedures of San Rafael Municipal Code Chapters 1.40, 1.42, 1.44, and/or 1.46, may enter the Property to inspect or to return the Facilities to good working order and thereafter recover its costs in accordance with the abatement procedures of San Rafael Municipal Code Chapters 1.40, 1.42, 1.44, and/or 1.46. The CITY is under no obligation to maintain or repair the Facilities, and this Agreement shall not be construed to impose any such obligation on the CITY. If the CITY under this section takes any action to inspect the Facilities or to return the Facilities to good working order, the Property Owner shall reimburse the CITY for all the costs incurred by the CITY. The CITY will provide the Property Owner with an itemized invoice of the costs and the Property Owner will have 30 days to pay the invoice. If the Property Owner fails to pay the invoice within 30 days, the CITY may secure a lien against the Property of the Property Owner in the amount of such costs. In addition, the CITY may make the cost of abatement of the nuisance caused by the failure to maintain the Facilities a special assessment against the Property that may be collected at the same time and in the same manner as ordinary taxes are collected as provided in the abatement procedures of San Rafael Municipal Code Chapters 1.40, 1.42, 1.44, and/or 1.46. This Section 4 does not prohibit the CITY from pursuing other legal recourse against the Property Owner.

SECTION 5

Indemnity: The Property Owner shall defend, indemnify and hold harmless the CITY, its officials, employees and its authorized agents from any and all costs, losses, damages, accidents, casualties, occurrences or claims which might arise or be asserted against the CITY and which are in any way connected with the construction, operation, presence, existence or maintenance of the Facilities by the Property Owner, or from any personal injury or property damage that may result from the CITY or other public entities entering the Property under Section 3 or 4 herein above.

SECTION 6

Successors and Assigns: This Agreement shall be recorded in the Office of the Recorder, Marin County, California, at the expense of the Property Owner. This Agreement and the covenants of the Property Owner set forth in numbered Sections 1 through 5 above shall run with the land, and the burdens thereof shall be binding upon each and every part of the Property and upon the Property Owner, its successors and assigns in ownership (or any interest therein), and said covenants shall inure to the benefit of and be enforceable by the CITY, its successors and assigns in ownership of each and every part of the street and storm drains.

SECTION 7

Severability: The provisions of this Agreement shall be severable and if any one of the provisions of this Agreement is adjudicated invalid by a court of competent jurisdiction it shall in no way effect any other provisions and all other provisions shall remain in full force and effect.

SECTION 8

Printed Name

REVIEWED AND APPROVED AS TO CONTENT BY:

By: _____
BILL GUERIN, Public Works Director

REVIEWED AND APPROVED AS TO FORM:

ROBERT F. EPSTEIN, City Attorney

Attachments: Acknowledgements
Exhibit A

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

STATE OF CALIFORNIA

COUNTY OF MARIN

On _____, before me, _____, a notary public, personally appeared _____, who proved to me on the basis of satisfactory evidence to be the person whose name is subscribed to the within instrument and acknowledged to me that she executed the same in her authorized capacity, and that by her signature on the instrument the person, or the entity upon behalf of which the person acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

EXHIBIT "A"
Property Description

All that certain real property located in the City of San Rafael, County of Marin, State of California, and more particularly described as:

Lots 1 through 6, and Parcel A as shown on the "Map of Ida Townhomes _____" recorded in the office of the Recorder of Marin County, State of California, on _____ in Book _____ of Maps at Page _____ ("Property").

OWNER'S STATEMENT

WE HERBY STATE THAT WE ARE THE SOLE OWNERS OF AND HAVE THE RIGHT, TITLE, AND INTEREST IN AND TO THE REAL PROPERTY INCLUDED WITHIN THE SUBDIVISION SHOWN UPON THIS MAP, AND WE ARE THE ONLY PERSONS WHOSE CONSENT IS NECESSARY TO PASS CLEAR TITLE TO SAID PROPERTY, AND WE CONSENT TO THE MAKING AND FILING OF SAID MAP OF THE SUBDIVISION SHOWN WITHIN THE BORDER LINES, AND HEREBY MAKE NO OFFERS OF DEDICATION.

WE HEREBY RESERVE THE AREA DESIGNATED AS PARCEL "A" AND THE 3' ACCESS EASEMENT OVER LOTS 2 THROUGH 6 FOR THE PRIVATE USE OF THE OWNERS OF LOTS 1 THROUGH 6 AND THEY ARE NOT FOR USE BY THE GENERAL PUBLIC.

WE HEREBY RESERVE THE 3' STORM DRAIN EASEMENTS CROSSING LOTS 1 THROUGH 6 AND PARCEL "A" FOR THE PRIVATE USE OF LOTS 1 THROUGH 6 AND PARCEL "A" AND THEY ARE NOT FOR USE BY THE GENERAL PUBLIC.

WE HEREBY RESERVE THE RECIPROCAL ACCESS EASEMENTS APPURTENANT TO LOTS 7 AND 8 AND THE 3' SANITARY SEWER EASEMENTS OVER LOTS 5 & 6 AND PARCEL "A" APPURTENANT TO LOTS 7 & 8 AND THEY ARE NOT FOR USE BY THE GENERAL PUBLIC.

BY: 21 6 ST., L.L.C., A CALIFORNIA LIMITED LIABILITY COMPANY

BY: ARVAND SABETIAN, MANAGER

OWNER'S ACKNOWLEDGEMENT

A NOTARY PUBLIC OR OTHER OFFICER COMPLETING THIS CERTIFICATE VERIFIES ONLY THE IDENTITY OF THE INDIVIDUAL WHO SIGNED THE DOCUMENT TO WHICH THIS CERTIFICATE IS ATTACHED, AND NOT THE TRUTHFULNESS, ACCURACY, OR VALIDITY OF THAT DOCUMENT.

STATE OF CALIFORNIA, COUNTY OF MARIN,

ON BEFORE ME, A NOTARY PUBLIC, PERSONALLY APPEARED ARVAND SABETIAN, WHO PROVED TO ME ON THE BASIS OF SATISFACTORY EVIDENCE TO BE THE PERSON(S) WHOSE NAME(S) IS/ARE SUBSCRIBED TO THE WITHIN INSTRUMENT AND ACKNOWLEDGED TO ME THAT HE/SHE/THEY EXECUTED THE SAME IN HIS/HER/THEIR AUTHORIZED CAPACITY(IES), AND THAT BY HIS/HER/THEIR SIGNATURE(S) ON THE INSTRUMENT THE PERSON(S), OR THE ENTITY UPON BEHALF OF WHICH THE PERSON(S) ACTED, EXECUTED THE INSTRUMENT.

I CERTIFY UNDER PENALTY OF PERJURY UNDER THE LAWS OF THE STATE OF CALIFORNIA THAT THE FOREGOING PARAGRAPH IS TRUE AND CORRECT.

WITNESS MY HAND AND OFFICIAL SEAL.

SIGNATURE

MY COMMISSION NO.

MY COMMISSION EXPIRES

COUNTY RECORDER'S CERTIFICATE

FILED THIS DAY OF 20, AT M IN BOOK OF MAPS

AT PAGE AT THE REQUEST OF :

SERIAL NO. FEE:

COUNTY RECORDER

BY DEPUTY:

COUNTY TAX COLLECTOR'S STATEMENT

ACCORDING TO THE RECORDS IN THE OFFICE OF THE UNDERSIGNED, THERE ARE NO LIENS AGAINST THIS SUBDIVISION, OR ANY PARTS THEREOF, FOR THE UNPAID STATE, COUNTY, MUNICIPAL OR LOCAL TAXES OR SPECIAL ASSESSMENTS COLLECTED AS TAXES EXCEPT TAXES OR SPECIAL ASSESSMENTS COLLECTED AS TAXES NOT YET PAYABLE AGAINST THE TRACT OR SUBDIVISION OF LAND SHOWN HEREON OR ANY PART THEREOF IS \$

THE LAND IN SAID SUBDIVISION IS NOT SUBJECT TO A SPECIAL ASSESSMENT OR BOND WHICH MAY BE PAID IN FULL. SECURITY REQUIRED PURSUANT TO GOVERNMENT CODE SECTION 66443(A) AND 66443(C) ARE HERBY ACCEPTED AND APPROVED.

DATE, 2020

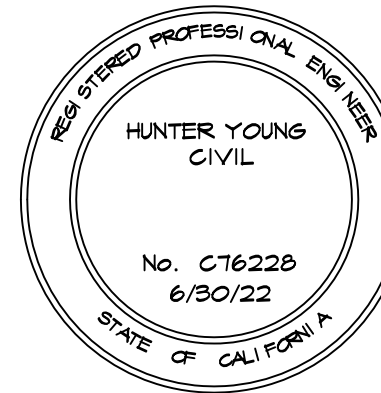
TAX COLLECTOR COUNTY OF MARIN STATE OF CALIFORNIA

CLERK OF THE BOARD OF SUPERVISORS STATEMENT

I, THE UNDERSIGNED, CLERK OF THE BOARD OF SUPERVISORS OF THE COUNTY OF MARIN, STATE OF CALIFORNIA, DO HEREBY STATE THAT A GOOD AND SUFFICIENT BOND APPROVED BY AND IN THE AMOUNT FIXED BY SAID BOARD OF SUPERVISORS HAVE BEEN FILED WITH SAID COUNTY OF MARIN AND IS CONDITIONED FOR THE PAYMENT OF ALL TAXES, WHICH MAY BE AT THE TIME OF RECORDING OF THIS MAP A LIEN AGAINST THE TRACT OR SUBDIVISION OF LAND SHOWN HEREON OR ANY PART THEREOF, BUT NOT YET PAYABLE.

WITNESS MY HAND AND SEAL THIS DAY OF

SIGNED CLERK OF THE BOARD OF SUPERVISORS COUNTY OF MARIN STATE OF CALIFORNIA



TRUSTEE'S STATEMENT

OLD REPUBLIC TITLE COMPANY, TRUSTEE UNDER THE DEED OF TRUST RECORDED AS DOCUMENT No. 2018-18790, MARIN COUNTY RECORDS, AGAINST THE TRACT OF LAND SHOWN HEREON, HEREBY CONSENT TO THE RECORDING OF THIS MAP.

BY: DATE:

TRUSTEE'S ACKNOWLEDGEMENT

A NOTARY PUBLIC OR OTHER OFFICER COMPLETING THIS CERTIFICATE VERIFIES ONLY THE IDENTITY OF THE INDIVIDUAL WHO SIGNED THE DOCUMENT TO WHICH THIS CERTIFICATE IS ATTACHED, AND NOT THE TRUTHFULNESS, ACCURACY, OR VALIDITY OF THAT DOCUMENT.

STATE OF CALIFORNIA, COUNTY OF MARIN,

ON BEFORE ME, A NOTARY PUBLIC, PERSONALLY APPEARED, WHO PROVED TO ME ON THE BASIS OF SATISFACTORY EVIDENCE TO BE THE PERSON(S) WHOSE NAME(S) IS/ARE SUBSCRIBED TO THE WITHIN INSTRUMENT AND ACKNOWLEDGED TO ME THAT HE/SHE/THEY EXECUTED THE SAME IN HIS/HER/THEIR AUTHORIZED CAPACITY(IES), AND THAT BY HIS/HER/THEIR SIGNATURE(S) ON THE INSTRUMENT THE PERSON(S), OR THE ENTITY UPON BEHALF OF WHICH THE PERSON(S) ACTED, EXECUTED THE INSTRUMENT.

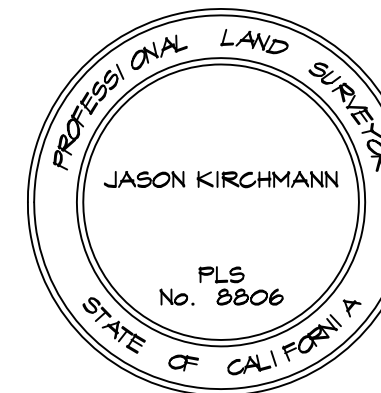
I CERTIFY UNDER PENALTY OF PERJURY UNDER THE LAWS OF THE STATE OF CALIFORNIA THAT THE FOREGOING PARAGRAPH IS TRUE AND CORRECT.

WITNESS MY HAND AND OFFICIAL SEAL.

SIGNATURE

MY COMMISSION NO.

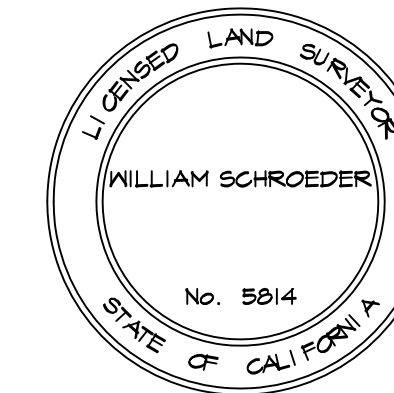
MY COMMISSION EXPIRES



SURVEYORS STATEMENT

THIS MAP WAS PREPARED BY ME OR UNDER MY DIRECTION AND IS BASED UPON A FIELD SURVEY IN CONFORMANCE WITH THE REQUIREMENTS OF THE SUBDIVISION MAP ACT AND LOCAL ORDINANCE AT THE REQUEST OF 21 6 ST., L.L.C. I HEREBY STATE THAT ALL THE MONUMENTS ARE OF THE CHARACTER AND OCCUPY THE POSITIONS INDICATED OR THAT THEY WILL BE SET IN THOSE POSITIONS BEFORE NOVEMBER 2022, AND THAT THE MONUMENTS ARE, OR WILL BE, SUFFICIENT TO ENABLE THE SURVEY TO BE RETRACED, AND THAT THIS FINAL MAP SUBSTANTIALLY CONFORMS TO THE CONDITIONALLY APPROVED TENTATIVE MAP.

WILLIAM SCHROEDER DATE P.L.S. No. 5814



CITY ENGINEER'S STATEMENT

I, THE UNDERSIGNED, CITY ENGINEER OF THE CITY OF SAN RAFAEL, COUNTY OF MARIN, STATE OF CALIFORNIA, HEREBY STATE THAT I HAVE EXAMINED THIS SUBDIVISION MAP, THAT THE SUBDIVISION AS SHOWN IS SUBSTANTIALLY THE SAME AS IT APPEARED ON THE TENTATIVE MAP, AND ANY APPROVED ALTERATIONS THEREOF; THAT ALL PROVISIONS OF CHAPTER 2, OF THE SUBDIVISION MAP ACT AND LOCAL ORDINANCES APPLICABLE AT THE TIME OF APPROVAL OF THE TENTATIVE MAP HAVE BEEN COMPLIED WITH, I AM SATISFIED THAT THE MAP IS TECHNICALLY CORRECT.

DATE

HUNTER YOUNG, CITY ENGINEER, CITY OF SAN RAFAEL

CITY CLERK'S CERTIFICATE

THE CITY COUNCIL OF THE CITY OF SAN RAFAEL, COUNTY OF MARIN, AT A REGULAR MEETING HELD ON, EXAMINED THIS SUBDIVISION MAP, AND THE CITY COUNCIL BY MOTION/RESOLUTION DID DULY APPROVE THIS SUBDIVISION MAP.

SIGNED THIS DAY OF, 2020.

CITY CLERK, CITY OF SAN RAFAEL COUNTY OF MARIN, STATE OF CALIFORNIA

CITY SURVEYOR'S STATEMENT

I, THE UNDERSIGNED, CITY SURVEYOR OF THE CITY OF SAN RAFAEL, COUNTY OF MARIN, STATE OF CALIFORNIA, HEREBY STATE THAT I HAVE EXAMINED THIS SUBDIVISION MAP ON BEHALF OF THE CITY OF SAN RAFAEL, STATE OF CALIFORNIA AND I AM SATISFIED THAT THIS MAP IS TECHNICALLY CORRECT.

DATE

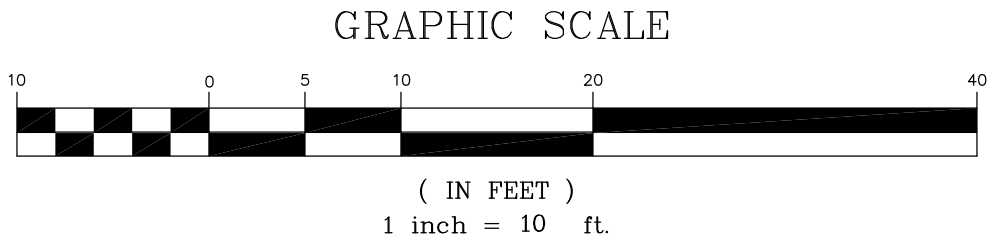
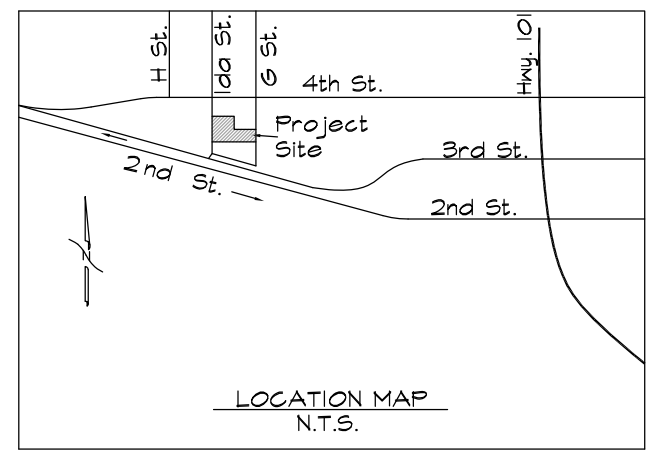
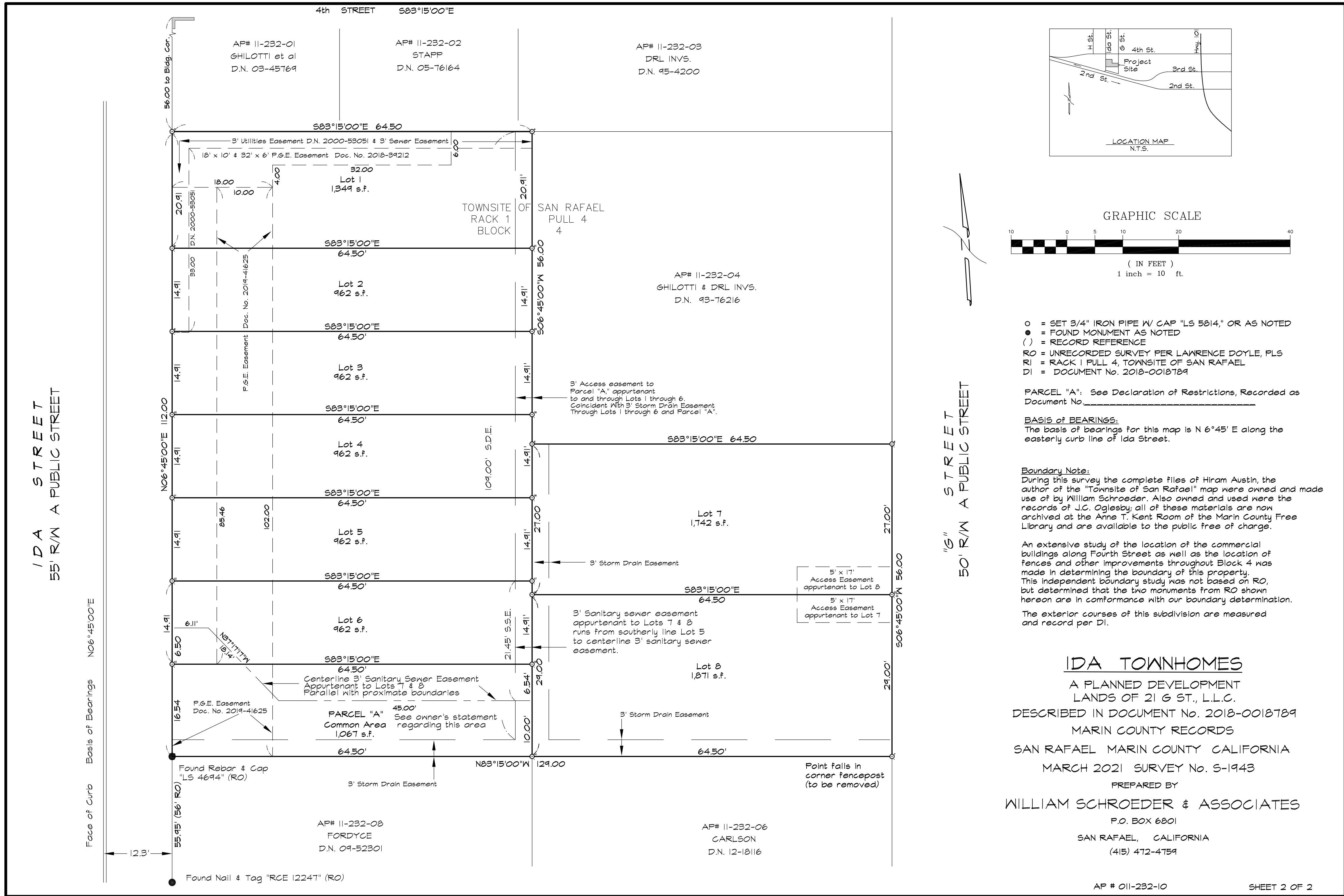
JASON KIRCHMANN ACTING CITY SURVEYOR, CITY OF SAN RAFAEL, CALIFORNIA

IDA TOWNHOMES

A PLANNED DEVELOPMENT LANDS OF 6 ST., L.L.C. DESCRIBED IN DOCUMENT No. 2018-0018789 MARIN COUNTY RECORDS

SAN RAFAEL MARIN COUNTY CALIFORNIA MARCH 2021 SURVEY No. S-1943

PREPARED BY WILLIAM SCHROEDER & ASSOCIATES P.O. BOX 6801 SAN RAFAEL, CALIFORNIA (415) 472-4759



- = SET 3/4" IRON PIPE W/ CAP "LS 5014," OR AS NOTED
- = FOUND MONUMENT AS NOTED
- () = RECORD REFERENCE
- RO = UNRECORDED SURVEY PER LAWRENCE DOYLE, PLS
- RI = RACK 1 PULL 4, TOWNSITE OF SAN RAFAEL
- DI = DOCUMENT No. 2018-0018789

PARCEL "A": See Declaration of Restrictions, Recorded as Document No. _____

BASIS of BEARINGS:
The basis of bearings for this map is N 6°45' E along the easterly curb line of Ida Street.

Boundary Note:
During this survey the complete files of Hiram Austin, the author of the "Townsite of San Rafael" map were owned and made use of by William Schroeder. Also owned and used were the records of J.C. Oglesby; all of these materials are now archived at the Anne T. Kent Room of the Marin County Free Library and are available to the public free of charge.

An extensive study of the location of the commercial buildings along Fourth Street as well as the location of fences and other improvements throughout Block 4 was made in determining the boundary of this property. This independent boundary study was not based on RO, but determined that the two monuments from RO shown hereon are in conformance with our boundary determination.

The exterior courses of this subdivision are measured and record per DI.

IDA TOWNHOMES
A PLANNED DEVELOPMENT
LANDS OF 21 G ST., L.L.C.
DESCRIBED IN DOCUMENT No. 2018-0018789
MARIN COUNTY RECORDS
SAN RAFAEL MARIN COUNTY CALIFORNIA
MARCH 2021 SURVEY No. S-1943
PREPARED BY
WILLIAM SCHROEDER & ASSOCIATES
P.O. BOX 6801
SAN RAFAEL, CALIFORNIA
(415) 472-4759

ORDINANCE NO. 1993

**AN ORDINANCE OF THE CITY OF SAN RAFAEL
APPROVING A LEASE OF REAL PROPERTY AT 1125 B STREET (BOYD
GATE HOUSE) TO THE MARIN HISTORY MUSEUM**

WHEREAS, the City of San Rafael owns real property located at 1125 B Street, commonly known as the Boyd Gate House; and

WHEREAS, between from 2002 and 2015 the Marin History Museum (“Museum”), a local nonprofit organization, rented the Boyd Gate House from the City for public exhibitions and educational programs celebrating the traditions, innovation and creativity of the people of Marin County; and

WHEREAS, the Museum wishes to reopen and resume its operations at the Boyd Gate House; and

WHEREAS, the City Council wishes to encourage and promote the reopening of the Museum to support its mission and to revitalize the San Rafael downtown area, and finds that leasing Boyd Gate House to the Museum for its operations would be in the best interests of the public and would benefit the public health and welfare; and

WHEREAS, the City Council finds that approval of a lease of an existing structure is categorically exempt from environmental review, pursuant to CEQA Guidelines Section 15301;

**NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF SAN RAFAEL DOES
ORDAIN AS FOLLOWS:**

DIVISION 1.

The City Council hereby approves, and authorizes the Mayor to execute, a lease of the Boyd Gate House to the Marin History Museum for a term of three (3) years, with an option to renew for two additional one-year terms, at a base rental of One Thousand Two Hundred Dollars (\$1,200) per month and on the other terms set forth in the “Lease Agreement Between the City of San Rafael and the Marin History Museum” included with the staff report for this Ordinance, subject to final approval as to form by the City Attorney.

DIVISION 2:

This Ordinance shall be published once, in full or in summary form, before its final passage, in a newspaper of general circulation, published, and circulated in the City of San Rafael, and shall be in full force and effect thirty (30) days after its final passage. If published in summary form, the summary shall also be published within fifteen (15) days after the adoption, together with the names of those Councilmembers voting for or against same, in a newspaper of general circulation published and circulated in the City of San Rafael, County of Marin, State of California.



KATE COLIN, Mayor

ATTEST:



LINDSAY LARA, City Clerk

The foregoing Ordinance No. 1993 was introduced at a Regular Meeting of the City Council of the City of San Rafael, held on the 3rd day of May 2021 and ordered passed to print by the following vote, to wit:

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

NOES: Councilmembers: None

ABSENT: Councilmembers: None

and will come up for adoption as an Ordinance of the City of San Rafael at a Regular Meeting of the Council to be held on the 17th day of May, 2021.



LINDSAY LARA, City Clerk

SUMMARY OF ORDINANCE NO. 1993

AN ORDINANCE OF THE CITY OF SAN RAFAEL APPROVING A LEASE OF REAL PROPERTY AT 1125 B STREET (BOYD GATE HOUSE) TO THE MARIN HISTORY MUSEUM

This Summary concerns a proposed ordinance of the City Council of the City of San Rafael, designated as Ordinance No. 1993, which will approve a lease of City-owned property at 1125 B Street, San Rafael, to the Marin History Museum.

SUMMARY OF AMENDMENT TO MUNICIPAL CODE

The Ordinance will approve a lease of the historic “Boyd Gate House” located at 1125 B Street in the City of San Rafael’s Boyd Park. This historic building is owned by the City and was used by the Marin History Museum from 2002 until it closed in 2015 for its public exhibitions and educational programs celebrating the traditions, innovation and creativity of the people of Marin County. The Boyd Gate House is currently unoccupied, and the Marin History Museum wishes to reopen and resume its operations at that location. Ordinance No. 1993 will approve a lease of the Boyd Gate House to the Marin History Museum for a three-year term with two additional one-year options.

Copies of Ordinance No. 1993 will be available for public review as of Wednesday, May 12, 2021 at the San Rafael City Clerk’s Office, 1400 Fifth Avenue, 2nd Floor, Room 209 during regular business hours, 8:30 a.m. to 5:00 p.m., and on the City’s website: <https://www.cityofsanrafael.org>. You may also contact the City Clerk at (415) 485-3066 or the Department of Public Works at (415) 485-3385 for information.

LINDSAY LARA
San Rafael City Clerk
Dated: 5/8/2021



**Proclamation
in Recognition of**

NATIONAL PUBLIC WORKS WEEK 2021

- WHEREAS,** public works professionals focus on infrastructure, facilities, and services that are of vital importance to sustainable and resilient communities and to the public health, high quality of life, and well-being of the people of the City of San Rafael; and
- WHEREAS,** Public Works personnel are involved in the maintenance, planning, design, and construction of streets, transportation facilities, parks, storm drains, public buildings and operations, right-of-way management, and emergency operations and response, and other structures and facilities essential for our residents; and
- WHEREAS,** during this difficult time as we face the on-going coronavirus pandemic (COVID-19), the San Rafael Public Works Department are essential workers who continue to work hard every day to keep our community safe and functional, with various responsibilities related to COVID-19 response; and
- WHEREAS,** it is in the public interest for the citizens, civic leaders, and children in the City of San Rafael to gain knowledge of and to maintain an ongoing interest in and understanding of the importance of public works and public works programs in their respective communities; and
- WHEREAS,** the year 2021 marks the 61st annual National Public Works Week sponsored by the American Public Works Association; and
- WHEREAS,** the 2021 National Public Works theme is “Stronger Together” representing the role Public Works plays in keeping the community safe and resilient by working together with residents, leaders, and stakeholders to provide essential services;

NOW, THEREFORE, the City Council of the City of San Rafael, Hereby Proclaims the week of May 16 – 22, 2021 as National Public Works Week; and furthermore I call upon all residents and civic organizations to acquaint themselves with the issues involved in providing our public works and to recognize the contributions which public works personnel make every day to protecting our health, safety, comfort, and quality of life.

Mayor





SAN RAFAEL CITY COUNCIL AGENDA REPORT

Department: City Manager's Office

Prepared by: Cory Bytof,
Sustainability Program Manager

City Manager Approval: _____

TOPIC: GREENHOUSE GAS EMISSIONS REPORT AND CLIMATE ACTION PRIORITIES UPDATE

SUBJECTS:

1. SAN RAFAEL GREENHOUSE GAS INVENTORY REPORT
2. 2021-2023 TWO-YEAR WORK PLAN PRIORITIES REPORT

RECOMMENDATIONS:

1. Accept the Greenhouse Gas Inventory and Reduction Strategy Annual Report for 2019.
2. Accept the 2021-2023 Two-Year Work Plan Priorities Report.

EXECUTIVE SUMMARY:

The City conducts annual greenhouse gas (GHG) emissions inventory reports to gauge progress toward our GHG reduction targets as reflected in our [Climate Change Action Plan 2030](#) (CCAP). The latest report is for calendar year 2019 as this is the latest data available. It shows the City has achieved a 27% reduction in GHG emissions since 2005, and a 14% reduction since 1990 levels. In addition, every two years staff submits a 2-Year Priority Action Work Plan for review and updates the City Council on achievements from the previous two years. Proposed priority focus areas include some similar areas of focus from the prior two years, including enabling more electric vehicle adoption programs, mandatory composting policies, energy efficiency programs, economic development initiatives, and adaptation planning. New proposed initiatives include exploration of community and facility microgrids.

BACKGROUND:

State of the Climate

2020 was another record-setting year with regard to the climate. August through October shattered past California temperature records, averaging over 5 degrees more than the 100-year temperature average. Wildfires scorched over 4.2 million acres. The August Complex Fire, sparked Aug. 16 in Mendocino County, burned more than 1 million acres, making it the largest fire in California history. Only 20 inches of rain fell at Lake Lagunitas in the Marin Municipal Water District watershed during all of 2020; just 40 percent of the average. In fact, 2020 was the second-

FOR CITY CLERK ONLY

File No.:

Council Meeting:

Disposition:

driest year in 90 years. In addition, 2011-2020 was the hottest decade on record. These changes to the climate affect people dramatically, especially the most vulnerable members of our community, as we experience more extreme heat days, increased flooding and storm impacts, water restrictions, increased health impacts, and higher food costs.

California Climate Goals

Greenhouse gas reduction strategies are aimed at reducing the emissions that cause climate change in an effort to keep the climate from warming 2° Celsius above preindustrial times, which is what scientists say needs to happen in order to stave off the worst effects of climate change. To date, the planet has warmed 1° Celsius. The State of California has responded to growing concerns over the effects of climate change by adopting a comprehensive approach to addressing emissions in the public and private sectors. This approach was officially initiated with the passage of the Global Warming Solutions Act of 2006 (AB 32), which requires the state to reduce its greenhouse gas (GHG) emissions to 1990 levels by 2020. The AB 32 Scoping Plan was developed to identify strategies for meeting the AB 32 goal and was adopted by the California Air Resources Board (CARB) in December 2008. Among many other strategies, it encourages local governments to reduce emissions in their jurisdictions by 15 percent below 2005 baseline levels by 2020, and proposed longer-term goals established by Executive Order S-3-05 to reduce emissions 80 percent below 1990 levels by 2050.

In 2016, the State Legislature passed SB 32, which set interim targets of 40% reductions below 1990 levels by 2030. CARB subsequently updated its Climate Change Scoping Plan in 2017 to lay out a strategy to achieve the 2030 target. In 2018, Executive Order B-55-18 committed California to achieve carbon neutrality – the point at which the removal of carbon from the atmosphere meets or exceeds emissions – by 2045.

Climate Change Action Plan

San Rafael's first [Climate Change Action Plan \(CCAP\)](#) was developed by a 17-member Green Ribbon Committee in 2008 and adopted by the City Council in 2009. In 2011, the City incorporated the CCAP measures into General Plan 2020 as a new Sustainability Element. A GHG Emissions Reduction Strategy was also prepared to provide technical support to the Sustainability Element and adopted CCAP. In 2017, then City Councilmember Kate Colin and the City Manager's Office convened a 20-member community Working Group to update the CCAP to meet the new 2030 State targets. The Working Group developed the greenhouse gas reduction measures/activities with the assistance of 19 local subject matter experts. Over 350 San Rafael residents and business representatives gave input on the Plan, which was adopted by the City Council on [May 19, 2019](#).

Greenhouse Gas Reduction Strategy

The City's Climate Change Action Plan has also been integrated into the [Draft General Plan 2040](#) and serves as the City's Greenhouse Gas Reduction Strategy. The Strategy meets the California Environmental Quality Act (CEQA) for a "qualified" Greenhouse Gas Reduction Strategy. It commits the City to track implementation measures and emissions reductions while providing a valuable streamlining tool for reviewing new development and building projects. It allows applicants to demonstrate that they comply with Greenhouse Gas Reduction Strategy measures through utilization of a compliance checklist, saving time and cost for contractors and staff, while ensuring that GHG emissions reduction activities are included in projects. San Rafael is currently the only local jurisdiction in Marin County with such a Strategy.

As part of the CCAP implementation, a City Council Sustainability Liaison meets quarterly with

primary staff involved with implementing the CCAP as well as the president of Sustainable San Rafael, with occasional additional meetings as needed to address specific initiatives of high importance. Mayor Colin was the Liaison until January of 2021 and Councilmember Llorens Gulati is the current Liaison. As Liaison, Councilmember Llorens Gulati chairs the quarterly public CCAP implementation forums comprised of staff and interested members of the community. The Liaison's role is critical in helping staff prioritize requests from the public and in shaping projects and programs for City Council action.

Greenhouse Gas Inventory

The City measures progress toward GHG reduction goals through completion of an annual community greenhouse gas (GHG) inventory report. These reports provide the City Council with an overview of community-wide emissions as well as status of City actions accomplished in that same year. The report also fulfills the City's requirement to report annual emissions for the strategy to reduce greenhouse gas emissions. GHG emissions and reductions are calculated for various sectors, including energy, transportation, waste, and water. This is done using a common protocol all cities use to show what is called in-boundary emissions, meaning the emissions created most directly within the geographical boundary of the City. Emissions data is typically not available for a year and a half; thus, inventories have a lag time. The last community inventory was conducted in in 2020 for the 2018 calendar year.

In addition, every five years, the City conducts a municipal inventory, which provides a deep analysis of the emissions from municipal operations and facilities. The last municipal inventory was conducted in 2018 for calendar year 2016. Municipal emissions typically comprise less than 1% of community-wide emissions.

The City of San Rafael partners with the Marin Climate and Energy Partnership (MCEP) for conducting the inventory and developing the report. MCEP publishes all the results on the MCEP website, marinclimate.org, and at MarinTracker.org so that members of our community can easily access the data using an interactive map.

2-Year Priorities

Every two years staff works with the City Manager's office to identify key priorities taken from our Climate Change Action Plan to be implemented during the year. These are reviewed with our City Council Sustainability Liaison and at our Climate Change Action Plan quarterly community forum for review before finalizing and bringing to Council. This establishes a work plan for staff so that we can be efficient with City resources and not get sidetracked by other activities. The first set of Priorities was brought to Council with the CCAP 2030 and included the following action items:

1. Develop an Online CCAP Engagement Platform
2. Expand Our Electric Vehicle Charging Network
3. Implement Electric Vehicle Policies and Programs
4. Implement Mandatory Recycling
5. Plan for Climate Resilience
6. Increase Building Energy Efficiency
7. Promote Solar and Renewable Energy
8. Convene an Economic Working Group

ANALYSIS:

Greenhouse Gas Inventory Report

The 2019 Greenhouse Gas Inventory Report (Attachment A) provides the City Council with an

SAN RAFAEL CITY COUNCIL AGENDA REPORT / Page: 4

overview of community-wide emissions as well as status of City actions accomplished in that same year. The report also fulfills the City's requirement to report annual emissions for the strategy to reduce greenhouse gas emissions. The Report provides broad category, best-estimate community-wide emissions data for calendar year 2019 based on publicly available data. This data shows an overall reduction of approximately 27% of community-wide emissions since 2005, including an approximate 1% reduction between 2018 and 2019. Table 1 below shows where our emissions reductions came from.

	Change in Emissions 2005-2019 (MTCO_{2e})	Percent Change 2005-2019
Transportation	-47,433	-18%
Built Environment - Electricity	-63,302	-71%
Built Environment – Natural Gas	-6,210	-7%
Waste	-5,605	-29%
Water	-2,446	-96%
Off-Road	-1,451	-31%
Wastewater	17	3%
TOTAL	126,430	-27%

Table 1: Change in Emissions by Sector

Following are a sampling of programs and policies the City undertook to reduce GHG emissions in 2019 and 2020:

- Completed and adopted Climate Change Action Plan 2030 and GHG Reduction Strategy
- Completed online engagement platform [SanRafaelClimateAction.org](https://www.sanrafaelclimateaction.org)
- Installed solar energy system at City Hall
- Installed six electric vehicle chargers at City Hall
- AB 1826 MOrE (Mandatory Organics Recycling) Compliance Plan, resources for businesses, website and video tutorials
- Hired Sustainability Fellows to assist with Zero Waste efforts in City departments and in the community
- Promoted and supported electric vehicle educational events
- Supported residential and commercial outreach programs such as Resilient Neighborhoods, Canal Community Resilience Council, California Youth Environmental Services' Green House Calls, the Chamber Green Business Committee, the Electric Vehicle Working Group, and Marin School of Environmental Leadership, among others
- Purchased and installed public recycling containers in City facilities & public areas
- Provided behavior change workshops for other agencies and community based organizations to assist in the acceleration of social science-based program delivery

The City has made significant progress towards implementation of its CCAP and has a strong commitment toward continuing to implement policies and programs. The designation of a City Council Sustainability Liaison and bi-annual review of Sustainability Priorities, as well as the

Council's decision to have staff dedicated to sustainability, demonstrates that commitment. In addition, City management and staff across all departments have embraced a sustainability ethos and provide staff time and resources toward accomplishing our sustainability goals.

The City has met its interim goal of a 25% reduction in GHG emissions from 2005 baseline by 2020. However, the new State targets and our CCAP establish a new baseline of 1990 GHG emissions for 2030 reduction targets. This 40% reduction by 2030 using the new baseline means that emissions reductions will have to be even greater to meet the mark. Continuing to compare to a 2005 baseline requires the City to help reduce community-wide emissions 49% to equal the 40% below 1990 levels by 2030 since GHG emissions were significantly lower in 1990. Translating our current reductions to a 1990 baseline means San Rafael has reduced emissions 14% since 1990. This will be a challenge and it will require creative collaborations with all of our community partners to meet our goals.

In addition, it's important to note that some of the emissions reductions may be related to economic and other conditions, and changes in these conditions could slow the rate of reductions and require further actions to keep on track. For example, most scientific analyses of GHG emissions during the pandemic show a dramatic reduction in emissions due to the huge shift in work and commute patterns. This is still to be fully understood. In addition, in order to meet our CCAP targets of 80% reductions by 2050, San Rafael will need to continue to innovate and be at the forefront of local GHG reduction strategies.

Finally, regarding GHG inventories, the value of this in-boundary type of inventory is that it isolates emissions from local sources, providing a snapshot of sectors and activities that are able to be affected to some degree by local government actions. In addition, it allows for aggregating data to allow for county-wide, regional, state and larger groupings of emissions calculations. This can be helpful to understand California-wide emissions for instance or to compare to the U.S. at large. One thing it does not do however is get at the larger set of emissions driven by consumption.

A [consumption-based inventory](#) takes into account all of the “upstream” emissions from the things we buy, including the mining, manufacturing, packaging and transportation of products, which carries a lot of embedded GHG emissions. Looking at a consumption-based inventory would show a very different picture of San Rafael's GHG emissions. It could easily quadruple our emissions per capita due to the amount of materials and products we consume, mainly from imported food and goods. In San Rafael, we have chosen to include consumption messaging – our “carbon footprint” – in our engagement rather than just rely on an in-boundary inventory. This is a primary focus of the Resilient Neighborhoods program, which works county-wide to educate residents about this and help them reduce their household carbon footprint.

2019-2021 Two-Year Work Plan Priorities

Every two years staff proposes work plan priorities from the CCAP in order to be efficient with City resources and stay focused on key initiatives. These are reviewed with our Sustainability Liaison to the Council and at the quarterly CCAP implementation forums, which are open to the public, as a means of aligning the work plan with other City priorities and with community concerns. The practice of establishing two-year priorities was established due to the fact that most items require more than one year to complete. This will not preclude annual review by City Council, however, and the intention is to bring status reports on the priorities annually, along with the annual greenhouse gas inventory reports described above.

Attachment B is a report detailing the accomplishments of the past two years along with the proposed 2021-2023 Two-Year Priority Workplan. Below is a snapshot of the accomplishments from the past two years.

C.C.A.P. EARLY ACTIONS STRATEGIES 2019-2021

ACTION STRATEGY	OBJECTIVES	2021 Status Update
1. Host CCAP Online	Design and Develop website	Complete
	Develop engagement plan	Complete
2. EV Charger Expansion	Install at City Hall and other facilities	Partially Complete
	Promote rebates and programs	In Progress
3. EV Policies and Programs	Develop streamlined EV ordinance with County	Complete
	Promote Drive Clean Marin and other programs	Complete
4. Mandatory Recycling and Organics	Develop and implement AB 1826 compliance plan	Complete
	Conduct analysis with Marin Sanitary Service, other franchisors	In Progress
	Develop and adopt a local ordinance	In Progress
5. Adaptation Planning	Secure funding and conduct an adaptation planning process	In Progress
	Assist with updating General Plan specific to sea level rise adaptation	Complete
6. Solar and Renewable Energy	Seek out and support Feed in Tariff projects	Not Started
	Promote rooftop solar programs and financing	Not Started
	Promote Deep Green and Solar Choice renewable electricity	In Progress
7. Building Energy Efficiency	Promote Marin Energy Watch Partnership energy efficiency & electrification	In Progress
	Identify financial and technical resources for Building Division	In Progress
	Include incentives & technical assistance with requirements at permit counter	Not Started
8. Equitable Low Carbon Economy	Convene thought leader team to develop plan of action	In Progress.
	Conduct specific, time-limited business engagement to develop a work plan	In Progress

The 2021-2023 Two-Year Priorities are included in Attachment B as well. One major change from our original Climate Change Action Plan was to elevate economic and social equity considerations in all of our climate initiatives. Each priority has a snapshot of the measure that includes a summary, information on funding, and a high-level review of impacts related to the economy and social equity as well as potential co-benefits. Many of the actions in the CCAP 2030 will be completed using existing funding sources, grants, or other incentives and funding from utilities and community partners. Fortunately, the State is continually coming out with new programs, mandates, and funding opportunities to assist cities with climate action and adaptation planning and projects. A table showing the key objectives of the Two-Year Priorities is below. Some prior priorities will continue as they have just become more of an ongoing effort, such as continuing to

promote solar and renewable energy, our Climate Role Model program, and installation of electric vehicle charging infrastructure.

DRAFT PRIORITIES

ACTION STRATEGY	OBJECTIVES
1. Zero Emission Vehicles Policies and Programs	Develop and begin to implement a San Rafael Electric Vehicle Strategy
	Continue to transition fleet to low-carbon alternatives
	Promote Drive Clean Marin and other low-carbon transportation programs
	Develop policies to reduce off-road emissions and electrify equipment
2. Mandatory Recycling and Organics	Develop and adopt ordinance and implement programs for SB 1383 compliance in conjunction with Marin Sanitary Service and other agencies
	Identify opportunities for organic waste diversion that also sequesters carbon
3. Adaptation Planning	Secure funding and conduct adaptation planning process with focus on environmental justice & sea level rise
	Begin comprehensive adaptation planning with county-wide coordination
4. Microgrids Assessment and Development	Develop an analysis of opportunities for municipal and community microgrids with a special focus on underserved communities
	Seek funding to implement a microgrid project with community partners such as MCE Clean Energy
5. Building Energy Efficiency & Electrification	Work with Marin Energy Watch Partnership to promote energy efficiency & electrification
	Adopt new Green Building Code with analysis/option of all-electric and other reach codes
	Identify & include incentives & technical assistance with permit requirements
6. Equitable Low Carbon Economy	Convene thought leader team to develop plan of action
	Conduct specific, time-limited business engagement to develop a work plan and recommendations

In all cases, staff has communicated with and developed these draft priorities based on input from community partners such as the County of Marin Sustainability Team, Sustainable San Rafael, members of our quarterly CCAP community forums, the Marin Climate and Energy Partnership, our utility partners, and others. This allows for county-wide collaboration and resource sharing. In addition, whenever possible, staff seeks opportunities to develop work products that other cities or organizations can use as well to extend their impact. For example, we are sharing what we learned switching to renewable diesel so other cities can do the same. This alone reduces our GHG emissions in our City diesel vehicles, including fire trucks, by up to 70%.

COMMUNITY OUTREACH:

Staff has given presentations with opportunities for input and feedback to the following organizations: the CCAP quarterly implementation forums (twice), the Canal Community Resilience Council, Dominican University student and faculty Earth Day committee, and the San Rafael Chamber of Commerce Green Business Committee. Information has gone out to the public through the Sustainability email list, the City Manager's Snapshot, and through City social media channels.

FISCAL IMPACT:

There is no direct fiscal impact to accepting the report. However, funding for implementation of programs within the Two-Year Priorities (2021-2023) that require funding will come from grants, utility programs, the General Fund, and through other means. Details of potential funding sources can be found in Attachment B. Any significant impacts to the General Fund not currently included in the budget will be brought to Council for review and formal acceptance prior to execution.

RECOMMENDED ACTIONS:

1. Accept the Greenhouse Gas Inventory and Reduction Strategy Annual Report for 2019.
2. Accept the 2021-2023 Two-Year Priorities Report.

ATTACHMENTS:

Attachment A: Greenhouse Gas Emissions Reduction Strategy 2019 Annual Report

Attachment B: 2021-2023 Two-Year Sustainability Priorities with Cost / Benefit Assessments



CITY OF SAN RAFAEL

COMMUNITY GREENHOUSE GAS EMISSIONS INVENTORY FOR THE YEAR 2019

May 2021

Prepared by the
Marin Climate & Energy Partnership



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EXECUTIVE SUMMARY

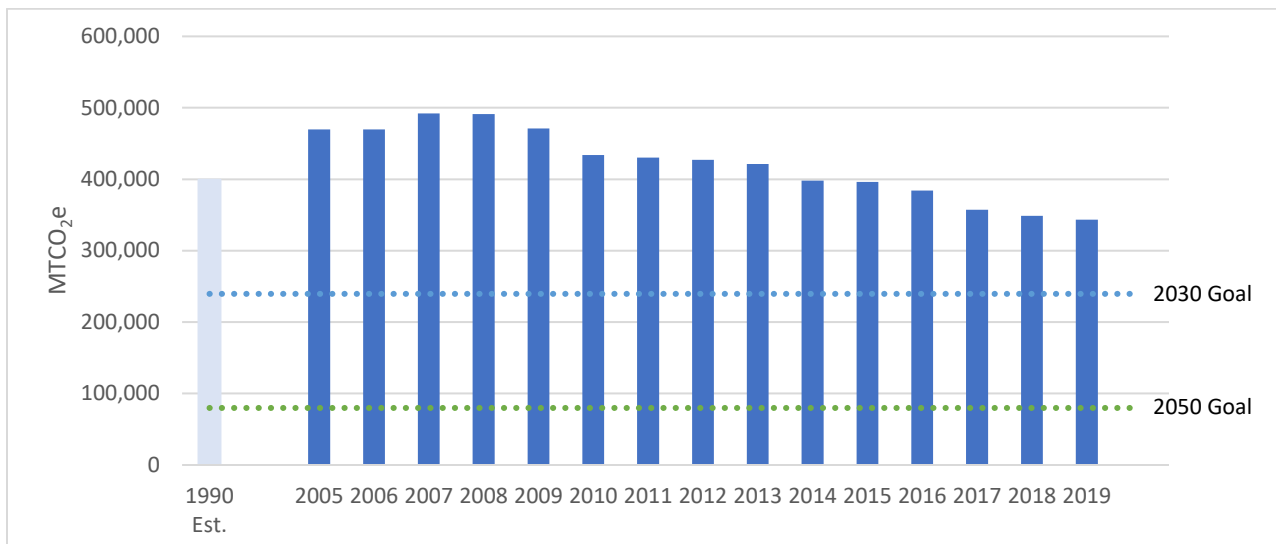
THE TAKEAWAY:

**COMMUNITY EMISSIONS ARE
DOWN 27% SINCE 2005**

San Rafael publishes annual community greenhouse gas (GHG) emissions estimates through the Marin Climate & Energy Partnership (MCEP). Annual inventories help the City to more closely monitor its progress in meeting its goal to reduce community emissions at least 40% below 1990 emissions by 2030. The City also publishes GHG emissions inventories for municipal operations approximately every five years. Municipal emissions accounted for less than 1% of community emissions when the municipal inventory was last conducted for year 2016.

This report reviews emissions generated from the community from 2005 through 2019, the most recent year data is available. The inventory shows that the San Rafael community has reduced emissions 27% since 2005. Emissions dropped from about 469,735 metric tons carbon dioxide equivalents (MTCO_{2e}) in 2005 to 343,305 MTCO_{2e} in 2019, which is equivalent to 14% below 1990 levels. The community emissions trend and targets are shown below. San Rafael needs to reduce emissions another 103,740 MTCO_{2e} to meet the local and State target for 2030 and another 263,450 MTCO_{2e} to meet the State target for 2050, which is 80% below 1990 levels.

FIGURE 1: SAN RAFAEL GHG EMISSIONS AND TARGETS



Recognizing the need for a collaborative approach to greenhouse gas reductions, City and county leaders launched the Marin Climate and Energy Partnership (MCEP) in 2007. The City of San Rafael is a member of MCEP and works with representatives from the County of Marin and the other Marin cities and towns to address and streamline the implementation of a variety of greenhouse gas reduction measures. Funding for this inventory was provided by the Marin County Energy Watch Partnership, which administers public goods charges collected by PG&E. Community inventories are available on the MCEP website at marinclimate.org and are used to update the [Marin Sustainability Tracker](#).

INTRODUCTION

PURPOSE OF INVENTORY

The objective of this greenhouse gas emissions inventory is to identify the sources and quantify the amounts of greenhouse gas emissions generated by the activities of the San Rafael community in 2019. This inventory provides a comparison to 2005 and estimated 1990 emissions and identifies the sectors where significant reductions in greenhouse gas emissions have occurred. In some instances, previous year emissions were updated with new data and/or recalculated to ensure the same methodology was employed for all inventory years.

GENERAL METHODOLOGY

This inventory uses the national standard for the accounting and reporting of community-wide greenhouse gas emissions, the [U.S. Community Protocol for Accounting and Reporting of Greenhouse Gas Emissions, version 1.2 \(July 2019\)](#). Quantification methodologies, emission factors, and activity and source data are detailed in the appendix.

Community emissions are categorized according to seven sectors:

- Built Environment - Electricity
- Built Environment – Natural Gas
- Transportation
- Off-Road Vehicles and Equipment
- Waste
- Water
- Wastewater

CALCULATING EMISSIONS

Emissions are quantified by multiplying the measurable activity data – e.g., kilowatt hours of electricity, therms of natural gas, gallons of diesel or gasoline, etc. – by emissions factors specific to the greenhouse gas-generating source. Most emissions factors are the same from year to year. Emission factors for electricity, however, change from year to year due to the specific sources that are used to produce electricity. For example, electricity that is produced from coal generates more greenhouse gases than electricity that is generated from natural gas and therefore has a higher emissions factor. Electricity that is produced solely from renewable energy sources such as solar and wind has an emissions factor of zero.

This inventory calculates individual greenhouse gases – i.e., carbon dioxide, methane and nitrous oxide – and converts each greenhouse gas emission to a standard metric, known as “carbon dioxide equivalents” or CO₂e, to provide an apple-to-apples comparison among the various emissions. Table 1 shows the greenhouse gases identified in this inventory and their global warming potential (GWP), a measure of the amount of warming each gas causes when compared to a similar amount of carbon dioxide over 100 years. Methane, for example, is 28 times as potent as carbon dioxide over 100 years; therefore, one metric ton of methane is equivalent to 28 metric tons of carbon dioxide. Greenhouse gas emissions are reported in this inventory as metric tons of carbon dioxide equivalents, or MTCO₂e.

TABLE 1: GREENHOUSE GASES

Gas	Chemical Formula	Emission Source	Global Warming Potential
Carbon Dioxide	CO ₂	Combustion of natural gas, gasoline, diesel, and other fuels	1
Methane	CH ₄	Combustion, anaerobic decomposition of organic waste in landfills and wastewater	28
Nitrous Oxide	N ₂ O	Combustion, wastewater treatment	265

Source: IPCC Fifth Assessment Report (2014), 100-year values

TYPES OF EMISSIONS

Emissions from each of the greenhouse gases can come in a number of forms:

- **Stationary or mobile combustion** resulting from the on-site combustion of fuels (natural gas, diesel, gasoline, etc.) to generate heat or electricity, or to power vehicles and equipment.
- **Purchased electricity** resulting from the generation of power from utilities outside the jurisdictional boundary.
- **Fugitive emissions** resulting from the unintentional release of greenhouse gases into the atmosphere, such as methane from waste decomposition.
- **Process emissions** from physical or chemical processing of a material, such as wastewater treatment.

UNDERSTANDING TOTALS

The totals listed in the tables and discussed in the report are a summation of emissions using available estimation methods. Each inventoried sector may have additional emissions sources associated with them that were unaccounted for due to a lack of data or robust quantification methods. For example, greenhouse gas emissions associated with air travel and the production of goods outside the community's boundary are not included in the inventory. Additionally, the community inventory does not include refrigerants released into the atmosphere from the use of air conditioning in cars and buildings.

COMMUNITY INVENTORY

COMMUNITY INVENTORY SUMMARY

In 2005, the activities taking place by the San Rafael community resulted in approximately 469,734 metric tons of CO₂e.¹ In 2019, those activities resulted in approximately 343,304 metric tons of CO₂e, a reduction of 27% from 2005 levels, which is equivalent to 14% below 1990 levels.

The community inventory tracks emissions in seven sectors:

- The **Built Environment – Electricity** sector represents emissions generated from the use of electricity in San Rafael homes and commercial, industrial, and governmental buildings and facilities².
- The **Built Environment – Natural Gas** sector represents emissions generated from the use of natural gas in San Rafael homes and commercial, industrial, and governmental buildings and facilities. Propane used as a primary heating source is also included, although it represents less than 1% of emissions in this sector.
- The **Transportation** sector includes tailpipe emissions from passenger vehicle trips originating and ending in San Rafael, as well as a share of tailpipe emissions generated by medium and heavy-duty vehicles travelling on Marin County roads. The sector also includes emissions from Marin Transit and Golden Gate Transit buses and the SMART train as these vehicles travel within San Rafael’s boundaries. Electricity used to power electric vehicles is embedded in electricity consumption reported in the Residential Energy and Non-Residential Energy sectors.
- The **Waste** sector represents fugitive methane emissions that are generated over time as organic material decomposes in the landfill. Although most methane is captured or flared off at the landfill, approximately 25% escapes into the atmosphere.
- The **Off-Road** sector represents emissions from the combustion of gasoline and diesel fuel from the operation of off-road vehicles and equipment used for construction and landscape maintenance.
- The **Water** sector represents emissions from energy used to pump, treat, and convey potable water from the water source to the San Rafael water users.
- The **Wastewater** sector represents stationary, process and fugitive greenhouse gases that are created during the treatment of wastewater generated by the community. Emissions created from energy used to convey and treat wastewater are included in the Built Environment sectors.

¹ Baseline and historical emissions are recalculated in the annual inventory to integrate new data and improved calculation methodologies and to ensure consistent comparison across each year. For this reason, emission levels may differ from levels reported in previous inventories.

² Previous inventories categorized emissions from electricity, natural gas, and propane in the built environment according to the Residential and Non-Residential sectors. Beginning with this inventory, we are categorizing emissions in the built environment as Electricity and Natural Gas in order to align and better track with the Climate Action Plan’s goals to electrify the built environment.

Figure 2 shows the relative contribution of emissions from these sectors in 2019. Transportation emissions represent the largest share of communitywide emissions (63%), while the use of natural gas and propane in the Built Environment accounts for one-quarter of emissions.

FIGURE 2: EMISSIONS BY SECTOR, 2019

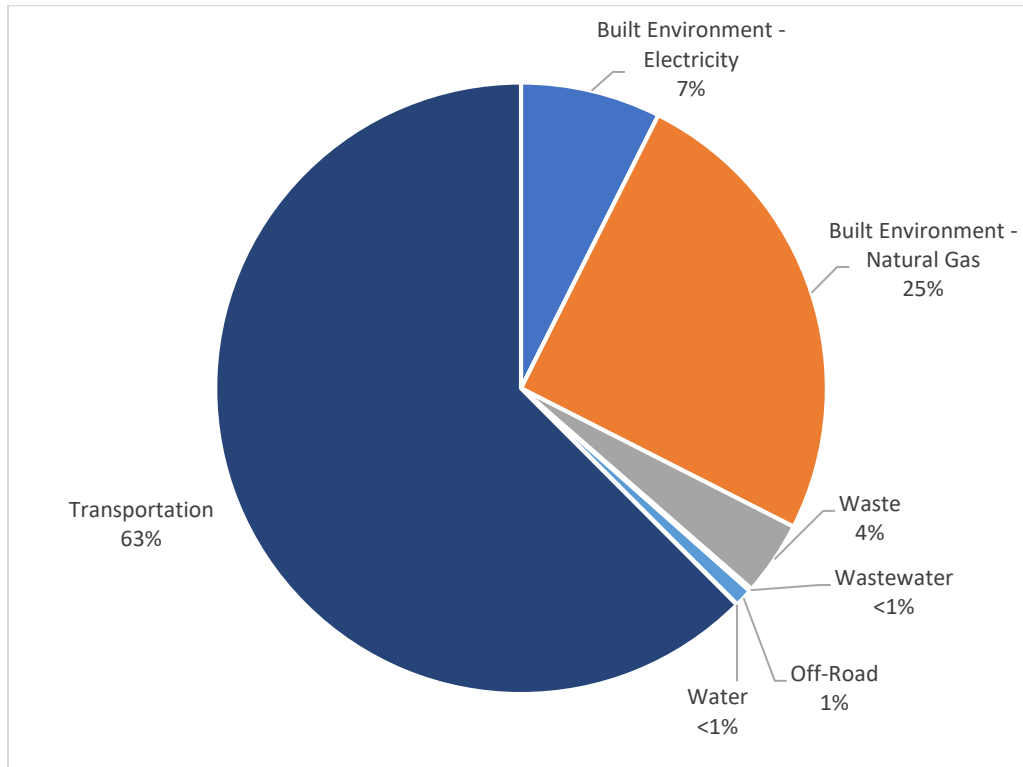


Table 2 shows how emissions in each sector have changed since 2005. The greatest reductions have occurred in the Built Environment – Electricity sector (63,302 MTCO₂e), followed by the Transportation sector (47,433 MTCO₂e) and the Built Environment – Natural Gas sector (6,210 MTCO₂e). The likely reasons for the largest emissions decreases are described in the remainder of this report.

TABLE 2: EMISSIONS SUMMARY BY SECTOR (MTCO₂E), 2005 THROUGH 2019

Year	Built Environment - Electricity	Built Environment - Natural Gas	Transportation	Waste	Water	Wastewater	Off-Road	Total	% Change from 2005	% Change from 1990 ²
1990 (est.) ¹								399,274		
2005	88,767	92,247	261,912	19,075	2,535	484	4,714	469,734	0%	
2006	83,610	95,425	264,685	18,913	2,187	485	4,550	469,855	0%	
2007	111,739	92,455	262,812	17,101	2,976	488	4,407	491,978	5%	
2008	112,024	93,985	263,594	14,205	2,721	490	4,262	491,281	5%	
2009	101,128	92,767	257,666	12,223	2,759	492	4,116	471,151	0%	
2010	76,081	93,296	246,324	12,006	1,556	496	3,976	433,735	-8%	
2011	71,120	96,073	245,884	11,719	1,106	499	3,950	430,350	-8%	
2012	72,887	90,344	246,261	12,155	1,197	503	3,897	427,245	-9%	
2013	68,978	89,797	244,294	12,331	1,386	507	3,840	421,132	-10%	
2014	62,192	76,304	241,458	12,470	1,279	518	3,774	397,995	-15%	
2015	61,473	77,920	238,583	12,922	962	492	3,690	396,042	-16%	
2016	50,152	81,715	232,160	15,205	790	553	3,600	384,175	-18%	
2017	26,618	85,650	224,706	15,917	232	544	3,501	357,168	-24%	
2018	26,148	85,625	218,948	14,125	82	502	3,384	348,814	-26%	
2019	25,464	86,037	214,479	13,470	89	501	3,264	343,304	-27%	-14%
Change from 2005	-63,302	-6,210	-47,433	-5,605	-2,446	17	-1,451	-126,430		
% Change from 2005	-71%	-7%	-18%	-29%	-96%	3%	-31%	-27%		

¹ Per California Air Resources Board guidance, 1990 levels are estimated at 15% below 2005 levels.

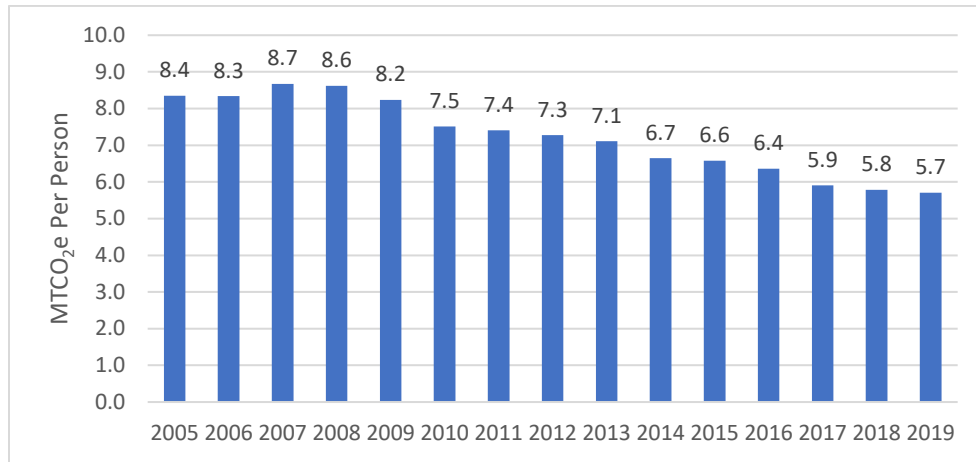
² In 2019, San Rafael adopted a Climate Action Plan that established a goal to reduce emissions 40% below 1990 levels by 2030. This column will track that progress over time.

PER CAPITA EMISSIONS

Per capita emissions can be a useful metric for measuring progress in reducing greenhouse gases and for comparing one community’s emissions with neighboring cities and against regional and national averages. That said, due to differences in emission inventory methods, it can be difficult to produce directly comparable per capita emissions numbers. Per capita emission rates may be compared among Marin jurisdictions, although some jurisdictions may have higher rates due to the presence of commercial and industrial uses.

Dividing the total communitywide GHG emissions by residents yields a result of 8.4 metric tons CO₂e per capita in 2005. Per capita emissions decreased 32% between 2005 and 2019, falling to 5.7 metric tons per person. Figure 3 shows the trend in per capita emissions over time. It is important to understand that this number is not the same as the carbon footprint of the average individual living in San Rafael, which would include lifecycle emissions, emissions resulting from air travel, etc.

FIGURE 3: EMISSIONS PER CAPITA



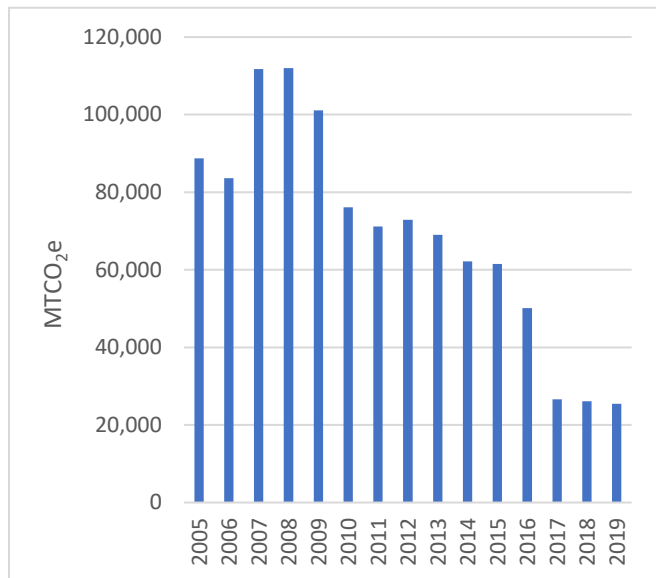
MAJOR SOURCES OF EMISSIONS

The following sections provide a year-by-year analysis of the changes in source GHG emissions in the Built Environment, Transportation, Waste and Water sectors. Whenever possible, each section discusses the change in emissions from previous years and the likely influence of state and local programs or policies and external factors on reducing emissions.

BUILT ENVIRONMENT - ELECTRICITY

Electricity use in homes and businesses in San Rafael decreased about 12% between 2005 and 2019. Greenhouse gas emissions from electricity consumption decreased 71% since 2005, as shown in Figure 3. This is primarily due to the lower carbon intensity of electricity. PG&E has been steadily increasing the amount of renewable energy in its electricity mix. In 2019, PG&E electricity came from a mix of renewable (29%), large hydroelectric (27%), and nuclear (44%) energy sources and was virtually GHG-free.³ The carbon intensity of MCE Light Green electricity was more carbon intensive in 2019 than the previous two years but was still below the 10-year average. In 2019, about 12.4% of MCE electricity purchased by San Rafael customers was 100% renewable Deep Green electricity, including electricity purchased by the City government.

FIGURE 4: ELECTRICITY EMISSIONS

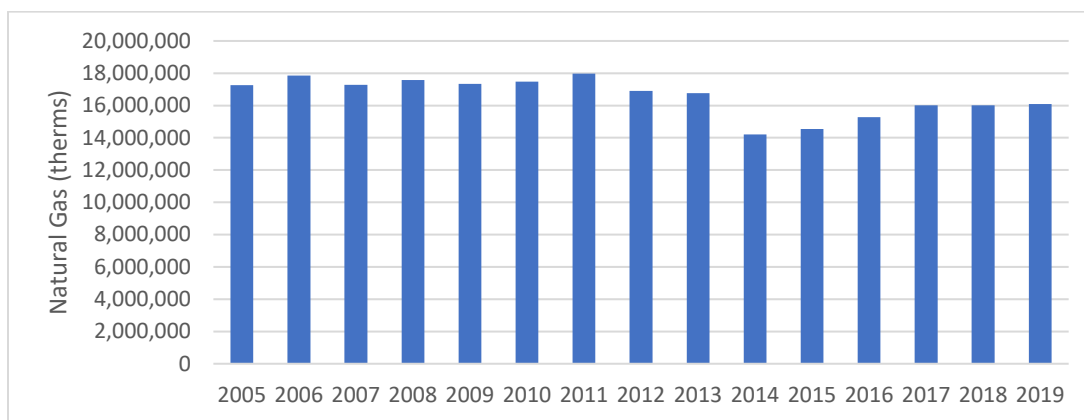


³ PG&E, 2019 Power Mix, https://www.pge.com/pge_global/common/pdfs/your-account/your-bill/understand-your-bill/bill-inserts/2020/1220-PowerContent-ADA.pdf

BUILT ENVIRONMENT - NATURAL GAS

Natural gas is used in residential, commercial, and industrial buildings to provide space and water heating and power appliances. Use of natural gas is highly variable depending on the weather conditions. This variability has led natural gas use consumption in San Rafael to fluctuate from year to year, from a high of 18 million therms in 2011 to a low of 14.2 million therms in 2014. Natural gas consumption rose slightly between 2018 and 2019 and was 7% below the 2005 level.

FIGURE 5: NATURAL GAS USE



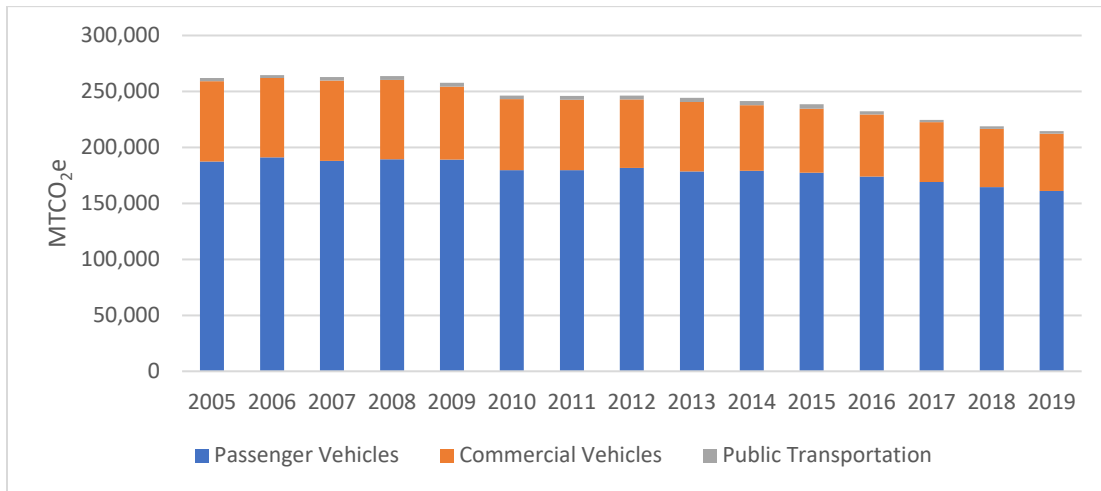
Reduction in energy use may also be attributed to energy efficiency programs and rebates, local green building ordinances, and State building codes. California’s goal is to require all new residential and commercial buildings to be zero net energy by 2030.

TRANSPORTATION

Transportation activities accounted for approximately 63% of San Rafael’s emissions in 2019. Although vehicle miles traveled have increased approximately 3% since 2005, transportation emissions have decreased 18% due to more fuel-efficient and alternatively fueled cars. As shown in Figure 6, most transportation emissions comes from passenger vehicles, accounting for 75% of transportation emissions in 2019. Marin County continues to be a leader in zero emission vehicles (ZEVs) – second only to Santa Clara County – with 8,600 ZEVs in Marin at the end of 2019, or about 4% of registered automobiles. ZEVs include battery electric cars, plug-in hybrid electric cars, hydrogen fuel cell cars, and zero-emission motorcycles. San Rafael had nearly 2,000 ZEVs by the end of 2019.

While it is difficult to pinpoint exactly how each land use and transportation policy affects emissions, the City has undertaken many efforts to reduce transportation emissions. The City encourages workforce housing and has made improvements to the transportation network to make it easier for residents to bicycle, walk, and take public transportation. The City has also promoted electric vehicle adoption by installing chargers and providing free electricity at municipal EV charging stations.

FIGURE 6: TRANSPORTATION EMISSIONS

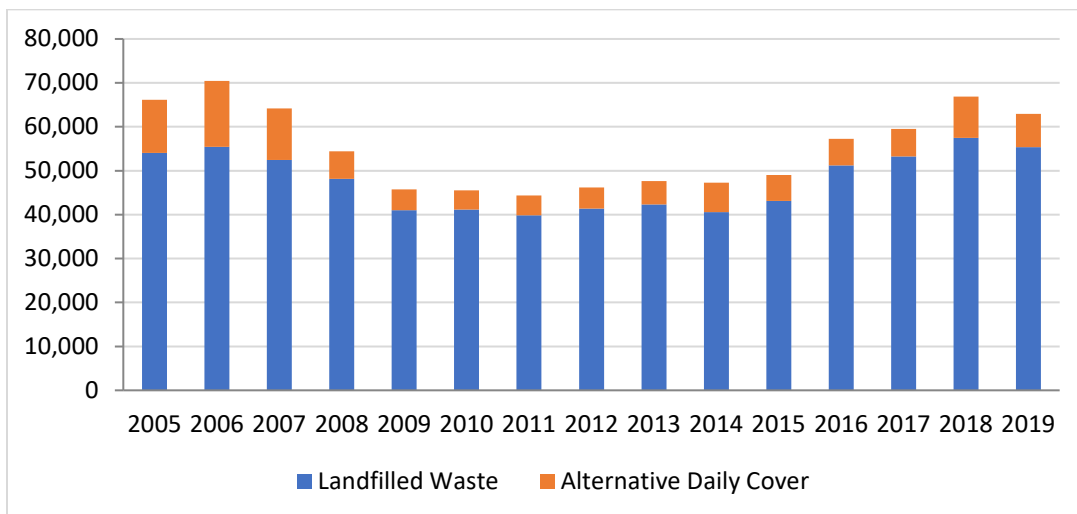


Note: Public transportation includes emissions from Marin Transit and Golden Gate Transit fixed-route buses and the SMART train.

WASTE DISPOSAL

Waste generated by the community hit a low in 2011 but has since increased as shown in Figure 7 (based on countywide disposal data). Total landfilled waste (including alternative daily cover)⁴ decreased 6% between 2018 and 2019 but was 5% below the 2005 baseline. Emissions from waste disposal decreased 29% due to the lower organic content of material used for alternative daily cover.

FIGURE 7: DISPOSED WASTE

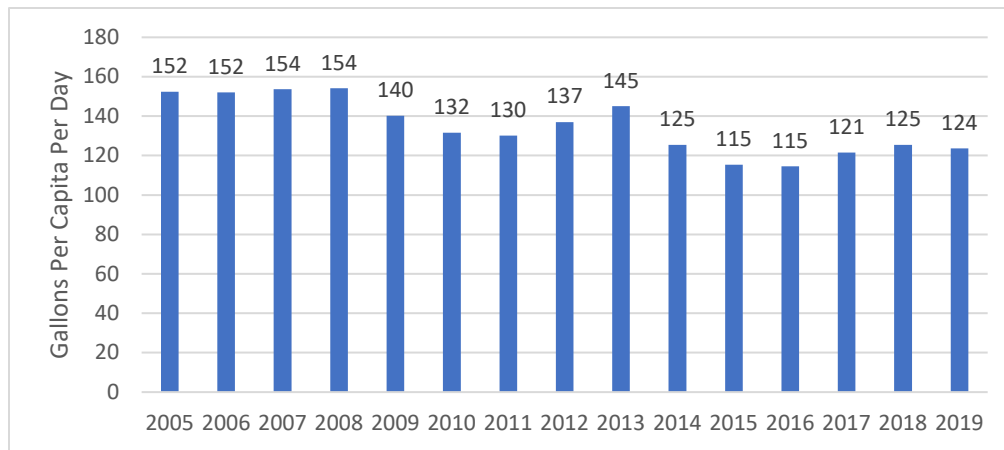


⁴ Alternative daily cover is cover material other than earthen material placed on the surface of the active face of a municipal solid waste landfill at the end of each operating day to control vectors, fires, odors, blowing litter, and scavenging.

WATER USE

Per capita water use declined 19% since 2005. Emissions, which are based on an estimate of energy used to pump, treat, and convey water from the water source to the City limits, dropped 96% between 2005 and 2019. The reduction is primarily due to the lower carbon intensity of electricity. The Marin Municipal Water District (MMWD) began purchasing MCE Deep Green electricity in mid-2017. The Sonoma County Water Agency (SCWA), which supplies approximately 24% of MMWD's water in 2019, uses renewable and carbon-free sources for its electricity needs; a small amount of emissions comes from stationary and mobile combustion of fuels used in SCWA's operations.

FIGURE 8: PER CAPITA WATER USE



Source: Marin Municipal Water District

MMWD provides rebates and programs to reduce water use. Rebates are available to replace fixtures with high-efficiency clothes washers and to purchase cisterns and rain barrels. MMWD provides free home and landscape water-use evaluations as well as free high-efficiency showerheads and faucet aerators. The City of San Rafael actively promotes water conservation and MMWD rebates and programs to residents and businesses.

APPENDIX: COMMUNITY INVENTORY

Community GHG Emissions Summary Table

Jurisdiction: City of San Rafael

Population: 60,207 (CA Department of Finance)

Number of Households: 23,136 (CA Department of Finance)

Inventory Year: 2019

Date Prepared: April 30, 2021

Reporting Framework: Communitywide Activities

ID	Emissions Type	Source or Activity	Included, Required Activities	Included, Optional Activities	Excluded (IE, NA, NO or NE)	Notes	Emissions (MTCO ₂ e)
1.0	Built Environment						
1.1	Use of fuel in residential and commercial stationary combustion equipment	Both	•				86,037
1.2	Industrial stationary sources	Source			NE		
1.3	Power generation in the community	Source			NO		
1.4	Use of electricity in the community	Activity	•			Includes transmission and distribution losses	25,464
1.5	District heating/cooling facilities in the community	Source			NE		
1.6	Use of district heating/cooling facilities in the community	Activity			NE		
1.7	Industrial process emissions in the community	Source			NO		
1.8	Refrigerant leakage in the community	Source			NE		
2.0	Transportation and Other Mobile Sources						
2.1	On-road passenger vehicles operating within the community boundary	Source			IE	Obtained data for preferred activity-based method instead	
2.2	On-road passenger vehicles associated with community land uses	Activity	•				161,106
2.3	On-road freight and service vehicles operating within the community boundary	Source			IE	Obtained data for preferred activity-based method instead	
2.4	On-road freight and service vehicles associated with community land uses	Activity	•				51,027
2.5	On-road transit vehicles associated with community land uses	Activity		•			2,004
2.6	Transit rail vehicles operating with the community boundary	Source		•			342
2.7	Use of transit rail travel by the community	Activity			NE		

2.8	Inter-city passenger rail vehicles operating within the community boundary	Source			NO		
2.9	Freight rail vehicles operating within the community boundary	Source			NO		
2.10	Marine vessels operating within the community boundary	Source			NE		
2.11	Use of ferries by the community	Activity			NE		
2.12	Off-road surface vehicles and other mobile equipment operating within the community boundary	Source		•			3,264
2.13	Use of air travel by the community	Activity			NE		
3.0	Solid Waste						
3.1	Operation of solid waste disposal facilities in the community	Source			NE		
3.2	Generation and disposal of solid waste by the community	Activity	•			Includes alternative daily cover	13,470
4.0	Water and Wastewater						
4.1	Operation of water delivery facilities in the community	Source			IE	Energy use is included in 1.1 and 1.4	
4.2	Use of energy associated with use of potable water by the community	Activity	•				89
4.3	Use of energy associated with generation of wastewater by the community	Activity	•			Energy use is included in 1.1 and 1.4	
4.4	Process emissions from operation of wastewater treatment facilities located in the community	Source			NE	Wastewater treatment facilities are located in the community but only process emissions associated with generation of wastewater by the community are reported in 4.5	
4.5	Process emissions associated with generation of wastewater by the community	Activity	•				501
4.6	Use of septic systems in the community	Source			NE		
5.0	Agriculture						
5.1	Domesticated animal production	Source			NE		
5.2	Manure decomposition and treatment	Source			NE		
6.0	Upstream Impacts of Communitywide Activities						
6.1	Upstream impacts of fuels used in stationary applications by the community	Activity			NE		
6.2	Upstream and transmission and distribution (T&D) impacts of purchased electricity used by the community	Activity			IE	Transmission and distribution losses included in 1.4	
6.3	Upstream impacts of fuels used by water and wastewater facilities for water used and wastewater generated within the community boundary	Activity			IE		
6.4	Upstream impacts of select materials (concrete, food, paper, carpets, etc.) used by the whole community.	Activity			NE		

Legend

IE – Included Elsewhere: Emissions for this activity are estimated and presented in another category of the inventory. The category where these emissions are included should be noted in the explanation.

NE – Not Estimated: Emissions occur but have not been estimate or reported (e.g., data unavailable, effort required not justifiable).

NA – Not Applicable: The activity occurs but does not cause emissions; explanation should be provided.

NO – Not Occurring: The source or activity does not occur or exist within the community.

Community Emissions Data Sources and Calculation Methodologies

Sector/ID	Emissions Source	Source and/or Activity Data	Emission Factor and Methodology
1.0 Built Environment			
1.1 Stationary Combustion	Stationary Combustion (CO ₂ , CH ₄ & N ₂ O)	Known fuel use (meter readings by PG&E) and estimated fuel use (American Community Survey 5-Year Estimates, and U.S. Energy Information Administration Household Site Fuel Consumption data).	Default CO ₂ , CH ₄ & N ₂ O emission factors by fuel type (U.S. Community Protocol v. 1.1, Appendix C, Tables B.1 and B.3). U.S. Community Protocol v. 1.1, Appendix C, Method BE.1.1 and BE.1.2.
1.4 Electricity Use	Electricity Use (CO ₂ , CH ₄ & N ₂ O)	Known electricity use (meter readings by PG&E and MCE) and estimated direct access electricity consumption.	Verified utility-specific emission factors (PG&E and MCE) and eGrid subregion default emission factors. U.S. Community Protocol v. 1.1, Appendix C, Method BE.2.1.
	Electric Power Transmission and Distribution Losses (CO ₂ , CH ₄ & N ₂ O)	Estimated electricity grid loss for Western region from eGrid.	U.S. Community Protocol v. 1.1, Appendix C, Method BE.4.1.
2.0 Transportation and Other Mobile Sources			
2.2 On-Road Passenger Vehicle Operation	On-Road Mobile Combustion (CO ₂)	Estimated passenger vehicle miles traveled associated with origin and destination land uses (Metropolitan Transportation Commission, http://capvmt.us-west-2.elasticbeanstalk.com/data).	CO ₂ for on-road passenger vehicles quantified in the EMFAC2017 model. Passenger vehicle emissions calculated according to U.S. Community Protocol v. 1.1, Appendix D, Method TR.1.A.
	On-Road Mobile Combustion (CH ₄ & N ₂ O)	Estimated vehicle miles traveled associated with origin and destination land uses (Metropolitan Transportation Commission, http://capvmt.us-west-2.elasticbeanstalk.com/data).	CH ₄ and N ₂ O for on-road passenger vehicles quantified in the EMFAC2017 model and adjusted for IPCC AR5 100-year values. Passenger vehicle emissions calculated according to U.S. Community Protocol v. 1.1, Appendix D, Method TR.1.A.
2.4 On-Road Freight and Service Truck Freight Operation	On-Road Mobile Combustion (CO ₂)	Estimated commercial vehicle miles traveled within the boundary (Metropolitan Transportation Commission utilizing Plan Bay Area 2040 and the 2017 Regional Transportation Plan).	CO ₂ for on-road commercial vehicles quantified in the EMFAC2017 model. Emissions allocated utilizing LEHD data according to U.S. Community Protocol v. 1.1, Appendix D, Method TR.2.A.
	On-Road Mobile Combustion (CH ₄ & N ₂ O)	Estimated commercial vehicle miles traveled within the boundary (Metropolitan Transportation Commission utilizing Plan Bay Area 2040 and the 2017 Regional Transportation Plan).	CH ₄ and N ₂ O for on-road commercial vehicles quantified in the EMFAC2017 model and adjusted for IPCC AR5 100-year values. Emissions allocated utilizing LEHD data according to U.S. Community Protocol v. 1.1, Appendix D, Method TR.2.A.
2.5 On-Road Transit Operation	On-Road Mobile Combustion (CO ₂)	Estimated vehicle miles traveled within the boundary (Marin Transit and Golden Gate Transit) and estimated diesel fuel efficiency for transit fleet (Golden Gate Transit). Fuel type provided by Marin Transit and Golden Gate Transit.	Renewable diesel emission factor provided by NEXGEN . U.S. Community Protocol v. 1.1, Appendix D, Method TR.4.A.
	On-Road Mobile Combustion (CH ₄ & N ₂ O)	Estimated vehicle miles traveled within the boundary (Marin Transit and Golden Gate Transit) and estimated diesel fuel efficiency for transit fleet (Golden Gate Transit). Fuel type provided by Marin Transit and Golden Gate Transit.	Renewable diesel emission factor provided by NEXGEN . U.S. Community Protocol v. 1.1, Appendix D, Method TR.4.B.

2.6 Passenger Rail	Mobile Combustion (CO ₂ , CH ₄ & N ₂ O)	Estimated train-miles by multiplying the number of train cars per day (in both directions, according to the SMART published schedule) by the railway track mileage located within the community boundary (Marin Map). Average Diesel Multiple Unit fuel efficiency provided by SMART.	U.S. Community Protocol v. 1.1, Appendix D, Method TR.5. Emission factors from Equation TR.5.2.
2.12 Off-Road Vehicles and Equipment	Off-Road Mobile Combustion (CO ₂)	Estimated fuel use from OFFROAD 2007 for Lawn and Garden and from OFFROAD2017 for Construction equipment. All categories are allocated by share of countywide households.	CO ₂ emissions calculated according U.S. Community Protocol v. 1.1, Appendix D, Method TR.8. Emission factors provided in Table TR.1.6.
	Off-Road Mobile Combustion (CH ₄ & N ₂ O)	Estimated fuel use from OFFROAD 2007 for Lawn and Garden and from OFFROAD2017 for Construction equipment. All categories are allocated by share of countywide households.	CH ₄ and N ₂ O emissions calculated according to U.S. Community Protocol v. 1.1, Appendix D, Method TR.8. Emission factors provided in the Local Government Operations Protocol Table G.11 and G.14.
3.0 Solid Waste			
3.2 Solid Waste Generation and Disposal	Fugitive Emissions from Landfilled Waste (CH ₄)	Estimated landfilled tons based on reporting to CalRecycle by Marin County Solid and Hazardous Waste JPA and allocated to jurisdiction based on share of countywide population. Waste characterization based on the Statewide Waste Characterization Study (2008 and 2014) and Alternative Daily Cover by Jurisdiction of Origin and Material Type as reported to CalRecycle.	Emission factors calculated utilizing U.S. Community Protocol for Accounting and Report of Greenhouse Gas Emissions, Version 1.1, July 2013, Appendix E, Method SW.4.
4.0 Water and Wastewater			
4.2 Water Supply & Conveyance, Treatment and Distribution	Electricity Use (CO ₂)	Water consumption data provided by Marin Municipal Water District (MMWD). Electricity consumption data provided by MMWD. Sonoma County Water Agency (SCWA) delivery amount provided by SCWA .	Verified utility-specific emission factors (PG&E, MCE and SCWA). Emissions calculated according to U.S. Community Protocol v. 1.1, Appendix F, Method WW.14.
	Electricity Use (CH ₄ & N ₂ O)	Water consumption data provided by Marin Municipal Water District (MMWD). Electricity consumption data provided by MMWD.	eGrid subregion default emission factors. Emissions calculated according to U.S. Community Protocol v. 1.1, Appendix F, Method WW.14.
4.5 Treatment of Wastewater	Stationary Emissions from Combustion of Digester Gas (CH ₄)	Known amount of digester gas produced per day and known percent of methane in digester gas provided by Central Marin Sanitation Agency. Known amount of digester gas produced per day (2016) and known percent of methane in digester gas (2017) provided by Las Gallinas Valley Sanitary District.	Emissions calculated according to U.S. Community Protocol v. 1.1, Appendix F, Method WW.1.a.
	Stationary Emissions from Combustion of Digester Gas (N ₂ O)	Known amount of digester gas produced per day and known percent of methane in digester gas provided by Central Marin Sanitation Agency. Known amount of digester gas produced	Emissions calculated according to U.S. Community Protocol v. 1.1, Appendix F, Method WW.2.a.

		per day (2016) and known percent of methane in digester gas (2017) provided by Las Gallinas Valley Sanitary District.	
	Process Emissions from Wastewater Treatment Plant without Nitrification or Denitrification	Estimated population served by wastewater treatment plant provided by Central Marin Sanitation Agency.	Emissions calculated according to U.S. Community Protocol v. 1.1, Appendix F, Method WW.8.
	Process Emissions from Wastewater Treatment Plant with Nitrification or Denitrification	Estimated population served by wastewater treatment plant provided by Las Gallinas Valley Sanitary District (2010 data).	Emissions calculated according to U.S. Community Protocol v. 1.1, Appendix F, Method WW.7.
	Fugitive Emissions from Effluent Discharge (N ₂ O)	Estimated population served by wastewater treatment plant provided by Central Marin Sanitation Agency. Assumed significant industrial or commercial input.	Emissions calculated according to U.S. Community Protocol v. 1.1, Appendix F, Method WW.12(alt).
	Fugitive Emissions from Effluent Discharge (N ₂ O)	Estimated population served by wastewater treatment plant provided by Las Gallinas Valley Sanitary District. Assumed no significant industrial or commercial input.	Emissions calculated according to U.S. Community Protocol v. 1.1, Appendix F, Method WW.12.



2021-2023 Two-Year Sustainability Program Priorities

CCAP 2030 Goal: 40% reductions in greenhouse gas emissions from 1990 levels (GHG's)

2019-2021 Accomplishments

GENERAL

- Secured Beacon Award for Interim Accomplishments in energy savings from the Institute for Local Government

LOW-CARBON TRANSPORTATION

- Installed 6 electric vehicle chargers at City Hall
- Streamlined our electric vehicle charger permit process and offered template to other cities and towns
- Switched to Renewable Diesel for all City diesel vehicles, including fire trucks
- Hosted a Bike to the Ballpark event with Transportation Authority of Marin and the San Rafael Pacifics
- Promoted transit, electric vehicle, and e-bike events, incentives, and programs

ENERGY EFFICIENCY & RENEWABLE ENERGY

- Conducted audits of City facilities and launched an energy efficiency retrofit project at two facilities
- Promoted County-wide Electrify Marin rebate program and technical resources, MCE Deep Green and PG&E Solar Choice renewable electricity programs, and home energy workshops

WASTE REDUCTION

- Continued to host a Climate Corps Fellow to assist with zero waste programs, including single-use take-out plastics reduction at restaurants, illegal dumping programs and outreach, waste reduction activities in City facilities, and other community outreach activities
- Partnered with the Mattress Recycling Council to offer bulky item drop-off events in the Canal neighborhood with a focus on mattress recycling
- Created compliance process, website and support resources including how-to videos for businesses to comply with AB 1826 mandatory organics recycling law
- Created new surplus equipment policy focused on reuse

WATER CONSERVATION

- Created web resources for water conservation, including Mayor's Water Conservation Pledge

SEQUESTRATION AND ADAPTATION

- Started adaptation and resilience planning with the County of Marin and community partners
- Created CityofSanRafael.org/Adaptation web resource pages
- Assisted with creation of General Plan documents related to flooding and sea level rise
- Participated in regional planning collaboratives with Bay Conservation and Development Commission, Bay Area Climate Adaptation Network and Bay Adapt
- Planted 100 trees in collaboration with State agencies and community volunteers



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COMMUNITY ENGAGEMENT

- Created Climate Role Model program for CCAP website, featuring local businesses, nonprofits, and individuals taking climate action.
- Created several Waste Wise Business Spotlight case studies to support commercial recycling
- Supported Chamber Green Business Committee and green business events, including Marin Sustainable Enterprise Conference and Green Business Program offerings
- Supported Resilient Neighborhoods by hosting and promoting classes through Recreation
- Continued active engagement with Marin Climate and Energy Partnership as well as community partners and programs such as Bike to Work Day, Canal Community Resilience Council, Drive Clean Marin, Marin Commutes, and Sustainable San Rafael among others
- Established a core team and framework for an Equitable Low-Carbon Economy Working Group

2021-2023 Two-Year Sustainability Program Priorities

CCAP 2030 Goal: 40% reductions in greenhouse gas emissions from 1990 levels (GHG's)

DRAFT PRIORITIES

ACTION STRATEGY	OBJECTIVES
1. Zero Emission Vehicles Policies and Programs	Develop and begin to implement a San Rafael Electric Vehicle Strategy
	Continue to transition fleet to low-carbon alternatives
	Promote Drive Clean Marin and other low-carbon transportation programs
	Develop policies to reduce off-road emissions and electrify equipment
2. Mandatory Recycling and Organics	Develop and adopt ordinance and implement programs for SB 1383 compliance in conjunction with Marin Sanitary Service and other agencies
	Identify opportunities for organic waste diversion that also sequesters carbon
3. Adaptation Planning	Secure funding and conduct adaptation planning process with focus on environmental justice & sea level rise
	Begin comprehensive adaptation planning with county-wide coordination
4. Microgrids Assessment and Development	Develop an analysis of opportunities for municipal and community microgrids with a special focus on underserved communities
	Seek funding to implement a microgrid project with community partners such as MCE Clean Energy
5. Building Energy Efficiency & Electrification	Work with Marin Energy Watch Partnership to promote energy efficiency & electrification
	Adopt new Green Building Code with analysis/option of all-electric and other reach codes
	Identify & include incentives & technical assistance with permit requirements
6. Equitable Low Carbon Economy	Convene thought leader team to develop plan of action
	Conduct specific, time-limited business engagement to develop a work plan and recommendations



1. Zero Emission Vehicles Policies and Programs Cost & Benefits Snapshot

Potential GHG Reduction

30,345 MTCO₂e, or about 31% of the City's total 2030 reductions goal.

Summary

Measure LCT-C1: *Develop a Zero Emission Vehicle Plan that will result in 25% of passenger vehicles in San Rafael to be zero emission vehicles (ZEVs), including plug-in electric vehicles (EVs) and hydrogen fuel cell electric vehicles, by 2030.* This item includes 13 actions the City could do to decrease emissions by helping to increase the number of ZEVs in use by residents and businesses in San Rafael. Some actions will require additional analysis. The first step in completing this early priority item will be to develop the ZEV Plan, which would incur no costs other than staff time, and requires no additional staff resources than currently allocated. Additional efforts include promoting ZEV incentives and campaigns and developing policies to reduce off-road emissions and increase the availability of electric vehicle chargers in strategic locations. An update to the City's Fleet Policy will be conducted as well.

Funding

No cost to the City for developing the Strategy or the Fleet Policy, and staff is already working closely with the Transportation Authority of Marin and Marin Climate and Energy Partnership to develop a Countywide Strategy that San Rafael can participate in. Direct costs to the City for implementation will likely include installation of EV chargers and wayfinding and parking signage. Potential costs include trenching, wiring, electrical upgrades, installation, and parking infrastructure changes. Most, if not all, of these costs can be offset by grants and incentives from PG&E, MCE Clean Energy, the Transportation Authority of Marin, the Bay Area Air Quality Management District, the State, and other agencies or programs. All current charger installations all been funded in this way, although ongoing maintenance falls to the General Fund and Parking Services. The majority of the ZEV Plan's actions, such as the development of policies and ordinances and participation in outreach and behavior change campaigns, will be carried out by staff and community partners and will not incur additional costs to the City at this time.

Economy and Social Equity

Potential opportunities and impacts to the local economy include additional costs to builders, property owners and developers for installing the wiring and infrastructure necessary to meet new mandates. However, there are a variety of rebates and incentives available to help offset those costs in situations where there is multi-family or workplace parking. In addition, the addition of EV chargers may increase property values, especially as ZEVs gain in popularity and demand. Currently, a ZEV costs more than a

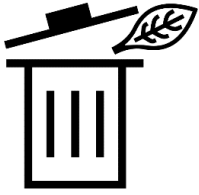
similar internal combustion engine model, but the annual cost of ownership is lower because electricity is cheaper than gas, and ZEVs do not require oil changes and other types of maintenance.¹

Currently there is very little opportunity for residents of multifamily dwellings to charge vehicles at home. Having more EV charger availability in apartment complexes, public parking lots, and workplace settings will enable renters to acquire EVs and plug-in hybrids. Local sales and tax revenue could go up or down slightly depending on availability of ZEVs at local dealers and rate of adoption. There will also be indirect market benefits to local contractors who will be providing services and supplies for these efforts. There are also State and regional programs and incentives directed at lower-income individuals and renters to purchase ZEVs. And MCE Clean Energy offers multifamily charger rebates as well.

Co-Benefits

The primary benefit for this activity is to make it easier for citizens to get charging for electric vehicles and to remove obstacles to citizens' ability to acquire electric vehicles. Co-benefits include health benefits from less particulate matter and airborne pollutants, including volatile organic compounds, nitrogen oxides, carbon monoxide, and sulfur dioxide. In addition, there are opportunities to aid in simplifying permitting and procedures for other construction permits, increased customer satisfaction at the counter, and less time and expense for vehicle maintenance for consumers since EVs do not require oil and filter changes.

¹ Borlaug et al., Joule 4, 1470–1485
July 15, 2020 a 2020 Elsevier Inc. <https://doi.org/10.1016/j.joule.2020.05.013>



2. Mandatory Recycling and Organics Cost & Benefits Snapshot

Potential GHG Reduction

9,680 MTCO₂e, or about 10% of the City's total 2030 reductions goal.

Summary

WR-C4: *Adopt an ordinance requiring mandatory subscription to and participation in waste diversion activities, including recycling and organics collection provided by Marin Sanitary Service. Consider including phased implementation of the ordinance, penalties, and practical enforcement mechanisms.* With the passage of SB 1383 the State is requiring local jurisdictions to pass enforceable local recycling and organics diversion mandates by January 1, 2022. This item would require an analysis of the challenges and opportunities here in San Rafael, including the potential of partnering with the other agencies that have solid waste franchises with Marin Sanitary Service (MSS). There is a need for more capacity for the anticipated large quantities of organic material that is mandated to be diverted from landfills, as well as for the recovery of edible food, also mandated by SB 1383. Having more local facilities to process organic materials, potentially in a way that produces energy or sequesters carbon could offer multiple benefits. Coordination Countywide will be essential to enable adequate recovery of edible food through programs such as ExtraFood.org. In addition, the City will be required to purchase certain amounts of compost and mulch generated by the law as a way of creating demand and enabling a circular economy around organic materials.

Funding

Typically, funding for an analysis that would affect ratepayers is conducted through the rates and has no direct cost to the City. An analysis is underway in conjunction with the other MSS franchisors in the range of \$155,000 which will be shared equitably between ratepayers of all jurisdictions. The near-term rate impact relating to planning for SB 1383 compliance is anticipated to be in the .08 to .3% range depending on the outcome of a Zero Waste Marin funding proposal. Actual and ongoing implementation of the law will most likely have an additional, significant, and as of yet unknown cost to the City and ratepayers, which will be determined during upcoming compliance planning efforts.

Economy and Social Equity

Potential opportunities and impacts to the local economy include increased costs of doing business for commercial customers, the potential of increased or decreased rates for customers depending on how much they can reduce their landfill garbage service, and the potential for new types of business that could serve solid waste generators with large amounts of organic materials. Potentially, extra costs of doing business may be passed along to customers or even to renters in multifamily dwellings. Program development should focus on ways to mitigate potential costs to the most economically



disadvantaged. Local facilities and programs to manage, sort, and process the increase in organic materials could provide new local jobs.

Co-Benefits

There could be co-benefits from working together more closely on recycling and diversion activities county-wide by making it easier for the public to understand and comply, and by providing more opportunities for adequate recycling. Increased recycling and composting saves landfill space and lengthens the amount of time we are able to use our local landfill. New, local business models to address increased amounts of edible food recovery and organic materials recovery could provide jobs for local residents. The establishment of new, local facilities to process organic food waste, and/or the processing of woody materials removed through fire prevention efforts could create energy such as is being done at Central Marin Sanitation Agency or be dispersed on local farmland and open space to sequester carbon as is being done by the Marin Carbon Project.



3. Adaptation Planning Cost & Benefits Snapshot

Summary

SA-C4: *Prepare for and adapt to a rising sea level.* **SA-C5:** *Prepare for and respond to the expected impacts of climate change.* These items represent San Rafael’s commitment to prepare for the effects of climate change, some of which are already upon us: rising seas and increased flooding, drought, health impacts from extreme heat and poor air quality, and the increased likelihood and prevalence of wildfires and landslides. Many projects and resources are available to San Rafael including the County’s BayWAVE sea level rise vulnerability assessment, San Rafael’s General Plan 2040 and the Resilient by Design Challenge project focused on East San Rafael among others. The first step for this early priority item is to identify funding to continue the work that’s already been done toward developing a full-fledged adaptation plan. Simultaneously the City needs to work Countywide and regionally and seek effective means of coordination and collaboration, specifically through alignment in our Local Hazard Mitigation Plans.

Funding

Costs to develop an adaptation plan that prepares for multiple hazards could be in the several hundreds of thousands of dollars, which are currently not budgeted and to which there is no current revenue source. However, there are a number of funding sources available, mostly grants, that could be leveraged from State agencies such as the State Coastal Conservancy, from private foundations such as the Marin Community Foundation, and from a variety of other sources such as Prop 1 and Prop 68 funds, Measure AA, and the Funders’ Network among others. Staff will work with our community partners to identify funding to accomplish this measure. This item does not include implementation of adaptation measures, which will require multiple millions of dollars and new funding models.

Economy and Social Equity

The potential negative impacts to San Rafael are significant and daunting. Studies show a potential loss to property of [\\$7 billion](https://baykeeper.org/shoreview/economic-loss.html)² to San Rafael during a significant flood event with a three-foot rise in sea levels. Those most vulnerable are often those with the least means to respond and recover: those with limited income, resources and local support systems, including residents of the Canal Neighborhood, older adults, and people with disabilities. Efforts to plan for adaptation and resilience must prioritize those most vulnerable and with the least means. Fortunately, State guidance and funding mechanisms are most often now placing priority on or mandating that funding recipients have robust social equity components in their projects. San Rafael has already done a lot in this area and is building our capacity to engage and include low income and communities of color in our planning efforts.

² <https://baykeeper.org/shoreview/economic-loss.html>



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Co-Benefits

Increasingly, insurers are looking at climate change in their policies and portfolios. Cities with adequate climate action and adaptation strategies and implementation will be better able to continue to sell bonds for projects and maintain good credit ratings. As planning and projects go forward there is potential for people in hazard zones that are being addressed to escape higher premiums or discontinuance of coverage. All planning efforts should look at co-benefits that also reduce greenhouse gas emissions or provide other short-term needs while planning for long-term impacts. For example, when looking at energy resilience, there are opportunities to not only provide for electricity during a disaster, but also provide it at lower costs and through renewable means, providing benefit to the community outside of a disaster scenario. In addition, infrastructure projects to protect areas of San Rafael will require labor and could provide jobs with valuable skills training for local residents and contractors.



4. Microgrids Assessment and Development Cost & Benefits Snapshot

Potential GHG Reduction

10,940 MTCO₂e, or about 11% of the City's total 2030 reductions goal.

Summary

RE-C1: Renewable Energy Generation Accelerate installation of residential and commercial solar and other renewable energy systems. **RE-C4: Innovative Technologies:** Investigate and pursue innovative technologies such as micro-grids, battery storage, and demand-response programs that will improve the electric grid's resiliency and help to balance demand and renewable energy production. **RE-M1: Solar Energy Systems for Municipal Buildings:** Install solar energy systems at municipal buildings and facilities where feasible and investigate and pursue innovative technologies such as battery storage and demand response programs. These measures and the activities associated with them aim to reduce the carbon intensity of electricity being delivered to homes, businesses, and municipal buildings here in San Rafael while increasing resiliency in the face of energy disruptions. The City and its partners will need to assess current barriers and opportunities to the installation of solar energy and battery backup systems to identify opportunities for facility or community microgrids. The City has done initial assessments and has begun to partner with our utilities and agency partners such as PG&E, MCE Clean Energy, and the Marin Climate and Energy Partnership (MCEP) to identify opportunity sites, funding, and technical assistance.

Funding

Initial costs associated with this effort are minimal and mostly comprise staff time commitment from the Sustainability Program and community and utility partners. The cost of solar is at all-time lows and residents and businesses that have adequate space, sun exposure, and energy offset potential can recoup their costs fairly quickly. However, the costs for battery storage are significant. The State and California Public Utilities Commission are putting together programs, technical assistance, and funding opportunities to enable more microgrids and new technologies to contend with public safety power shutoffs and other power disruptions, particularly in disadvantaged communities. Should opportunities for the City be identified, grants would be sought to offset costs. Other funding mechanisms include on-bill financing and other zero-to-low interest loans and would most likely be brought to Council for approval. Community microgrid projects would require funding by utilities, property owners, and through loans and grants and would not require City funding.

Economy and Social Equity

Renewable energy generally is a net benefit financially to adopters. For example, most solar projects include return on investment that amplifies over time reducing energy costs for the building owners. There are a variety of funding mechanisms that can allow property owners to own, lease, or procure

solar through power purchase agreements with no money down such as the City did with its four municipal solar installations. Solar energy systems on affordable housing can be a great benefit to renters, especially if they participate in payment of electricity. However, there is usually a “split incentive” in that property owners do not see the financial benefits of the solar they install if renters are paying the bills. Thus, the incentive is minimal and often requires additional encouragement. Nonprofit housing collaboratives currently tend to have more interest and incentives as exemplified in the Canal Alliance’s property that was a beneficiary of a Grid Alternatives solar project.³

Co-Benefits

Solar rooftop systems and local solar with energy storage have the potential to increase local energy resilience during a disaster. They also provide a hedge against increases in electricity rates. Less fossil-fuel based electricity reduces overall pollution and their associated health impacts, which tends to benefit lower-income communities that are often located closer to energy generation plants.⁴ New State legislation to recycle solar panels and batteries could provide new jobs and a circular economy locally and will be explored in the economic working group in Priority 6.

³ News Release “Marin Residents and Local Nonprofits Join Together to Bring Solar Energy to Recent Immigrants”
<https://gridalternatives.org/sites/default/files/Solar%20for%20Canal%20Alliance%20Press%20Release.pdf>

⁴ PSE Healthy Energy “Natural Gas Powerplants in California’s Disadvantaged Communities”, April 2017
https://www.psehealthyenergy.org/wp-content/uploads/2017/04/CA.EJ_Gas_Plants.pdf



5. Building Energy Efficiency and Electrification Cost & Benefits Snapshot

Potential GHG Reduction

18,280 MTCO₂e, or about 19% of the City's total 2030 reductions goal.

Summary

EE-C4: Green Building Reach Code *Investigate adopting a green building ordinance for new and remodeled commercial and residential projects that requires green building methods and energy efficiency savings above the State building and energy codes. Consider utilizing the County's green building ordinance as a model and including the use of photovoltaic systems and all-electric building systems as options to achieve compliance.* **EE-C5: Streamline Permit Process and Provide Technical Assistance** *Analyze current green building permit and inspection process to eliminate barriers and provide technical assistance to ensure successful implementation of green building requirements. Work county-wide to make it easier for contractors and building counter staff to simplify applications and identify incentives.*

Every three years the State of California updates the Green Building codes and local governments have the opportunity to go beyond by adopting stronger reach codes. These two CCAP 2030 measures go hand-in-hand in trying to build a customer experience that removes barriers to adoption of green building practices while meeting or exceeding new State building code requirements. The County of Marin led a county-wide effort to help cities achieve our GHG reduction goals while ensuring a positive experience for builders and property owners and has developed a model ordinance San Rafael should consider. In addition, the Green Building codes will be revised in 2022 and there will be opportunities for San Rafael to consider all-electric building requirements as well as reach codes for electric vehicle chargers among other things.

Funding

Currently there are no costs associated with this effort other than staff time commitment from the Building Division and the Sustainability Program. Staff will leverage the work being done and coordinated by the County, the Marin Climate and Energy Partnership, and the Bay Area Regional Energy Network (BayREN). Should there be activities identified that would incur costs, funding would be identified from department budgets, grant or other external sources, or for significant program costs would be brought to City Council for approval first.



Economy and Social Equity

There are some concerns that increased costs associated with green building codes could add to the costs of an already expensive real estate market. As a percentage, Green Building reach codes have been estimated to add 1-2% to construction costs in California.⁵ However, net operating costs are lowered, and when these costs are reduced, the value of a commercial project increases while occupancy costs decrease.⁶ Therefore, reach codes should ideally seek to reduce ongoing costs of ownership to balance out any increased cost in rents. When it comes to the built environment, programs like MCE Clean Energy's Green and Healthy Homes program should be supported to assist with getting renters healthier and more efficient homes while reducing energy bills. Additionally, there are rebates and incentives available for many types of green building measures such as energy efficient lighting and low-flow fixtures.

Co-Benefits

There are many potential co-benefits to Green Building reach codes beyond the long-term occupancy savings, including having healthier, more efficient homes, better heating, less indoor air pollution, among others. In addition, there are other GHG reduction benefits outside of building energy due to the codes, including less water use, less emissions from waste disposal, and reduction in transportation related GHGs. Finally, many CalGreen mandates have co-benefits relating to other environmental impacts studied in Environmental Impact Reports, such as reducing water demand, criteria air pollutants, and waste disposal.⁷ Work on this program in combination with the permit and process streamlining already in-process at the City will continue to improve the public user experience and staff satisfaction as well.

⁵ Steve Pellegren, "Sustainability Is Vital, but Adds To the Cost of Building In California", National Real Estate Investor, October 26, 2015 <https://www.nreionline.com/multifamily/sustainability-vital-adds-cost-building-california>

⁶ Nora Knox, "Green Building Costs and Savings", U.S. Green Building Council, March 25, 2015 <https://www.usgbc.org/articles/green-building-costs-and-savings>

⁷ Louise Mazingo & Ed Arens, "Quantifying the Comprehensive Greenhouse Gas Co-Benefits Of Green Buildings", Center for Environmental Design, UC Berkeley, October 24, 2014. <https://ced.berkeley.edu/research/faculty-projects/water-waste-transportation-benefits-green-buildings>



6. Equitable Low Carbon Economy Cost & Benefits Snapshot

Summary

CE-C4: Innovation and Economic Development: *Convene an economic development and innovation working group to explore public-private partnerships and develop ways to decarbonize our local economy while spurring sustainable enterprise and equitable employment.* This measure will allow the City to leverage the talents of local business owners and managers, thought leaders, and regional subject matter experts to understand what the opportunities are for San Rafael to create a low-carbon economy. This will involve convening a working group and engaging leaders in local business, workforce development, nonprofit, and economic development in a time-limited, facilitated engagement to identify key recommendations, work projects, and funding mechanisms to help San Rafael strengthen our local economy with a focus on sustainability and good, local jobs.

Funding

Costs associated with this effort include hiring a facilitator and providing adequate supplies and food and beverage for gatherings and presentations, estimated at \$10,000. This has been included in the proposed Sustainability Program budget for fiscal year 2021-2022. It should be noted that both the State and Federal government are proposing budget measures to support the green economy and pathways to good employment that we hope to position San Rafael for through this process.

Economy and Social Equity

The marriage of economy and social equity is nowhere as evident and necessary as with this CCAP 2030 measure, and a successful low-carbon economy will most likely require good, green jobs and training programs. Enhanced economic activity should benefit as many as possible. Marin is home to many potential partners to assist, including the College of Marin, Dominican University, Marin Economic Forum, Canal Alliance, Community Action Marin, MCE Clean Energy, Marin Community Foundation, the Workforce Alliance of the North Bay, Conservation Corps North Bay, Multicultural Center of Marin, and others, including partners in Sonoma.

Co-Benefits

There are many potential co-benefits to strengthening and diversifying our local economy and prioritizing innovation and emissions reductions. These include benefits to ecosystem resilience, trade, employment, health, energy security, and business competitiveness. In addition, efforts to build collaborations have other benefits to the City and community including new opportunities for public-private partnerships, enhanced community engagement opportunities for other programs and projects, and infusion of expertise and insights into City processes and services.