



MINUTES

SAN RAFAEL CITY COUNCIL – MONDAY, JUNE 7, 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 held virtually using a webinar and streamed through YouTube Live at www.youtube.com/cityofsanrafael. Comments submitted via YouTube Live must be submitted according to the directions located on the YouTube video description. The City is not responsible for any interrupted service. To ensure the City Council receives your comments, submit written comments to the City Clerk prior to the meeting. For more information regarding real-time public comments, please visit our Live Commenting Pilot page at <https://www.cityofsanrafael.org/live-commenting-pilot/>.

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

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

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

Absent: None

Also Present: City Manager Jim Schutz
City Attorney Robert Epstein
Community Development Director Alicia Giudice

CLOSED SESSION AT 5:00 P.M.

Watch on Webinar: <https://tinyurl.com/cs-2021-06-07>

Watch on YouTube: www.youtube.com/cityofsanrafael

Listen by phone: (669) 900-9128

ID: 812-1534-2238#

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-2021-06-07>

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 Community Development Director Alicia Giudice 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 tonight's Agenda items, Gun Safety Month and a land acknowledgement.

Community Development Director Alicia Giudice 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

Correspondence in real-time through YouTube, Zoom or telephone

- Barry Taranto addressed the City Council regarding catalytic converter and vehicle thefts
- M. Anne Hussong addressed the City Council regarding several recent, dangerous incidents on Laurel Place
- Eileen Richardson, Downtown Streets Team, addressed the City Council regarding Downtown Streets Team's past work place culture
- Name withheld addressed the City Council regarding the previous comment on Laurel Place, homelessness and 4th Street
- Parker addressed the City Council regarding the previous comment on Laurel Place and homelessness
- Rita addressed the City Council regarding needle distributing services and homelessness

CITY MANAGER'S REPORT:

3. City Manager's Report:

City Manager Jim Schutz announced:

- COVID-19 and the City's response update
- Downtown Summer Market every Thursday 5:00 - 8:00 p.m. and Dining Under the Lights every Thursday and Friday 5:00 - 9:00 p.m.

COUNCILMEMBER REPORTS:

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

4. Councilmember Reports:

- Councilmember Bushey reported on new library committee and San Rafael Sanitation District meetings.
- Councilmember Kertz reported on Marin Wildfire Prevention Authority, Homelessness and San Rafael Art Advisory Council meetings.
- Councilmember Llorens Gulati reported on County of Marin rental assistance events, as well as, Marin Clean Energy Board, MCCMC Climate Action Committee, Canal Outbreak Response Team and the Canal Policy Working Group meetings.
- Councilmember Hill reported on a MCCMC meeting.
- Mayor Kate reported on two SMART, two Marin Transit and MCCMC meetings, as well as, speaking engagements at Dominican, the Rotary and the SR Chamber of Commerce.

CONSENT CALENDAR:

Mayor Kate invited public comment.

Speakers: Karen Strolia, Downtown Streets Team, Zoe Neil, Downtown Streets Team, Brad Gaffney, Breanna Kennedy

Councilmember Bushey moved and Councilmember Kertz 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, May 17, 2021 (CC)

Approved minutes as submitted

b. **Legal Services Contract**

Resolution Approving and Authorizing the City Manager to Execute an Agreement with Burke, Williams & Sorensen, LLP for Essential Legal Services to Supplement Staff in the City Attorney's Office, in an Amount Not to Exceed \$150,000 (CA)

Resolution 14918 - Resolution Approving and Authorizing the City Manager to Execute an Agreement with Burke, Williams & Sorensen, LLP for Essential Legal Services to Supplement Staff in the City Attorney's Office, in an Amount Not to Exceed \$150,000

- c. **Downtown Streets Team**
Resolution Authorizing the City Manager to Execute a Two-Year Agreement with the Downtown Streets Team for Homeless Support Services in Fiscal Years 2021-2022 and 2022-2023 in an Amount Not to Exceed \$200,000 (CM)
Resolution 14919 - Resolution Authorizing the City Manager to Execute a Two-Year Agreement with the Downtown Streets Team for Homeless Support Services in Fiscal Years 2021-2022 and 2022-2023 in an Amount Not to Exceed \$200,000
- d. **Audit Services**
Resolution Approving and Authorizing the City Manager to Execute an Amendment to the Agreement for Professional Auditing Services Between the City and Maze & Associates Accountancy Corporation, Extending the Term of the Agreement for Auditing Services for the Fiscal Year Ending June 30, 2021, in an Amount Not to Exceed \$86,160 (Fin)
Resolution 14920 - Resolution Approving and Authorizing the City Manager to Execute an Amendment to the Agreement for Professional Auditing Services Between the City and Maze & Associates Accountancy Corporation, Extending the Term of the Agreement for Auditing Services for the Fiscal Year Ending June 30, 2021, in an Amount Not to Exceed \$86,160
- e. **Annual Adjustment to the Library Parcel Tax**
Report Concerning the Annual Consumer Price Index (CPI) Rate Adjustment for the Special Library Services Parcel Tax for the Fiscal Year July 1, 2021 Through June 30, 2022 as Specified in Voter-Approved Measure D (San Rafael Municipal Code Chapter 3.36) (Fin/Lib)
Accepted Report
- f. **City Investment Policy**
Annual Review and Resolution to Approve the City of San Rafael Investment Policy (Fin)
Accepted Report and Resolution 14921 - Annual Review and Resolution to Approve the City of San Rafael Investment Policy
- g. **Parcel Map Lands of BioMarin Pharmaceutical, Inc.**
Resolution Approving the Parcel Map for the "Lands of BioMarin Pharmaceutical, Inc." at 999 Third Street (PW)
Resolution 14922 - Resolution Approving the Parcel Map for the "Lands of BioMarin Pharmaceutical, Inc." at 999 Third Street
- h. **Special Tax on Properties at Loch Lomond 10 – Mello-Roos District No. 1992-1**
Resolution Setting the Special Tax for Community Facilities District No. 1992-1 (Loch Lomond #10) for Fiscal Year 2021-22 (PW)
Resolution 14923 - Resolution Setting the Special Tax for Community Facilities District No. 1992-1 (Loch Lomond #10) for Fiscal Year 2021-22

- i. **Special Tax on Properties at the Village at Loch Lomond Marina – Mello-Roos District No. 2**
Resolution Setting the Special Tax for City of San Rafael Community Facilities District No. 2 (The Village at Loch Lomond Marina) for Fiscal Year 2021-22 (PW)
Resolution 14924 - Resolution Setting the Special Tax for City of San Rafael Community Facilities District No. 2 (The Village at Loch Lomond Marina) for Fiscal Year 2021-22

- j. **Baypoint Lagoons Assessment District**
Baypoint Lagoons Landscaping and Lighting Assessment District Annual Assessment: (PW)
 - i. **Resolution Directing Filing of Engineer’s Annual Report FY 2021-22**
Resolution 14925 - Resolution Directing Filing of Engineer’s Annual Report FY 2021-22

 - ii. **Resolution Approving Engineer’s Annual Report FY 2021-22**
Resolution 14926 - Resolution Approving Engineer’s Annual Report FY 2021-22

 - iii. **Resolution of Intention to Order Improvements and Setting a Public Hearing on the Annual Assessment for the City Council Meeting of June 21, 2021**
Resolution 14927 - Resolution of Intention to Order Improvements and Setting a Public Hearing on the Annual Assessment for the City Council Meeting of June 21, 2021

- k. **Point San Pedro Road Median Landscaping Assessment District**
Point San Pedro Road Median Landscaping Assessment District Annual Assessment: (PW)
 - i. **Resolution Directing Filing of Engineer’s 2021-22 Annual Report**
Resolution 14928 - Resolution Directing Filing of Engineer’s 2021-22 Annual Report

 - ii. **Resolution Approving Engineer’s 2021-22 Annual Report**
Resolution 14929 - Resolution Approving Engineer’s 2021-22 Annual Report

 - iii. **Resolution of Intention to Order Improvements and Setting a Public Hearing on the Annual Assessment for the City Council Meeting of June 21, 2021**
Resolution 14930 - Resolution of Intention to Order Improvements and Setting a Public Hearing on the Annual Assessment for the City Council Meeting of June 21, 2021

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

SPECIAL PRESENTATIONS

- 6. Special Presentations:
 - a. Presentation of LGBTQ+ Pride Month Proclamation (CM)

Mayor Kate presented a Proclamation to Lynn Murphy, Mental Health Outreach Provider.

Lynn Murphy, Mental Health Outreach Provider provided comments.

b. Presentation of Juneteenth Proclamation (HR)

Mayor Kate presented a Proclamation to Antonette Bullock, Community Services Officer.

Antonette Bullock, Community Services Officer provided comments.

PUBLIC HEARINGS

7. Public Hearings:

- a. **["TEFRA" Public Hearing for Tax-Exempt Financing – 855 C Street](#)**
Resolution Approving Issuance of Revenue Bonds By the California Municipal Finance Authority for the Purpose of Providing Financing for a Residential Rental Housing Project Known As Centertown Apartments at 855 C Street, Pursuant to the Tax and Equity Fiscal Responsibility Act of 1982 ("TEFRA") (CD)
Additional call-in phone number for public comment: (844) 854-2222 (Toll Free)
Access Code: 920111

Lisa Goldfien, Assistant City Attorney presented the Staff Report.

Staff responded to questions from Councilmembers.

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

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 14931 - Resolution Approving Issuance of Revenue Bonds By the California Municipal Finance Authority for the Purpose of Providing Financing for a Residential Rental Housing Project Known As Centertown Apartments at 855 C Street, Pursuant to the Tax and Equity Fiscal Responsibility Act of 1982 ("TEFRA")

OTHER AGENDA ITEMS

8. Other Agenda Items:

- a. **[Homelessness](#)**
Informational Report on Status of Homelessness in San Rafael (CM)

Jim Schutz, City Manager introduced Andrew Hening, Director of Homeless Planning & Outreach who presented the Staff Report.

Police Chief David Spiller provided comments.

Jim Schutz, City Manager clarified that Andrew Hening, Director of Homeless Planning & Outreach combined the Staff Reports for Items 8.a and 8.b.

City Attorney Robert Epstein provided clarifying comments regarding public comment process for Items 8.a and 8.b.

Staff responded to questions from Councilmembers.

Mayor Kate invited public comment for Items 8.a and 8.b.

Speakers: Amy Likover, Federation of San Rafael Neighborhoods, Rita Channon, Bobby Moske, Pat Langley, Marin Organizing Committee, Deborah Fuqua, M. Anne Hussong, Jake Anderson, Nick Morris, Street Chaplaincy, Dionne Garcia, Brad Gaffney, Breanna, Jeanne Chatmann, Ian McCamey, Name withheld, Name withheld, Paula

Staff responded to public comment.

Councilmembers provided comments.

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

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

Accepted Report

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 14932 - Resolution of the San Rafael City Council Authorizing the City Manager to Execute an Agreement with the County of Marin to Provide Funding for Housing First Case Management in an Amount Not to Exceed \$260,000

b. **Homelessness Case Management**

Resolution of the San Rafael City Council Authorizing the City Manager to Execute an Agreement with the County of Marin to Provide Funding for Housing First Case Management in an Amount Not to Exceed \$260,000 (Fin)

Recommended Action – Adopt Resolution

The Staff Report for Item 8.b Homelessness Case Management was combined (and presented) with Item 8.a. See Item 8.a Homelessness.

c. **Preliminary Citywide Budget for Fiscal Year 2021-2022**
Preliminary Citywide Budget, Capital Improvement Program, Goals and Objectives, and Gann Appropriations Limits for Fiscal Year 2021-2022 (Fin)

Nadine Hade, Finance Director presented the Staff Report.

Staff responded to questions from Councilmembers.

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

Councilmembers provided comments.

Councilmember Bushey moved and Councilmember Kertz seconded to accept the report.

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

Accepted Report

d. **Successor Memorandum of Understanding Between the City of San Rafael and San Rafael Police Association**
Discussion and Consideration of a Memorandum of Understanding Pertaining to Compensation and Working Conditions for San Rafael Police Association (July 1, 2021 Through June 30, 2024) (HR)

Sylvia Gonzalez, HR Operations Manager presented the Staff Report.

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

Councilmembers provided comments.

Councilmember Bushey moved and Councilmember Llorens Gulati seconded to direct staff to return with resolution adopting MOU.

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

Directed staff to return with resolution adopting MOU

SAN RAFAEL SUCCESSOR AGENCY:

1. Consent Calendar: - None.

ADJOURNMENT:

Mayor Kate adjourned the meeting at 11:06 p.m.

LINDSAY LARA, City Clerk

APPROVED THIS ____ DAY OF _____, 2021

KATE COLIN, Mayor