



# MINUTES

## SAN RAFAEL CITY COUNCIL – TUESDAY, JULY 6, 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 Zoom and is being streamed to YouTube at [www.youtube.com/cityofsanrafael](http://www.youtube.com/cityofsanrafael).

How to participate in the meeting:

- Submit public comment in writing before 4:00 p.m. the day of the meeting to [city.clerk@cityofsanrafael.org](mailto:city.clerk@cityofsanrafael.org).
- Join the Zoom webinar and use the 'raise hand' feature to provide verbal public comment.
- Dial-in to Zoom's telephone number using the meeting ID and provide verbal public comment.

Any member of the public who needs accommodations should contact the City Clerk (email [city.clerk@cityofsanrafael.org](mailto:city.clerk@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  
City Clerk Lindsay Lara

### **CLOSED SESSION AT 6:00 P.M.**

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

**Watch on YouTube:** [www.youtube.com/cityofsanrafael](http://www.youtube.com/cityofsanrafael)

**Listen by phone: (669) 900-9128**

**ID: 852-3461-8723#**

### **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-2021-07-06>

**Watch on YouTube:** [www.youtube.com/cityofsanrafael](http://www.youtube.com/cityofsanrafael)

**Listen by phone: (669) 900-9128**

**ID: 817-3692-0337#**

Mayor Kate called the meeting to order at 7:02 p.m. She provided opening remarks, which included a homelessness update and a land acknowledgement.

Mayor Kate 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.

City Clerk Lindsay Lara announced the process for Spanish interpretation tonight. She informed the community that the meeting would be streamed live to YouTube and through Zoom and members of the public would provide public comment either on the telephone or through Zoom. She explained the process for community participation on the telephone or through Zoom. Also, City Clerk Lara announced that the City is preparing a hybrid virtual public meeting model and informed the community of the public comment modifications for City Council and Planning Commission meetings, as of June 15<sup>th</sup>.

**OPEN TIME FOR PUBLIC EXPRESSION**

Correspondence in real-time through Zoom or on telephone

- Joanne Webster, San Rafael Chamber of Commerce addressed the City Council regarding homeless encampments.

**CITY MANAGER'S REPORT:**

3. City Manager's Report:

City Manager Jim Schutz announced:

- Mitigating fire risk and the potential need for evacuations update
- Homeless encampments update

**COUNCILMEMBER REPORTS:**

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

4. Councilmember Reports:

- Councilmember Bushey reported on a San Rafael Sanitation Board meeting and a Canal Karate event at The Boro Center.
- Councilmember Hill reported on Association of Bay Area Government (ABAG) and Marin Municipal Water District (MMWD) meetings.
- Councilmember Kertz reported on Homelessness and Marin Wildfire Prevention Authority meetings.
- Councilmember Llorens Gulati reported on Canal Collaborative, East San Rafael Business, and Marin County Council of Mayors and Councilmembers (MCCMC) Climate Action meetings. She announced the mural at 3301 Kerner Blvd. is now up.
- Mayor Kate reported on Guatemalan Consulate and Common Knowledge meetings, a ribbon cutting event at 2<sup>nd</sup> and B Streets, Transportation Authority of Marin (TAM), Gun Safety Collaborative, and BayWAVE meetings.

**CONSENT CALENDAR:**

Mayor Kate invited public comment.

**Speakers:** Kristen Jacobson, Youth in Arts, Morgan Schaffler, Youth in Arts, John Reynolds, Name withheld

Councilmember Llorens Gulati 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, June 21, 2021 (CC)**

*Approved minutes as submitted*

b. **California State Preschool Contract**

**Resolution Approving a Contract (California State Preschool Program-1283) with the California Department of Education to Provide Funding in the Amount of \$238,821 for Fiscal Year 2021-2022 for Child Development Services and Authorizing the City Manager to Execute the Contract Documents (LR)**

*Resolution 14941 - Resolution Approving a Contract (California State Preschool Program-1283) with the California Department of Education to Provide Funding in the Amount of \$238,821 for Fiscal Year 2021-2022 for Child Development Services and Authorizing the City Manager to Execute the Contract Documents*

c. **San Rafael Parks and Recreation Master Plan Steering Committee**

**Resolution Approving the Formation of a 15-Member Ad-Hoc Parks and Recreation Master Plan Steering Committee (LR)**

*Resolution 14942 - Resolution Approving the Formation of a 15-Member Ad-Hoc Parks and Recreation Master Plan Steering Committee*

d. **Special Event Street Closures in Downtown San Rafael**

**Informational Report Regarding Temporary Closure of Streets in Downtown San Rafael for the Continuation of the Dining Under the Lights Program and the City COVID Outdoor Dining and Retail Program; and Resolution Authorizing the Temporary Closure of C Street from Fourth Street to Third Street for the Youth in Arts Special Event on July 23, 2021 (PW)**

*Accepted report and Resolution 14943 - Informational Report Regarding Temporary Closure of Streets in Downtown San Rafael for the Continuation of the Dining Under the Lights Program and the City COVID Outdoor Dining and Retail Program; and Resolution Authorizing the Temporary Closure of C Street from Fourth Street to Third Street for the Youth in Arts Special Event on July 23, 2021*

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

**SPECIAL PRESENTATIONS**

6. Special Presentations:

- a. Presentation of Proclamation Designating July 2021 as Park and Recreation Month (LR)

Mayor Kate presented a Proclamation to Susan Andrade-Wax, Library & Recreation Director.

Mark Machado, Park & Recreation Commission Chair, Susan Andrade-Wax, Library & Recreation Director, and Catherine Quffa, Assistant Library & Recreation Director provided comments.

**PUBLIC HEARINGS**

7. Public Hearings:

- a. **Prohibition of Camping on Certain Public Property**  
**An Urgency Ordinance of the City Council of the City of San Rafael, Pursuant to California Government Code Section 36937(B), Prohibiting Camping or Lodging at Any Time in Boyd Park and in City Parking Garages (CA)**

Lisa Goldfien, Assistant City Attorney presented the Staff Report.

Staff responded to questions from Councilmembers.

Mayor Kate invited public comment.

**Speakers:** Pat Langley, Marin Organizing Committee, David, John Reynolds, Marin Organizing Committee, Laurie, Jonathan Harb, Sunny Lee

Staff responded to public comment.

Councilmembers provided comments.

Councilmember Bushey moved and Councilmember Kertz seconded to adopt Urgency Ordinance No. 1995.

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

*Adopted Urgency Ordinance No. 1995 - An Urgency Ordinance of the City Council of the City of San Rafael, Pursuant to California Government Code Section 36937(B), Prohibiting Camping or Lodging at Any Time in Boyd Park and in City Parking Garages*

b. **Proposed Library and Recreation Department Fee Update**  
**Resolution Approving Amendments to the City Master Fee Schedule Updating Library, Recreation, and Childcare Fees (LR)**

Susan Andrade-Wax, Library & Recreation Director presented the Staff Report.

Staff responded to questions from Councilmembers.

Mayor Kate invited public comment.

**Speaker:** Maureen, Terra Linda Community Garden

Staff responded to public comment.

Councilmembers provided comments.

Councilmember Llorens Gulati 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 14944 - Resolution Approving Amendments to the City Master Fee Schedule Updating Library, Recreation, and Childcare Fees*

**OTHER AGENDA ITEMS**

8. Other Agenda Items:

a. **Highway 101 to Interstate 580 Connector Project**

**Presentation of Potential Guiding Principles Representing San Rafael’s Interests in the Transportation Authority of Marin’s (TAM) Study of Alternative Alignments for the 101 to 580 Connector Project (PW)**

Bill Guerin, Public Works Director and Barry Miller, General Plan 2040 Consultant presented the Staff Report.

Staff, including Anne Richman and Dan Cherrier from Transportation Authority of Marin (TAM), responded to questions from Councilmembers.

Mayor Kate invited public comment.

**Speakers:** Linda Jackson, Sustainable San Rafael, Jeff Rhoads, Resilient Shore

Staff responded to public comment.

Councilmembers provided comments.

Staff provided comments.

Councilmember Hill 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*

b. **[New Memorandum of Understanding with San Rafael Firefighters’ Association \(SRFA\)](#)  
**Resolution Approving a Memorandum of Understanding Pertaining to Compensation and Working Conditions for San Rafael Firefighters’ Association (SRFA) (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.

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 14945 - Resolution Approving a Memorandum of Understanding Pertaining to Compensation and Working Conditions for San Rafael Firefighters’ Association (SRFA) (July 1, 2021 Through June 30, 2024)*

c. [Successor Memorandum of Understanding with AFSCME/Local 1 & Furlough Reimbursement Side Letter](#)

**Discussion and Consideration of a Memorandum of Understanding Pertaining to Compensation and Working Conditions for AFSCME / Local 1 (July 1, 2021 Through June 30, 2024) (HR)**

Sylvia Gonzalez, HR Operations Manager presented the Staff Report. She announced that she would be combining the Staff Reports for Items 8.c and 8.d.

Mayor Kate invited public comment for Items 8.c and 8.d.; however, there was none.

Councilmember Hill moved and Councilmember Kertz 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*

Councilmember Hill moved and Councilmember Kertz 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*

d. [Successor Memorandum of Understanding with Western Council of Engineers & Furlough Reimbursement Side Letter](#)

**Discussion and Consideration of a Memorandum of Understanding Pertaining to Compensation and Working Conditions for Western Council of Engineers (July 1, 2021 Through June 30, 2024) (HR)**

*Recommended Action – Direct staff to return with Resolution adopting MOU*

The Staff Report for Item 8.d Successor Memorandum of Understanding with Western Council of Engineers & Furlough Reimbursement Side Letter was combined (and presented) with Item 8.c. See Item 8.c Successor Memorandum of Understanding with AFSCME/Local 1 & Furlough Reimbursement Side Letter.

e. [Successor Memorandum of Understanding with San Rafael Fire Chief Officers' Association](#)

**Discussion and Consideration of a Memorandum of Understanding Pertaining to Compensation and Working Conditions for San Rafael Fire Chief Officers' 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.

Councilmember Llorens Gulati moved and Councilmember Kertz 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*

f. **[Successor Memorandum of Understanding with San Rafael Police Mid-Management Association](#)**

**Discussion and Consideration of a Memorandum of Understanding Pertaining to Compensation and Working Conditions for San Rafael Police Mid-Management 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.

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*

g. **[Successor Memorandum of Understanding with SEIU Local 1021 & Furlough Reimbursement Side Letter](#)**

**Discussion and Consideration of a Memorandum of Understanding Pertaining to Compensation and Working Conditions for SEIU Local 1021 (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.



Councilmember Kertz moved and Councilmember Hill 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:**

Councilmember Llorens Gulati closed the meeting in memory of Sean Castle, a music teacher at San Rafael High School. Mayor Kate adjourned the meeting at 10:40 p.m.

\_\_\_\_\_  
LINDSAY LARA, City Clerk

APPROVED THIS \_\_\_\_ DAY OF \_\_\_\_\_, 2021

\_\_\_\_\_  
KATE COLIN, Mayor