



AGENDA

SAN RAFAEL CITY COUNCIL – MONDAY, OCTOBER 4, 2021

REGULAR MEETING AT 7:00 P.M.

Watch on Webinar: <https://tinyurl.com/cc-2021-10-04>

Watch on YouTube: www.youtube.com/cityofsanrafael

Listen by phone: (669) 900-9128

ID: 817-3692-0337#

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.

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.
- 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 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.

OPEN SESSION - (669) 900-9128 ID: 862-4798-8695# - 6:15 P.M.

1. Mayor Kate to announce Closed Session items.

CLOSED SESSION

2. Closed Session:
 - a. Conference with Labor Negotiators – Government Code Section 54957.6
Lead Negotiator: Timothy L. Davis (Burke, Williams & Sorensen)
Agency Designated Representatives: Jim Schutz, Cristine Alilovich, Robert Epstein, Nadine Hade, Sylvia Gonzalez, Susan Andrade-Wax, Catherine Quffa, Kelly Albrecht
Employee Organization: SEIU - Childcare

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, September 13, 2021, and Monday, September 20, 2021 (CC)

Recommended Action - Approve minutes as submitted

b. **Vacancies on San Rafael Boards and Commissions**

Announcement of Vacancies on the Cannabis Industry Tax Oversight Committee and the Pickleweed Advisory Committee (CC)

Recommended Action - Receive and file

c. **Citizen of the Year 2021**

Resolution of Appreciation to Recipient of The Richard P. O'Brien and Mary Ferrario O'Brien Citizen of the Year Award 2021 (CC)

Recommended Action - Adopt Resolution

d. **Use of Teleconferencing for Public Meetings During State of Emergency**

Resolution Pursuant to Assembly Bill 361 Making Findings and Confirming the Need for Continued Use of Teleconferencing to Hold Public Meetings of the San Rafael City Council and City Boards and Commissions During the Continuing State of Emergency Relating to the COVID-19 Pandemic (CA)

Recommended Action - Adopt Resolution

e. **Office of Traffic Safety Grant Approval**

Resolution Approving Use of State of California Office of Traffic Safety Grant Funds in the Amount of \$105,000 for the "Selective Traffic Enforcement Program" ("STEP") Grant from October 1, 2021 Through September 30, 2022, and Authorizing the City Manager to Execute a Grant Agreement and Any Other Documents Related to the Grant (PD)

Recommended Action - Adopt Resolution

f. **City Council Appointments to Committees**

Approve Revised City Council Appointments to Committees 2021 Appointing Maribeth Bushey and Eli Hill to the Ad Hoc Water Policy Committee (CC)

Recommended Action - Approve Appointments

g. Job Classification and Compensation Adjustments – Update to Management Analyst Series and Adjust Senior Accounting Assistant Compensation

Resolution Approving the Following Personnel Classification and Compensation Adjustments: (HR)

- i. Align the Management Analyst Series, such that There is a More Logical Progression When Promoting from a Management Analyst to the Senior Management Analyst Level
- ii. Create a Senior Management Analyst I and II Job Specification
- iii. Approve Adjustment to the Senior Accounting Assistant Salary by Adopting Change to the SEIU Salary Schedule

Recommended Action – Adopt Resolution

SPECIAL PRESENTATIONS

6. Special Presentations:

- a. Presentation of Resolution of Appreciation to Recipient of The Richard P. O'Brien and Mary Ferrario O'Brien Citizen of the Year Award 2021
- b. Presentation of Proclamation for National Disability Awareness Month (CD)
- c. Presentation of Proclamation for Fire Prevention Week (FD)
- d. Presentation by Caltrans on the Harbor Bridge Project (PW)

OTHER AGENDA ITEMS

7. Other Agenda Items:

a. Resident Engagement

Informational Report on Findings from Interviews about Neighborhood & Resident Engagement in San Rafael (CM)

Recommended Action – Accept report

b. Transit Center Relocation Draft Environmental Impact Report

Resolution Approving and Authorizing the Mayor to Sign a Letter to the Golden Gate Bridge, Highway & Transportation District Summarizing City Comments on the San Rafael Transit Center Relocation Project (SRTC) Draft Environmental Impact Report (DEIR); File P21-012 (PW)

Recommended Action – Adopt Resolution

PUBLIC HEARING

8. Public Hearing:

a. Traffic Mitigation Fee (TMF) Increase – 2040 General Plan

Resolution to Update the Citywide Traffic Mitigation Fee as Recommended by the 2040 General Plan Report Titled “City of San Rafael Transportation Fee Nexus Report” (PW)

Recommended Action – Adopt Resolution

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, SEPTEMBER 13, 2021

REGULAR MEETING AT 7:00 P.M.

Watch on Webinar: <https://tinyurl.com/cc-2021-09-13>

Watch on YouTube: www.youtube.com/cityofsanrafael

Listen by phone: (669) 900-9128

ID: 817-3692-0337#

CORONAVIRUS (COVID-19) ADVISORY NOTICE

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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

OPEN SESSION - (669) 900-9128 ID: 827-9460-3029# - 5:30 P.M.

1. Mayor Kate to announce Closed Session item.

CLOSED SESSION

2. Closed Session:
 - a. Conference with Labor Negotiators – Government Code Section 54957.6
Lead Negotiator: Timothy L. Davis (Burke, Williams & Sorensen)
Agency Designated Representatives: Jim Schutz, Cristine Alilovich, Nadine Hade, Sylvia Gonzalez, Carmen Valdez
Employee Organization: SEIU – Childcare

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 Rosh Hashanah, the 20th anniversary of 09/11 and a land acknowledgment.

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.

OPEN TIME FOR PUBLIC EXPRESSION

Correspondence in real-time through Zoom or on telephone

- Eva Chrysanthe, addressed the City Council regarding 09/11 and the death of an unhoused woman in Marin.

CITY MANAGER'S REPORT:

3. City Manager's Report:

City Manager Jim Schutz announced:

- In-person City Council meeting update
- Wildfire Safety Forum on September 22 at 6 p.m.

Battalion Chief Matt Windrem and Emergency Manager Quinn Gardner announced:

- Recent, local wildfires update

COUNCILMEMBER REPORTS:

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

4. Councilmember Reports:

- Councilmember Bushey reported on San Rafael Sanitation District Board and Loch Lomond Development Oversight Committee meetings.
- Councilmember Hill reported on a Marin Sanitary Service facility tour.
- Councilmember Llorens Gulati reported on Climate Action Plan, Canal Alliance/Legal Aid of Marin Renter Protections and Safe Routes to Schools meetings; and a Guatemalan Independence Day event.
- Councilmember Kertz reported on **Continuum** of Care and Economic Development meetings
- Mayor Kate reported on Marin Transit, SMART, Gun Safety Collaborative and BayWAVE meetings.

CONSENT CALENDAR:

Mayor Kate invited public comment.

Speaker: Eva Chrysanthe

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, August 16, 2021 (CC)

Approved minutes as submitted

- b. **Authorization for Background Checks**
Final Adoption of Ordinance No. 1999: An Ordinance of the City of San Rafael City Council Adding Chapter 2.22 to the San Rafael Municipal Code, Entitled "Background Checks" (PD)
Final Adoption of Ordinance No. 1999

- c. **Future Property Annexation to the City of San Rafael**
Resolution Authorizing the Mayor to Execute an Agreement Between the City and Andrews Living Trust Et. Al. Regarding Future Annexation of Property Located at 345 Highland Avenue (APN 016-011-20) In the Unincorporated Country Club Neighborhood to the City of San Rafael (CD)
Resolution 14967 - Resolution Authorizing the Mayor to Execute an Agreement Between the City and Andrews Living Trust Et. Al. Regarding Future Annexation of Property Located at 345 Highland Avenue (APN 016-011-20) In the Unincorporated Country Club Neighborhood to the City of San Rafael

- d. **Security Services for the Service Support Area**
Resolution Authorizing the City Manager to Execute and Continue as Needed a Month-to-Month Professional Services Agreement with Barbier Security Group to Provide Security Services at the Service Support Area, in an Amount Not to Exceed \$31,770 Monthly (PD)
Resolution 14968 - Resolution Authorizing the City Manager to Execute and Continue as Needed a Month-to-Month Professional Services Agreement with Barbier Security Group to Provide Security Services at the Service Support Area, in an Amount Not to Exceed \$31,770 Monthly

- e. **San Rafael Police Department Unmarked Fleet Replacement 2021**
Resolution Approving and Authorizing the Director of Public Works to Purchase Six Unmarked Toyota Highlander Hybrids, In an Amount Not to Exceed \$282,000 (PW)
Resolution 14969 - Resolution Approving and Authorizing the Director of Public Works to Purchase Six Unmarked Toyota Highlander Hybrids, In an Amount Not to Exceed \$282,000

- f. **Bungalow and Woodland Resurfacing Project**
Resolution Awarding and Authorizing the City Manager to Execute a Construction Agreement for the Bungalow and Woodland Resurfacing Project, City Project No. 11397, To Ghilotti Bros., Inc. in the Amount of \$737,373.77, and Authorizing Contingency Funds in the Amount of \$112,262.23, for a Total Appropriated Amount of \$850,000 (PW)
Resolution 14970 - Resolution Awarding and Authorizing the City Manager to Execute a Construction Agreement for the Bungalow and Woodland Resurfacing Project, City Project No. 11397, To Ghilotti Bros., Inc. in the Amount of \$737,373.77, and Authorizing Contingency Funds in the Amount of \$112,262.23, for a Total Appropriated Amount of \$850,000

- g. **Southern Height Bridge Replacement**
Resolution Approving and Authorizing the City Manager to Execute a First Amendment to the Agreement with Substrate, Inc. For Additional Construction Management, Inspection, And Materials Testing Services, In an Additional Contract Amount Not to Exceed \$65,885 (PW)

Resolution 14971 - Resolution Approving and Authorizing the City Manager to Execute a First Amendment to the Agreement with Substrate, Inc. For Additional Construction Management, Inspection, And Materials Testing Services, In an Additional Contract Amount Not to Exceed \$65,885

- h. Third Street / San Rafael High School Crosswalk Project Notice of Completion
Accept Completion of The Third Street / San Rafael High School Crosswalk Project
(City Project No. 11354), And Authorize the City Clerk to File the Notice of Completion
(PW)**

Accepted Completion and Authorized City Clerk to File Notice of Completion

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

OTHER AGENDA ITEMS

6. Other Agenda Items:

- a. [2021-2022 City Council Redistricting Process](#)
Informational Report on (1) Legal and Policy Criteria Governing Redistricting; and (2)
Preliminary Demographics of Existing Council Districts Based on Census “Legacy” Data
(CA)**

Chris Skinnell, Legal Counsel presented the Staff Report.

Staff responded to questions from Councilmembers.

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

Councilmembers provided comments.

Councilmember Kertz 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

SPECIAL PRESENTATIONS

7. Special Presentations:

- a. Presentation of Proclamation in Recognition of National Suicide Prevention and Awareness
(Fin)**

Mayor Kate presented a Proclamation to Nadine Hade, Finance Director.

Nadine Hade, Finance Director provided comments.

Mayor Kate provided comments.

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

b. Presentation of Proclamation in Recognition of Hispanic Heritage Month (HR)

Mayor Kate presented a Proclamation to Sylvia Gonzalez, HR Operations Manager.

Sylvia Gonzalez, HR Operations Manager provided comments.

Mayor Kate invited public comment.

Speaker: Eva Chrysanthe

Mayor Kate closed the public comment period.

PUBLIC HEARINGS

8. Public Hearings:

a. [Ground Lease to Centertown II, LP of 855 C Street](#)

First Introduction: Consideration of an Ordinance Approving and Authorizing the Mayor to Execute a Ground Lease of the Real Property at 855 C Street, San Rafael (Centertown) to Centertown II, LP (ED)

Danielle O'Leary, Director of Economic Development and Innovation presented the Staff Report.

Staff, including David Rosenthal, Legal Counsel responded to questions from Councilmembers.

Mayor Kate invited public comment.

Speaker: Sarah White, BRIDGE and EAH

Staff responded to questions from Councilmembers.

Councilmembers provided comments.

Councilmember Kertz moved and Councilmember Hill seconded to pass Ordinance to print.

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

NOES: Councilmembers: None

ABSENT: Councilmembers: None

Passed Ordinance No. 2000 to print: An Ordinance Approving and Authorizing the Mayor to Execute a Ground Lease of the Real Property at 855 C Street, San Rafael (Centertown) to Centertown II, LP

SAN RAFAEL SUCCESSOR AGENCY:

1. Consent Calendar: - None.

ADJOURNMENT:

Mayor Kate adjourned the meeting at 8:49 p.m.

LINDSAY LARA, City Clerk

APPROVED THIS ____ DAY OF _____, 2021

KATE COLIN, Mayor

DRAFT



MINUTES

SAN RAFAEL CITY COUNCIL – MONDAY, SEPTEMBER 20, 2021

REGULAR MEETING AT 7:00 P.M.

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

Absent: Mayor Kate

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

OPEN SESSION - (669) 900-9128 ID: 838-2957-5412# - 5:30 P.M.

1. Mayor Kate to announce Closed Session items.

CLOSED SESSION

2. Closed Session:
 - a. Conference with Labor Negotiators – Government Code Section 54957.6
Lead Negotiator: Timothy L. Davis (Burke, Williams & Sorensen)
Agency Designated Representatives: Jim Schutz, Cristine Alilovich, Robert Epstein, Nadine Hade, Sylvia Gonzalez, Susan Andrade-Wax, Catherine Quffa, Kelly Albrecht
Employee Organization: SEIU – Childcare

Mayor Pro Tem Bushey 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, except for Mayor Kate.

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

Mayor Pro Tem Bushey provided opening remarks, which included a preview of tonight's agenda items and a land acknowledgment.

City Clerk Lindsay Lara informed the community that the meeting would be recorded and 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.

OPEN TIME FOR PUBLIC EXPRESSION

Correspondence in real-time through Zoom or on telephone

- Pamela Reaves, addressed the City Council regarding speeding vehicles on Las Colindas, Las Gallinas and Freitas.

CITY MANAGER'S REPORT:

3. City Manager's Report:

City Manager Jim Schutz announced:

- Golden Gate Bridge Highway and Transportation District Draft Environmental Impact Report (EIR) update
- Marin Wildfire Prevention Authority (MWPA) Zonehaven update
- 1 Hour 2 Get Ready Class to be held on September 21 at noon
- Community Wildfire Forum to be held on September 22 at 5:30 p.m.

COUNCILMEMBER REPORTS:

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

4. Councilmember Reports:

- Councilmember Hill reported on an Association of Bay Area Government (ABAG) meeting.
- Councilmember Kertz reported on County Homeless Committee and Marin Wildfire Prevention Authority meetings.
- Councilmember Llorens Gulati reported on an International Coastal Clean-up event and a Sustainable San Rafael meeting.
- Mayor Pro Tem Bushey reported on a Marin Evening Rotary meeting and a ribbon cutting event for the Mind Therapy Residential Treatment Center.

CONSENT CALENDAR:

Mayor Pro Tem Bushey invited public comment; however, there was none.

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

5. Consent Calendar Items:

- a. **Ground Lease to Centertown II, LP of 855 C Street
Final Adoption of Ordinance 2000: An Ordinance Approving and Authorizing the Mayor to Execute a Ground Lease of the Real Property at 855 C Street, San Rafael (Centertown) to Centertown II, LP (CC)**

- b. **Marin Endurance Festival Special Event Street Closure**
Resolution Authorizing the Temporary Closure of Point San Pedro Road from Riviera Drive to Biscayne Drive for the Marin Endurance Festival on October 30th and 31st, 2021 (PD)
Resolution 14972 - Resolution Authorizing the Temporary Closure of Point San Pedro Road from Riviera Drive to Biscayne Drive for the Marin Endurance Festival on October 30th and 31st, 2021

- c. **Francisco Boulevard East Resurfacing Project**
Resolution Awarding and Authorizing the City Manager to Execute a Construction Agreement for the Francisco Boulevard East Resurfacing Project, City Project No. 11389, to Ghilotti Construction Company, Inc. in the Amount of \$1,136,140.00, and Authorizing Contingency Funds in the Amount of \$173,860.00, for a Total Appropriated Amount of \$1,310,000.00 (PW)
Resolution 14973 - Resolution Awarding and Authorizing the City Manager to Execute a Construction Agreement for the Francisco Boulevard East Resurfacing Project, City Project No. 11389, to Ghilotti Construction Company, Inc. in the Amount of \$1,136,140.00, and Authorizing Contingency Funds in the Amount of \$173,860.00, for a Total Appropriated Amount of \$1,310,000.00

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

OTHER AGENDA ITEMS

6. Other Agenda Items:

- a. [Climate Emergency Declaration](#)
Resolution Adopting a Climate Emergency Declaration and Establishing a New Long-Term Target for Greenhouse Gas Reductions (CM)

Cory Bytof, Sustainability Program Manager presented the Staff Report.

Staff responded to questions from Councilmembers.

Mayor Pro Tem Bushey invited public comment.

Speakers: David Moller, Eva Chrysanthe, Pam Reaves, Marin Conservation League, Jeff Rhoads, Resilient Shore, Sarah Spengeman, Arlin Benavides, Multicultural Center of Marin, Bill Carney, Sustainable San Rafael, Max Perrey, Redwood Community Health Coalition (RCHC), Name withheld, Annika Osborn, Cool the Earth, Marilyn Price, Belle Cole, Organizing for Action (OFA) Marin

Staff responded to public comment.

Councilmembers provided comments.

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

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

Resolution 14974 - Resolution Adopting a Climate Emergency Declaration and Establishing a New Long-Term Target for Greenhouse Gas Reductions

RECESS 8:03 – 8:09 p.m.

b. [Grand Jury Report on Adapting to Climate Change](#)

Resolution Approving and Authorizing the Mayor to Execute the City of San Rafael’s Final Response to the 2019-2020 Marin County Civil Grand Jury Report Entitled, “Climate Change: How Will Marin Adapt?” (CM)

Cory Bytof, Sustainability Program Manager presented the Staff Report.

Staff responded to questions from Councilmembers.

Mayor Pro Tem Bushey invited public comment.

Speakers: Jeff Rhoads, Bill Carney, Sustainable San Rafael

Councilmembers provided comments.

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

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

Resolution 14975 - Resolution Approving and Authorizing the Mayor to Execute the City of San Rafael’s Final Response to the 2019-2020 Marin County Civil Grand Jury Report Entitled, “Climate Change: How Will Marin Adapt?”

c. [Fiscal Year 2020-2021 City-Wide Budget Amendments and Fiscal Year 2021-2022 Update](#)

Nadine Hade, Finance Director presented the Staff Report.

Staff responded to questions from Councilmembers.

Mayor Pro Tem Bushey invited public comment.

Speaker: Victoria DeWitt

Staff responded to public comment.

Councilmembers provided comments.

i. **Resolution Adopting Amendments to the City of San Rafael Budget for Fiscal Year 2020-2021 for the Purpose of Confirming Authorized Appropriations and Transfers (Fin)**

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

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

Resolution 14976 - Resolution Adopting Amendments to the City of San Rafael Budget for Fiscal Year 2020-2021 for the Purpose of Confirming Authorized Appropriations and Transfers

ii. **Resolution Adopting Amendments for Fiscal Year 2021-2022 for the Purposes of Personnel Changes (Fin)**

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

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

Resolution 14977 - Resolution Adopting Amendments for Fiscal Year 2021-2022 for the Purposes of Personnel Changes

SAN RAFAEL SUCCESSOR AGENCY:

1. Consent Calendar: - None.

ADJOURNMENT:

Mayor Pro Tem Bushey adjourned the meeting at 8:51 p.m.

LINDSAY LARA, City Clerk

APPROVED THIS ____ DAY OF _____, 2021

MARIBETH BUSHEY, Mayor Pro Tem



SAN RAFAEL CITY COUNCIL AGENDA REPORT

Department: City Clerk

Prepared by: Lindsay Lara, City Clerk

City Manager Approval: 

TOPIC: VACANCIES ON SAN RAFAEL BOARDS AND COMMISSIONS

SUBJECT: ANNOUNCEMENT OF VACANCIES ON THE CANNABIS INDUSTRY TAX OVERSIGHT COMMITTEE AND THE PICKLEWEED ADVISORY COMMITTEE

RECOMMENDATION:

Receive and file the announcement of vacancies on San Rafael’s Boards and Commissions.

BACKGROUND:

The City Clerk’s office is currently recruiting to fill vacancies on our boards and commissions. Community members [can apply online](#) to serve on our boards and commissions, and more information and eligibility requirements are as follows:

Cannabis Industry Tax Oversight Committee

Board Description: The Cannabis Industry Tax Oversight Committee’s purpose is to ensure that all revenues received from the voter approved Cannabis Industry Tax (Measure G) are spent on uses outlined in San Rafael Ordinance 1961.

Term: Appointment through February 2024

Seats: One seat available

2021 Meeting Schedule: Once per year - December or January (date to be determined)

Eligibility Requirements: Members of the Committee shall be at least 18 years of age and reside within the City limits. The Committee may not include any employee or official of the City, or any vendor, contractor or consultant doing business with the City.

Application Deadline: October 19, 2021.
(subject to extension)

FOR CITY CLERK ONLY

Council Meeting: _____

Disposition: _____

Pickleweed Advisory Committee

Board Description: The Pickleweed Advisory Committee provides valuable input in representing and advocating for the Canal area resident's needs and wishes for programs and services; and is a primary public networking resource between the Canal residents, representatives from governmental and non-profit agencies, and others. The Pickleweed Advisory Committee works in conjunction with the City of San Rafael.

Term: Appointment through December 2024

Seats: One seat available

2021 Meeting Schedule: October 6, 2021 at 7:00 p.m.
December (date to be determined)

Eligibility Requirements: Must be a Canal Neighborhood resident.
May be a Youth Member who shall be a minimum age of a high school 9th grade student.

Application Deadline (subject to extension): Open until filled.

Additional Information: Highly interested in youth member applicants.

COMMUNITY OUTREACH: (if applicable)

The recruitment for applications is being advertised through mass email notification, Canal Alliance, the City's website, Nextdoor, and Facebook social media platforms.

RECOMMENDED ACTION:

Receive and file the announcement of upcoming vacancies on San Rafael's Boards and Commissions.

Item 5.c

Citizen of the Year 2021

Staff Report and Resolution to be published
on October 5, 2021



SAN RAFAEL CITY COUNCIL AGENDA REPORT

Department: CITY ATTORNEY

Prepared by: Lisa Goldfien,
Assistant City Attorney

City Manager Approval: _____

TOPIC: USE OF TELECONFERENCING FOR PUBLIC MEETINGS DURING STATE OF EMERGENCY

SUBJECT: RESOLUTION PURSUANT TO ASSEMBLY BILL 361 MAKING FINDINGS AND CONFIRMING THE NEED FOR CONTINUED USE OF TELECONFERENCING TO HOLD PUBLIC MEETINGS OF THE SAN RAFAEL CITY COUNCIL AND CITY BOARDS AND COMMISSIONS DURING THE CONTINUING STATE OF EMERGENCY RELATING TO THE COVID-19 PANDEMIC

RECOMMENDATION:

Adopt the resolution.

BACKGROUND:

The Ralph M. Brown Act (“Brown Act”) requires that except as specifically provided, “meetings of the legislative body of a local agency shall be open and public, and all persons shall be permitted to attend any meeting of the legislative body”. (Gov. Code §54953(a).) For many years, the Brown Act has authorized members of a local agency’s legislative body to attend a public meeting by teleconference in compliance with strict procedural requirements. Under Government Code section 54953(b)(3), to use teleconferencing, at least a quorum of the legislative body must participate from locations within agency’s boundaries, and the agency must give notice of each teleconference location, post an agenda at each teleconference location, provide for public access to each teleconference location, and allow members of the public to address the Council at each teleconference location.

On March 4, 2020, Governor Newsom declared a statewide state of emergency in connection with the COVID-19 pandemic. Subsequently, on March 18, 2020, the Governor issued Executive Order [No. N-29-20](#) suspending the Brown Act’s requirements for in-person meetings and facilitating the use of teleconferencing for public meetings during the state of emergency. The Executive Order authorized public meetings to be held by teleconference only, provided that notice and accessibility requirements are met, members of the public are allowed to observe and address the legislative body at the meeting, and there is a procedure for receiving and swiftly resolving requests for reasonable accommodation for individuals with disabilities. This order has allowed the City Council and the City’s other formal boards

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and commissions to hold their public meetings using teleconferencing technologies, with the requisite notice and public participation; however, the order was due to expire on September 30, 2021, and without legislative action, in-person meetings and the strict teleconferencing procedures of the Brown Act would again be required.

Because the statewide state of emergency continues and the COVID-19 pandemic still poses a health risk for public meetings, on September 16, 2021, Governor Newsom signed into law as an urgency measure Assembly Bill (AB) 361. [AB 361](#) amends the Brown Act provisions governing the use of teleconferencing for public meetings of a local agency's legislative bodies, allowing more liberal teleconferencing requirements to continue during the current and future state-declared emergencies.

ANALYSIS:

Executive Order N-29-20 has now expired, but AB 361 is now in effect, and its amendments to the Brown Act will allow the City to continue to hold its meetings using teleconferencing technology after September 30. Government Code section 54953, as amended by AB 361, now provides in new subsection (e)(1), that during the current and any future state-declared state of emergency, the legislative body of a local agency may use teleconferencing without complying with the procedural requirements of Government Code section 54953(b)(3) in any of three circumstances:

(A) The legislative body holds a meeting during a proclaimed state of emergency, and state or local officials have imposed or recommended measures to promote social distancing.

(B) The legislative body holds a meeting during a proclaimed state of emergency for the purpose of determining, by majority vote, whether as a result of the emergency, meeting in person would present imminent risks to the health or safety of attendees.

(C) The legislative body holds a meeting during a proclaimed state of emergency and has determined, by majority vote, pursuant to subparagraph (B), that, as a result of the emergency, meeting in person would present imminent risks to the health or safety of attendees.

Certain additional requirements would apply under the new law, however, including specific requirements as to how public comment must be allowed and heard, with which the City already complies. In addition:

- In the event of a disruption which prevents the City from broadcasting the meeting to members of the public using the call-in option or internet-based service option, or in the event of a disruption within the City's control which prevents members of the public from offering public comments using the call-in option or internet-based service option, the legislative body shall take no further action on items appearing on the meeting agenda until public access to the meeting via the call-in option or internet-based service option is restored. Actions taken on agenda items during a disruption which prevents the public agency from broadcasting the meeting may be challenged pursuant to Section 54960.1.
- If a state of emergency remains active, or state or local officials have imposed or recommended measures to promote social distancing, in order to continue to teleconference without compliance with paragraph (3) of subdivision (b), the legislative body shall, not later than 30 days after teleconferencing for the first time pursuant to subparagraph (A), (B), or (C) of paragraph (1), and every 30 days thereafter, make the following findings by majority vote:
 - The legislative body has reconsidered the circumstances of the state of emergency.

- Any of the following circumstances exist:
 - (i) The state of emergency continues to directly impact the ability of the members to meet safely in person.
 - (ii) State or local officials continue to impose or recommend measures to promote social distancing.

The resolution before the City Council is intended to comply with the requirement to make specified findings every 30 days. The resolution finds that the state of emergency continues in effect, that measures to promote social distancing are still being imposed by the state and county, and that the state of emergency directly impacts the ability of the public and the members of the City's Council, boards, and commissions to meet safely in person. The proposed resolution confirms the City Council's determination that all public meetings of the City's legislative bodies (the Council and all formal boards and commissions) should continue to be held using only teleconferencing technology.

Staff plans to agendize the same type of resolution at each regular City Council meeting during the pendency of the statewide state of emergency, so that the Council may continue to reconsider these findings at least every 30 days.

The Brown Act amendments adopted by AB 361 will be operative until January 1, 2024, and will then expire unless extended by new legislation.

FISCAL IMPACT:

There is no fiscal impact associated with the adoption of the attached resolution.

OPTIONS:

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

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

RECOMMENDED ACTION:

Adopt the resolution pursuant to Assembly Bill 361 making findings pursuant to Government Code section 54953(e) to support continued use of teleconferencing to hold public meetings of the City Council and City boards and commissions during the continuing statewide state of emergency proclaimed by Governor Newsom on March 4, 2020.

ATTACHMENTS:

1. Resolution pursuant to Assembly Bill 361 making findings and confirming the need for continued use of teleconferencing to hold public meetings of the San Rafael City Council and City boards and commissions during the continuing state of emergency relating to the COVID-19 pandemic

RESOLUTION NO.

RESOLUTION OF THE SAN RAFAEL CITY COUNCIL PURSUANT TO ASSEMBLY BILL 361 MAKING FINDINGS AND CONFIRMING THE NEED FOR CONTINUED USE OF TELECONFERENCING TO HOLD PUBLIC MEETINGS OF THE SAN RAFAEL CITY COUNCIL AND CITY BOARDS AND COMMISSIONS DURING THE CONTINUING STATE OF EMERGENCY RELATING TO THE COVID-19 PANDEMIC

WHEREAS, on March 4, 2020 Governor Newsom issued a proclamation pursuant to Government Code Section 8625 declaring a state of emergency in California due to the COVID-19 pandemic; and

WHEREAS, the Ralph M. Brown Act (Gov. Code §§ 54950 et seq.) (hereafter, the “Brown Act”) provides in Government Code section 54953 that “all meetings of the legislative body of a local agency shall be open and public, and all persons shall be permitted to attend any meeting of the legislative body of a local agency, except as otherwise provided by this chapter”; and

WHEREAS, Government Code section 54953(b)(3) permits the legislative body of a local agency to use teleconferencing for the benefit of the public and the legislative body in connection with any meeting or proceeding authorized by law, subject to specified procedural requirements including, but not limited to, the posting of agendas at all teleconference locations, the opportunity for members of the public to address the legislative body directly at each teleconference location, and that at least a quorum of the members of the legislative body participate from locations within the boundaries of the territory over which the legislative body exercises jurisdiction; and

WHEREAS, Government Code section 54953(e), added by Assembly Bill 361 effective September 16, 2021, provides, in section 54953(e)(1), that during a state of emergency proclaimed pursuant to Government Code section 8625, the legislative body of a local agency may hold a meeting using teleconferencing without complying with the procedural requirements of section 54953(b)(3), provided that the legislative body complies with the requirements of section 54953(e)(2); and

WHEREAS, pursuant to Government Code section 54953(e)(3), if a state of emergency remains active, or state or local officials have imposed or recommended measures to promote social distancing, then in order to continue to teleconference without compliance with the requirements of section 54953(b)(3), the legislative body shall make specified findings at least every 30 days; and

WHEREAS, the City Council has reconsidered the circumstances of the proclaimed COVID-19-related state of emergency and finds that it remains active; and

WHEREAS, the City Council finds that state and/or local officials continue to impose or recommend measures to promote social distancing, as follows:

- a. The July 28, 2021 California Department of Public Health Guidance for the Use of Face Coverings recommending universal masking indoors statewide to promote social distancing is still in effect; and

- b. The August 2, 2021 Marin County Department of Public Health order requiring all people to wear masks in public indoor settings to promote social distancing is still in effect; and

WHEREAS, the City Council finds that the state of emergency continues to directly impact the ability of the members of the City Council and other City boards and commissions to meet safely in person;

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of San Rafael that in order to protect the safety of the members of the public, the City Council and all City boards and commissions, for the 30 days following adoption of this resolution, public meetings of the City's legislative bodies shall continue to be held using teleconferencing technology in compliance with the requirements of Government Code section 54953(e)(2) and all other applicable laws.

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 the City of San Rafael, held on Monday, the 4th day of October 2021, by the following vote, to wit:

AYES: Councilmembers:

NOES: Councilmembers:

ABSENT: Councilmembers:

Lindsay Lara, City Clerk



SAN RAFAEL CITY COUNCIL AGENDA REPORT

Department: Police Department

Prepared by: Todd Berringer, Lieutenant

City Manager Approval: _____

TOPIC: OFFICE OF TRAFFIC SAFETY GRANT APPROVAL

SUBJECT: RESOLUTION APPROVING USE OF STATE OF CALIFORNIA OFFICE OF TRAFFIC SAFETY GRANT FUNDS IN THE AMOUNT OF \$105,000 FOR THE “SELECTIVE TRAFFIC ENFORCEMENT PROGRAM” (“STEP”) GRANT FROM OCTOBER 1, 2021 THROUGH SEPTEMBER 30, 2022, AND AUTHORIZING THE CITY MANAGER TO EXECUTE A GRANT AGREEMENT AND ANY OTHER DOCUMENTS RELATED TO THE GRANT

RECOMMENDATION:

Staff recommends that the City Council adopt the resolution approving use of State of California Office of Traffic Safety grant funds in the amount of \$105,000 for the “Selective Traffic Enforcement Program” (“STEP”) grant from October 1, 2021 through September 30, 2022 and authorizing the City Manager to execute a grant agreement and any other documents related to the grant.

BACKGROUND:

For the past twenty years, the Office of Traffic Safety (OTS) of the State of California has awarded over two million dollars in traffic safety grants to the City of San Rafael. These grants have included the Marin County “Avoid the Marin 13” DUI/ DL campaign, Click it or Ticket grants, DUI Mini grants, DUI Enforcement and Awareness grants, and STEP grants. Each of the grants have provided critical traffic enforcement and education operations by funding the deployment of officers for DUI / DL checkpoints, DUI saturation patrols, red light and speed enforcement, seat belt enforcement, and distracted driving enforcement. As of October 1st, 2016, OTS no longer offers the countywide “Avoid the Marin 13” grants. The only funding available is through the Selective Traffic Enforcement (STEP) grant program. This development has greatly reduced our funding for traffic and DUI related enforcement activities.

The San Rafael Police Department (SRPD) currently has two officers assigned full-time to traffic enforcement. This is down from seven full-time officers in 2007. The San Rafael Police Department has encouraged patrol officers and traffic officers to conduct enforcement focused on reducing alcohol and speed-related collisions, along with increased pedestrian and bicycle safety.

ANALYSIS:

OTS has approved a grant of \$105,000 to the City of San Rafael. The project goal of this OTS grant is to reduce the number of persons killed or injured in vehicle collisions involving alcohol, speed, red light

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violations and other primary collision factors, by implementing “best practice” strategies. Enforcement and education have shown to be critical in reducing vehicle collisions. The grant will provide the necessary resources for traffic enforcement and education operations.

The acceptance and implementation of this \$105,000 grant is critical to maintain traffic safety levels in San Rafael. Collision data from years 2018 through 2020 indicated that most of the city’s collisions occurred due to unsafe turns, speed, red-light violations, and driving under the influence of drugs and/or alcohol. The Police Department has been challenged for several years to reduce fatal and injury collisions involving pedestrians and bicyclists. According to the 2018 Office of Traffic Safety Crash Ranking Results, of similar sized cities, San Rafael had the 7th highest amount of crashes out of 102 surveyed cities for crashes involving bicyclists, 14 of 102 for crashes involving pedestrians, 19 of 102 for crashes involving pedestrians age 65+ and 27 of 102 for crashes involving bicyclists under the age of 15. These statistics reflect that San Rafael has a disproportionate amount of crashes involving bicyclists and pedestrians. As a result, the Police Department recognizes that additional education and enforcement is needed to reduce these numbers.

The SRPD encourages patrol and traffic officers to conduct focused enforcement for reducing alcohol-, pedestrian-, and speed-related collisions. However, current staffing levels inherently limit the frequency by which more proactive traffic enforcement efforts can occur because officers are primarily focused on responding to emergency calls for service. In calendar year 2019, 13 sworn officers separated from our police department. In 2020, 5 more sworn officers separated from the Police Department. Most of our newly hired officers are new to law enforcement and face a learning curve, especially in the area of traffic safety and DUI investigations.

Should the City Council approve this grant, the San Rafael Police Department will have the resources to implement numerous enforcement programs including, but not limited to, various safety and awareness campaigns, enforcement operations, and a program to identify repeat DUI offenders. The grant also includes funding for officer trainings and enforcement operations for distracted driving, motorcycle safety, and bicycle/pedestrian safety, among others. See Attachment 2 for a full list of grant-funded programs.

Operations for this grant will be scheduled between October 1, 2021 and September 30, 2022.

The SRPD will report statistics quarterly to the Office of Traffic Safety and the grant will be evaluated by how well the stated goals and objectives were accomplished.

COMMUNITY OUTREACH:

A significant aspect of this grant is educating the community and increasing awareness regarding traffic safety. This will be accomplished through press releases and the use of social media. The San Rafael Police Department has 15,500 Twitter and 11,961 Facebook followers as well as 41,190 subscribers to updates on Nextdoor and over 2,100 subscribers to press release email notifications.

FISCAL IMPACT:

The grant funding will be included in Grant Fund – Safety (fund #281) and will fund operational expenses such as overtime costs, travel and training associated with the focused enforcement of traffic safety, up to the total proceeds of the grant of \$105,000.

OPTIONS:

1. Adopt the resolution accepting the \$105,000 Office of Traffic Safety STEP grant as submitted.
2. Decline to accept the Office of Traffic Safety grant (The OTS grants require the implementation of all the grant components for funding to be provided).

RECOMMENDED ACTION:

Adopt the resolution approving use of State of California Office of Traffic Safety grant funds in the amount of \$105,000 for the “Selective Traffic Enforcement Program” (“STEP”) grant from October 1, 2021 through September 30, 2022, and authorizing the City Manager to execute the Grant Agreement and any other documents related to the grant.

ATTACHMENTS:

1. Resolution
2. Selective Traffic Enforcement Program (STEP) Grant Agreement

RESOLUTION NO.

RESOLUTION OF THE SAN RAFAEL CITY COUNCIL APPROVING USE OF STATE OF CALIFORNIA OFFICE OF TRAFFIC SAFETY GRANT FUNDS IN THE AMOUNT OF \$105,000 FOR THE “SELECTIVE TRAFFIC ENFORCEMENT PROGRAM” (“STEP”) GRANT FROM OCTOBER 1, 2021 THROUGH SEPTEMBER 30, 2022, AND AUTHORIZING THE CITY MANAGER TO EXECUTE A GRANT AGREEMENT AND ANY OTHER DOCUMENTS RELATED TO THE GRANT

Whereas, the State of California, Office of Traffic Safety granted the City of San Rafael \$105,000 in grant funds for the period of October 1, 2021 through September 30, 2022; and

Whereas, this grant money may be spent to pay overtime costs, travel and equipment purchase associated with the Selective Traffic Enforcement Program (“STEP”) Grant Program to mitigate traffic safety program deficiencies and expand ongoing activity; and

Whereas, to improve traffic safety, the San Rafael Police Department will use the STEP Grant funds to conduct DUI saturation patrols, distracted driving enforcement, motorcycle safety enforcement, high collision intersection enforcement, speed enforcement patrols, and enforcement traffic stops; and

Whereas, the Police Department will use the STEP Grant funds for overtime personnel costs of Captains, Lieutenants, Sergeants, Corporals, Officers, Community Service Officers, Dispatchers and Cadets incurred in connection with the enforcement activities, including training and travel and expenses related to enforcement activities; and

NOW, THEREFORE BE IT RESOLVED, that the City Council approves the use of \$105,000 in California Office of Traffic Safety grant funds for the City’s “Selective Traffic Enforcement Program” from October 1, 2021 through September 30, 2022, with funds to be appropriated in the Safety Grant Fund 281; and authorizes the City Manager to execute a Grant Agreement and any documents related to the Grant 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 meeting held on October 4, 2021 by the following vote, to wit:

AYES: COUNCILMEMBERS:

NOES: COUNCILMEMBERS:

ABSENT: COUNCILMEMBERS:

Lindsay Lara, City Clerk

| | |
|--|---|
| 1. GRANT TITLE Selective Traffic Enforcement Program (STEP) | |
| 2. NAME OF AGENCY San Rafael | 3. Grant Period From: 10/01/2021 To: 09/30/2022 |
| 4. AGENCY UNIT TO ADMINISTER GRANT San Rafael Police Department | |
| 5. GRANT DESCRIPTION Best practice strategies will be conducted to reduce the number of persons killed and injured in crashes involving alcohol and other primary crash factors. The funded strategies may include impaired driving enforcement, enforcement operations focusing on primary crash factors, distracted driving, night-time seat belt enforcement, special enforcement operations encouraging motorcycle safety, enforcement and public awareness in areas with a high number of bicycle and pedestrian crashes, and educational programs. These strategies are designed to earn media attention thus enhancing the overall deterrent effect. | |
| 6. Federal Funds Allocated Under This Agreement Shall Not Exceed: \$105,000.00 | |
| 7. TERMS AND CONDITIONS: The parties agree to comply with the terms and conditions of the following which are by this reference made a part of the Agreement: <ul style="list-style-type: none"> • Schedule A – Problem Statement, Goals and Objectives and Method of Procedure • Schedule B – Detailed Budget Estimate and Sub-Budget Estimate (if applicable) • Schedule B-1 – Budget Narrative and Sub-Budget Narrative (if applicable) • Exhibit A – Certifications and Assurances • Exhibit B* – OTS Grant Program Manual • Exhibit C – Grant Electronic Management System (GEMS) Access <p>*Items shown with an asterisk (*), are hereby incorporated by reference and made a part of this agreement as if attached hereto.</p> <p>These documents can be viewed at the OTS home web page under Grants: www.ots.ca.gov.</p> <p>We, the officials named below, hereby swear under penalty of perjury under the laws of the State of California that we are duly authorized to legally bind the Grant recipient to the above described Grant terms and conditions.</p> <p>IN WITNESS WHEREOF, this Agreement has been executed by the parties hereto.</p> | |
| 8. Approval Signatures | |
| A. GRANT DIRECTOR NAME: Justin Graham TITLE: Sergeant EMAIL: 494@srpd.org PHONE: (415) 485-3000 ADDRESS: 1400 Fifth Avenue San Rafael, CA 94901 <hr style="width: 80%; margin-left: 0;"/> <div style="display: flex; justify-content: space-between; width: 80%; margin-left: 0;"> (Signature) (Date) </div> | B. AUTHORIZING OFFICIAL ADDRESS: Jim Schutz City Manager jim.schutz@cityofsanrafael.org (415) 485-3070 1400 Fifth Avenue San Rafael, CA 94901 <hr style="width: 80%; margin-left: 0;"/> <div style="display: flex; justify-content: space-between; width: 80%; margin-left: 0;"> (Signature) (Date) </div> |
| C. FISCAL OFFICIAL ADDRESS: Beth Minka Police Business Office Administrator 412@srpd.org (415) 485-3040 1375 Fifth Avenue San Rafael, CA 94901 <hr style="width: 80%; margin-left: 0;"/> <div style="display: flex; justify-content: space-between; width: 80%; margin-left: 0;"> (Signature) (Date) </div> | D. AUTHORIZING OFFICIAL OF OFFICE OF TRAFFIC SAFETY ADDRESS: Barbara Rooney Director barbara.rooney@ots.ca.gov (916) 509-3030 2208 Kausen Drive, Suite 300 Elk Grove, CA 95758 <hr style="width: 80%; margin-left: 0;"/> <div style="display: flex; justify-content: space-between; width: 80%; margin-left: 0;"> (Signature) (Date) </div> |

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| E. ACCOUNTING OFFICER OF OFFICE OF TRAFFIC SAFETY NAME: Carolyn Vu ADDRESS: 2208 Kausen Drive, Suite 300 Elk Grove, CA 95758 | 9. SAM INFORMATION SAM #: CRDWQJSJB4AR1 REGISTERED ADDRESS: 1400 5th Ave CITY: San Rafael ZIP+4: 94901-1943 |
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| 10. PROJECTED EXPENDITURES | | | | | | |
|---|--------|--------------------|--------------------|---------|---|------------------------|
| FUND | CFDA | ITEM/APPROPRIATION | F.Y. | CHAPTER | STATUTE | PROJECTED EXPENDITURES |
| 164AL-22 | 20.608 | 0521-0890-101 | 2021 | 21/21 | BA/21 | \$60,000.00 |
| 402PT-22 | 20.600 | 0521-0890-101 | 2021 | 21/21 | BA/21 | \$45,000.00 |
| | | | | | AGREEMENT TOTAL | \$105,000.00 |
| | | | | | AMOUNT ENCUMBERED BY THIS DOCUMENT | |
| | | | | | \$105,000.00 | |
| <i>I CERTIFY upon my own personal knowledge that the budgeted funds for the current budget year are available for the period and purpose of the expenditure stated above.</i> | | | | | PRIOR AMOUNT ENCUMBERED FOR THIS AGREEMENT | |
| | | | | | \$ 0.00 | |
| OTS ACCOUNTING OFFICER'S SIGNATURE | | | DATE SIGNED | | TOTAL AMOUNT ENCUMBERED TO DATE | |
| | | | | | \$105,000.00 | |

1. PROBLEM STATEMENT

The San Rafael Police Department (SRPD) serves the people that live and work in the City of San Rafael. San Rafael serves as the seat of Marin County and has a population of approximately 58,775 people (US Census 2019). San Rafael also has ten of the top fifteen employers in Marin County.

Business and commerce bring people and vehicles into San Rafael from other areas of the San Francisco Bay Area. The service population of San Rafael during the day swells to well over 100,000 people. US Highway 101 and Interstate 580 intersect in San Rafael, providing a substantial volume of traffic during morning and evening commute hours along with steady traffic flow during non-commute hours. As in other parts of the San Francisco Bay Area, the traditional commute hours start earlier and conclude well into the evening. Additionally, I-580 serves as an alternate route for commuters when Highway 37 is closed due to flooding or crashes and an alternate route for the San Francisco Bay Bridge when it faces similar circumstances. These frequent events significantly increase traffic volumes far beyond the surface street's engineered capabilities.

Much of the traffic is concentrated in the downtown area, which is congested by on and off-ramps connecting northbound and southbound US 101, plus eastbound/westbound I-580. The immediate streets have an arterial effect, serving commuters from neighboring cities and communities on the west side of Marin County. San Rafael has served as a service and stopping point between the Wine Country to the north and San Francisco to the south for restaurants, gas stations, and other amenities.

The San Rafael Transit Center, the largest transit center in the County and the North Bay Area, is located in Downtown San Rafael. Starting in July of 2017, the Sonoma Marin Area Rail Transit (SMART Train) began operating 38 daily trips from the Sonoma County Airport, through Santa Rosa and Petaluma into Downtown San Rafael and on to Larkspur Landing, where commuters can connect with the Golden Gate Ferry Terminal that takes commuters into the City of San Francisco. The addition of the SMART train expanded the transit center footprint and traffic. Pedestrian traffic to and from the train station has to cross Third Street to access the transit center.

San Rafael has an additional SMART train station located at the Marin Civic Center. There are 10 grade crossings within the SRPD jurisdiction. This is a significant concern for the department because there have been numerous fatal and major injury crashes involving the train with pedestrians, bicyclists, and vehicles in San Rafael and the communities north of San Rafael.

In 2020, San Rafael had its first two fatal crashes involving the train. One involved a bicyclist that tried to pass through the grade crossing while the train approached, and the other involving a vehicle that incorrectly stopped on the wrong side of the road as the train approached.

With the downtown SMART train station, the San Rafael Transit Center, the US 101 ramps into downtown San Rafael, and the arterial streets of Second Street and Third Street that provide routes to neighboring cities and communities, it has caused significant congestion with vehicle, bicycle, and pedestrian traffic. Additionally, all these identified locations are within a block of each other. The proximity of these specific points has made the intersections that border them the busiest in the city.

One of those is the intersection of Third Street and Hetheron Street. On January 3, 2019, a major SF Bay Area news radio station, KCBS, reported that the Third and Hetheron Streets intersection is the most dangerous for pedestrians and bicyclists in the North Bay Area. See <https://omny.fm/shows/kcbsam-on-demand/marin-county-is-among-most-dangerous-for-pedestria> for details. This article was published almost a year before the SMART train extension south into Larkspur Landing was operational. SMART train operations have increased congestion in the area.

The intersection of Second Street and Hetheron Street, located on the San Rafael Transit Center's southeast corner and provides access to southbound US-101, was determined to be the busiest intersection in San Rafael by the Public Works Traffic Engineering Team. Pre-COVID, in March of 2020, the intersection

had a daily count of 44,413 cars, 42 bicycles, and 481 pedestrian crossings. During the current COVID stay-at-home restrictions and the most recent count done in December of 2020, the intersection had a daily count of 35,934 vehicles, 48 bicycles, and 327 pedestrian crossings.

In addition, San Rafael High School and Davidson Middle School are located within 0.5 miles of the transit center. Most of the student population from both schools walk to the transit center to take public transit or walk through the downtown area

In 2020, the traffic engineering team also identified the top busiest routes in San Rafael. The study showed that the #1 route was the east-west running Second and Third Streets, which provide access between downtown and the neighboring cities of San Anselmo and Fairfax. Second and Third Streets had a daily average count of 42,672 vehicles combined. It should be noted that Second Street and Third Street are three-lane one-way streets. The #2 route was Bellam Boulevard between Francisco Boulevard East and Andersen Drive (located in the southeast portion of the city), with a daily average vehicle count of 29,468 vehicles.

In November of 2019, the long-awaited Richmond-San Rafael Bridge bike/pedestrian path opened, and San Rafael has seen an increase in bicycle traffic from downtown into the east end of the city.

In the north section of San Rafael, SRPD has observed an increase in traffic crashes involving teen and elderly drivers.

Crash data from years 2018 through 2020 indicated that most of the city's crashes occur due to unsafe turns, speed, red-light violations, and driving under the influence. The Police Department has also struggled for several years to reduce fatal and injury crashes involving pedestrians and bicyclists. According to the 2018 OTS Crash Ranking Results, San Rafael was ranked 7 of 102 for crashes involving bicyclists, 14 of 102 for crashes involving pedestrians, 19 of 102 for crashes involving pedestrians age 65+, and 27 of 102 for crashes involving bicyclists under the age of 15. These statistics reflect that San Rafael has a disproportionate amount of crashes involving bicyclists and pedestrians. As a result, the Police Department recognizes that additional education and enforcement is needed to reduce these numbers. The police department would like to expand its Traffic Enforcement operations from the previous years.

The city's service satisfaction surveys continue to show that the public's #1 concern is traffic and traffic safety. The Police Department fields ongoing community traffic complaints mostly revolving around speed, red-light running, vehicles violating pedestrian right of ways, DUI, and reckless driving. With regional stay-at-home orders, due to the COVID Pandemic creating opportunities for people to work from home, traffic complaints have significantly increased since people are able to witness daily activity in their neighborhoods.

The San Rafael Police Department has encouraged patrol officers and motor officers to focus on reducing alcohol and speed-related crashes and increased pedestrian and bicyclist safety. Unfortunately, sworn personnel availability has significantly diminished due to the city budget, injuries, retirements, and resignations. At its peak staffing in 2007, the Police Department had 8 officers assigned to the motor/traffic unit. After the economic downturn in 2008, the motor/traffic unit was cut to just 2 positions when there was no authorization to backfill police department staffing due to attrition.

In the calendar year 2019, 13 sworn officers separated from the Police Department. In the calendar year 2020, 5 more sworn officers separated from the Police Department. These numbers are unprecedented for a Police Department of comparable size. The Police Department has been able to hire and backfill most of the vacancies. In 2020, 10 new officers were hired. Most of the newly hired officers are new to law enforcement and face a learning curve, especially in traffic safety and DUI investigations.

There are currently two motor officers assigned to the Traffic Unit. At times, they are asked to assist with essential patrol staffing. This increase in workload has resulted in a significant decrease in proactive traffic enforcement by motor officers.

Considering current events, such as the pandemic and civil unrest related to police-community relations, concerns have been raised about operating DUI Checkpoints. In the interest of safety for the public and

personnel, Police Command Staff have not authorized the ability to conduct DUI Checkpoints as of the due date of this application. However, SRPD has been able to conduct DUI Saturation Patrol operations, which are safer for the public and staff due to the limited general exposure to each other.

Statistically speaking, the Police Department has found that DUI Saturation Patrol operations are more effective in locating and apprehending DUI drivers. The Police Department has also used press releases and social media platforms to highly publicize the DUI Saturation Patrol operations and raise awareness about DUI with the public. During the 2017-2018 STEP Grant (PT18131) period, there were two DUI Checkpoint operations that yielded only 20 field sobriety tests being conducted resulting in 4 arrests. Conversely, there were 25 DUI Saturation Patrol operations that yielded 41 field sobriety tests being conducted and resulting in 14 arrests. Similar statistics were found during the 2018-2019 STEP Grant (PT19132). There were two DUI Checkpoint operations that yielded 21 field sobriety tests being conducted resulting in 2 arrests. In comparison, there were 48 DUI Saturation Patrol operations yielding 62 field sobriety tests and 13 arrests.

2. PERFORMANCE MEASURES

A. Goals:

1. Reduce the number of persons killed in traffic crashes.
2. Reduce the number of persons injured in traffic crashes.
3. Reduce the number of pedestrians killed in traffic crashes.
4. Reduce the number of pedestrians injured in traffic crashes.
5. Reduce the number of bicyclists killed in traffic crashes.
6. Reduce the number of bicyclists injured in traffic crashes.
7. Reduce the number of persons killed in alcohol-involved crashes.
8. Reduce the number of persons injured in alcohol-involved crashes.
9. Reduce the number of persons killed in drug-involved crashes.
10. Reduce the number of persons injured in drug-involved crashes.
11. Reduce the number of persons killed in alcohol/drug combo-involved crashes.
12. Reduce the number of persons injured in alcohol/drug combo-involved crashes.
13. Reduce the number of motorcyclists killed in traffic crashes.
14. Reduce the number of motorcyclists injured in traffic crashes.
15. Reduce hit & run fatal crashes.
16. Reduce hit & run injury crashes.
17. Reduce nighttime (2100 - 0259 hours) fatal crashes.
18. Reduce nighttime (2100 - 0259 hours) injury crashes.

B. Objectives:

| | Target Number |
|---|----------------------|
| 1. Issue a press release announcing the kick-off of the grant by November 15. The kick-off press releases and media advisories, alerts, and materials must be emailed to the OTS Public Information Officer at pio@ots.ca.gov , and copied to your OTS Coordinator, for approval 14 days prior to the issuance date of the release. | 1 |
| 2. Participate and report data (as required) in the following campaigns, National Walk to School Day, National Teen Driver Safety Week, NHTSA Winter Mobilization, National Distracted Driving Awareness Month, National Motorcycle Safety Month, National Bicycle Safety Month, National Click it or Ticket Mobilization, NHTSA Summer Mobilization, National Child Passenger Safety Week, and California's Pedestrian Safety Month. | 10 |
| 3. Develop (by December 31) and/or maintain a "HOT Sheet" program to notify patrol and traffic officers to be on the lookout for identified repeat DUI offenders with a suspended or revoked license as a result of DUI convictions. Updated HOT sheets should be distributed to patrol and traffic officers monthly. | 12 |
| 4. Send law enforcement personnel to the NHTSA Standardized Field Sobriety Testing (SFST) (minimum 16 hours) POST-certified training. | 3 |
| 5. Send law enforcement personnel to the NHTSA Advanced Roadside Impaired Driving Enforcement (ARIDE) 16 hour POST-certified training. | 3 |
| 6. Send law enforcement personnel to the DRE Recertification training. | 1 |
| 7. Conduct DUI Saturation Patrol operation(s). | 31 |

| | |
|--|----|
| 8. Conduct Traffic Enforcement operation(s), including but not limited to, primary crash factor violations. | 24 |
| 9. Conduct highly publicized Distracted Driving enforcement operation(s) targeting drivers using hand held cell phones and texting. | 6 |
| 10. Conduct highly publicized Motorcycle Safety enforcement operation(s) in areas or during events with a high number of motorcycle incidents or crashes resulting from unsafe speed, DUI, following too closely, unsafe lane changes, improper turning, and other primary crash factor violations by motorcyclists and other drivers. | 1 |
| 11. Conduct highly publicized pedestrian and/or bicycle enforcement operation(s) in areas or during events with a high number of pedestrian and/or bicycle crashes resulting from violations made by pedestrians, bicyclists, and drivers. | 10 |
| 12. Conduct Traffic Safety educational presentation(s) with an effort to reach community members. Note: Presentation(s) may include topics such as distracted driving, DUI, speed, bicycle and pedestrian safety, seat belts and child passenger safety. | 1 |

3. METHOD OF PROCEDURE

A. Phase 1 – Program Preparation (1st Quarter of Grant Year)

- The department will develop operational plans to implement the “best practice” strategies outlined in the objectives section.
- All training needed to implement the program should be conducted this quarter.
- All grant related purchases needed to implement the program should be made this quarter.
- In order to develop/maintain the “Hot Sheets,” research will be conducted to identify the “worst of the worst” repeat DUI offenders with a suspended or revoked license as a result of DUI convictions. The Hot Sheets may include the driver’s name, last known address, DOB, description, current license status, and the number of times suspended or revoked for DUI. Hot Sheets should be updated and distributed to traffic and patrol officers at least monthly.
- Implementation of the STEP grant activities will be accomplished by deploying personnel at high crash locations.

Media Requirements

- Issue a press release approved by the OTS PIO announcing the kick-off of the grant by November 15, but no sooner than October 1. The kick-off release must be approved by the OTS PIO and only distributed after the grant is fully signed and executed. If you are unable to meet the November 15 deadline to issue a kick-off press release, communicate reasons to your OTS coordinator and OTS PIO.

B. Phase 2 – Program Operations (Throughout Grant Year)

- The department will work to create media opportunities throughout the grant period to call attention to the innovative program strategies and outcomes.

Media Requirements

The following requirements are for all grant-related activities

- Send all media advisories, alerts, videos, graphics, artwork, posters, radio/PSA/video scripts, storyboards, digital and/or print educational materials for grant-related activities to the OTS PIO at pio@ots.ca.gov for approval and copy your OTS coordinator. Optimum lead time would be 7 days before the scheduled release but at least 3 business days prior to the scheduled release date for review and approval is appreciated.
- The OTS PIO is responsible for the approval of the design and content of materials. The agency understands OTS PIO approval is not authorizing approval of budget expenditure or cost. Any cost approvals must come from the Coordinator.
- Pre-approval is not required when using any OTS-supplied template for media advisories, press releases, social media graphics, videos or posts, or any other OTS-supplied educational material. However, copy the OTS PIO at pio@ots.ca.gov and your OTS coordinator when any material is distributed to the media and public, such as a press release, educational material, or link to social media post. The OTS-supplied kick-off press release templates and any kickoff press releases are an exception to this policy and require prior approval before distribution to the media and public.

- If an OTS-supplied template, educational material, social media graphic, post or video is substantially changed, the changes shall be sent to the OTS PIO at pio@ots.ca.gov for approval and copy to your OTS Coordinator. Optimum lead time would be 7 days prior to the scheduled release date, but at least 3 business days prior to the scheduled release date for review and approval is appreciated.
- Press releases, social media posts and alerts on platforms such as NextDoor and Nixle reporting immediate and time-sensitive grant activities (e.g. enforcement operations, day of event highlights or announcements, event invites) are exempt from the OTS PIO approval process. The OTS PIO and your Coordinator should still be notified when the grant-related activity is happening (e.g. car seat checks, bicycle rodeos, community presentations, DUI checkpoints, etc.).
- Enforcement activities such as warrant and probation sweeps, court stings, etc. that are embargoed or could impact operations by publicizing in advance are exempt from the PIO approval process. However, announcements and results of activities should still be copied to the OTS PIO at pio@ots.ca.gov and your Coordinator with embargoed date and time or with "INTERNAL ONLY: DO NOT RELEASE" message in subject line of email.
- Any earned or paid media campaigns for TV, radio, digital or social media that are part of a specific grant objective, using OTS grant funds, or designed and developed using contractual services by a subgrantee, requires prior approval. Please send to the OTS PIO at pio@ots.ca.gov for approval and copy your grant coordinator at least 3 business days prior to the scheduled release date.
- Social media posts highlighting state or national traffic safety campaigns (Distracted Driving Month, Motorcycle Safety Awareness Month, etc.), enforcement operations (DUI checkpoints, etc.), or any other grant-related activity such as Bicycle rodeos, presentations, or events, are highly encouraged but do not require prior approval.
- Submit a draft or rough-cut of all digital, printed, recorded or video material (brochures, posters, scripts, artwork, trailer graphics, digital graphics, social posts connected to an earned or paid media campaign grant objective) to the OTS PIO at pio@ots.ca.gov and copy your OTS Coordinator for approval prior to the production or duplication.
- Use the following standard language in all press, media, and printed materials, space permitting: Funding for this program was provided by a grant from the California Office of Traffic Safety, through the National Highway Traffic Safety Administration.
- Space permitting, include the OTS logo on all grant-funded print materials, graphics and paid or earned social media campaign grant objective; consult your OTS Coordinator for specifics, format-appropriate logos, or if space does not permit the use of the OTS logo.
- Email the OTS PIO at pio@ots.ca.gov and copy your OTS Coordinator at least 21 days in advance, or when first confirmed, a short description of any significant grant-related traffic safety event or program, particularly events that are highly publicized beforehand with anticipated media coverage so OTS has sufficient notice to arrange for attendance and/or participation in the event. If unable to attend, email the OTS PIO and coordinator brief highlights and/or results, including any media coverage (broadcast, digital, print) of event within 7 days following significant grant-related event or program. Media and program highlights are to be reflected in QPRs.
- Any press releases, work plans, scripts, storyboards, artwork, graphics, videos or any educational or informational materials that received PIO approval in a prior grant year needs to be resubmitted for approval in the current grant year.
- Contact the OTS PIO or your OTS Coordinator for consultation when changes from any of the above requirements might be warranted.

C. Phase 3 – Data Collection & Reporting (Throughout Grant Year)

1. Prepare and submit invoice claims (due January 30, April 30, July 30, and October 30)
2. Prepare and submit Quarterly Performance Reports (QPR) (due January 30, April 30, July 30, and October 30)
 - Collect and report quarterly, appropriate data that supports the progress of goals and objectives.
 - Provide a brief list of activity conducted, procurement of grant-funded items, and significant media activities. Include status of grant-funded personnel, status of contracts, challenges, or special accomplishments.
 - Provide a brief summary of quarterly accomplishments and explanations for objectives not completed or plans for upcoming activities.

- Collect, analyze and report statistical data relating to the grant goals and objectives.

4. METHOD OF EVALUATION

Using the data compiled during the grant, the Grant Director will complete the "Final Evaluation" section in the fourth/final Quarterly Performance Report (QPR). The Final Evaluation should provide a brief summary of the grant's accomplishments, challenges and significant activities. This narrative should also include whether goals and objectives were met, exceeded, or an explanation of why objectives were not completed.

5. ADMINISTRATIVE SUPPORT

This program has full administrative support, and every effort will be made to continue the grant activities after grant conclusion.

| FUND NUMBER | CATALOG NUMBER (CFDA) | FUND DESCRIPTION | TOTAL AMOUNT |
|-------------|-----------------------|--|--------------|
| 164AL-22 | 20.608 | Minimum Penalties for Repeat Offenders for Driving While Intoxicated | \$60,000.00 |
| 402PT-22 | 20.600 | State and Community Highway Safety | \$45,000.00 |

| COST CATEGORY | FUND NUMBER | UNIT COST OR RATE | UNITS | TOTAL COST TO GRANT |
|------------------------------------|-------------|-------------------|-------|---------------------|
| A. PERSONNEL COSTS | | | | |
| <u>Straight Time</u> | | | | \$0.00 |
| <u>Overtime</u> | | | | |
| DUI Saturation Patrols | 164AL-22 | \$1,907.82 | 31 | \$59,142.00 |
| Benefits AL @ 1.45% | 164AL-22 | \$59,142.42 | 1 | \$858.00 |
| Traffic Enforcement | 402PT-22 | \$880.00 | 24 | \$21,120.00 |
| Distracted Driving | 402PT-22 | \$880.00 | 6 | \$5,280.00 |
| Motorcycle Safety | 402PT-22 | \$880.00 | 1 | \$880.00 |
| Pedestrian and Bicycle Enforcement | 402PT-22 | \$880.00 | 10 | \$8,800.00 |
| Traffic Safety Education | 402PT-22 | \$880.00 | 1 | \$880.00 |
| Benefits PT @ 1.45% | 402PT-22 | \$36,960.00 | 1 | \$536.00 |
| Category Sub-Total | | | | \$97,496.00 |
| B. TRAVEL EXPENSES | | | | |
| In State Travel | 402PT-22 | \$2,242.00 | 1 | \$2,242.00 |
| | | | | \$0.00 |
| Category Sub-Total | | | | \$2,242.00 |
| C. CONTRACTUAL SERVICES | | | | |
| | | | | \$0.00 |
| Category Sub-Total | | | | \$0.00 |
| D. EQUIPMENT | | | | |
| | | | | \$0.00 |
| Category Sub-Total | | | | \$0.00 |
| E. OTHER DIRECT COSTS | | | | |
| Lidar Device | 402PT-22 | \$2,631.00 | 2 | \$5,262.00 |
| Category Sub-Total | | | | \$5,262.00 |
| F. INDIRECT COSTS | | | | |
| | | | | \$0.00 |
| Category Sub-Total | | | | \$0.00 |
| GRANT TOTAL | | | | \$105,000.00 |

| BUDGET NARRATIVE |
|--|
| <p>PERSONNEL COSTS DUI Saturation Patrols - Overtime for grant funded law enforcement operations conducted by appropriate department personnel.</p> |
| <p>Benefits AL @ 1.45% - Total Benefits 1.45% Medicare</p> |
| <p>Traffic Enforcement - Overtime for grant funded law enforcement operations conducted by appropriate department personnel.</p> |
| <p>Distracted Driving - Overtime for grant funded law enforcement operations conducted by appropriate department personnel.</p> |
| <p>Motorcycle Safety - Overtime for grant funded law enforcement operations conducted by appropriate department personnel.</p> |
| <p>Pedestrian and Bicycle Enforcement - Overtime for grant funded law enforcement operations conducted by appropriate department personnel.</p> |
| <p>Traffic Safety Education - Overtime for grant funded traffic safety presentations or campaigns conducted by appropriate department personnel.</p> |
| <p>Benefits PT @ 1.45% - Total Benefits 1.45% Medicare</p> |
| <p>TRAVEL EXPENSES In State Travel - Costs are included for appropriate staff to attend conferences and training events supporting the grant goals and objectives and/or traffic safety. Local mileage for grant activities and meetings is included. All conferences, seminars or training not specifically identified in the Budget Narrative must be approved by OTS. All travel claimed must be at the agency approved rate. Per Diem may not be claimed for meals provided at conferences when registration fees are paid with OTS grant funds.</p> |
| <p>CONTRACTUAL SERVICES -</p> |
| <p>EQUIPMENT -</p> |
| <p>OTHER DIRECT COSTS Lidar Device - Light detection and ranging device used to measure the speed of motor vehicles. This device will be used for speed enforcement.</p> |
| <p>INDIRECT COSTS -</p> |
| <p>STATEMENTS/DISCLAIMERS Program Income default statement: There will be no program income generated from this grant.</p> <p>Enforcement Grant Quota Disclaimer: Nothing in this "agreement" shall be interpreted as a requirement, formal or informal, that a particular law enforcement officer issue a specified or predetermined number of citations in pursuance of the goals and objectives here under.</p> |

CERTIFICATIONS AND ASSURANCES FOR HIGHWAY SAFETY GRANTS
(23 U.S.C. Chapter 4; Sec. 1906, Pub. L. 109-59, As Amended By Sec. 4011, Pub. L. 114-94)

The officials named on the grant agreement, certify by way of signature on the grant agreement signature page, that the Grantee Agency complies with all applicable Federal statutes, regulations, and directives and State rules, guidelines, policies and laws in effect with respect to the periods for which it receives grant funding. Applicable provisions include, but are not limited to, the following:

GENERAL REQUIREMENTS

- 23 U.S.C. Chapter 4 – Highway Safety Act of 1966, as amended
- Sec. 1906, Pub. L. 109-59, as amended by Sec. 4011, Pub. L. 114-94
- 23 CFR part 1300 – Uniform Procedures for State Highway Safety Grant Programs
- 2 CFR part 200 – Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards
- 2 CFR part 1201 – Department of Transportation, Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards

NONDISCRIMINATION

(applies to subrecipients as well as States)

The State highway safety agency will comply with all Federal statutes and implementing regulations relating to nondiscrimination (“Federal Nondiscrimination Authorities”). These include but are not limited to:

- **Title VI of the Civil Rights Act of 1964** (42 U.S.C. 2000d *et seq.*, 78 stat. 252), (prohibits discrimination on the basis of race, color, national origin) and 49 CFR part 21;
- **The Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970**, (42 U.S.C. 4601), (prohibits unfair treatment of persons displaced or whose property has been acquired because of Federal or Federal-aid programs and projects);
- **Federal-Aid Highway Act of 1973**, (23 U.S.C. 324 *et seq.*), and **Title IX of the Education Amendments of 1972**, as amended (20 U.S.C. 1681-1683 and 1685-1686) (prohibit discrimination on the basis of sex);
- **Section 504 of the Rehabilitation Act of 1973**, (29 U.S.C. 794 *et seq.*), as amended, (prohibits discrimination on the basis of disability) and 49 CFR part 27;
- **The Age Discrimination Act of 1975**, as amended, (42 U.S.C. 6101 *et seq.*), (prohibits discrimination on the basis of age);
- **The Civil Rights Restoration Act of 1987**, (Pub. L. 100-209), (broadens scope, coverage and applicability of Title VI of the Civil Rights Act of 1964, The Age Discrimination Act of 1975 and Section 504 of the Rehabilitation Act of 1973, by expanding the definition of the terms "programs or activities" to include all of the programs or activities of the Federal aid recipients, subrecipients and contractors, whether such programs or activities are Federally-funded or not);
- **Titles II and III of the Americans with Disabilities Act** (42 U.S.C. 12131-12189) (prohibits discrimination on the basis of disability in the operation of public entities, public and private transportation systems, places of public accommodation, and certain testing) and 49 CFR parts 37 and 38;
- **Executive Order 12898, Federal Actions to Address Environmental Justice in Minority Populations and Low-Income Populations** (prevents discrimination against minority populations by discouraging programs, policies, and activities with disproportionately high and adverse human health or environmental effects on minority and low-income populations); and
- **Executive Order 13166, Improving Access to Services for Persons with Limited English Proficiency** (guards against Title VI national origin discrimination/discrimination because of limited English proficiency (LEP) by ensuring that funding recipients take reasonable steps to ensure that LEP persons have meaningful access to programs (70 FR 74087-74100).

The Subgrantee-

- Will take all measures necessary to ensure that no person in the United States shall, on the grounds of race, color, national origin, disability, sex, age, limited English proficiency, or membership in any other class protected by Federal Nondiscrimination Authorities, be excluded from participation in, be denied the benefits of,

or be otherwise subjected to discrimination under any of its programs or activities, so long as any portion of the program is Federally-assisted;

- Will administer the program in a manner that reasonably ensures that any of its subrecipients, contractors, subcontractors, and consultants receiving Federal financial assistance under this program will comply with all requirements of the Non-Discrimination Authorities identified in this Assurance;
- Agrees to comply (and require its subrecipients, contractors, subcontractors, and consultants to comply) with all applicable provisions of law or regulation governing US DOT's or NHTSA's access to records, accounts, documents, information, facilities, and staff, and to cooperate and comply with any program or compliance reviews, and/or complaint investigations conducted by US DOT or NHTSA under any Federal Nondiscrimination Authority;
- Acknowledges that the United States has a right to seek judicial enforcement with regard to any matter arising under these Non-Discrimination Authorities and this Assurance;
- Agrees to insert in all contracts and funding agreements with other State or private entities the following clause:

"During the performance of this contract/funding agreement, the contractor/funding recipient agrees—

- a. To comply with all Federal nondiscrimination laws and regulations, as may be amended from time to time;
- b. Not to participate directly or indirectly in the discrimination prohibited by any Federal non-discrimination law or regulation, as set forth in appendix B of 49 CFR part 21 and herein;
- c. To permit access to its books, records, accounts, other sources of information, and its facilities as required by the State highway safety office, US DOT or NHTSA;
- d. That, in event a contractor/funding recipient fails to comply with any nondiscrimination provisions in this contract/funding agreement, the State highway safety agency will have the right to impose such contract/agreement sanctions as it or NHTSA determine are appropriate, including but not limited to withholding payments to the contractor/funding recipient under the contract/agreement until the contractor/funding recipient complies; and/or cancelling, terminating, or suspending a contract or funding agreement, in whole or in part; and
- e. To insert this clause, including paragraphs (a) through (e), in every subcontract and sub agreement and in every solicitation for a subcontract or sub-agreement, that receives Federal funds under this program.

POLITICAL ACTIVITY (HATCH ACT)
(applies to subrecipients as well as States)

The State will comply with provisions of the Hatch Act (5 U.S.C. 1501-1508), which limits the political activities of employees whose principal employment activities are funded in whole or in part with Federal funds.

CERTIFICATION REGARDING FEDERAL LOBBYING
(applies to subrecipients as well as States)

Certification for Contracts, Grants, Loans, and Cooperative Agreements

The undersigned certifies, to the best of his or her knowledge and belief, that:

1. No Federal appropriated funds have been paid or will be paid, by or on behalf of the undersigned, to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress or an employee of a Member of Congress in connection with the awarding of any Federal contract, the making of any Federal grant, the making of any Federal loan, the entering into of

any cooperative agreement, and the extension, continuation, renewal, amendment, or modification of any Federal contract, grant, loan, or cooperative agreement;

2. If any funds other than Federal appropriated funds have been paid or will be paid to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with this Federal contract, grant, loan, or cooperative agreement, the undersigned shall complete and submit Standard Form-LLL, "Disclosure Form to Report Lobbying," in accordance with its instructions;

3. The undersigned shall require that the language of this certification be included in the award documents for all sub-award at all tiers (including subcontracts, subgrants, and contracts under grant, loans, and cooperative agreements) and that all subrecipients shall certify and disclose accordingly.

This certification is a material representation of fact upon which reliance was placed when this transaction was made or entered into. Submission of this certification is a prerequisite for making or entering into this transaction imposed by section 1352, title 31, U.S. Code. Any person who fails to file the required certification shall be subject to a civil penalty of not less than \$10,000 and not more than \$100,000 for each such failure.

RESTRICTION ON STATE LOBBYING

(applies to subrecipients as well as States)

None of the funds under this program will be used for any activity specifically designed to urge or influence a State or local legislator to favor or oppose the adoption of any specific legislative proposal pending before any State or local legislative body. Such activities include both direct and indirect (e.g., "grassroots") lobbying activities, with one exception. This does not preclude a State official whose salary is supported with NHTSA funds from engaging in direct communications with State or local legislative officials, in accordance with customary State practice, even if such communications urge legislative officials to favor or oppose the adoption of a specific pending legislative proposal.

CERTIFICATION REGARDING DEBARMENT AND SUSPENSION

(applies to subrecipients as well as States)

Instructions for Primary Tier Participant Certification (States)

1. By signing and submitting this proposal, the prospective primary tier participant is providing the certification set out below and agrees to comply with the requirements of 2 CFR parts 180 and 1200.

2. The inability of a person to provide the certification required below will not necessarily result in denial of participation in this covered transaction. The prospective primary tier participant shall submit an explanation of why it cannot provide the certification set out below. The certification or explanation will be considered in connection with the department or agency's determination whether to enter into this transaction. However, failure of the prospective primary tier participant to furnish a certification or an explanation shall disqualify such person from participation in this transaction.

3. The certification in this clause is a material representation of fact upon which reliance was placed when the department or agency determined to enter into this transaction. If it is later determined that the prospective primary tier participant knowingly rendered an erroneous certification, in addition to other remedies available to the Federal Government, the department or agency may terminate this transaction for cause or default or may pursue suspension or debarment.

4. The prospective primary tier participant shall provide immediate written notice to the department or agency to which this proposal is submitted if at any time the prospective primary tier participant learns its certification was erroneous when submitted or has become erroneous by reason of changed circumstances.

5. The terms *covered transaction*, *civil judgment*, *debarment*, *suspension*, *ineligible*, *participant*, *person*, *principal*, and *voluntarily excluded*, as used in this clause, are defined in 2 CFR parts 180 and 1200. You may contact the department or agency to which this proposal is being submitted for assistance in obtaining a copy of those regulations.

6. The prospective primary tier participant agrees by submitting this proposal that, should the proposed covered transaction be entered into, it shall not knowingly enter into any lower tier covered transaction with a person

who is proposed for debarment under 48 CFR part 9, subpart 9.4, debarred, suspended, declared ineligible, or voluntarily excluded from participation in this covered transaction, unless authorized by the department or agency entering into this transaction.

7. The prospective primary tier participant further agrees by submitting this proposal that it will include the clause titled "Instructions for Lower Tier Participant Certification" including the "Certification Regarding Debarment, Suspension, Ineligibility and Voluntary Exclusion—Lower Tier Covered Transaction," provided by the department or agency entering into this covered transaction, without modification, in all lower tier covered transactions and in all solicitations for lower tier covered transactions and will require lower tier participants to comply with 2 CFR parts 180 and 1200.

8. A participant in a covered transaction may rely upon a certification of a prospective participant in a lower tier covered transaction that it is not proposed for debarment under 48 CFR part 9, subpart 9.4, debarred, suspended, ineligible, or voluntarily excluded from the covered transaction, unless it knows that the certification is erroneous. A participant is responsible for ensuring that its principals are not suspended, debarred, or otherwise ineligible to participate in covered transactions. To verify the eligibility of its principals, as well as the eligibility of any prospective lower tier participants, each participant may, but is not required to, check the System for Award Management Exclusions website (<https://www.sam.gov/>).

9. Nothing contained in the foregoing shall be construed to require establishment of a system of records in order to render in good faith the certification required by this clause. The knowledge and information of a participant is not required to exceed that which is normally possessed by a prudent person in the ordinary course of business dealings.

10. Except for transactions authorized under paragraph 6 of these instructions, if a participant in a covered transaction knowingly enters into a lower tier covered transaction with a person who is proposed for debarment under 48 CFR part 9, subpart 9.4, suspended, debarred, ineligible, or voluntarily excluded from participation in this transaction, in addition to other remedies available to the Federal government, the department or agency may terminate the transaction for cause or default.

Certification Regarding Debarment, Suspension, and Other Responsibility Matters-Primary Tier Covered Transactions

(1) The prospective primary tier participant certifies to the best of its knowledge and belief, that it and its principals:

- (a) Are not presently debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded from participating in covered transactions by any Federal department or agency;
- (b) Have not within a three-year period preceding this proposal been convicted of or had a civil judgment rendered against them for commission of fraud or a criminal offense in connection with obtaining, attempting to obtain, or performing a public (Federal, State or local) transaction or contract under a public transaction; violation of Federal or State antitrust statutes or commission of embezzlement, theft, forgery, bribery, falsification or destruction of records, making false statements, or receiving stolen property;
- (c) Are not presently indicted for or otherwise criminally or civilly charged by a governmental entity (Federal, State or Local) with commission of any of the offenses enumerated in paragraph (1)(b) of this certification; and
- (d) Have not within a three-year period preceding this application/proposal had one or more public transactions (Federal, State, or local) terminated for cause or default.

(2) Where the prospective primary tier participant is unable to certify to any of the Statements in this certification, such prospective participant shall attach an explanation to this proposal.

Instructions for Lower Tier Participant Certification

1. By signing and submitting this proposal, the prospective lower tier participant is providing the certification set out below and agrees to comply with the requirements of 2 CFR parts 180 and 1200.

2. The certification in this clause is a material representation of fact upon which reliance was placed when this transaction was entered in to. If it is later determined that the prospective lower tier participant knowingly rendered an erroneous certification, in addition to other remedies available to the Federal government, the

department or agency with which this transaction originated may pursue available remedies, including suspension or debarment.

3. The prospective lower tier participant shall provide immediate written notice to the person to which this proposal is submitted if at any time the prospective lower tier participant learns that its certification was erroneous when submitted or has become erroneous by reason of changed circumstances.

4. The terms *covered transaction, civil judgment, debarment, suspension, ineligible, participant, person, principal, and voluntarily excluded*, as used in this clause, are defined in 2 CFR parts 180 and 1200. You may contact the person to whom this proposal is submitted for assistance in obtaining a copy of those regulations.

5. The prospective lower tier participant agrees by submitting this proposal that, should the proposed covered transaction be entered into, it shall not knowingly enter into any lower tier covered transaction with a person who is proposed for debarment under 48 CFR part 9, subpart 9.4, debarred, suspended, declared ineligible, or voluntarily excluded from participation in this covered transaction, unless authorized by the department or agency with which this transaction originated.

6. The prospective lower tier participant further agrees by submitting this proposal that it will include the clause titled "Instructions for Lower Tier Participant Certification" including the "Certification Regarding Debarment, Suspension, Ineligibility and Voluntary Exclusion – Lower Tier Covered Transaction," without modification, in all lower tier covered transactions and in all solicitations for lower tier covered transactions and will require lower tier participants to comply with 2 CFR parts 180 and 1200.

7. A participant in a covered transaction may rely upon a certification of a prospective participant in a lower tier covered transaction that it is not proposed for debarment under 48 CFR part 9, subpart 9.4, debarred, suspended, ineligible, or voluntarily excluded from the covered transaction, unless it knows that the certification is erroneous. A participant is responsible for ensuring that its principals are not suspended, debarred, or otherwise ineligible to participate in covered transactions. To verify the eligibility of its principals, as well as the eligibility of any prospective lower tier participants, each participant may, but is not required to, check the System for Award Management Exclusions website (<https://www.sam.gov/>).

8. Nothing contained in the foregoing shall be construed to require establishment of a system of records in order to render in good faith the certification required by this clause. The knowledge and information of a participant is not required to exceed that which is normally possessed by a prudent person in the ordinary course of business dealings.

9. Except for transactions authorized under paragraph 5 of these instructions, if a participant in a covered transaction knowingly enters into a lower tier covered transaction with a person who is proposed for debarment under 48 CFR part 9, subpart 9.4, suspended, debarred, ineligible, or voluntarily excluded from participation in this transaction, in addition to other remedies available to the Federal government, the department or agency with which this transaction originated may pursue available remedies, including suspension or debarment.

Certification Regarding Debarment, Suspension, Ineligibility and Voluntary Exclusion – Lower Tier Covered Transactions:

1. The prospective lower tier participant certifies, by submission of this proposal, that neither it nor its principals is presently debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded from participating in covered transactions by any Federal department or agency.

2. Where the prospective lower tier participant is unable to certify to any of the statements in this certification, such prospective participant shall attach an explanation to this proposal.

BUY AMERICA ACT

(applies to subrecipients as well as States)

The State and each subrecipient will comply with the Buy America requirement (23 U.S.C. 313) when purchasing items using Federal funds. Buy America requires a State, or subrecipient, to purchase with Federal funds only steel, iron and manufactured products produced in the United States, unless the Secretary of Transportation determines that such domestically produced items would be inconsistent with the public interest, that such materials are not reasonably available and of a satisfactory quality, or that inclusion of domestic materials will increase the cost of the overall project contract by more than 25 percent. In order to use Federal

funds to purchase foreign produced items, the State must submit a waiver request that provides an adequate basis and justification for approval by the Secretary of Transportation.

**PROHIBITION ON USING GRANT FUNDS TO CHECK FOR HELMET USAGE
(applies to subrecipients as well as States)**

The State and each subrecipient will not use 23 U.S.C. Chapter 4 grant funds for programs to check helmet usage or to create checkpoints that specifically target motorcyclists.

POLICY ON SEAT BELT USE

In accordance with Executive Order 13043, Increasing Seat Belt Use in the United States, dated April 16, 1997, the Grantee is encouraged to adopt and enforce on-the-job seat belt use policies and programs for its employees when operating company-owned, rented, or personally-owned vehicles. The National Highway Traffic Safety Administration (NHTSA) is responsible for providing leadership and guidance in support of this Presidential initiative. For information and resources on traffic safety programs and policies for employers, please contact the Network of Employers for Traffic Safety (NETS), a public-private partnership dedicated to improving the traffic safety practices of employers and employees. You can download information on seat belt programs, costs of motor vehicle crashes to employers, and other traffic safety initiatives at www.trafficsafety.org. The NHTSA website (www.nhtsa.gov) also provides information on statistics, campaigns, and program evaluations and references.

POLICY ON BANNING TEXT MESSAGING WHILE DRIVING

In accordance with Executive Order 13513, Federal Leadership On Reducing Text Messaging While Driving, and DOT Order 3902.10, Text Messaging While Driving, States are encouraged to adopt and enforce workplace safety policies to decrease crashes caused by distracted driving, including policies to ban text messaging while driving company-owned or rented vehicles, Government-owned, leased or rented vehicles, or privately-owned vehicles when on official Government business or when performing any work on or behalf of the Government. States are also encouraged to conduct workplace safety initiatives in a manner commensurate with the size of the business, such as establishment of new rules and programs or re-evaluation of existing programs to prohibit text messaging while driving, and education, awareness, and other outreach to employees about the safety risks associated with texting while driving.

INSTRUCTIONS FOR ADDING OR UPDATING GEMS USERS

1. Each agency is allowed a total of **FIVE (5) GEMS Users**.
2. GEMS Users listed on this form will be authorized to login to GEMS to complete and submit Quarterly Performance Reports (QPRs) and reimbursement claims.
3. Complete the form if adding, removing or editing a GEMS user(s).
4. The Grant Director must sign this form and return it with the Grant Agreement.

| GRANT DETAILS | |
|-----------------------|--|
| Grant Number: | PT22127 |
| Agency Name: | San Rafael Police Department |
| Grant Title: | Selective Traffic Enforcement Program (STEP) |
| Agreement Total: | \$105,000.00 |
| Authorizing Official: | Jim Schutz |
| Fiscal Official: | Beth Minka |
| Grant Director: | Justin Graham |

CURRENT GEMS USER(S)

1. Justin Graham

Title: Sergeant
Phone: (415) 485-3000
Email: 494@srpd.org

Media Contact: Yes

Complete the below information if adding, removing or editing a GEMS user(s)

| | | | |
|--|--|--|--|
| GEMS User 1 | | Add as a media contact? Yes <input type="checkbox"/> No <input type="checkbox"/> | |
| Add/Change <input type="checkbox"/> | Remove Access <input type="checkbox"/> | | |
| Name | | Job Title | |
| Email address | | Phone number | |
| GEMS User 2 | | Add as a media contact? Yes <input type="checkbox"/> No <input type="checkbox"/> | |
| Add/Change <input type="checkbox"/> | Remove Access <input type="checkbox"/> | | |
| Name | | Job Title | |
| Email address | | Phone number | |
| GEMS User 3 | | Add as a media contact? Yes <input type="checkbox"/> No <input type="checkbox"/> | |
| Add/Change <input type="checkbox"/> | Remove Access <input type="checkbox"/> | | |
| Name | | Job Title | |
| Email address | | Phone number | |
| GEMS User 4 | | Add as a media contact? Yes <input type="checkbox"/> No <input type="checkbox"/> | |
| Add/Change <input type="checkbox"/> | Remove Access <input type="checkbox"/> | | |
| Name | | Job Title | |
| Email address | | Phone number | |
| GEMS User 5 | | Add as a media contact? Yes <input type="checkbox"/> No <input type="checkbox"/> | |
| Add/Change <input type="checkbox"/> | Remove Access <input type="checkbox"/> | | |
| Name | | Job Title | |
| Email address | | Phone number | |
| Form completed by: | | Date: | |
| As a signatory I hereby authorize the listed individual(s) to represent and have GEMS user access. | | | |
| Signature | | Name | |
| | | Grant Director | |
| Date | | Title | |

City Council Appointments 2021

| Position | 2021 |
|---|---|
| Vice Mayor, City Council | Maribeth Bushey |
| | |
| San Rafael Sanitation District | Kate Colin (C) Maribeth Bushey Rachel Kertz (Alt) |
| Central Marin Sanitation Agency <i>(informational only- appointed by SRSD)</i> | Maribeth Bushey |
| City Rep. to Association of Bay Area Government (ABAG) | Eli Hill |
| League of California Cities, North Bay Division | Maika Llorens Gulati Maribeth Bushey (Alt) |
| Sonoma/Marin Area Rail Transit (SMART) <i>(informational only- appointed by TAM)</i> | Kate Colin Maribeth Bushey (Alt) |
| County Priority-Setting Committee (re Community Development Block Grant Funds) | Eli Hill Rachel Kertz (Alt) |
| Marin Clean Energy (MCE) | Maika Llorens Gulati Rachel Kertz (Alt) |
| Transportation Authority of Marin (TAM) Board of Commissioners | Kate Colin Maribeth Bushey (Alt) |
| Transportation Authority of Marin (TAM) - Safe Routes to Schools Program | Maika Llorens Gulati |
| Micro Grid Task Force | Eli Hill |
| BayWAVE | Kate Colin |
| City Council Standing Committees (Noticed public meetings) | |
| Climate Change Action Plan Quarterly Update Forum | Maika Llorens Gulati |
| City/School Liaison Committee (Noticed Joint City Council /Schools meeting) | Kate Colin Eli Hill |
| Economic Development Subcommittee | Kate Colin Rachel Kertz |
| General Plan 2040 Steering Committee | Maribeth Bushey Maika Llorens Gulati (Alt) |
| Library Foundation Board | Maribeth Bushey |

| Council Liaisons to Boards, Commissions and Committees (Open, noticed meetings) | |
|---|---|
| ADA Access Advisory Committee | Eli Hill |
| Bicycle and Pedestrian Advisory Committee | Maika Llorens Gulati |
| Board of Library Trustees | Maribeth Bushey |
| Business Improvement District Advisory Group | Rachel Kertz |
| Cannabis Industry Tax Oversight Committee (Measure G) | Maribeth Bushey |
| Citizens Advisory Committee "CAC" on Economic Development and Affordable Housing | Eli Hill |
| Design Review Board | Kate Colin |
| Fire Commission | Eli Hill |
| Measure E Transaction and Use Tax Oversight Committee | Rachel Kertz |
| Special Library Parcel Tax Committee (Measure D) | Maribeth Bushey |
| Pickleweed Advisory Committee | Maika Llorens Gulati |
| Park and Recreation Commission | Eli Hill |
| Planning Commission | Kate Colin |
| Joint Powers Agreement (JPA) | |
| Marin County Animal Control | Jim Schutz |
| Marin County Hazardous and Solid Waste Joint Powers Authority Board and Executive Committee | Jim Schutz Cristine Alilovich (Alt) |
| Marin Emergency Radio Authority (MERA) Governing Board | Dave Spiller Glenn McElderry (Alt) Robert Sinnott (Alt) |
| Marin Emergency Radio Authority (MERA) Executive Board | Darin White |
| Marin General Services Authority | Jim Schutz Cristine Alilovich (Alt) |
| Marin Wildfire Prevention Authority | Rachel Kertz Eli Hill (Alt) |

| Marin County Council of Mayors & Councilmembers (MCCMC) | |
|--|---|
| Legislative Committee | Rachel Kertz |
| Marin Transit District <i>(MCCMC appointment; non-City appointment)</i> | Kate Colin |
| Homelessness Policy Maker Group | Kate Colin (C) Rachel Kertz |
| Climate Mitigation Committee | Maika Llorens Gulati |
| Disaster Preparedness | Eli Hill Maribeth Bushey (Alt) |
| MCCMC Economic Recovery | Kate Colin Maika Llorens Gulati |
| <u>Ad Hoc Water Policy Committee</u> | <u>Maribeth Bushey</u> <u>Eli Hill</u> |



SAN RAFAEL CITY COUNCIL AGENDA REPORT

Department: Human Resources

Prepared by: Carmen Valdez,
Interim Human Resources Director

City Manager Approval: 

TOPIC: JOB CLASSIFICATION AND COMPENSATION ADJUSTMENTS – UPDATE TO MANAGEMENT ANALYST SERIES AND ADJUST SENIOR ACCOUNTING ASSISTANT COMPENSATION

SUBJECT: ADOPT RESOLUTION APPROVING THE FOLLOWING JOB CLASSIFICATION AND COMPENSATION ADJUSTMENTS

1. Align the management analyst series, such that there is a more logical progression when promoting from a Management Analyst to the Senior Management Analyst level.
2. Create a Senior Management Analyst I and II Job Specification.
3. Approve adjustment to the Senior Accounting Assistant salary by adopting change to the SEIU salary schedule.

RECOMMENDATION:

Adopt the Resolution approving the creation of Senior Management Analyst I and II classifications and updating SEIU salary schedule to adjust the Senior Accounting Assistant salary.

BACKGROUND:

The City currently has a Management Analyst series of job classifications, which includes an Associate Management Analyst and a Management Analyst (both represented by AFSCME Local 1). There is also a Senior Management Analyst that is in the unrepresented Mid-Management group.

ANALYSIS:

Management Analyst Series

It was recently identified that there is a large gap in compensation between the represented Management Analyst position and the higher-level Senior Management Analyst position. The creation of two levels of the Senior Management Analyst position (I and II) allows for a smooth transition from one position to the other, both in terms of the complexity of the work and the appropriate increase in

FOR CITY CLERK ONLY

Council Meeting: _____

Disposition: _____

compensation. Currently the increase from the top step of the Management Analyst position to the first step in the Senior Management Analyst position is a 38% increase in pay.

By creating two levels of the Senior Management Analyst position, it bridges that gap such that the increase from Management Analyst to the Senior Management Analyst I, would be a 16% increase in pay, which is a more appropriate transition. The top range of the current Senior Management Analyst position remains the same, and staff is recommending lowering the bottom of the range to create the Senior Management Analyst I position (see Table 1 below). The creation of the Senior Management Analyst II creates an opportunity for successful internal candidates to promote.

By aligning this series, it allows for greater flexibility in hiring to meet department needs and for the City to bring in talent to the organization at the appropriate level and give them room to grow.

Table 1

| AS IS CURRENTLY | | | | | |
|---------------------------|-------|-------|-------|--------|--------|
| | A | B | C | D | E |
| Senior Management Analyst | 8,789 | 9,229 | 9,690 | 10,175 | 10,683 |

| AS PROPOSED | | | | | |
|------------------------------|-------|-------|-------|--------|--------|
| | A | B | C | D | E |
| Senior Management Analyst I | 7,382 | 7,751 | 8,139 | 8,546 | 8,973 |
| Senior Management Analyst II | 8,789 | 9,229 | 9,690 | 10,175 | 10,683 |

Senior Accounting Assistant

Staff recommends making a minor adjustment to the salary schedule of the newly created SEIU position, Senior Accounting Assistant, in order to align with SEIU’s MOU which requires that each promotional opportunity provide a 5% raise. The proposed salary schedule (see Table 2 below) incorporates the proposed adjustment to allow those promoting from the Accounting Assistant II position (Step E) to the Senior Accounting Assistant to receive the full 5% raise.

Table 2

| AS IS CURRENTLY | | | | | |
|-----------------------------|-------|-------|-------|-------|-------|
| | A | B | C | D | E |
| Accounting Assistant II | 4,840 | 5,082 | 5,336 | 5,603 | 5,883 |
| Senior Accounting Assistant | 5,324 | 5,591 | 5,870 | 6,164 | 6,472 |

| AS PROPOSED TO CORRECT | | | | | |
|-------------------------------|-------|-------|-------|-------|-------|
| | A | B | C | D | E |
| Accounting Assistant II | 4,840 | 5,082 | 5,336 | 5,603 | 5,883 |
| Senior Accounting Assistant | 5,336 | 5,603 | 5,883 | 6,177 | 6,486 |

FISCAL IMPACT:

There is no increase to the salary range for the management analyst series therefore the creation of this new classification is cost neutral. The increase to the SEIU salary schedule is de minimis.

OPTIONS:

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

- Approve the Resolution as submitted.
- Request changes to the recommendations.
- Direct staff to develop alternatives to the recommendation.

RECOMMENDED ACTION:

Adopt the Resolution approving the creation of Senior Management Analyst I and II classifications and updating SEIU salary schedule to adjust the Senior Accounting Assistant salary.

ATTACHMENTS:

1. Resolution
2. Senior Management Analyst I and II Job Specification
3. Mid-Management Salary Schedule
4. SEIU Salary Schedule

RESOLUTION NO.

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAN RAFAEL APPROVING THE FOLLOWING PERSONNEL CLASSIFICATION AND COMPENSATION ADJUSTMENTS:

- 1. ALIGN THE MANAGEMENT ANALYST SERIES, SUCH THAT THERE IS A MORE LOGICAL PROGRESSION WHEN PROMOTING FROM A MANAGEMENT ANALYST TO THE SENIOR MANAGEMENT ANALYST LEVEL.**
- 2. CREATE A SENIOR MANAGEMENT ANALYST I AND II JOB SPECIFICATION.**
- 3. APPROVE ADJUSTMENT TO THE SENIOR ACCOUNTING ASSISTANT SALARY BY ADOPTING CHANGE TO THE SEIU SALARY SCHEDULE.**

WHEREAS, the City currently has a Management Analyst series of job classifications which includes the Associate Management Analyst and Management Analyst, both represented by AFSCME Local 1. There is also a Senior Management Analyst that is in the unrepresented Mid-Management group; and

WHEREAS, currently, there isn't alignment with the represented Management Analyst position to the much higher-level unrepresented Senior Management Analyst position, as there is a large gap in compensation between the represented Management Analyst position and the higher-level Senior Management Analyst position; and

WHEREAS, creating a Senior Management Analyst I and II classification will provide a transitional position that performs more complex analytical support than the Management Analyst and allows room for growth in the series; and

WHEREAS, staff recommends an adjustment to the SEIU salary schedule for the position of Senior Accounting Assistant recently approved by the City Council on July 19, 2021; and

WHEREAS, the personnel actions recommended will address the department needs as well as taking into consideration the City Council priorities;

NOW, THEREFORE, BE IT RESOLVED the City Council of the City of San Rafael hereby approves the recommended personnel compensation and classification changes listed below:

| AS PROPOSED | | | | | |
|------------------------------|-------|-------|-------|--------|--------|
| | A | B | C | D | E |
| Senior Management Analyst I | 7,382 | 7,751 | 8,139 | 8,546 | 8,973 |
| Senior Management Analyst II | 8,789 | 9,229 | 9,690 | 10,175 | 10,683 |

| AS PROPOSED | | | | | |
|-----------------------------|-------|-------|-------|-------|-------|
| | A | B | C | D | E |
| Senior Accounting Assistant | 5,336 | 5,603 | 5,883 | 6,177 | 6,486 |

I, **Lindsay Lara**, Clerk of the City of San Rafael, hereby certify foregoing resolution was duly and regularly introduced and adopted at a regular meeting on the City Council of said City held on Monday, the 4th day of October 2021, by the following vote to wit:

AYES: COUNCILMEMBERS:

NOES: COUNCILMEMBERS:

ABSENT: COUNCILMEMBERS:

LINDSAY LARA, City Clerk



City of San Rafael - Job Class Specification

Senior Management Analyst I & II

SUMMARY

Provides advanced staff level assistance to executive or other management level staff, performing a wide variety of responsible and complex administrative and analytic duties, including providing information to the public and communicating Department and City activities and programs. Conducts, operational and fiscal analysis, budget review and analysis, and other complex analyses and reports. Receives supervision from the Department Director or other upper level staff, with on-going and regular interaction with executive level and mid-management level staff. Supervises, plans, organizes, and reviews the work of assigned staff.

Incumbents may be assigned to any department with responsibility for dealing with a wide array of assignments and special projects and other related work as required.

DISTINGUISHING CHARACTERISTICS

Senior Management Analyst I – This is the entry-level classification in the Senior Management Analyst Series. Initially, incumbents in this class perform the more routine administrative analysis and research on new and current projects while learning City policies and procedures and gaining specialized knowledge related to the area of assignment. As experience is gained, there is a greater independence of action within established guidelines. Incumbents may provide supervision to clerical or technical personnel. The Senior Management Analyst I is distinguished from the Senior Management Analyst II in that the latter is the lead professional level within the series carrying full responsibility for developing and interpreting city-wide policies and initiatives and independently performing the higher level administrative management support work requiring extensive specialized knowledge in the area of assignment.

Senior Management Analyst II – This class is a full journey level class in the Senior Management Analyst Series, and as such, is experienced to work independently in identifying the need for and developing changes to operating practices, systems, programs and policies. The incumbent performs the full array of duties within the area of assignment, including complex analytical projects and providing staff support to department administration and city officials as well as working with high degree of independence in interacting with all levels of city employees, managers, elected officials, community groups, and other governmental agencies and the public. Employees at this level receive only occasional instruction or assistance as new or unusual situations arise and they are expected to be fully aware of the operating procedures and policies within the assigned department. Incumbents may supervise assigned staff and/or provide functional lead supervision on specialized projects as assigned. The Senior Management Analyst II is distinguished from Management I in the latter is the entry level classification in the series in which incumbents perform more routine analysis and research activities while learning City policies, procedures and gaining specialized knowledge related to area of assignment.

These positions are not flexibly staffed, and incumbents will be required to apply for advancement as vacancies exist and there is a department need.

ESSENTIAL DUTIES AND RESPONSIBILITIES include the following. This list is meant to be representative, not exhaustive. Some incumbents may not perform all the duties listed while in other cases related duties may also be assigned.

- Assists or leads projects, tasks, and assignments that are priorities for the Mayor and City Council and/or the senior management staff.
- Assumes direct responsibility for managing a variety of projects and programs; oversee assigned administrative support functions including budget.
- Supervises, plans, organizes, and reviews the work of lower level technical and clerical staff.
- Develops and implements operational, administrative, program, and other policies and procedures; assists in contract negotiations and administration.
- Leads departmental communication efforts, providing information to the public and interacting with media on issues pertaining to the functions and issues of the Department and City.
- Participates in drafting and implementing Departmental and/or City-wide goals, policies, and procedures.
- Manages or participates in special projects including complex research of new programs and services, budget analysis and preparation, and feasibility analyses; prepare and present reports; participates in a variety of Department operations.
- Assists in the preparation of ordinances and other supporting program documents; prepares and monitors program contracts and related proposals; monitors compliance with applicable contractual agreements.
- Reviews council reports to ensure financial information is accurate and that policy issues have been addressed in advance.
- Tracks the impact of State and Federal legislation on the Department or City and make recommendations regarding City positions.
- Conducts research and analyzes a wide variety of technical and complex public policy and administrative issues.
- Conducts complex studies and surveys pertaining to administration, personnel and operations; identifies issues, formulates recommendations and options for addressing issues.
- Acts as staff support to the Mayor and City Council and City Manager on intergovernmental committees.

Budget-related functions:

- Prepares and monitors department annual and capital budgets, mid-year budget review, work plans and periodic forecasts; provides complete analysis of revenues and expenditures for each program, re-forecasts and develops new budgets.
- Compiles narrative, fiscal and status reports on department, division, project and fund revenues and expenditures and assists with necessary adjustments.
- Manages department procurement; authorizes expenditures in accordance with budget; and assists in monitoring and controlling budget activities.
- Prepares and administers various grants for the department; monitors active grants to ensure that all stipulations and regulations regarding the use of funds are met; and maintains required records to ensure compliance.
- Prepares and administers complex contracts and memorandums of understandings.

Communication-related functions:

- Responds to media and citizen inquires on behalf of the Department.
- Participates in the public information functions of the City's Emergency Operation Center.
- Maintains positive working relationships with the members of the media.
- Answers inquiries or complaints from the public and other governmental agencies by providing superior customer service.
- Plans and coordinates press conferences.
- Prepares and distributes press releases and media advisories.

- Creates, produces, and edits Department and/or City publications including a newsletter, annual report, and other informational publications. Suggests and implements new ideas for more effective communications.
- Creates and produces internal organizational newsletters or other required publications.
- Serves as the Department and/or City's website content reviewer, and provide guidance and direction to the City's Technology Committee.
- Conducts community outreach and civic engagement events.

Other functions:

- May provide support to the City's labor negotiating team.
- Assists the department director in personnel related departmental issues. May act as a liaison with the Human Resources Department regarding employee performance evaluation tracking, requests for leave of absence, and progressive disciplinary processes.
- Acts as staff to City Advisory Committees, as directed by senior executive staff.
- Prepares City Council agenda reports.
- Serves as a liaison to other organizations and entities to forward the goals of the Department or City.
- Performs related duties as required.

The Senior Management Analyst working in the Public Works department coordinates, prepares and monitors operating and Capital Improvement Project (CIP) budgets, serves as a liaison for interdepartmental CIP activities and prepares progress reports detailing the annual CIP program and CIP project expenditures. In addition, the position supervises the administrative team, negotiates and oversees contracts, writes grant applications, performs grant management, and a variety of complex administrative and analytical projects

KNOWLEDGE OF:

- Principles and practices of local government and public administration.
- Methods of research, program analysis, and report preparation.
- State legislative procedures.
- Communications strategies.
- Public relations and relationship building.
- Negotiations.
- Computer skills including graphics software.
- Municipal budget development and administration.
- Grant writing and management.

ABILITY TO:

- Communicate effectively both orally and in writing.
- Work in cooperatively with management, staff, and the public.
- Evaluate program policy and practice.
- Plan, coordinate and evaluate the work of staff.
- Compile, organize and analyze complex statistical data.
- Prepare clear and concise analytical and financial reports.
- Prioritize and meet multiple, frequently changing deadlines.
- Work independently and collaboratively to resolve issues and reach consensus.
- Interpret, apply and communicate policies, procedures and regulations.
- Make oral presentations

EDUCATION and/or EXPERIENCE:

Any combination of education and experience that demonstrates possession of the requisite knowledge, skill and abilities. A typical way to obtain these would be:

- Equivalent to graduation from an accredited four-year college or university with major course

work in public administration, business administration or a related field. A master's degree in public administration, public policy, or business administration is highly desirable.

- A valid driver's license is required.

Senior Management Analyst I

- Three to four years of progressively responsible analytical experience.

Senior Management Analyst II – in addition to the requirements for the Senior Management Analyst I:

- Five years or more of experience performing increasingly complex, professional, analytical work with a high degree of autonomy.

PHYSICAL DEMANDS:

The physical demands described here are representative of those that must be met by an employee to successfully perform the essential functions of this job. Reasonable accommodations may be made to enable individuals with disabilities to perform the essential functions.

While performing the duties of this job, the employee is regularly required to stand, walk, sit, and talk or hear. The employee frequently is required to use hands to finger, handle, or feel and reach with hands and arms. The employee must regularly lift and/or move up to 10 pounds and occasionally lift and/or move up to 25 pounds. Specific vision abilities required by this job include close vision, distance vision, color vision, peripheral vision, depth perception, and ability to adjust focus.

WORK ENVIRONMENT:

The work environment characteristics described here are representative of those an employee encounters while performing the essential functions of this job. Reasonable accommodations may be made to enable individuals with disabilities to perform the essential functions.

While performing the duties of this job, the employee is regularly exposed to video display and regularly works in inside environmental conditions. The employee frequently works in evenings or weekends. The employee occasionally works with use of personal vehicle. The noise level in the work environment is usually moderate.

| | |
|--------------------------|--------------------|
| FLSA Status: | Exempt |
| Prepared Date: | April 10, 2015 |
| Revision Date: | December 5, 2016 |
| 2 nd Revision | September 29, 2021 |
| Approved By: | City of San Rafael |

SAN RAFAEL UNREPRESENTED MID-MANAGEMENT

SALARY SCHEDULE

Effective October 4, 2021

| Grade | Position | A | B | C | D | E |
|--------------|---|-----------|-----------|-----------|-----------|-----------|
| 7315 | Accounting Manager | \$ 9,319 | \$ 9,785 | \$ 10,274 | \$ 10,788 | \$ 11,327 |
| 2400 | Assistant Library and Recreation Director | \$ 10,600 | \$ 11,130 | \$ 11,686 | \$ 12,271 | \$ 12,884 |
| 2202 | Assistant Public Works Director / City Engineer | \$ 12,029 | \$ 12,631 | \$ 13,262 | \$ 13,925 | \$ 14,621 |
| 2302 | Chief Building Official | \$ 11,179 | \$ 11,738 | \$ 12,325 | \$ 12,941 | \$ 13,588 |
| 4203 | Civic Design Manager | \$ 9,910 | \$ 10,405 | \$ 10,926 | \$ 11,472 | \$ 12,045 |
| 2122 | Code Enforcement Supervisor | \$ 7,553 | \$ 7,930 | \$ 8,327 | \$ 8,743 | \$ 9,180 |
| 4204 | Data & Infrastructure Manager | \$ 10,974 | \$ 11,522 | \$ 12,098 | \$ 12,703 | \$ 13,338 |
| 1105 | Deputy City Attorney I | \$ 10,131 | \$ 10,637 | \$ 11,169 | \$ 11,728 | \$ 12,314 |
| 1109 | Deputy City Attorney II | \$ 11,170 | \$ 11,728 | \$ 12,315 | \$ 12,931 | \$ 13,577 |
| 2120 | Deputy Fire Marshall | \$ 9,515 | \$ 9,991 | \$ 10,490 | \$ 11,015 | \$ 11,566 |
| 2135 | Deputy Public Works Director | \$ 10,929 | \$ 11,475 | \$ 12,049 | \$ 12,651 | \$ 13,284 |
| 7313 | Economic Development Coordinator | \$ 9,181 | \$ 9,640 | \$ 10,122 | \$ 10,628 | \$ 11,159 |
| 2128 | Economic Development Manager | \$ 10,095 | \$ 10,600 | \$ 11,130 | \$ 11,686 | \$ 12,271 |
| 7117 | Emergency Services Manager | \$ 8,957 | \$ 9,405 | \$ 9,875 | \$ 10,369 | \$ 10,888 |
| 2107 | Human Resources Operations Manager | \$ 9,041 | \$ 9,493 | \$ 9,968 | \$ 10,466 | \$ 10,989 |
| 2208 | Operations and Maintenance Manager | \$ 9,856 | \$ 10,349 | \$ 10,867 | \$ 11,410 | \$ 11,981 |
| 2208 | Operations and Maintenance Manager (SRSD) | \$ 9,856 | \$ 10,349 | \$ 10,867 | \$ 11,410 | \$ 11,981 |
| 2703 | Parking Services Manager | \$ 9,181 | \$ 9,640 | \$ 10,122 | \$ 10,628 | \$ 11,159 |
| 7312 | Parks Superintendent | \$ 9,000 | \$ 9,450 | \$ 9,923 | \$ 10,419 | \$ 10,940 |
| 2116 | Planning Manager | \$ 10,330 | \$ 10,847 | \$ 11,389 | \$ 11,959 | \$ 12,557 |
| TBD | Product Manager | \$ 9,910 | \$ 10,405 | \$ 10,926 | \$ 11,472 | \$ 12,045 |
| 8103 | Recreation Supervisor | \$ 7,694 | \$ 8,079 | \$ 8,483 | \$ 8,907 | \$ 9,352 |
| 2206 | Senior Civil Engineer (SRSD) | \$ 10,639 | \$ 11,171 | \$ 11,729 | \$ 12,316 | \$ 12,932 |
| 7317 | Senior Code Enforcement Supervisor | \$ 8,337 | \$ 8,753 | \$ 9,191 | \$ 9,651 | \$ 10,133 |
| TBD | Senior Management Analyst I | \$ 7,382 | \$ 7,751 | \$ 8,139 | \$ 8,546 | \$ 8,973 |
| 2105 | Senior Management Analyst II | \$ 8,789 | \$ 9,229 | \$ 9,690 | \$ 10,175 | \$ 10,683 |
| 2203 | Senior Project Manager | \$ 9,171 | \$ 9,629 | \$ 10,111 | \$ 10,616 | \$ 11,147 |
| 8102 | Senior Recreation Supervisor | \$ 8,492 | \$ 8,917 | \$ 9,363 | \$ 9,831 | \$ 10,322 |
| 7310 | Sewer Maintenance Superintendent | \$ 9,000 | \$ 9,450 | \$ 9,923 | \$ 10,419 | \$ 10,940 |
| 7311 | Street Maintenance Superintendent | \$ 9,000 | \$ 9,450 | \$ 9,923 | \$ 10,419 | \$ 10,940 |
| 2150 | Sustainability Program Manager | \$ 7,408 | \$ 7,778 | \$ 8,167 | \$ 8,576 | \$ 9,005 |

SAN RAFAEL UNREPRESENTED MID-MANAGEMENT

SALARY SCHEDULE

Effective July 1, 2022

| Grade | Position | A | B | C | D | E |
|--------------|---|-----------|-----------|-----------|-----------|-----------|
| 7315 | Accounting Manager | \$ 9,692 | \$ 10,177 | \$ 10,685 | \$ 11,220 | \$ 11,781 |
| 2400 | Assistant Library and Recreation Director | \$ 10,971 | \$ 11,519 | \$ 12,095 | \$ 12,700 | \$ 13,335 |
| 2202 | Assistant Public Works Director / City Engineer | \$ 12,450 | \$ 13,073 | \$ 13,726 | \$ 14,413 | \$ 15,133 |
| 2302 | Chief Building Official | \$ 11,570 | \$ 12,149 | \$ 12,756 | \$ 13,394 | \$ 14,064 |
| 4203 | Civic Design Manager | \$ 10,068 | \$ 10,572 | \$ 11,100 | \$ 11,655 | \$ 12,238 |
| 2122 | Code Enforcement Supervisor | \$ 7,674 | \$ 8,057 | \$ 8,460 | \$ 8,883 | \$ 9,327 |
| 4204 | Data & Infrastructure Manager | \$ 11,149 | \$ 11,707 | \$ 12,292 | \$ 12,907 | \$ 13,552 |
| 1105 | Deputy City Attorney I | \$ 10,485 | \$ 11,010 | \$ 11,560 | \$ 12,138 | \$ 12,745 |
| 1109 | Deputy City Attorney II | \$ 11,561 | \$ 12,139 | \$ 12,746 | \$ 13,383 | \$ 14,052 |
| 2120 | Deputy Fire Marshall | \$ 9,848 | \$ 10,340 | \$ 10,857 | \$ 11,400 | \$ 11,970 |
| 2135 | Deputy Public Works Director | \$ 11,311 | \$ 11,877 | \$ 12,470 | \$ 13,094 | \$ 13,749 |
| 7313 | Economic Development Coordinator | \$ 9,502 | \$ 9,977 | \$ 10,476 | \$ 11,000 | \$ 11,550 |
| 2128 | Economic Development Manager | \$ 10,448 | \$ 10,971 | \$ 11,519 | \$ 12,095 | \$ 12,700 |
| 7117 | Emergency Services Manager | \$ 9,271 | \$ 9,734 | \$ 10,221 | \$ 10,732 | \$ 11,269 |
| 2107 | Human Resources Operations Manager | \$ 9,403 | \$ 9,873 | \$ 10,366 | \$ 10,885 | \$ 11,429 |
| 2208 | Operations and Maintenance Manager | \$ 10,251 | \$ 10,763 | \$ 11,301 | \$ 11,867 | \$ 12,460 |
| 2208 | Operations and Maintenance Manager (SRSD) | \$ 10,251 | \$ 10,763 | \$ 11,301 | \$ 11,867 | \$ 12,460 |
| 2703 | Parking Services Manager | \$ 9,502 | \$ 9,977 | \$ 10,476 | \$ 11,000 | \$ 11,550 |
| 7312 | Parks Superintendent | \$ 9,360 | \$ 9,829 | \$ 10,320 | \$ 10,836 | \$ 11,378 |
| 2116 | Planning Manager | \$ 10,743 | \$ 11,281 | \$ 11,845 | \$ 12,437 | \$ 13,059 |
| TBD | Product Manager | \$ 10,068 | \$ 10,572 | \$ 11,100 | \$ 11,655 | \$ 12,238 |
| 8103 | Recreation Supervisor | \$ 7,964 | \$ 8,362 | \$ 8,780 | \$ 9,219 | \$ 9,680 |
| 2206 | Senior Civil Engineer (SRSD) | \$ 11,011 | \$ 11,562 | \$ 12,140 | \$ 12,747 | \$ 13,384 |
| 7317 | Senior Code Enforcement Supervisor | \$ 8,470 | \$ 8,893 | \$ 9,338 | \$ 9,805 | \$ 10,295 |
| TBD | Senior Management Analyst I | \$ 7,677 | \$ 8,061 | \$ 8,464 | \$ 8,888 | \$ 9,332 |
| 2105 | Senior Management Analyst II | \$ 9,141 | \$ 9,598 | \$ 10,078 | \$ 10,582 | \$ 11,111 |
| 2203 | Senior Project Manager | \$ 9,446 | \$ 9,918 | \$ 10,414 | \$ 10,935 | \$ 11,481 |
| 8102 | Senior Recreation Supervisor | \$ 8,790 | \$ 9,229 | \$ 9,690 | \$ 10,175 | \$ 10,684 |
| 7310 | Sewer Maintenance Superintendent | \$ 9,360 | \$ 9,829 | \$ 10,320 | \$ 10,836 | \$ 11,378 |
| 7311 | Street Maintenance Superintendent | \$ 9,360 | \$ 9,829 | \$ 10,320 | \$ 10,836 | \$ 11,378 |
| 2150 | Sustainability Program Manager | \$ 7,704 | \$ 8,090 | \$ 8,494 | \$ 8,919 | \$ 9,365 |

SAN RAFAEL UNREPRESENTED MID-MANAGEMENT

SALARY SCHEDULE

Effective July 1, 2023

| Grade | Position | A | B | C | D | E |
|--------------|---|-----------|-----------|-----------|-----------|-----------|
| 7315 | Accounting Manager | \$ 10,080 | \$ 10,584 | \$ 11,113 | \$ 11,668 | \$ 12,252 |
| 2400 | Assistant Library and Recreation Director | \$ 11,355 | \$ 11,923 | \$ 12,519 | \$ 13,145 | \$ 13,802 |
| 2202 | Assistant Public Works Director / City Engineer | \$ 12,886 | \$ 13,530 | \$ 14,207 | \$ 14,917 | \$ 15,663 |
| 2302 | Chief Building Official | \$ 11,975 | \$ 12,574 | \$ 13,202 | \$ 13,863 | \$ 14,556 |
| 4203 | Civic Design Manager | \$ 10,229 | \$ 10,741 | \$ 11,278 | \$ 11,842 | \$ 12,434 |
| 2122 | Code Enforcement Supervisor | \$ 7,796 | \$ 8,186 | \$ 8,595 | \$ 9,025 | \$ 9,477 |
| 4204 | Data & Infrastructure Manager | \$ 11,328 | \$ 11,894 | \$ 12,489 | \$ 13,113 | \$ 13,769 |
| 1105 | Deputy City Attorney I | \$ 10,852 | \$ 11,395 | \$ 11,965 | \$ 12,563 | \$ 13,191 |
| 1109 | Deputy City Attorney II | \$ 11,965 | \$ 12,564 | \$ 13,192 | \$ 13,852 | \$ 14,544 |
| 2120 | Deputy Fire Marshall | \$ 10,193 | \$ 10,702 | \$ 11,237 | \$ 11,799 | \$ 12,389 |
| 2135 | Deputy Public Works Director | \$ 11,707 | \$ 12,292 | \$ 12,907 | \$ 13,552 | \$ 14,230 |
| 7313 | Economic Development Coordinator | \$ 9,834 | \$ 10,326 | \$ 10,842 | \$ 11,385 | \$ 11,954 |
| 2128 | Economic Development Manager | \$ 10,814 | \$ 11,355 | \$ 11,923 | \$ 12,519 | \$ 13,145 |
| 7117 | Emergency Services Manager | \$ 9,595 | \$ 10,075 | \$ 10,579 | \$ 11,108 | \$ 11,663 |
| 2107 | Human Resources Operations Manager | \$ 9,779 | \$ 10,268 | \$ 10,781 | \$ 11,320 | \$ 11,886 |
| 2208 | Operations and Maintenance Manager | \$ 10,661 | \$ 11,194 | \$ 11,754 | \$ 12,341 | \$ 12,958 |
| 2208 | Operations and Maintenance Manager (SRSD) | \$ 10,661 | \$ 11,194 | \$ 11,754 | \$ 12,341 | \$ 12,958 |
| 2703 | Parking Services Manager | \$ 9,834 | \$ 10,326 | \$ 10,842 | \$ 11,385 | \$ 11,954 |
| 7312 | Parks Superintendent | \$ 9,735 | \$ 10,222 | \$ 10,733 | \$ 11,269 | \$ 11,833 |
| 2116 | Planning Manager | \$ 11,173 | \$ 11,732 | \$ 12,318 | \$ 12,934 | \$ 13,581 |
| TBD | Product Manager | \$ 10,229 | \$ 10,741 | \$ 11,278 | \$ 11,842 | \$ 12,434 |
| 8103 | Recreation Supervisor | \$ 8,242 | \$ 8,654 | \$ 9,087 | \$ 9,541 | \$ 10,019 |
| 2206 | Senior Civil Engineer (SRSD) | \$ 11,397 | \$ 11,966 | \$ 12,565 | \$ 13,193 | \$ 13,853 |
| 7317 | Senior Code Enforcement Supervisor | \$ 8,605 | \$ 9,036 | \$ 9,487 | \$ 9,962 | \$ 10,460 |
| TBD | Senior Management Analyst I | \$ 7,985 | \$ 8,384 | \$ 8,803 | \$ 9,243 | \$ 9,705 |
| 2105 | Senior Management Analyst II | \$ 9,507 | \$ 9,982 | \$ 10,481 | \$ 11,005 | \$ 11,555 |
| 2203 | Senior Project Manager | \$ 9,729 | \$ 10,216 | \$ 10,726 | \$ 11,263 | \$ 11,826 |
| 8102 | Senior Recreation Supervisor | \$ 9,097 | \$ 9,552 | \$ 10,030 | \$ 10,531 | \$ 11,058 |
| 7310 | Sewer Maintenance Superintendent | \$ 9,735 | \$ 10,222 | \$ 10,733 | \$ 11,269 | \$ 11,833 |
| 7311 | Street Maintenance Superintendent | \$ 9,735 | \$ 10,222 | \$ 10,733 | \$ 11,269 | \$ 11,833 |
| 2150 | Sustainability Program Manager | \$ 8,013 | \$ 8,413 | \$ 8,834 | \$ 9,275 | \$ 9,739 |

City of San Rafael
SEIU - SALARY SCHEDULE
Effective July 1, 2021

| Grade | Position | A | B | C | D | E |
|-------|--|----------|----------|----------|----------|----------|
| 7241 | Accountant I | \$ 6,033 | \$ 6,334 | \$ 6,651 | \$ 6,983 | \$ 7,333 |
| 7240 | Accountant II | \$ 6,335 | \$ 6,651 | \$ 6,984 | \$ 7,333 | \$ 7,700 |
| 7200 | Accounting Assistant I | \$ 4,394 | \$ 4,614 | \$ 4,844 | \$ 5,086 | \$ 5,341 |
| 7201 | Accounting Assistant II | \$ 4,840 | \$ 5,082 | \$ 5,336 | \$ 5,603 | \$ 5,883 |
| TBD | Senior Accounting Assistant* | \$ 5,336 | \$ 5,603 | \$ 5,883 | \$ 6,177 | \$ 6,486 |
| 7299 | Accounting Technician | \$ 6,034 | \$ 6,336 | \$ 6,653 | \$ 6,986 | \$ 7,335 |
| 7205 | Administrative Analyst | \$ 5,647 | \$ 5,930 | \$ 6,226 | \$ 6,537 | \$ 6,864 |
| 7211 | Administrative Assistant I | \$ 4,554 | \$ 4,782 | \$ 5,021 | \$ 5,272 | \$ 5,536 |
| 7212 | Administrative Assistant II | \$ 5,021 | \$ 5,272 | \$ 5,536 | \$ 5,813 | \$ 6,104 |
| 7295 | Senior Administrative Assistant | \$ 5,407 | \$ 5,677 | \$ 5,961 | \$ 6,259 | \$ 6,572 |
| 7216 | Administrative Assistant to the City Clerk | \$ 5,407 | \$ 5,677 | \$ 5,961 | \$ 6,259 | \$ 6,572 |
| 7210 | Assistant Planner | \$ 6,387 | \$ 6,707 | \$ 7,042 | \$ 7,394 | \$ 7,764 |
| 7208 | Associate Planner | \$ 7,049 | \$ 7,402 | \$ 7,772 | \$ 8,160 | \$ 8,568 |
| 7217 | Building Inspector I | \$ 5,788 | \$ 6,077 | \$ 6,381 | \$ 6,700 | \$ 7,035 |
| 7218 | Building Inspector II | \$ 6,387 | \$ 6,707 | \$ 7,042 | \$ 7,394 | \$ 7,764 |
| 7475 | Building Technician I | \$ 4,991 | \$ 5,241 | \$ 5,503 | \$ 5,778 | \$ 6,067 |
| 7220 | Business License Examiner | \$ 5,081 | \$ 5,335 | \$ 5,602 | \$ 5,882 | \$ 6,176 |
| 7222 | Code Enforcement Official I | \$ 4,637 | \$ 4,869 | \$ 5,112 | \$ 5,368 | \$ 5,636 |
| 7223 | Code Enforcement Official II | \$ 5,116 | \$ 5,372 | \$ 5,641 | \$ 5,923 | \$ 6,219 |
| 7380 | Code Enforcement Official III | \$ 6,076 | \$ 6,380 | \$ 6,699 | \$ 7,034 | \$ 7,386 |
| 2119 | Construction Inspector - SRSD | \$ 6,291 | \$ 6,606 | \$ 6,936 | \$ 7,283 | \$ 7,647 |
| 7224 | Custodian | \$ 4,318 | \$ 4,534 | \$ 4,761 | \$ 4,999 | \$ 5,249 |
| 4210 | Data Analyst I | \$ 6,525 | \$ 6,851 | \$ 7,193 | \$ 7,553 | \$ 7,931 |
| 4211 | Data Analyst II | \$ 7,177 | \$ 7,536 | \$ 7,913 | \$ 8,308 | \$ 8,724 |
| 4212 | Data Analyst III | \$ 7,895 | \$ 8,290 | \$ 8,704 | \$ 9,139 | \$ 9,596 |
| 7226 | Deputy City Clerk | \$ 5,543 | \$ 5,820 | \$ 6,111 | \$ 6,416 | \$ 6,737 |
| 7120 | Emergency Management Coordinator | \$ 5,230 | \$ 5,492 | \$ 5,766 | \$ 6,055 | \$ 6,357 |
| 7121 | Environmental Management Coordinator | \$ 5,230 | \$ 5,492 | \$ 5,766 | \$ 6,055 | \$ 6,357 |
| 7232 | Facility Repair Supervisor | \$ 6,875 | \$ 7,219 | \$ 7,580 | \$ 7,959 | \$ 8,357 |
| 7291 | Facility Repair Worker I | \$ 4,879 | \$ 5,122 | \$ 5,379 | \$ 5,647 | \$ 5,930 |
| 7233 | Facility Repair Worker II | \$ 5,380 | \$ 5,649 | \$ 5,932 | \$ 6,228 | \$ 6,540 |
| 7294 | Facility Repair Worker III | \$ 5,790 | \$ 6,080 | \$ 6,384 | \$ 6,703 | \$ 7,038 |
| 7108 | Fire Prevention Inspector I | \$ 7,314 | \$ 7,680 | \$ 8,064 | \$ 8,467 | \$ 8,890 |
| 7107 | Fire Prevention Inspector II | \$ 8,063 | \$ 8,466 | \$ 8,889 | \$ 9,334 | \$ 9,800 |
| 7298 | IT Help Desk Supervisor | \$ 7,177 | \$ 7,536 | \$ 7,913 | \$ 8,309 | \$ 8,724 |
| 7243 | Librarian I | \$ 5,598 | \$ 5,878 | \$ 6,172 | \$ 6,480 | \$ 6,804 |
| 7244 | Librarian II | \$ 5,880 | \$ 6,174 | \$ 6,483 | \$ 6,807 | \$ 7,147 |
| 2404 | Library Aide | \$ 2,683 | \$ 2,817 | \$ 2,958 | \$ 3,106 | \$ 3,261 |
| 7246 | Library Assistant I | \$ 3,686 | \$ 3,870 | \$ 4,064 | \$ 4,267 | \$ 4,480 |
| 7247 | Library Assistant II | \$ 4,168 | \$ 4,377 | \$ 4,595 | \$ 4,825 | \$ 5,067 |

| | | | | | | |
|------|---|----------|----------|-----------|-----------|-----------|
| 2405 | Library Tech Services Supervisor | \$ 5,329 | \$ 5,596 | \$ 5,876 | \$ 6,169 | \$ 6,478 |
| 7292 | Literacy Program Supervisor | \$ 6,487 | \$ 6,812 | \$ 7,152 | \$ 7,510 | \$ 7,886 |
| 7249 | Mail and Stores Clerk | \$ 3,936 | \$ 4,132 | \$ 4,339 | \$ 4,556 | \$ 4,784 |
| 7255 | Network Analyst | \$ 6,526 | \$ 6,852 | \$ 7,195 | \$ 7,554 | \$ 7,932 |
| 7274 | Network Support Technician | \$ 4,991 | \$ 5,241 | \$ 5,503 | \$ 5,778 | \$ 6,067 |
| 7285 | Office Assistant I | \$ 3,748 | \$ 3,935 | \$ 4,132 | \$ 4,338 | \$ 4,555 |
| 7284 | Office Assistant II | \$ 4,234 | \$ 4,445 | \$ 4,668 | \$ 4,901 | \$ 5,146 |
| 7256 | Park Equipment Mechanic | \$ 5,651 | \$ 5,934 | \$ 6,230 | \$ 6,542 | \$ 6,869 |
| 7257 | Parking Attendant I | \$ 2,145 | \$ 2,253 | \$ 2,365 | \$ 2,484 | \$ 2,608 |
| 7275 | Parking Attendant II | \$ 2,363 | \$ 2,481 | \$ 2,605 | \$ 2,735 | \$ 2,872 |
| 6208 | Parking Enforcement Officer | \$ 5,234 | \$ 5,496 | \$ 5,771 | \$ 6,059 | \$ 6,362 |
| 6212 | Parking Equipment Technician | \$ 5,001 | \$ 5,251 | \$ 5,513 | \$ 5,789 | \$ 6,079 |
| 6209 | Parking Maintenance & Collections | \$ 5,001 | \$ 5,251 | \$ 5,513 | \$ 5,789 | \$ 6,079 |
| 6211 | Parking Operations Supervisor | \$ 6,875 | \$ 7,218 | \$ 7,579 | \$ 7,958 | \$ 8,356 |
| 7258 | Parks & Graffiti Worker | \$ 4,536 | \$ 4,763 | \$ 5,001 | \$ 5,251 | \$ 5,513 |
| 2123 | Parks Lead Maintenance Worker | \$ 5,790 | \$ 6,080 | \$ 6,384 | \$ 6,703 | \$ 7,038 |
| 7271 | Parks Maintenance Supervisor | \$ 6,875 | \$ 7,219 | \$ 7,580 | \$ 7,959 | \$ 8,357 |
| 7236 | Parks Maintenance Worker I | \$ 4,763 | \$ 5,001 | \$ 5,251 | \$ 5,514 | \$ 5,789 |
| 7238 | Parks Maintenance Worker II | \$ 5,001 | \$ 5,251 | \$ 5,514 | \$ 5,789 | \$ 6,079 |
| 7296 | Permit Services Coordinator | \$ 6,895 | \$ 7,240 | \$ 7,602 | \$ 7,982 | \$ 8,381 |
| 7261 | Planning Technician | \$ 4,991 | \$ 5,241 | \$ 5,503 | \$ 5,778 | \$ 6,067 |
| 9453 | Principal Planner | \$ 9,227 | \$ 9,688 | \$ 10,172 | \$ 10,681 | \$ 11,215 |
| 7234 | Printing Press Operator | \$ 4,900 | \$ 5,145 | \$ 5,403 | \$ 5,673 | \$ 5,956 |
| 1201 | Program Coordinator | \$ 5,245 | \$ 5,508 | \$ 5,783 | \$ 6,072 | \$ 6,376 |
| 7290 | Public Works Dispatcher | \$ 5,001 | \$ 5,251 | \$ 5,514 | \$ 5,789 | \$ 6,079 |
| 7263 | Revenue Supervisor | \$ 7,697 | \$ 8,082 | \$ 8,486 | \$ 8,910 | \$ 9,355 |
| 2309 | Senior Building Inspector | \$ 7,582 | \$ 7,961 | \$ 8,360 | \$ 8,778 | \$ 9,216 |
| 7219 | Senior Building Technician | \$ 5,788 | \$ 6,078 | \$ 6,382 | \$ 6,701 | \$ 7,036 |
| 7265 | Senior Library Assistant | \$ 4,377 | \$ 4,596 | \$ 4,826 | \$ 5,067 | \$ 5,321 |
| 7264 | Senior Planner | \$ 7,977 | \$ 8,376 | \$ 8,795 | \$ 9,234 | \$ 9,696 |
| 2204 | Sewer Lead Maintenance Worker | \$ 6,385 | \$ 6,704 | \$ 7,039 | \$ 7,391 | \$ 7,761 |
| 7266 | Sewer Maintenance Worker I | \$ 5,124 | \$ 5,381 | \$ 5,650 | \$ 5,932 | \$ 6,229 |
| 7267 | Sewer Maintenance Worker II | \$ 5,515 | \$ 5,790 | \$ 6,080 | \$ 6,384 | \$ 6,703 |
| 7281 | Sewers Supervisor | \$ 7,218 | \$ 7,578 | \$ 7,957 | \$ 8,355 | \$ 8,773 |
| 7269 | Shop & Equipment Supervisor | \$ 6,875 | \$ 7,219 | \$ 7,580 | \$ 7,959 | \$ 8,357 |
| 7280 | Street Lead Maintenance Worker | \$ 5,790 | \$ 6,080 | \$ 6,384 | \$ 6,703 | \$ 7,038 |
| 7209 | Street Maintenance Supervisor | \$ 6,875 | \$ 7,219 | \$ 7,580 | \$ 7,959 | \$ 8,357 |
| 7250 | Street Maintenance Worker I | \$ 4,763 | \$ 5,001 | \$ 5,251 | \$ 5,514 | \$ 5,789 |
| 7251 | Street Maintenance Worker II | \$ 5,001 | \$ 5,251 | \$ 5,514 | \$ 5,789 | \$ 6,079 |
| 7283 | Street Sweeper Operator | \$ 5,251 | \$ 5,514 | \$ 5,789 | \$ 6,079 | \$ 6,383 |
| 7245 | Supervising Librarian | \$ 6,487 | \$ 6,812 | \$ 7,152 | \$ 7,510 | \$ 7,886 |
| 8523 | Supervising Parking Enforcement Officer | \$ 5,886 | \$ 6,180 | \$ 6,489 | \$ 6,814 | \$ 7,155 |
| 7288 | Supervising Vehicle/Equipment Mechanic | \$ 6,082 | \$ 6,386 | \$ 6,705 | \$ 7,040 | \$ 7,392 |
| 7286 | Vehicle/Equipment Mechanic I | \$ 5,125 | \$ 5,381 | \$ 5,650 | \$ 5,932 | \$ 6,229 |
| 7287 | Vehicle/Equipment Mechanic II | \$ 5,651 | \$ 5,934 | \$ 6,230 | \$ 6,542 | \$ 6,869 |
| 2131 | Volunteer Program Assistant | \$ 5,058 | \$ 5,311 | \$ 5,576 | \$ 5,855 | \$ 6,148 |

*New classification approved with 2021-2024 MOU

City of San Rafael
SEIU - SALARY SCHEDULE
Effective July 1, 2022

| Grade | Position | A | B | C | D | E |
|-------|--|----------|----------|----------|----------|-----------|
| 7241 | Accountant I | \$ 6,213 | \$ 6,524 | \$ 6,850 | \$ 7,193 | \$ 7,553 |
| 7240 | Accountant II | \$ 6,525 | \$ 6,851 | \$ 7,194 | \$ 7,553 | \$ 7,931 |
| 7200 | Accounting Assistant I | \$ 4,526 | \$ 4,752 | \$ 4,990 | \$ 5,239 | \$ 5,501 |
| 7201 | Accounting Assistant II | \$ 4,985 | \$ 5,234 | \$ 5,496 | \$ 5,771 | \$ 6,059 |
| TBD | Senior Accounting Assistant* | \$ 5,496 | \$ 5,771 | \$ 6,059 | \$ 6,362 | \$ 6,681 |
| 7299 | Accounting Technician | \$ 6,215 | \$ 6,526 | \$ 6,853 | \$ 7,195 | \$ 7,555 |
| 7205 | Administrative Analyst | \$ 5,859 | \$ 6,152 | \$ 6,460 | \$ 6,783 | \$ 7,122 |
| 7211 | Administrative Assistant I | \$ 4,691 | \$ 4,925 | \$ 5,172 | \$ 5,430 | \$ 5,702 |
| 7212 | Administrative Assistant II | \$ 5,172 | \$ 5,431 | \$ 5,702 | \$ 5,987 | \$ 6,287 |
| 7295 | Senior Administrative Assistant | \$ 5,569 | \$ 5,848 | \$ 6,140 | \$ 6,447 | \$ 6,769 |
| 7216 | Administrative Assistant to the City Clerk | \$ 5,569 | \$ 5,848 | \$ 6,140 | \$ 6,447 | \$ 6,769 |
| 7210 | Assistant Planner | \$ 6,627 | \$ 6,958 | \$ 7,306 | \$ 7,671 | \$ 8,055 |
| 7208 | Associate Planner | \$ 7,314 | \$ 7,679 | \$ 8,063 | \$ 8,466 | \$ 8,890 |
| 7217 | Building Inspector I | \$ 6,005 | \$ 6,305 | \$ 6,621 | \$ 6,952 | \$ 7,299 |
| 7218 | Building Inspector II | \$ 6,627 | \$ 6,958 | \$ 7,306 | \$ 7,672 | \$ 8,055 |
| 7475 | Building Technician I | \$ 5,179 | \$ 5,438 | \$ 5,709 | \$ 5,995 | \$ 6,295 |
| 7220 | Business License Examiner | \$ 5,233 | \$ 5,495 | \$ 5,770 | \$ 6,058 | \$ 6,361 |
| 7222 | Code Enforcement Official I | \$ 4,811 | \$ 5,051 | \$ 5,304 | \$ 5,569 | \$ 5,848 |
| 7223 | Code Enforcement Official II | \$ 5,308 | \$ 5,574 | \$ 5,852 | \$ 6,145 | \$ 6,452 |
| 7380 | Code Enforcement Official III | \$ 6,304 | \$ 6,619 | \$ 6,950 | \$ 7,298 | \$ 7,663 |
| 2119 | Construction Inspector - SRSD | \$ 6,527 | \$ 6,854 | \$ 7,196 | \$ 7,556 | \$ 7,934 |
| 7224 | Custodian | \$ 4,470 | \$ 4,693 | \$ 4,928 | \$ 5,174 | \$ 5,433 |
| 4210 | Data Analyst I | \$ 6,769 | \$ 7,108 | \$ 7,463 | \$ 7,836 | \$ 8,228 |
| 4211 | Data Analyst II | \$ 7,446 | \$ 7,819 | \$ 8,209 | \$ 8,620 | \$ 9,051 |
| 4212 | Data Analyst III | \$ 8,191 | \$ 8,600 | \$ 9,030 | \$ 9,482 | \$ 9,956 |
| 7226 | Deputy City Clerk | \$ 5,709 | \$ 5,994 | \$ 6,294 | \$ 6,609 | \$ 6,939 |
| 7120 | Emergency Management Coordinator | \$ 5,413 | \$ 5,684 | \$ 5,968 | \$ 6,266 | \$ 6,580 |
| 7121 | Environmental Management Coordinator | \$ 5,413 | \$ 5,684 | \$ 5,968 | \$ 6,266 | \$ 6,580 |
| 7232 | Facility Repair Supervisor | \$ 7,116 | \$ 7,471 | \$ 7,845 | \$ 8,237 | \$ 8,649 |
| 7291 | Facility Repair Worker I | \$ 5,049 | \$ 5,302 | \$ 5,567 | \$ 5,845 | \$ 6,137 |
| 7233 | Facility Repair Worker II | \$ 5,569 | \$ 5,847 | \$ 6,139 | \$ 6,446 | \$ 6,769 |
| 7294 | Facility Repair Worker III | \$ 5,993 | \$ 6,293 | \$ 6,607 | \$ 6,938 | \$ 7,284 |
| 7108 | Fire Prevention Inspector I | \$ 7,588 | \$ 7,968 | \$ 8,366 | \$ 8,784 | \$ 9,223 |
| 7107 | Fire Prevention Inspector II | \$ 8,365 | \$ 8,783 | \$ 9,223 | \$ 9,684 | \$ 10,168 |
| 7298 | IT Help Desk Supervisor | \$ 7,446 | \$ 7,819 | \$ 8,210 | \$ 8,620 | \$ 9,051 |
| 7243 | Librarian I | \$ 5,808 | \$ 6,098 | \$ 6,403 | \$ 6,723 | \$ 7,059 |
| 7244 | Librarian II | \$ 6,101 | \$ 6,406 | \$ 6,726 | \$ 7,062 | \$ 7,415 |
| 2404 | Library Aide | \$ 2,784 | \$ 2,923 | \$ 3,069 | \$ 3,223 | \$ 3,384 |
| 7246 | Library Assistant I | \$ 3,824 | \$ 4,015 | \$ 4,216 | \$ 4,427 | \$ 4,648 |
| 7247 | Library Assistant II | \$ 4,325 | \$ 4,541 | \$ 4,768 | \$ 5,006 | \$ 5,256 |

| | | | | | | |
|------|---|----------|-----------|-----------|-----------|-----------|
| 2405 | Library Tech Services Supervisor | \$ 5,529 | \$ 5,806 | \$ 6,096 | \$ 6,401 | \$ 6,721 |
| 7292 | Literacy Program Supervisor | \$ 6,731 | \$ 7,067 | \$ 7,421 | \$ 7,792 | \$ 8,181 |
| 7249 | Mail and Stores Clerk | \$ 4,054 | \$ 4,256 | \$ 4,469 | \$ 4,693 | \$ 4,927 |
| 7255 | Network Analyst | \$ 6,771 | \$ 7,109 | \$ 7,464 | \$ 7,838 | \$ 8,230 |
| 7274 | Network Support Technician | \$ 5,179 | \$ 5,438 | \$ 5,709 | \$ 5,995 | \$ 6,295 |
| 7285 | Office Assistant I | \$ 3,860 | \$ 4,053 | \$ 4,256 | \$ 4,469 | \$ 4,692 |
| 7284 | Office Assistant II | \$ 4,361 | \$ 4,579 | \$ 4,808 | \$ 5,048 | \$ 5,300 |
| 7256 | Park Equipment Mechanic | \$ 5,849 | \$ 6,141 | \$ 6,448 | \$ 6,771 | \$ 7,109 |
| 7257 | Parking Attendant I | \$ 2,210 | \$ 2,320 | \$ 2,436 | \$ 2,558 | \$ 2,686 |
| 7275 | Parking Attendant II | \$ 2,434 | \$ 2,555 | \$ 2,683 | \$ 2,817 | \$ 2,958 |
| 6208 | Parking Enforcement Officer | \$ 5,391 | \$ 5,661 | \$ 5,944 | \$ 6,241 | \$ 6,553 |
| 6212 | Parking Equipment Technician | \$ 5,176 | \$ 5,435 | \$ 5,706 | \$ 5,992 | \$ 6,291 |
| 6209 | Parking Maintenance & Collections | \$ 5,176 | \$ 5,435 | \$ 5,706 | \$ 5,992 | \$ 6,291 |
| 6211 | Parking Operations Supervisor | \$ 7,115 | \$ 7,471 | \$ 7,845 | \$ 8,237 | \$ 8,649 |
| 7258 | Parks & Graffiti Worker | \$ 4,694 | \$ 4,929 | \$ 5,176 | \$ 5,434 | \$ 5,706 |
| 2123 | Parks Lead Maintenance Worker | \$ 5,993 | \$ 6,293 | \$ 6,607 | \$ 6,938 | \$ 7,284 |
| 7271 | Parks Maintenance Supervisor | \$ 7,116 | \$ 7,471 | \$ 7,845 | \$ 8,237 | \$ 8,649 |
| 7236 | Parks Maintenance Worker I | \$ 4,930 | \$ 5,176 | \$ 5,435 | \$ 5,707 | \$ 5,992 |
| 7238 | Parks Maintenance Worker II | \$ 5,176 | \$ 5,435 | \$ 5,707 | \$ 5,992 | \$ 6,292 |
| 7296 | Permit Services Coordinator | \$ 7,153 | \$ 7,511 | \$ 7,887 | \$ 8,281 | \$ 8,695 |
| 7261 | Planning Technician | \$ 5,179 | \$ 5,438 | \$ 5,709 | \$ 5,995 | \$ 6,295 |
| 9453 | Principal Planner | \$ 9,573 | \$ 10,051 | \$ 10,554 | \$ 11,082 | \$ 11,636 |
| 7234 | Printing Press Operator | \$ 5,047 | \$ 5,300 | \$ 5,565 | \$ 5,843 | \$ 6,135 |
| 1201 | Program Coordinator | \$ 5,442 | \$ 5,714 | \$ 6,000 | \$ 6,300 | \$ 6,615 |
| 7290 | Public Works Dispatcher | \$ 5,176 | \$ 5,435 | \$ 5,707 | \$ 5,992 | \$ 6,292 |
| 7263 | Revenue Supervisor | \$ 7,928 | \$ 8,324 | \$ 8,740 | \$ 9,177 | \$ 9,636 |
| 2309 | Senior Building Inspector | \$ 7,867 | \$ 8,260 | \$ 8,673 | \$ 9,107 | \$ 9,562 |
| 7219 | Senior Building Technician | \$ 6,006 | \$ 6,306 | \$ 6,621 | \$ 6,952 | \$ 7,300 |
| 7265 | Senior Library Assistant | \$ 4,541 | \$ 4,768 | \$ 5,007 | \$ 5,257 | \$ 5,520 |
| 7264 | Senior Planner | \$ 8,276 | \$ 8,690 | \$ 9,124 | \$ 9,581 | \$ 10,060 |
| 2204 | Sewer Lead Maintenance Worker | \$ 6,608 | \$ 6,939 | \$ 7,286 | \$ 7,650 | \$ 8,032 |
| 7266 | Sewer Maintenance Worker I | \$ 5,304 | \$ 5,569 | \$ 5,847 | \$ 6,140 | \$ 6,447 |
| 7267 | Sewer Maintenance Worker II | \$ 5,708 | \$ 5,993 | \$ 6,293 | \$ 6,607 | \$ 6,938 |
| 7281 | Sewers Supervisor | \$ 7,470 | \$ 7,844 | \$ 8,236 | \$ 8,648 | \$ 9,080 |
| 7269 | Shop & Equipment Supervisor | \$ 7,116 | \$ 7,471 | \$ 7,845 | \$ 8,237 | \$ 8,649 |
| 7280 | Street Lead Maintenance Worker | \$ 5,993 | \$ 6,293 | \$ 6,607 | \$ 6,938 | \$ 7,284 |
| 7209 | Street Maintenance Supervisor | \$ 7,116 | \$ 7,471 | \$ 7,845 | \$ 8,237 | \$ 8,649 |
| 7250 | Street Maintenance Worker I | \$ 4,930 | \$ 5,176 | \$ 5,435 | \$ 5,707 | \$ 5,992 |
| 7251 | Street Maintenance Worker II | \$ 5,176 | \$ 5,435 | \$ 5,707 | \$ 5,992 | \$ 6,292 |
| 7283 | Street Sweeper Operator | \$ 5,435 | \$ 5,707 | \$ 5,992 | \$ 6,292 | \$ 6,606 |
| 7245 | Supervising Librarian | \$ 6,731 | \$ 7,067 | \$ 7,421 | \$ 7,792 | \$ 8,181 |
| 8523 | Supervising Parking Enforcement Officer | \$ 6,063 | \$ 6,366 | \$ 6,684 | \$ 7,018 | \$ 7,369 |
| 7288 | Supervising Vehicle/Equipment Mechanic | \$ 6,295 | \$ 6,609 | \$ 6,940 | \$ 7,287 | \$ 7,651 |
| 7286 | Vehicle/Equipment Mechanic I | \$ 5,304 | \$ 5,569 | \$ 5,848 | \$ 6,140 | \$ 6,447 |
| 7287 | Vehicle/Equipment Mechanic II | \$ 5,849 | \$ 6,141 | \$ 6,448 | \$ 6,771 | \$ 7,109 |
| 2131 | Volunteer Program Assistant | \$ 5,248 | \$ 5,510 | \$ 5,785 | \$ 6,075 | \$ 6,378 |

*New classification approved with 2021-2024 MOU

City of San Rafael
SEIU - SALARY SCHEDULE
Effective July 1, 2023

| Grade | Position | A | B | C | D | E |
|-------|--|----------|----------|----------|----------|-----------|
| 7241 | Accountant I | \$ 6,400 | \$ 6,720 | \$ 7,056 | \$ 7,409 | \$ 7,779 |
| 7240 | Accountant II | \$ 6,720 | \$ 7,057 | \$ 7,409 | \$ 7,780 | \$ 8,169 |
| 7200 | Accounting Assistant I | \$ 4,661 | \$ 4,895 | \$ 5,139 | \$ 5,396 | \$ 5,666 |
| 7201 | Accounting Assistant II | \$ 5,134 | \$ 5,391 | \$ 5,661 | \$ 5,944 | \$ 6,241 |
| TBD | Senior Accounting Assistant* | \$ 5,661 | \$ 5,944 | \$ 6,241 | \$ 6,553 | \$ 6,881 |
| 7299 | Accounting Technician | \$ 6,402 | \$ 6,722 | \$ 7,058 | \$ 7,411 | \$ 7,782 |
| 7205 | Administrative Analyst | \$ 6,050 | \$ 6,352 | \$ 6,670 | \$ 7,003 | \$ 7,353 |
| 7211 | Administrative Assistant I | \$ 4,832 | \$ 5,073 | \$ 5,327 | \$ 5,593 | \$ 5,873 |
| 7212 | Administrative Assistant II | \$ 5,327 | \$ 5,594 | \$ 5,873 | \$ 6,167 | \$ 6,475 |
| 7295 | Senior Administrative Assistant | \$ 5,736 | \$ 6,023 | \$ 6,324 | \$ 6,640 | \$ 6,972 |
| 7216 | Administrative Assistant to the City Clerk | \$ 5,736 | \$ 6,023 | \$ 6,324 | \$ 6,640 | \$ 6,972 |
| 7210 | Assistant Planner | \$ 6,842 | \$ 7,184 | \$ 7,544 | \$ 7,921 | \$ 8,317 |
| 7208 | Associate Planner | \$ 7,551 | \$ 7,929 | \$ 8,325 | \$ 8,741 | \$ 9,179 |
| 7217 | Building Inspector I | \$ 6,200 | \$ 6,510 | \$ 6,836 | \$ 7,178 | \$ 7,536 |
| 7218 | Building Inspector II | \$ 6,842 | \$ 7,184 | \$ 7,544 | \$ 7,921 | \$ 8,317 |
| 7475 | Building Technician I | \$ 5,347 | \$ 5,614 | \$ 5,895 | \$ 6,190 | \$ 6,499 |
| 7220 | Business License Examiner | \$ 5,390 | \$ 5,660 | \$ 5,943 | \$ 6,240 | \$ 6,552 |
| 7222 | Code Enforcement Official I | \$ 4,967 | \$ 5,215 | \$ 5,476 | \$ 5,750 | \$ 6,038 |
| 7223 | Code Enforcement Official II | \$ 5,481 | \$ 5,755 | \$ 6,043 | \$ 6,345 | \$ 6,662 |
| 7380 | Code Enforcement Official III | \$ 6,509 | \$ 6,835 | \$ 7,176 | \$ 7,535 | \$ 7,912 |
| 2119 | Construction Inspector - SRSD | \$ 6,739 | \$ 7,076 | \$ 7,430 | \$ 7,802 | \$ 8,192 |
| 7224 | Custodian | \$ 4,626 | \$ 4,857 | \$ 5,100 | \$ 5,355 | \$ 5,623 |
| 4210 | Data Analyst I | \$ 6,989 | \$ 7,339 | \$ 7,706 | \$ 8,091 | \$ 8,496 |
| 4211 | Data Analyst II | \$ 7,688 | \$ 8,073 | \$ 8,476 | \$ 8,900 | \$ 9,345 |
| 4212 | Data Analyst III | \$ 8,457 | \$ 8,880 | \$ 9,324 | \$ 9,790 | \$ 10,280 |
| 7226 | Deputy City Clerk | \$ 5,880 | \$ 6,174 | \$ 6,483 | \$ 6,807 | \$ 7,147 |
| 7120 | Emergency Management Coordinator | \$ 5,603 | \$ 5,883 | \$ 6,177 | \$ 6,486 | \$ 6,810 |
| 7121 | Environmental Management Coordinator | \$ 5,603 | \$ 5,883 | \$ 6,177 | \$ 6,486 | \$ 6,810 |
| 7232 | Facility Repair Supervisor | \$ 7,365 | \$ 7,733 | \$ 8,119 | \$ 8,525 | \$ 8,952 |
| 7291 | Facility Repair Worker I | \$ 5,226 | \$ 5,487 | \$ 5,762 | \$ 6,050 | \$ 6,352 |
| 7233 | Facility Repair Worker II | \$ 5,764 | \$ 6,052 | \$ 6,354 | \$ 6,672 | \$ 7,006 |
| 7294 | Facility Repair Worker III | \$ 6,203 | \$ 6,513 | \$ 6,838 | \$ 7,180 | \$ 7,539 |
| 7108 | Fire Prevention Inspector I | \$ 7,835 | \$ 8,226 | \$ 8,638 | \$ 9,070 | \$ 9,523 |
| 7107 | Fire Prevention Inspector II | \$ 8,637 | \$ 9,069 | \$ 9,522 | \$ 9,998 | \$ 10,498 |
| 7298 | IT Help Desk Supervisor | \$ 7,688 | \$ 8,073 | \$ 8,476 | \$ 8,900 | \$ 9,345 |
| 7243 | Librarian I | \$ 5,996 | \$ 6,296 | \$ 6,611 | \$ 6,942 | \$ 7,289 |
| 7244 | Librarian II | \$ 6,299 | \$ 6,614 | \$ 6,945 | \$ 7,292 | \$ 7,656 |
| 2404 | Library Aide | \$ 2,874 | \$ 3,018 | \$ 3,169 | \$ 3,327 | \$ 3,494 |
| 7246 | Library Assistant I | \$ 3,948 | \$ 4,146 | \$ 4,353 | \$ 4,571 | \$ 4,799 |
| 7247 | Library Assistant II | \$ 4,465 | \$ 4,688 | \$ 4,923 | \$ 5,169 | \$ 5,427 |

| | | | | | | |
|------|---|----------|-----------|-----------|-----------|-----------|
| 2405 | Library Tech Services Supervisor | \$ 5,709 | \$ 5,994 | \$ 6,294 | \$ 6,609 | \$ 6,939 |
| 7292 | Literacy Program Supervisor | \$ 6,949 | \$ 7,297 | \$ 7,662 | \$ 8,045 | \$ 8,447 |
| 7249 | Mail and Stores Clerk | \$ 4,175 | \$ 4,384 | \$ 4,603 | \$ 4,833 | \$ 5,075 |
| 7255 | Network Analyst | \$ 6,991 | \$ 7,340 | \$ 7,707 | \$ 8,092 | \$ 8,497 |
| 7274 | Network Support Technician | \$ 5,347 | \$ 5,614 | \$ 5,895 | \$ 6,190 | \$ 6,499 |
| 7285 | Office Assistant I | \$ 3,976 | \$ 4,175 | \$ 4,383 | \$ 4,603 | \$ 4,833 |
| 7284 | Office Assistant II | \$ 4,491 | \$ 4,716 | \$ 4,952 | \$ 5,199 | \$ 5,459 |
| 7256 | Park Equipment Mechanic | \$ 6,054 | \$ 6,356 | \$ 6,674 | \$ 7,008 | \$ 7,358 |
| 7257 | Parking Attendant I | \$ 2,276 | \$ 2,390 | \$ 2,509 | \$ 2,635 | \$ 2,767 |
| 7275 | Parking Attendant II | \$ 2,507 | \$ 2,632 | \$ 2,764 | \$ 2,902 | \$ 3,047 |
| 6208 | Parking Enforcement Officer | \$ 5,553 | \$ 5,830 | \$ 6,122 | \$ 6,428 | \$ 6,749 |
| 6212 | Parking Equipment Technician | \$ 5,357 | \$ 5,625 | \$ 5,906 | \$ 6,201 | \$ 6,512 |
| 6209 | Parking Maintenance & Collections | \$ 5,357 | \$ 5,625 | \$ 5,906 | \$ 6,201 | \$ 6,511 |
| 6211 | Parking Operations Supervisor | \$ 7,364 | \$ 7,733 | \$ 8,119 | \$ 8,525 | \$ 8,951 |
| 7258 | Parks & Graffiti Worker | \$ 4,859 | \$ 5,102 | \$ 5,357 | \$ 5,625 | \$ 5,906 |
| 2123 | Parks Lead Maintenance Worker | \$ 6,203 | \$ 6,513 | \$ 6,838 | \$ 7,180 | \$ 7,539 |
| 7271 | Parks Maintenance Supervisor | \$ 7,365 | \$ 7,733 | \$ 8,119 | \$ 8,525 | \$ 8,952 |
| 7236 | Parks Maintenance Worker I | \$ 5,102 | \$ 5,357 | \$ 5,625 | \$ 5,906 | \$ 6,202 |
| 7238 | Parks Maintenance Worker II | \$ 5,357 | \$ 5,625 | \$ 5,906 | \$ 6,202 | \$ 6,512 |
| 7296 | Permit Services Coordinator | \$ 7,386 | \$ 7,755 | \$ 8,143 | \$ 8,550 | \$ 8,978 |
| 7261 | Planning Technician | \$ 5,347 | \$ 5,614 | \$ 5,895 | \$ 6,190 | \$ 6,499 |
| 9453 | Principal Planner | \$ 9,884 | \$ 10,378 | \$ 10,897 | \$ 11,442 | \$ 12,014 |
| 7234 | Printing Press Operator | \$ 5,199 | \$ 5,459 | \$ 5,732 | \$ 6,018 | \$ 6,319 |
| 1201 | Program Coordinator | \$ 5,619 | \$ 5,900 | \$ 6,195 | \$ 6,505 | \$ 6,830 |
| 7290 | Public Works Dispatcher | \$ 5,357 | \$ 5,625 | \$ 5,906 | \$ 6,202 | \$ 6,512 |
| 7263 | Revenue Supervisor | \$ 8,166 | \$ 8,574 | \$ 9,002 | \$ 9,453 | \$ 9,925 |
| 2309 | Senior Building Inspector | \$ 8,122 | \$ 8,528 | \$ 8,955 | \$ 9,403 | \$ 9,873 |
| 7219 | Senior Building Technician | \$ 6,201 | \$ 6,511 | \$ 6,836 | \$ 7,178 | \$ 7,537 |
| 7265 | Senior Library Assistant | \$ 4,689 | \$ 4,923 | \$ 5,170 | \$ 5,428 | \$ 5,700 |
| 7264 | Senior Planner | \$ 8,545 | \$ 8,972 | \$ 9,421 | \$ 9,892 | \$ 10,387 |
| 2204 | Sewer Lead Maintenance Worker | \$ 6,840 | \$ 7,182 | \$ 7,541 | \$ 7,918 | \$ 8,314 |
| 7266 | Sewer Maintenance Worker I | \$ 5,489 | \$ 5,764 | \$ 6,052 | \$ 6,355 | \$ 6,672 |
| 7267 | Sewer Maintenance Worker II | \$ 5,907 | \$ 6,203 | \$ 6,513 | \$ 6,839 | \$ 7,180 |
| 7281 | Sewers Supervisor | \$ 7,732 | \$ 8,118 | \$ 8,524 | \$ 8,950 | \$ 9,398 |
| 7269 | Shop & Equipment Supervisor | \$ 7,365 | \$ 7,733 | \$ 8,120 | \$ 8,525 | \$ 8,952 |
| 7280 | Street Lead Maintenance Worker | \$ 6,203 | \$ 6,513 | \$ 6,838 | \$ 7,180 | \$ 7,539 |
| 7209 | Street Maintenance Supervisor | \$ 7,365 | \$ 7,733 | \$ 8,119 | \$ 8,525 | \$ 8,952 |
| 7250 | Street Maintenance Worker I | \$ 5,102 | \$ 5,357 | \$ 5,625 | \$ 5,906 | \$ 6,202 |
| 7251 | Street Maintenance Worker II | \$ 5,357 | \$ 5,625 | \$ 5,906 | \$ 6,202 | \$ 6,512 |
| 7283 | Street Sweeper Operator | \$ 5,625 | \$ 5,906 | \$ 6,202 | \$ 6,512 | \$ 6,837 |
| 7245 | Supervising Librarian | \$ 6,949 | \$ 7,297 | \$ 7,662 | \$ 8,045 | \$ 8,447 |
| 8523 | Supervising Parking Enforcement Officer | \$ 6,245 | \$ 6,557 | \$ 6,885 | \$ 7,229 | \$ 7,590 |
| 7288 | Supervising Vehicle/Equipment Mechanic | \$ 6,515 | \$ 6,841 | \$ 7,183 | \$ 7,542 | \$ 7,919 |
| 7286 | Vehicle/Equipment Mechanic I | \$ 5,490 | \$ 5,764 | \$ 6,052 | \$ 6,355 | \$ 6,673 |
| 7287 | Vehicle/Equipment Mechanic II | \$ 6,054 | \$ 6,356 | \$ 6,674 | \$ 7,008 | \$ 7,358 |
| 2131 | Volunteer Program Assistant | \$ 5,418 | \$ 5,689 | \$ 5,973 | \$ 6,272 | \$ 6,586 |

*New classification approved with 2021-2024 MOU

City of San Rafael
In Recognition of

NATIONAL DISABILITY EMPLOYMENT AWARENESS MONTH
2021

WHEREAS, October 2021 marks the 76th anniversary of National Disability Employment Awareness Month; and

WHEREAS, the purpose of National Disability Employment Awareness Month is to educate about disability employment issues and celebrate the many and varied contributions of America's workers with disabilities; and

WHEREAS, the history of National Disability Employment Awareness Month traces back to 1945 when Congress enacted a law declaring the first week in October each year "National Employ the Physically Handicapped Week;" and

WHEREAS, in 1962, the word "physically" was removed to acknowledge the employment needs and contributions of individuals with all types of disabilities; and

WHEREAS, in 1988, Congress expanded the week to a month and changed the name to National Disability Employment Awareness Month; and

WHEREAS, workplaces welcoming of the talents of all people, including people with disabilities, are a critical part of our efforts to build an inclusive community and strong economy; and

WHEREAS, the City of San Rafael is committed to cultivating an inclusive community that increases access and opportunities to all, including individuals with disabilities.

NOW, THEREFORE, I, Kate Colin, Mayor of San Rafael, do hereby proclaim October 6, 2021 through October 31, 2021 as National Disability Employment Awareness Month in the City of San Rafael and urge its residents to join in observing and recognizing the accomplishments of individuals with disabilities.



A handwritten signature in blue ink, appearing to read "Kate", is written over a horizontal line.

Kate Colin
Mayor

City of San Rafael
In Recognition of

FIRE PREVENTION WEEK 2021

WHEREAS, each year, the week within which October 9th falls is observed as Fire Prevention Week, in commemoration of the Great Chicago Fire, which began on October 8, 1871 killing 250 people, leaving 100,000 homeless, and destroying more than 17,400 structures; and

WHEREAS, President Calvin Coolidge proclaimed Fire Prevention Week a national observance, making it the longest-running public health observance in our country; and

WHEREAS, during Fire Prevention Week, children, adults, and teachers learn how to stay safe in case of a fire; and

WHEREAS, Fire Prevention Week encourages the opportunity to provide lifesaving education in an effort to drastically decrease casualties; and

WHEREAS, residential properties continue to be the leading property type for fires and fire deaths, and the most common cause for residential fires is cooking; and

WHEREAS, the City of San Rafael will join the nation in emphasizing this year's theme of "Learn the Sounds of Fire Safety" because 'preparing for fires is protecting everyone you love'; and

WHEREAS, the City of San Rafael urges everyone that when you hear the beep, please get on your feet, get to your meeting place, and stay out; and when you hear the chirp it's time to replace the batteries or to install a new alarm; and

WHEREAS, the City of San Rafael also urges residents, business owners, and San Rafael employees to give the time, energy, and effort needed to ensure their safety and that of their families by ensuring that all smoke and carbon monoxide alarms in the home are functioning properly and that everyone in the household knows how to safely evacuate to a predesignated meeting location;

NOW, THEREFORE, I, Kate Colin, Mayor of San Rafael, do hereby proclaim October 3-9, 2021 as Fire Prevention Week and, in doing so, urge all residents and community members to learn the sounds of fire safety.



A handwritten signature in blue ink, appearing to read "Kate".

Kate Colin
Mayor



SAN RAFAEL CITY COUNCIL AGENDA REPORT

Department: City Manager

Prepared by: Thomas Wong, Analyst

City Manager Approval:

TOPIC: RESIDENT ENGAGEMENT

SUBJECT: INFORMATIONAL REPORT ON FINDINGS FROM INTERVIEWS ABOUT NEIGHBORHOOD & RESIDENT ENGAGEMENT IN SAN RAFAEL

RECOMMENDATION:

By motion, accept the informational progress report.

BACKGROUND:

Periodically, the City reviews its resident engagement practices to ensure that all residents have an opportunity to view and provide feedback on community issues. As referenced by Mayor Kate Colin at the [June 21, 2021](#) City Council meeting, several important factors have changed in the past years that warrant a review of current practices. These changes include, but are not limited to:

- District-based elections
- Increasing prevalence of technology in engagement, accelerated by the pandemic, such as meetings on virtual platforms
- The City's ongoing commitment to racial equity and social justice

Working with Susan Clark of Common Knowledge, Mayor Kate and staff identified several important goals to address these changes:

- Increase the web of people interested in and informed about City activities, aiming to reach beyond the subset of residents with deep expertise in civic process, and include residents of all ages and backgrounds who care about their local community.
- Continue to expand the "pipeline" of people willing and ready to serve on City of San Rafael boards, commissions, and other working and advisory groups (ad hoc and formal appointments).
- Develop multi-directional information flows about conditions and changes in San Rafael neighborhoods and opportunities for community members, by increasing the collaboration between the City and allied organizations to improve local quality of life.

FOR CITY CLERK ONLY

Council Meeting:

Disposition:

ANALYSIS:

Common Knowledge in collaboration with staff, developed a two-phased approach to providing recommendations to improve inclusive resident engagement. The first phase relied heavily on interviews with community members with experience and knowledge about neighborhood and/or grassroots resident engagement. The interviewees included leaders of various neighborhood associations, community-based organizations, City staff, and elected City Officials. In total, 23 individuals were interviewed in the first round with careful consideration taken to ensure feedback came from individuals residing in all four Council districts.

Findings from Phase 1 include widespread agreement from interviewees that current patterns of civic engagement skew toward retired, older, well-educated white residents. Interviewees shared their desire to expand engagement beyond this subset of the population, such as renters, non-English speakers, small business owners, to name a few. Additional feedback, suggestions, and information regarding the impact of district-based communications, roles of neighborhood associations and other community partners, and City communications was received and will be reviewed when making recommendations for future phases and changes to current practices.

Phase 2 will ensure that a variety of diverse views are accounted for, to complement Phase 1's participants. While Phase 2 is still being developed based on feedback and insight gathered in Phase 1. The current recommendation from Common Knowledge is to put together a small working group to further develop understanding of community networks and conduct stakeholder mapping and share suggestions for district level engagement. This working group will help the City identify new and creative ways to connect with our community and increase two-way flow of information.

Further updates on Phase 2 will be presented to the City Council and community when available.

COMMUNITY OUTREACH:

Targeted community outreach is being done for Phases 1 and 2. Updates are provided through neighborhood association groups and community-based organizations. Recommendations and improvements to resident engagement will be used for all community outreach moving forward.

FISCAL IMPACT:

There is no fiscal impact from the recommended City Council action. Common Knowledge is currently working under a \$25,000 contract signed within the authority of the City Manager. Funds are available in the approved FY21-22 general fund for this contract.

OPTIONS:

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

1. Accept the informational report.
2. Direct staff to return with more information.
3. Take no action.

RECOMMENDED ACTION:

Move to accept the informational report regarding the inclusive resident engagement.

ATTACHMENTS:

1. Summary of Phase One Findings

Common Knowledge

9-27-21 Summary of Findings from Phase One Interviews about Neighborhood & Grassroots Resident Engagement in San Rafael

Project Background & Context

Since the onset of the pandemic in spring 2020, the importance of proactive resident engagement and inclusive communications has been made clearer than ever. The additional factors of increased wildfire risk, the drought and economic uncertainty for thousands of residents, have raised the bar for effective multi-directional listening and communications.

The City of San Rafael, other local public agencies, community groups and active residents have adapted how they communicate and operate during this challenging and dynamic time. There has been a lot of collaboration on getting key messages out on topics such as COVID-19 testing, vaccinations, rent freeze, eviction moratorium, fire safety and more. These high stake issues require not only issuing communications but ensuring that information is perceived as reliable. There was an expansion of Wi-Fi coverage in the City of San Rafael as well as new ways of thinking about how human networks extend the reach of digital networks.

How can the City of San Rafael and neighborhood and grassroots leaders build on these recent experiences to keep expanding inclusive resident engagement?

The Assignment

At the June 21, 2021, San Rafael City Council meeting, Mayor Kate Colin shared three factors to take into consideration regarding neighborhood-level resident engagement:

- the new configuration of City Councilmembers elected by district
- the increasing prevalence of technology in engagement, such as meetings on virtual platforms
- the City's ongoing commitment to racial equity and social justice

As a starting point, these purposes were identified for increasing grassroots resident engagement in San Rafael:

- Increase the web of people interested in and informed about City and community issues, aiming to include residents of all ages and backgrounds who care about their local community
- Continue to expand the "pipeline" of people willing and ready to serve on City of San Rafael boards, commissions and other working or advisory groups (including ad hoc as well as formal appointments)
- Develop multi-directional information flows about what is happening in and across San Rafael neighborhoods (often referred to as listening to the "pulse" of the community) and sharing opportunities to work together to improve local quality of life

While part of the assignment is to collaboratively define with the City Council, staff and local leaders what "neighborhood and grassroots resident engagement" is, this was our initial working definition: **communications and capacity building to identify and work on issues of shared community concern.**

This type of engagement complements individual episodes of City outreach for specific City Council decisions. It involves listening to a wide variety of things that residents care about, offering ways to help people be hands-on in their contributions to quality of life, as well as build their knowledge and skills *across* issues to provide constructive input on civic decisions.

Two-Phase Process

- Phase One included interviews with Mayor Kate, all four City Councilmembers, four City staff members, ten leaders of neighborhood-based associations in San Rafael, and five leaders with other local organizations that are active in spreading information about local services and issues. Interviews were not intended to represent all types of residents but to help inform the October 4, 2021, discussion with the Council and community to help shape Phase Two of this project.
- Interviews topics included:
 - Each person’s “journey line” to engagement
 - Their organization’s purpose and its evolution
 - How they engage others
 - Hopes for resident engagement in San Rafael
 - Information sources they use
 - Thoughts about district communications

Highlights of Findings to Date

Areas of Congruence

The interviews with the City Council, staff members, local neighborhood association leaders and other local leaders/connectors indicate an encouraging amount of congruence. The following common themes emerged:

1. There is a shared desire for more inclusive engagement, representative of all San Rafael residents.

There was widespread agreement that current patterns of civic engagement skew to retired, older well-educated white residents. There is a universal desire to expand engagement to be more representative of the entire population of San Rafael. These specific types of residents were identified by most of the interviewees:

- Renters as well as homeowners (renters currently represent 50% of residents)
- People at different life stages (school, young adulthood, young families, early-stage empty nesters, as well as retirees)
- An interest in people from different socioeconomic and educational backgrounds
- Spanish-speakers and other residents whose primary language is not English (27% of residents)
- Small business owners
- Trusted “connectors” who share information with those not reached well by official civic communications

The interviews also created a space for candor about gaps between the desire to reach these audiences and how many people did not feel like they had the right connections to do so. Alternately, some of those who were more embedded in diverse communities felt that they were

not being invited early enough in a process to help shape effective communications to reach these additional audiences.

- 2. Everyone interviewed saw themselves as partners in fostering neighborhood and resident engagement.** Neighborhood and grassroots leaders, as well as City councilmembers, see themselves in the business of helping orient people to community issues and ways they can affect change. The interviews included several examples of collaboration such as on neighborhood murals, community gardens, efforts to reduce illegal dumping, improve medians, etc. as well as more traditional “organizing” to lobby council decisions.

All of these committed local leaders are volunteers engaging other volunteers. They described situations and patterns of waxing and waning interest and what they have observed in their successes and frustrations with sustaining resident engagement over time.

- 3. San Rafael can do more to leverage, strengthen and build on existing networks of community relationships.** Many people were oriented to thinking about the community as a network of networks. They talked about how the City can do more to leverage other group’s networks as well as utilize its own lists across departments and past episodes of engagement. There is also a high level of interest in neighbor-to-neighbor and neighborhood-to-neighborhood exchange.

Several participants offered to help with specific elements, such as stakeholder mapping, lateral partnerships with groups that had good reach to diverse residents, social media linkages and development of introductory information.

- 4. There is a keen interest in engagement long before, and parallel to, public hearings.** Interviewees of all backgrounds expressed complementary perspectives on why council meetings and public hearings are too late and too positional to be inclusive or effective informational entry points. Participants expressed the need to engage community members earlier in the process, particularly to include more diverse and representative perspectives. There was also a desire for more dialogue that supports **mutual learning and collaboration** rather than heated debate at the stage of a final recommendation. People talked about how contention can reduce the ability to reach new residents and that positive relationships can make a positive difference for all involved.

- Several spoke about **the need for more intentional inclusion when engaging people newer to formal civic processes.** This includes proactively inviting diverse participation through trusted channels (not just officially announcing opportunities to participate) and other ways of considering the equity needs of diverse residents. Several described ways that official public meetings and the language of public documents create “unintentional gatekeeping.” In addition to translations and plain language, interviewees talked about types of introductory background information that allows all people to participate fully.

- There was widespread agreement that **a variety of channels and formats are necessary to widen and sustain engagement.** These were common observations:

- The need for a mix of online communications that spanned email, social media, and sharable “nuggets” alongside occasions for direct contact and discussion
- The benefits of a mix of formal and informal modes of engagement that allow for two-way exchange

- The essential role of being out in the community, knowing and going where different types of residents are as they go about their lives; several mentioned neighborhood walks and being “on location” as an important way to reach and understand underrepresented perspectives
- The value of hands-on ways for people to participate, in addition to attending official meetings; both elected and neighborhood leaders wanted to better equip people with things they can do themselves
- The importance of social and community-building activities to build relationships and shared knowledge that helps improve civic participation too

Main Differences Across the Interviews

- There were significant differences in people’s sense of urgency about increasing connections with a more representative cross section of community members. Some felt this should be a priority focus for their own group and/or the City while others indicated less certainty about how it might come about.
- Some interviewees were emphatic about the need to address economic disparities in San Rafael as well as racial ones; others did not communicate that as a priority.
- Most interviewees saw the role of elected City decision-makers and City staff as collaborators with other kinds of change-makers across sectors. Some were more tightly focused on the City’s policy-making decision process.
- People articulated different things that develop trust. For some, it is credentials and technical knowledge about civic process. For others, it was about engagement with and knowledge of people from diverse backgrounds, cultures, and income levels.
- There was uneven exposure to the experience of being in multi-generational, multi-cultural and/or multi-lingual conversations—or the practice of working side by side to blend “lived experience and local wisdom” with technical knowledge. Voces del Canal was mentioned by multiple interviewees as a model to examine and emulate; see http://www.datacenter.org/wp-content/uploads/VDC_Report_Final_Draft_ENGLISH_WEB.pdf. (Note that Voces del Canal started as a collaboration with Dominican University’s Service-Learning program which continues to be active in supporting the Canal neighborhood.) Appendix A shares a summary about practices that facilitate exchange between different kinds of knowledge in a community.

Feedback about Information Sources about City Activities

- The interviewees that have been highly engaged in civic process mentioned Snapshot, the Marin Independent Journal, meetings with the Mayor or City Councilmembers and/or staff, other organizations they belong to and colleagues. A smaller number of this group mentioned social media outlets.
- The interviewees who work in or with the Canal neighborhood and/or in other grassroots-oriented settings shared a wider variety of communication channels, including Facebook live, neighborhood walks, door to door surveys, short videos posted on social media, word of mouth at venues like the Health Hub, etc.
- All of the highly engaged people read the Snapshot newsletter; they find it “very informative” and “well done.” It was seen as succinct, factual, and easy to skim.
 - Some asked for different formats for passing it on in “bite-sized messages”
 - These could include images and links to share on social media

These neighborhood associations are providing neighbor to neighbor education and coaching about community issues, including valued cross-generational continuity. Two of the City's current elected Councilmembers shared that their engagement journey included activities with a San Rafael neighborhood association. Many of these groups are in a transition point regarding their structure, by-laws or leadership. For example, the Terra Linda group shared that they are reviewing its mission and exploring ways to be a more effective and inclusive forum for community interaction. The Glenwood neighborhood group is forming itself as a 501c3. It accepts renters as members. The Spinnaker Point HOA is reviewing its agreement with its current management company.

Associations vary in how they communicate with members. Some have regular newsletters and a social media presence. The style of communication used by these neighborhood groups aligns with the interests and energies of their volunteer leadership. Some write newsletters for 200-300 recipients, and a few are larger than that. Some groups run surveys. Almost all have annual or semiannual meetings attended by elected officials. Most of the associations also have hands on activities and social events such as picnics which draw a more diverse cross section of the neighborhood. There were several anecdotes about how word of mouth is the most powerful way to recruit new members and committee participants.

There are also several neighborhoods in San Rafael where people who serve as “connectors” have not been identified by councilmembers or the Federation. For example, Councilmember Llorens Gulati described how she works with various groups in the Canal given that there is no formal neighborhood association. Grassroots leaders in the Canal neighborhood shared how they received coaching in various types of local leadership from multiple community-based organizations. A focus of Phase Two of this project is to more thoroughly explore the networks that are providing two-way communications and engagement support to San Rafael residents.

Discussion of Phase 2 and Next Steps

The first step is to listen to feedback from the Council, the interviewees and interested community members at the October 4, 2021, City Council meeting. Current thinking about Phase 2 is to convene a temporary team of 12-15 residents who are well-connected with **all** sectors of the City's demographics and have different levels of exposure to civic process. As this project with Common Knowledge is limited in scope and resources, it will serve to provide *initial* input on:

- Communications strategies and tactics to reach a more representative cross section of San Rafael community members, including but not limited to how to approach district-level communications
- How the City organizes its collaboration with neighborhood-level leaders and connectors, assessing information flows through:
 - a) existing/evolving neighborhood associations
 - b) other neighborhood-level and grassroots organizations that have direct relationships with residents (including but not limited to schools, service nonprofits and clubs, faith groups and recreation leagues
 - c) informal leaders and “connectors”
- How to approach a more comprehensive update of the City of San Rafael's Community Engagement Plan and staffing

In two to three sessions, the group will provide feedback on: a) Phase One findings and specific suggestions from interviewees; b) some past/existing/potential communications; and c) what the team together chooses as priorities for more inclusive resident engagement. The group may follow up on community offers to do stakeholder mapping and possibly field a grassroots survey that tests the reach of existing lists and networks to see where gaps remain. The plan is that representatives from this team will share highlights of their work with the City Council and community in a study session discussion.

Appendix A: A few remarks about Co-Design and Co-Production

Traditional civic engagement structures refer to the IAP2 spectrum about levels of consultation. Alternately, various forms of “co-design” and/or “co-production” are employed in communities aiming to be more innovative in how they address complex issues for long-term social and economic regeneration. This also relates to the premise of the popular Asset-Based Community Development (ABCD) practice which assumes that everyone has something to contribute, especially in marginalized communities. Co-production is already happening in many places and on many subjects in San Rafael – such as disaster preparedness, fire safety, food sharing, recreation for children, public art, reducing isolation of seniors, adding outdoor Wi-Fi in the Canal, hyper-local Resilient Neighborhoods groups, etc.

| From | To |
|--|--|
| Making decisions for people with lived experience | Making decisions with people with lived experience |
| Valuing professional expertise above all | Valuing professional and lived experience equally |
| Seeing marginalised people as a burden | Seeing marginalised people as resilient, creative and capable |
| Colonising, heteronormative and ableist systems | Compassionate systems that see and respond to dimensions of difference |
| Believing that resources are scarce to make change | Seeing an abundance of experience, ideas and energy for change |
| Focusing on ‘consumer’ councils and committees | Embedding participation in everyday practice |
| Rushing to solutions | Slowing down to listen, connect and learn |

McKercher, K. A. (2020). *Beyond Sticky Notes. Doing Co-design for real: mindsets, methods and movements.*

For more information, see <https://www.beyondstickynotes.com/what-is-codesign>, and <https://www.coproductionsotland.org.uk/what-is-copro>.



SAN RAFAEL CITY COUNCIL AGENDA REPORT

Department: Public Works
Community Development

Prepared by: Alicia Giudice, CDD Director
Bill Guerin, DPW Director

City Manager Approval: _____

A handwritten signature in black ink, appearing to be 'AS', written over a horizontal line.

TOPIC: TRANSIT CENTER RELOCATION DRAFT ENVIRONMENTAL IMPACT REPORT

SUBJECT: RESOLUTION APPROVING AND AUTHORIZING THE MAYOR TO SIGN A LETTER TO THE GOLDEN GATE BRIDGE, HIGHWAY & TRANSPORTATION DISTRICT SUMMARIZING CITY COMMENTS ON THE SAN RAFAEL TRANSIT CENTER RELOCATION PROJECT (SRTC) DRAFT ENVIRONMENTAL IMPACT REPORT (DEIR); FILE P21-012

RECOMMENDATION: Adopt a Resolution Approving and Authorizing the Mayor to Sign a Letter to the Golden Gate Bridge, Highway & Transportation District Summarizing City Comments On the San Rafael Transit Center Relocation Project (SRTC) Draft Environmental Impact Report (DEIR); File P21-012

EXECUTIVE SUMMARY

On August 11, 2021, pursuant to the California Environmental Quality Act (CEQA), the Golden Gate Bridge, Highway & Transportation District (District) released a [Notice of Availability](#) (NOA) of the Draft Environmental Impact Report (DEIR) for the C. Paul Bettini San Rafael Transit Center (SRTC) relocation project. The NOA announces the publication of the DEIR and provides a 60-day public review and comment period on the adequacy of the DEIR. Under CEQA, the District is the Lead Agency on this project and San Rafael is a Responsible Agency. As a Responsible Agency the City of San Rafael must independently review and comment on the CEQA document (State CEQA Guidelines Section 15096(a)) and will need to adopt the final CEQA document prior to taking action on the project itself.

Staff have reviewed the SRTC DEIR and provided a list of comments (see Attachment B). Staff recommends the City Council: a) review and confirm the comments and recommendations; and b) adopt the attached resolution authorizing staff to proceed with preparing a written response to the District for the Mayor's signature.

FOR CITY CLERK ONLY

Council Meeting:

Disposition:

BACKGROUND

History

The [Golden Gate Bridge, Highway and Transportation District](#) (District) owns, operates and maintains Golden Gate Transit service. The District's major transportation hub in Marin County is the C. Paul Bettini San Rafael Transit Center (SRTC) located at 850 Tamalpais Avenue in Downtown San Rafael. The SRTC opened in 1992 and currently serves local and regional transit buses including Golden Gate Transit, Marin Transit, Sonoma County Transit, Marin Airporter, Sonoma County Airport Express, Greyhound, and local taxis. The SRTC provides essential transit services and facilitates travel and transfers throughout Marin County to San Francisco, Sonoma, and Contra Costa Counties.

The 1.5-acre SRTC site contains bus parking bay and transit platforms (Platforms A-D), as well as other service and commercial structures. The former Northwestern Pacific railroad right-of-way (now owned by the [Sonoma-Marín Area Rail Transit](#), or SMART) bisects the SRTC site through transit Platform C. The SMART station is in the street block immediately north of the SRTC. A new SRTC is intended to preserve and enhance the functionality and effectiveness of the center following the implementation of the SMART Phase 2 line to Larkspur which has resulted in the loss of some of the transit center facilities.

The City of San Rafael is a major stakeholder in the SRTC project. Therefore, the City's role in the relocation process is critical. California Streets and Highways Code section 30914.7 (a)(24) states in part: "The selected alternative shall be approved by the City of San Rafael, the Golden Gate Bridge Highway and Transportation District, the Transportation Authority of Marin, and Marin Transit".

In 2014, in anticipation of the second phase of SMART, the City of San Rafael collaborated with the District, SMART, [Transportation Authority of Marin](#) (TAM) and the [Metropolitan Transportation Commission](#) (MTC) to prepare a relocation study. The study identified nine (9) possible relocation solutions. This study was updated in 2017 by Kimley-Horn and Associates ([San Rafael SRTC Relocation Study, 2017](#)) to further develop five (5) new site options.

On October 27, 2017, the City and the District signed an MOU (Attachment D) that states, "The parties agree that the selected alternative must be approved by the City Council". The MOU acknowledges that: a) the District will serve as the Lead Agency for permitting, financing and environmental clearance; and b) the City will serve as a Responsible Agency for purposes of environmental review of the project under CEQA.

On October 16, 2018, the District published a Notice of Preparation (NOP) to start the environmental review process and to solicit comments from responsible agencies and the public on the topic areas to be studied in an Environmental Impact Report (EIR). The NOP identified nine possible relocation options to study. On November 5, 2018, the City of San Rafael City Council received a [report and adopted a resolution](#) authorizing the Mayor to sign a letter summarizing the City comments on the NOP. The City of San Rafael provided comments on the NOP as a "Responsible Agency" on this project, as set forth in CEQA Guidelines Section 15096.

On April 19, 2021, the City Council received an [informational report](#) and an update from the District regarding the SRTC relocation project. In that update, the District announced four (4) study options that the EIR focuses on and which are described in this report.

San Rafael SRTC Relocation Project Description

The District, in coordination with the City of San Rafael, Marin Transit, TAM, and SMART, plans to replace the SRTC. The District has prepared the following "Project Objectives," summarizing the purpose of the project:

- Provide improved transit connectivity and ease of use in and around Downtown San Rafael.
- Enhance local and regional transit use by bringing together multiple modes of the transportation network—including the SMART-bus connection—into a hub that affords transit users the safest, most efficient means of using bus and rail services.
- Efficiently accommodate transit users and services, optimize operating costs, and improve transit desirability.
- Design a functional, attractive, and cost-effective facility that can meet long-term projected service levels and be implemented in an expeditious manner, so as to minimize the period of use of the interim facility.
- Provide a transit facility that is readily accessible to individuals with disabilities, transit users, and transit-dependent populations, including those with low incomes.
- Provide a secure, safe, and inviting space for transit patrons.
- Create a more accessible transit facility for all users by reducing vehicular, rail, bicycle, and pedestrian conflicts and improving safety.
- Provide convenient, pedestrian connections to surrounding land uses.

Description of Alternatives

The general boundaries of the study area are Tamalpais Avenue/Lincoln Avenue to the west, 2nd Street to the south, 5th Avenue to the north and Irwin Street to the east. At this time, the District has not identified or defined a “project” that is specific to one site for relocation. Rather, the District has identified four (4) project alternatives (site options), which are contained within a defined geographic area known as the “study area.” The four (4) site options are graphically presented in Figures ES-1 through ES-4 of the SRTC Draft EIR [Executive Summary](#) and include the following:

1. Move Whistlestop Alternative (Figure ES-1)
This option would generally be between West Tamalpais Avenue to the west and Hetherton Street to the east, 4th Street to the north, and 3rd Street to the south. This option would require shifting West Tamalpais Avenue to align with the block to the north. The Whistlestop building would be relocated to the west of the new West Tamalpais Avenue in whole or in part. The transit center would include five (5) platforms with new bays located on W. Tamalpais Avenue between 3rd and 4th Streets. A new bicycle path would be installed on Tamalpais Avenue from 2nd Street to 4th Street. This bike path would connect to the Mahon Creek Path.
2. Adapt Whistlestop Alternative (Figure ES-2)
This option would be located between West Tamalpais Avenue to the west, Hetherton Street to the east, 4th Street to the north, and 3rd Street to the south. The Adapt Whistlestop Alternative would be similar to the Move Whistlestop Alternative, however it would improve and use the existing Whistlestop building and does not propose a street realignment. This alternative would feature five (5) platforms, one District building, and would include a bike path and pedestrian improvements on the west side of West Tamalpais Avenue from 2nd Street to 4th Street.
3. 4th Street Gateway Alternative (Figure ES-3)
This option would be located between 5th Avenue, 3rd Street, Hetherton Street and the SMART tracks. This option would include six (6) platforms and one District building. This option would require installation of three on-street bays to be located on the west side of Hetherton Street between 4th Street and 5th Avenue, which would require elimination of the southbound right turns from Hetherton Street to 4th Street.
4. Under the Freeway Alternative (Figure ES-4)

This option would be located beneath US-101 and would be bound by 5th Avenue, Irwin Street, Hetherton Street. the area just south of 4th Street. This option would include six (6) platforms and one District building to be located adjacent to, and beneath US-101.

All site options include the following components:

- Installation of 17 straight-curb bus bays to accommodate transit, airport coach service, and Greyhound services at the transit center
- Provision of paratransit, pick-up/drop-off, maintenance vehicle, and shuttle service curb space
- Provision of bicycle parking, including racks and lockers
- Installation of minimum 9-foot-wide platforms adjacent to bus bays
- Public plaza including installation of passenger amenities including weather protection (such as shelters or canopies) and seating
- Installation of other features including public art, security, and wayfinding signage
- Provision of a roughly 3,000-square-foot District building including customer service, public restrooms, driver relief facilities, small retail, maintenance, and security

DISCUSSION:

Per the provisions of the CEQA Guidelines, the development of a new SRTC is subject to environmental review. The District, serving as Lead Agency on this project, published a Notice of Preparation (NOP) on October 16, 2018 and the City of San Rafael acting as “Responsible Agency” on this project, provided comments on the NOP as set forth in CEQA Guidelines Section 15096.

On August 11, 2021, the District released a [Notice of Availability](#) on the DRAFT EIR providing a 60-day public review and comment period. As a Responsible Agency, the City of San Rafael must independently review and comment on the CEQA document (State CEQA Guidelines Section 15096(a)). As a Responsible Agency, the City of San Rafael will need to adopt the final CEQA document prior to taking action on the project itself. As such, a list of comments on the SRTC Replacement Project Draft EIR have been prepared for City Council consideration.

Staff has reviewed the DEIR and has provided proposed comments as Attachment B. The DEIR analyzes all four site options (Build Alternatives) at an equivalent analysis level, which provides for clear CEQA clearance on all site options.

COMMUNITY OUTREACH: The District has created a project webpage (<http://goldengate.org/SRTC/>) to share information about the project, including the public meetings and open houses, surveys, videos of presentations, and ways to get involved in the planning process. The City of San Rafael helps to promote these opportunities to the community through the City’s website, social media, and the City Manager’s newsletter.

FISCAL IMPACT: There is no direct fiscal impact to the action requested in this report.

RECOMMENDATION: Adopt a Resolution Approving and Authorizing the Mayor to Sign a Letter to the Golden Gate Bridge, Highway & Transportation District Summarizing City Comments on the San Rafael Transit Center Relocation Project (SRTC) Draft Environmental Impact Report (DEIR); File P21-012.

ATTACHMENTS:

- A. Resolution
- B. Draft Comments on the SRTC DEIR
- C. San Rafael Transit Center Relocation Guidance Report, February 2018

- D. MOU Between GGBHTD and City of San Rafael
- E. Correspondence

RESOLUTION NO.

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAN RAFAEL APPROVING AND AUTHORIZING THE MAYOR TO SIGN A LETTER TO THE GOLDEN GATE BRIDGE, HIGHWAY & TRANSPORTATION DISTRICT SUMMARIZING CITY COMMENTS ON THE SAN RAFAEL TRANSIT CENTER RELOCATION PROJECT (SRTC) DRAFT ENVIRONMENTAL IMPACT REPORT (DEIR); FILE P21-012

WHEREAS, the Golden Gate Bridge, Highway & Transportation District (District) owns, operates and maintains the San Rafael Transit Center (SRTC), which is located at 850 Tamalpais Avenue in the City of San Rafael; and

WHEREAS, Sonoma Marin Area Rail Transit (SMART) has received funding and has completed the second phase of commuter rail service to Larkspur. This second phase extension actively uses the rail line and right-of-way which bisects the SRTC site, which significantly impacts the SRTC use; and

WHEREAS, commencing in 2014, the District, in collaboration with the City, began studying interim and permanent solutions for the SRTC. In 2017, the District hired a transportation engineering consultant to develop preliminary designs and supportive studies for relocation of the SRTC; and

WHEREAS, as the ultimate relocation of the SRTC is critical to the planning for Downtown San Rafael, in 2017 the District and City entered into a Memorandum of Understanding (MOU), to establish the respective roles of the two agencies and the process for the relocation project. The MOU confirms that the City will serve as a "Responsible Agency" for the purposes of environmental review of the relocation project under the California Environmental Quality Act (CEQA); and

WHEREAS, consistent with the CEQA Guidelines, the District published a Notice of Preparation (NOP) to solicit comments on the scope of topic areas to be studied in the Environmental Impact Report (EIR) prepared for this project. As a Responsible Agency, the City commented on the NOP as summarized in a report to the City Council dated November 5, 2018; and

WHEREAS, consistent with the CEQA Guidelines, the District published a Notice of Availability on August 11, 2021, provided notification of publication of a Draft EIR on the SRTC replacement project and providing a 60-day public review and comment period; and

WHEREAS, as a Responsible Agency, the City must independently review and comment on the Draft EIR. City staff has reviewed the Draft EIR and prepared a list of comments with recommended clarifications, modifications and additional analysis to be included in the EIR. These comments have been included in the report to the City Council as Attachment B; and

WHEREAS, at a regular City Council meeting held on October 4, 2021, the report to the City Council, inclusive of attached Draft Comments on the SRTC Draft EIR, was presented. At this meeting, public comment was accepted, and the City Council discussed the report findings and recommendations;

NOW, THEREFORE, BE IT RESOLVED that the City Council hereby authorizes the Mayor to sign, on behalf of the City Council, a letter to the District summarizing City comments on the SRTC project Draft EIR as set forth in Attachment B to the staff report for this resolution.

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 4th day of October 2021 by the following vote to wit:

AYES: Councilmembers:

NOES: Councilmembers:

ABSENT: Councilmembers:

LINDSAY LARA, City Clerk

SAN RAFAEL TRANSIT CENTER RELOCATION PROJECT
STAFF WORKING DRAFT COMMENTS ON DRAFT ENVIRONMENTAL IMPACT REPORT
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General Comments

1. Overall, the DEIR is generally well written and thorough. The analysis is supported in most topics by solid supportive studies and credible substantial evidence. The DEIR analyzes all four site options (Build Alternatives) at an equivalent analysis level, which provides for clear CEQA clearance on all site options. However, the DEIR relies on certain incorrect assumptions and omits analysis and disclosure of certain traffic related impacts. These impacts need to be evaluated and appropriate mitigation measures incorporated into the Draft EIR. In addition, the DEIR needs to discuss whether the project will require the use of piles. If so, this may result in vibration related impacts. Finally, demolition of 927 Tamalpais Avenue under the Move Whistlestop alternative and Adapt Whistlestop alternative would result in significant impact on historic resources. Because these will be new impacts not previously identified in the DEIR, the DEIR will need to be revised and recirculated.
2. The DEIR should include a narrative about the current SRTC site. As the existing SRTC site would be sold as surplus with the development of any of the relocation Build Alternatives, it needs to be clear that the DEIR has not analyzed this site for redevelopment. Future redevelopment of the existing site would require its own review and CEQA clearance by the City of San Rafael.
3. The scope of topic areas studied in the DEIR were initially presented in the Notice of Preparation (NOP), which was published in late 2018. Following the NOP public review and comment period, GGBHTD consultants prepared the Environmental Scoping Report – San Rafael Transit Center Replacement Project (February 2019). This Scoping Report, which is provided as Appendix A of the DEIR, memorialized the topic areas for study in the DEIR. Essentially, the Scoping Report contains: the NOP; the list of agencies, organizations and individuals that provided comments on the NOP; and the site options/alternatives that were available at the time the NOP was published. While it includes a summary of NOP comments by topic area, the Scoping Report does not provide an explanation on how or if the NOP comments were used in finalizing the scope of study topics for the DEIR. Consequently, a number of the City's recommendations for study outlined in its comments on the NOP (letter from City to GGBHTD dated November 8, 2018) were not included in the DEIR document. Not studied or addressed in the DEIR are the following:
 - a. Sea level rise.
 - b. Preparation and inclusion of computer-generated visual simulations
 - c. Non-CEQA topic areas recommended for study (Fiscal Impacts of the Preferred Project and Alternatives).

Lastly, there is no explanation in the DEIR or the Scoping Report as to why information and studies requested as part of the NOP process were dismissed from further consideration in the final scoping and preparation of the DEIR.

4. Throughout the DEIR, the San Rafael General Plan 2020 (2007) and the Downtown San Rafael Station Area Plan (2012) are cited and used as the base for the document analysis. On August 2, 2021, before the DEIR was released for publication, the City

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Council adopted the San Rafael General Plan 2040 and the Downtown Precise Plan (DTPP). Yet, throughout the DEIR, it is stated that these Plans are in draft form and unadopted. Essentially, these recently adopted documents succeed and replace the previous General Plan 2020 and the City Zoning Ordinance (DTPP includes site zoning and regulations exclusively for Downtown including the project study area). These plans and land use designations were in effect at the time of DEIR publication. CEQA Guidelines section 15125 provides that the “setting” or baseline for the DEIR is normally established at the time the Notice of Preparation (NOP) is published (October 2018). Therefore, per the CEQA Guidelines, it may be appropriate for the DEIR to cite and utilize documents that were in effect at that time. But Section 15125 and case law interpreting it allows that a lead agency should adjust those baseline assumptions where strict adherence to the NOP timing would not give the public and decision makers the most accurate and understandable picture practically possible of the project’s likely near-term and long-term impacts. The use of a General Plan that is no longer in effect as the base throughout a DEIR that was published after that General Plan was updated is confusing and fails to inform the public and decision makers of the true land use framework and regulation under which the project would be constructed and operating. At a minimum, the EIR must be revised with references to the current, adopted General Plan and zoning ordinance and analysis of the preferred project and alternatives’ consistency with the current plan and regulations.

The DEIR needs to do a better job in explaining: a) the CEQA Guidelines section that establishes the setting at the time the NOP is published; and b) what has transpired since the NOP was published, particularly since the DTPP tracked and documented the progress of the SRTC project. For this reason, it is recommended that the Introduction Section (Chapter 1) include a narrative on the transition to the General Plan 2040 and DTPP, acknowledgement that these Plans were adopted in August 2021, and a summary on what is different from the previous General Plan 2020/Downtown Station Area Plan. At minimum, links to the recently adopted plans should be included so the DEIR reader can easily go to those documents to review.

Some sections/chapters of the DEIR list pertinent/relevant policies and programs from both previous General Plan 2020/Downtown Station Area Plan and the recently adopted General Plan 2040/DTPP (e.g., Biological Resources). However, some sections/chapters cite only the former General Plan 2020/Downtown Station Area Plan (e.g., Air Quality). For consistency throughout the DEIR document, either both the former and recently adopted Plan policies and programs should be cited throughout the EIR sections or the text should be revised for the Final EIR to only reference the General Plan 2040/DTPP.

5. There is no mention in the DEIR about the Memorandum of Understanding (MOU) between the GGBHTD and the City of San Rafael (October 2017). The terms of the MOU require, among others, that GGBHTD meet and confer with the City Community Development Department concerning the consistency between the project and the former General Plan 2020, Downtown Station Area Plan and Zoning Ordinance. While the DEIR does an admirable job at citing and summarizing these documents in the analysis, this work was siloed and did not involve direct communication with the Community Development Department. The Community Development Department

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reached out to GGBHTD staff in April 2020 to initiate this meet and confer process. However, GGBHTD staff rejected this request responding that it was too premature.

A. Executive Summary

1. See comment D.1 below regarding the Project Objectives Section 1.3).
2. For comments on individual impacts, findings and mitigation measures presented in the summary table, please defer to the comments below under the discussion of each topic section/chapter.
3. The impact summary table lists and presents the findings for all impacts identified in the DEIR. While recommended mitigation measures are clearly numbered, the impacts are not numbered. Please number all impacts under each topic area, which will provide easier and better referencing.

B. Chapter 1 – Introduction

1. See comments A.2 and A.3 above regarding the General Plan 2040, DTPP and the MOU. The Introduction section should incorporate narratives on these topics.

C. Chapter 2 – Project Description

1. The Project Objectives (Section 2.3) do not incorporate, reference, or consider the City's key design goals outlined in the San Rafael Transit Center Guidance Report (City of San Rafael, February 2018). This request was made to GGBHTD through comments on the NOP. The Project Objectives are very straightforward and clearly define the goals of GGBHTD but there is no mention of the City's goals for this important project. The City's five key design goals for this project are:
 - a. Maximize 4th Street vitality;
 - b. Clearly define the SRTC access routes;
 - c. Improve utilization of the Caltrans right-of-way (under the US 101 overpass);
 - d. Demonstrate sustainable design; and
 - e. Preserve the Whistlestop building.

The General Plan 2040 and DTPP recognize the SRTC project as a “catalyst” site for the Downtown area, which is anchored by the public transit hub. As the City is one of several “partners” on the SRTC project, it is critical that the City's objectives for the project are cited. Please revise the EIR accordingly.

2. Table 2-1 (page 2-6 and 2-7) provides a good summary of the individual, assemblage of properties that cover each of the four Build Alternatives. However, the table needs to be revised to address the following:
 - a. The land use for each parcel needs to be clearly stated. The current description of “mixed-use” is too generic. The reader will have a better understanding as to the site and surroundings by referencing the specific, developed use (e.g., retail, office, parking lot).

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- b. The table references the former property zoning, which was in effect at the time the NOP was published. As noted above, the recent adoption of the General Plan 2040 and DTPP included a rezoning of Downtown properties to the new “Downtown Mixed-Use” (DMU) District. Please add a footnote explaining this recent change in zoning to minimize confusion.
 - c. For the “Under the Freeway Alternative,” there is no reference to the two Caltrans properties. These properties need to be added to Table 2-1. Please add a note that the Caltrans properties are not assigned Assessor’s Parcel Numbers by the County Assessor’s Office and the City does not “zone” State property.
3. The description of the “Move Whistlestop Alternative” (Section 2.5, Preferred Alternative) is incomplete. First, it is unclear if the Whistlestop building will be downsized and restored (based on the building footprint shown on the site plan). The current building footprint is not original and there have been discussions and suggestions about downsizing the structure to its original footprint and design. Second, there is no discussion about the demolition of existing buildings (as there is in the description of the 4th Street Gateway). In addition to the Citibank building, two existing buildings on the West side of West Tamalpais Avenue (Trevor’s and Extreme Pizza) would be demolished. Building demolition/relocation and effected business also needs to be discussed in the description of the “Under the Freeway Alternative” (Section 2.6.4).
 4. The description and layout of the “Under the Freeway Alternative” is not consistent with the preferred layout prepared by the City, which was provided to the GGBHTD in 2020. The City’s preferred layout included two, carefully designed “bridge’ spans over Irwin Creek to avoid any structural elements of the crossing to be placed/constructed within the creek channel. The description of this alternative states that three “bridges/viaducts” would be installed over Irwin Creek for vehicle access to this site from Hetherton Street. The details of this improvement are not explained, but in the Biological Resources section of the DEIR, it is noted that the crossings would be designed as “box culverts.”

It is understandable that GGBHTD had to modify the City’s preferred layout to address the project’s design criteria and operational needs of the SRTC, but the bridge span structures could have been part of this modified design. When this alternative was presented at a County of Marin hosted Multi-Agency meeting (meeting of the regulatory agencies) in 2020, it was indicated that a bridge span would be proposed in-lieu of box culverts. Rather, GGBHTD chose to go to a box-culvert crossing, which have far more environmental impacts.

5. Section 2.5.4 provides a good description of the “Disposition of the Existing Transit Center.” Please note that this element of the project applies to all four Build Alternatives.
6. Section 2.8 and Table 2-2 provides a summary and list of permit approvals/clearances required by other agencies. There is no mention of the executed MOU between the GGBHTD and City and the clear term of the MOU which affords the City the ultimately authority to decide on the preferred site alternative. Further, the project will require consideration by the “Planning Commission” and the “Design Review Board.” The DEIR needs to be revised to incorporate reference to these required reviews.

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D. Aesthetics

1. The DEIR section includes a comprehensive list of pertinent policies from the San Rafael General Plan 2020 and the Downtown San Rafael Station Area Plan. Further, the analysis references the Good Design Guidelines for Downtown. However, there is no mention of the San Rafael Transit Center Guidance Report (February 2018), which includes several design recommendations related to aesthetics and the importance of facilitating an entry to Downtown San Rafael. Also, unlike other sections of the DEIR, this section does not include a list of General Plan 2040 and DTPP policies and programs that are pertinent to this topic area. Please add.
2. This chapter provides a detail description of the visual changes that would result from the project. However, in its comments on the NOP, the City requested that computer-generated visual simulations be prepared depicting existing and proposed conditions. In-lieu of the requested simulations, architectural renderings have been prepared, which are illustrative only and do not accurately depict pre- and post-development conditions. Please revise these renderings to more accurately reflect pre and post development conditions. Other comments regarding these renderings:
 - a. Figure 3.1-2 presents the existing and proposed view of the “Move Whistlestop Alternative.” The photo of the existing conditions does not align or correspond with the location of the proposed view rendering. The existing view shows the SMART tracks and existing Whistlestop building in the foreground, while the proposed rendering is a location that is further west along West Tamalpais Avenue). Please address.
 - b. Figure 3.1-3 presents a rendering of the “Adapt Whistlestop Alternative” as viewed from 4th Street and West Tamalpais Avenue. Along West Tamalpais Avenue, there appears to be a block-like building mass, which is not explained or described. Is this an error or does this building mass represent the housing project approved for the 703 3rd Street site. Please revise.
 - c. Figure 3.1-6 presents the existing and proposed view of the “4th Street Gateway Alternative” from the 4th and Hetherton Street intersection. As is the case with Figure 3.1-2, the view of the existing condition photo does not appear to correspond with the location in the proposed view rendering. Please revise.
 - d. Figure 3.1-6 presents the existing and proposed view of the “Under the Freeway Alternative” from the Hetherton Street. As is the case with Figure 3.1-2, the view of the existing condition photo does not appear to correspond with the location in the proposed view rendering. The rendering appears to represent another location, perhaps near Irwin Street. Please revise.
3. To address the significant impact associated with the Under the Freeway Alternative resulting from the relocation of the historic structure at 1011 Irwin Street, the aesthetics discussion proposes Mitigation Measure MM-CULT-CNST-1, which is characterized as requiring the relocation and preservation of the structure. (Page 3.1-27.) The reader is referred to Section 3.4 for the discussion of cultural resource impacts and mitigation for the full text of the measure. There is no explanation provided in the aesthetics discussion for how this measure would reduce the significant impact, however. Furthermore, MM-CULT-CNST-1 does not guarantee the relocation and preservation of historic structures. Rather, it acknowledges that relocation and preservation may not be feasible and the structures may be demolished instead. (Page 3.4-33.) Between the two

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discussions in aesthetics and cultural resources, there is no substantial evidence provided that demonstrates the implementation of MM-CULT-CNST-1 will, in fact, reduce the significant aesthetic impact associated with the removal of 1011 Irwin Street to a less-than-significant level for the Under the Freeway Alternative. The DEIR needs to be revised to include such evidence.

4. Mitigation Measure AES O-3 recommends application of minimum lighting standards. This measure should be expanded to require a) the installation of baffles or shields on lighting fixtures to minimize the exposure and the light source and glare; b) preparation of a pre-construction photometric analysis to demonstrate foot candle readings to eliminate "hot spots;" and c) completion of a post-installation lighting inspection (30-days following installation) to allow for adjustments in the intensity of and glare from lighting. The DEIR needs to be revised to include this information.

E. Biological Resources

1. The biological resources policies from the Marin Countywide Plan are listed in this section (pages 3.3-5 through 3.3-7). These policies should be deleted. The Marin Countywide Plan is applicable to properties within the unincorporated areas of Marin County and is not applicable to the SRTC study area.
2. The "Detailed table" on special-status animal species which is reference on Page 3.3-9 on special-status animal species is missing from Appendix D.
3. Pages 3.3-9 – cites that project area has the potential for the occurrence of 38 special-status plant species and 35 special status animal species. However, no special-status species surveys were conducted to confirm or dismiss this finding. The table missing from Appendix D will hopefully have additional information clarifying these conclusions. But the DEIR should be revised to include appropriate measures to ensure no inadvertent take as was recommended for roosting bats. Including for any aquatic species such as steelhead that could be of concern to regulatory agencies.
4. The EIR should provide a more thorough review of existing habitat in Irwin Creek, limitations on possible occupation and dispersal for aquatic species such as steelhead, and conclusion that it is not suitable for permanent occupation and necessary controls to avoid inadvertent take for any in-channel construction.
5. Page 3.3-11 lists the methodologies that would be implemented or employed during construction and as part of project operation. One of the listed methodologies states that Irwin Creek would be "de-watered" to construct three double box culverts for the "Under the Freeway Alternative." See comment D.4 above under the Project Description regarding the expectation that the crossings over Irwin Creek were to be designed as a bridge span rather than intrusive box culvert structures. That reach of the creek would have to be temporarily dewatered during construction, whether a culvert or bridge was installed. Both treatments would require disturbance to the creek banks and could result in materials spilling down into the water, which is why a construction zone like this has to be dewatered. However, the bridge treatment for these crossings would limit direct impacts and fills, which would be preferable to the regulatory agencies, even in this low

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quality location. Use of a bridge should be explored as an option and weighed against cost and benefit.

6. In the City's comments on the NOP, it was requested that GGBHTD initiate early consultation with the regulatory agencies to discuss the "Under the Freeway Alternative" and potential impacts to tidal wetlands. The EIR should specify whether consultation was initiated.
7. Mitigation Measure BIO CNST-5 (page 3.3-18) recommends compensation for temporary and permanent loss of perennial stream (Irwin Creek fill). The measure merely recommends mitigation amounts (e.g., 2:1 ratio of mitigation to impact area). This mitigation measure is not adequate in addressing the viability of achieving mitigation to a less-than-significant level. To test viability with the bridge span concept (which is far less impacting) off-site mitigation locations were identified by Jim Martin, the City's consulting biologist, based on input from the RWQCB representatives. This information was presented to the regulatory agencies in the County of Marin hosted Multi-agency Meeting (see attached memo). The purpose of this effort was to demonstrate minimal impacts using a bridge span and that mitigation could be achieved within proximity to this site. None of this information is attached or even referenced in the DEIR.
8. In the City's comments on the NOP, it was noted that several of the site options (alternatives) had the potential to damage or destroy mature trees (street trees referenced). The City requested that all significant trees within the project study area be identified to determine if they would be impacted or subject to removal. This section of the DEIR does not mention the tree resources within the study area. That information should be provided in the EIR and used to inform decision makers of the range of impacts.

F. Cultural Resources

1. The DEIR reports that per AB52, an offer of tribal consultation was initiated with the Federated Indians of Graton Rancheria (FIGR), but the DEIR author received no response. It is expected that the GGBHTD noticed the Federation on the publication of the DEIR. The Federation is typically very responsive to commenting on environmental documents and a 'no response' conclusion is not sufficient. The GGBHTD should reach out to FIGR to get a response and include that response in the EIR.
2. Marin County Ordinance 1589 is a County-adopted ordinance that is not applicable to the City of San Rafael. Please delete.
3. Pages 3.4-6 and 3.4-7 appropriately cite the City's Archaeological Resource Protection Ordinance. However, not referenced or discussed is the implementing resolution, which outlines the protocols and procedures for addressing individual site review and assessment based on mapped archaeological sensitivity. As noted in the City's NOP comments, protection procedures outlined in City Council Resolution 10980 (2000) should be added to this DEIR narrative. Mitigation Measures CULT-CNST 4, 5, 6, and 7

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should be revised to incorporate the City-adopted procedures and protocols outline in Resolution 10980.

4. This section of the DEIR includes an excellent narrative on the history and evolution of Downtown San Rafael, including the eras covering the start of the NWPRR service and the development of the US101 as a grade-separated highway. This narrative addresses the request made by the City as part of the NOP comment process.

The DEIR includes a list of buildings within the project study area that were recently assessed for historic resource significance. The correct source for this information is the Downtown San Rafael Precise Plan (DTPP) Historic Resources Inventory Summary Report (December 2020). This summary report was prepared by the City and utilized to assess and provide cultural resource review in the San Rafael General Plan 2040 Final EIR (2021). The DEIR author went one step further in this analysis by preparing new or updated "DPR" (State of CA Department of Park and Recreation) historic assessment forms for all buildings within the study area (DEIR Appendix F). This is helpful in that the DTPP Historic Resources Inventory Summary Report does not include DPR forms for all the inventoried buildings over 50 years in age within the project study area. These forms will supplement the City's DRR form inventory.

The DEIR concludes that the "4th Street Gateway Alternative" and the "Under the Freeway Alternative" would result in significant, unavoidable impacts to historic resources. The Build Alternatives would result in the demolition of 633 5th Avenue, 637 5th Avenue and 1011 Irwin Street, which have been determined to be historic resources.

The DEIR correctly states the status of the building at 927 Tamalpais Avenue (Trevor's, formerly the Barrel House). This building is identified under Category B in the summary report, which determined that it is eligible as a "contributing resource to a potential historic district." However, as a contributing resource to a potential historic district, demolition could compromise the formation of a district, which would result in a significant, unavoidable impact to historic resources. This building would be demolished under the "Move Whistlestop Alternative" and "Adapt Whistlestop Alternative." The DEIR finds that demolishing this structure would result in a less-than-significant impact, which conflicts with the City-assumed conclusion. Therefore, the historic resource impact finding for these two alternatives needs to be changed. As this is a new, significant impact, the DEIR requires a revision and recirculation per CEQA Guidelines Section 15088.5. If this assumption is incorrect, it needs to be explained by the EIR consultant why there is a difference in conclusions reached between the demolition of the 927 Tamalpais Avenue and the buildings that would be demolished under the "4th Street Gateway Alternative" and "under the Freeway Alternative" (933/937 5th Avenue and 1011 Irwin Street).

G. Geology and Soils

1. For the most part, this DEIR section is well written and comprehensive. However, under all the potential impact statements that have been prepared, the findings are less-than-significant, and no mitigation is recommended. This topic area relies on the findings presented in the Preliminary Geotechnical Design Recommendations, Parikh (May

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2020). This memorandum document is referred to throughout this section as “Geotechnical Recommendations,” which is included as DEIR Appendix H. This memorandum document provides a qualitative review of geotechnical conditions for all four Build Alternatives but relies solely on published documents for detailed information such as groundwater depths, and subsurface soil and geologic conditions. The memorandum document states that a detailed geotechnical investigation with subsurface borings will be conducted after the project site has been selected.

As part of comments on the NOP, the City requested that a comprehensive Geotechnical Investigation be completed for the DEIR to include subsurface borings and soil testing. This request was intentional given that portions of the study area are on landfill over bay mud and within the FEMA 100-year flood zone. Further, most of the study area is within an area of high seismic risk. Per the San Rafael General Plan 2020 geotechnical policies and procedures (General Plan 2020 Appendix F, Geotechnical Review), a comprehensive Geotechnical Investigation Report (including subsurface borings and soil testing) is required to be prepared at the time of development and environmental review. A deferral of preparation this investigation report to a future phase of the project, after it has been approved through the development and environmental review process, is not consistent with the General Plan 2020 and the CEQA Guidelines. A detailed Geotechnical Investigation Report is important at this stage as it would present site specific conditions and design recommendations based on these conditions. If design recommendations such as pile-driven pier construction is required for this project, it presents other direct or indirect impacts that require analysis in the DEIR.

At minimum, the DEIR impact findings in this section should have concluded, based on the information that was available through the Geotechnical Recommendations memorandum document that: a) the impacts are potentially significant until further study is completed; and b) mitigation must be included requiring a more detailed Geotechnical Investigation Report. Nonetheless, it is recommended that a Geotechnical Investigation Report be prepared and included in the DEIR. At minimum, mitigation measures should be added to the DEIR to require the preparation of this report when a specific site has been selected. New impacts and the introduction of new mitigation measures requires an updated DEIR with a recirculated public review period.

H. Greenhouse Gas Emissions

1. This DEIR section is well written and comprehensive; it relies on and incorporates the City’s Climate Action Plan (2030) and the City’s Qualified GHG Emissions Reduction Strategy.

I. Hydrology and Water Quality

1. On page 3.9-6, the DEIR provides a narrative on the role and purpose of the Bay Conservation and Development Commission (BCDC). While the BCDC information in the narrative is complete, it should be eliminated as it is not relevant to the study area.

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The BCDC jurisdiction terminates at the mouth of San Rafael Creek, which is about two miles downstream from the project study area. Please revise the DEIR.

2. The list of General Plan 2040 policies and programs on pages 3.9-7 and 3.9-8 is incomplete. The list includes policies that are more pertinent to conservation rather than hydrology and water quality (creek and wetland protection). Further, not included are pertinent policies and programs from the Safety and Resilience Element, which address increased flooding and sea level rise. Please add data and analysis on inundation levels and incorporate appropriate mitigation measures into the EIR.
3. Mitigation Measure BIO CNST-5 requires the development of a Stormwater Pollution Prevention Plan (SWPPP) to address temporary construction and permanent operations water quality impacts. The Downtown San Rafael Precise Plan (DTPP) includes several suggested water quality measures to be incorporated into new development. Further, the DTPP recommends the implementation of “green infrastructure” along 3rd and 4th Streets within the study area, which would include measures such as permeable pavement. These measures need to be added to this DEIR mitigation measure.
4. This section provided limited to no discussion about sea level rise. Although not a topic area that is currently mandated for analysis by the CEQA Guidelines, there is a lot of information available about projected sea level rise in San Rafael’s central basin. Sources include the San Rafael General Plan 2040, Downtown San Rafael Precise Plan, and the certified FEIR that has been prepared for these plans. As part of the NOP process, the City requested that the DEIR assess the potential risk of projected sea level rise. Please add a discussion of sea level rise to this DEIR section.

J. Land Use and Planning

1. On page 3.10-7 and 3.10-8 is a discussion of the City Zoning Ordinance. Referenced are four City zoning districts that cover the project study area. It should be noted that while these zoning districts existed and governed the study area at the time the NOP was published, the City has since rezoned Downtown properties to the Downtown Mixed-Use (DMU) District as part of the adoption of the Downtown San Rafael Precise Plan. A discussion of the San Rafael General Plan 2040 and Downtown San Rafael Precise Plan is provided further along in this DEIR section. The latter section needs to be revised to state that the DTPP includes a regulatory element, which is essentially a zoning ordinance for Downtown that replaced the previous zoning and much of the SRMC Title 14 (Zoning) regulations.
2. A discussion of the “Under the Freeway Alternative” is provided on page 3.10-11. This discussion notes that the dominant zoning classifications for this site option are the R/O and C/O Districts. This is not correct. Most of the property that encompasses this site option is owned by Caltrans, which has no zoning classification. As noted above under comment C.2.c, the Caltrans property is part of the public road right-of-way which the City does not zone. Please correct this discussion.

K. Noise

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1. Page 3.11-20 includes a discussion of vibration-sensitive historic buildings within and adjacent to the study area. The 927 Tamalpais Avenue building (Trevor's, formerly the Barrel House) is noted as not being a historic resource. However, as discussed in comment G.4 above, this building is a contributor to a potential historic district, so it is considered a potential historic resource. Please revise accordingly.
2. Pages 3.11-22 and 3.11-23 includes a discussion of sources of construction noise and vibration. The impact assessment is provided on pages 3.11-26 through 3.11-27. There is no mention in this discussion about the need for pile driving. Listed among the construction noise sources in Table 3.11-12 is a "drill rig," which is common equipment associated with pile driving. Please clarify if pile driven piers will be used for construction and if so, the DEIR needs to assess the noise and vibration impacts associated with this activity and identify appropriate mitigation measures.

L. Population and Housing

1. On page 3.12-2, it is stated that the City is in the process of updating the Downtown San Rafael Precise Plan (DTPP), which is not correct. The DTPP is a new Plan under the umbrella of the updated San Rafael General Plan 2040. Please revise the DEIR accordingly.
2. Projected population, housing and employment projections for San Rafael are presented on page 3.12-3 through 3.1-5. As the DEIR relies on use of the San Rafael General Plan 2020, the projection information is correct. However, the recently adopted San Rafael General Plan 2040 and DTPP project slightly higher growth by 2040. The text in this section needs to acknowledge these more current Plan documents and that projected growth for City and the Downtown area is higher than previously planned. Please revise accordingly.
3. Regarding resident displacement, the discussion of the "Under the Freeway Alternative" is incorrect. This site option would result in the demolition of 1011 Irwin Street. This property is developed with a single-family residential structure, which is occupied/utilized as a residence. Therefore, the DEIR finding regarding the displacement of residents needs to be changed to be potentially significant impact and appropriate mitigation measure is required to off-set this impact.

M. Public Services and Recreation

1. Under the Local Regulatory Setting and Methodology sub-sections, the Downtown San Rafael Precise Plan (DTPP) is listed with the San Rafael General Plan 2040 resources. As the DTPP includes several recommendations related to public services and recreation within the public realm, it is critical that those recommendations be included to accompany the discussion of San Rafael General Plan 2040. Please see DTPP Figure 4.10 which presents the recommended framework of Downtown's public realm design. Among the public realm design recommendations within the study area include the following, which are not addressed in the DEIR:

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- a. A SMART Transit Plaza along 4th Street between Tamalpais Avenue and Hetherton Street
 - b. Green civic space (lineal park) along Tamalpais Avenue between 5th Avenue and 2nd Street.
2. Page 3.13-3 needs to be revised to accurately reflect current police data: This paragraph should be changed as follows:

The San Rafael Police Department, headquartered at San Rafael City Hall, provides police services to the City. A new 44,000-square-foot Public Safety Center opened in August 2020 across the street from the existing facility. As of September 1st, 2021, the San Rafael Police Department had a total of 67 full-time sworn personnel and 29 full-time non-sworn personnel, for a total staff of 96. This equates to 11.2 sworn personnel per 10,000 residents and 16 total personnel per 10,000 residents (City of San Rafael 2020c). The closest police facility to the project area is the Public Safety Center, approximately 2,500 feet northwest of the project area. The San Rafael Police Department is organized into two divisions: the Operations Division, which includes patrol, park rangers, Downtown foot beat, and traffic enforcement; and the Administrative Services Department, which includes records, dispatch personnel, training, crime prevention, community engagement, and detective units (City of San Rafael 2020c). In 2020, the San Rafael Police Department received 23,532 emergency calls and 21,079 lower priority calls. This equates to an average of 3,717 emergency calls a month or about 124 per day

N. Transportation

1. In general, the transit circulation time and the vehicular delays seem to improve with the Under the Freeway alternative simply because it is further away from the existing congestion along Hetherton Street, Second Street and Third Street. Staff concurs with the results shown in the report.
2. This section of the DEIR provides a detailed list of pertinent policies and programs from the recently adopted San Rafael General Plan 2040 Mobility Element. However, not included is a discussion of the Downtown San Rafael Precise Plan (DTPP), which was recently adopted in tandem with the adoption of the General Plan 2040. The DTPP includes many policies, goals and implementing measures related to mobility and the Downtown transportation network. A discussion of this Precise Plan needs to be included in this section.
3. The Draft EIR states that there are two justifications for replacing the existing transit center and states that:
 - a) following the impact on some of the transit center facilities that resulted from the implementation of the SMART Phase 2 line to Larkspur.

And

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- b) A new transit center solution in Downtown San Rafael would address near-term and long-term transit needs while improving the desirability and usability of transit for the local community and region.

However, the DEIR relies on outdated transportation data from 2015 and 2017. For example, the DEIR cites the following data:

- Golden Gate Transit Ridership from 2017 and Marin Transit Ridership from 2017
- Mode splits based on on-board surveys provided by Marin Transit (2017) and Golden Gate Transit (2015)
- Golden Gate Transit GFI, Marin Transit GFI, and MTC Clipper Data (each data source from October/November 2017)

According to Golden Gate's own [analysis](#) published July 21, 2021 and presented to the Board on July 22, 2021 concludes the following:

- Bus ridership is down 74% compared to pre pandemic levels.
- We reduced pre-COVID bus service by about 50%.
- Ferry ridership is down 93% compared to pre pandemic levels.
- Pre-pandemic, fares provided over 50% of ferry operating revenue.
- Bridge traffic is down 17.6%

Therefore, the Draft EIR needs to be revised to:

- reflect actual Existing Conditions at the Transit Center, not historic conditions.
 - justify replacing the Transit Center based on actual Existing Conditions
 - reflect the uncertainty of continued SMART train operations after 2029
 - incorporate District's recommendations to its own Board
4. The District should study demand changes over time and provide a better understanding of what future ridership might look like. This could impact overall bus routes/schedules, may change the space needed to accommodate bays and would provide more clarity on overall traffic impacts to nearby streets. The City Council previously provided comments on the ridership assumptions and asked for more information that demonstrates that the new transit center is actually needed. The EIR needs to include results of the demand changes over time.
5. Regarding the LOS and VMT analyses (presented in DEIR Appendix C), the LOS impact findings for the Build Alternatives are arguable. The document concludes that the "Move Whistlestop Alternative" and "Adapt Whistlestop Alternative" will result in a reduction in intersection delay. From a non-technical, common-sense standpoint, this finding does not seem supportable. Unlike the current transit center access points along 3rd and 2nd Streets (both arterials), transit center access under this alternative is being introduced along 4th Street. Introducing primary access along 4th Street may also create conflicts

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with both pedestrian and bicycle traffic, as well as local vehicle traffic. This would result in an impact that needs to be evaluated in the EIR. Please revise accordingly.

6. The DEIR concludes that the elimination/displacement of public parking to develop the “Under the Freeway Alternative” would result in a significant, unavoidable environmental impact (page 3-14.28). This finding is not substantiated and is no longer a stand alone CEQA-related impact. This conclusion is concerning for the following reasons:
 - a. This DEIR finding relies on this parking displacement being inconsistent with *draft* General Plan 2040 Policy M-7.9 (Parking for Transit Users) and Program M-7.9a (Commuter Parking). Per the CEQA Guidelines, the DEIR is to rely on the plan documents that were adopted and in effect at the time the NOP was published/released (NOP memorializes the “setting” for analysis, which is discussed above under General Comments). Throughout the DEIR, it is clear and apparent that the document findings are based on consistency with the former General Plan 2020 policies and programs; use of the General Plan 2040 is exclusively referenced only here (and under no other DEIR impact statement) to reach an environmental finding. This approach is arbitrary and as a result may present the Under the Freeway Alternative in a more negative light than may be properly warranted.
 - b. The CEQA Guidelines no longer consider the “displacement of parking” or “impacts to parking” to be an impact on the physical environmental. Parking as a topic area of impact was removed from the CEQA Initial Study Checklist approximately 15 years ago. This discussion and the link to environmental review needs to be revised to include context on why it is no longer a stand-alone CEQA impact.
7. The DEIR based the conclusion of significant impacts on the Transportation Summary Report (TSR). City staff made specific comments about the TSR and submitted them to Golden Gate Transit in writing. The comments included several significant gaps in the analysis. None of the comments were addressed in the DEIR. There were comments about the shortfalls of pedestrian trips assumptions, underplaying the impacts of bringing the pedestrian and bicycle activities towards Fourth Street, and the lack of recognition of vehicle storage and queuing in the heart of the pedestrian area of downtown. These concerns have not been addressed; indeed the City’s comments have never been responded to. In summary the EIR needs to be revised to address the following:
 - a. *The pedestrian analysis assumes a destination in the downtown to compare the alternatives. The report did not analyze destinations to the High School and to the Canal. The City has invested transportation dollars (Grand Avenue Bridge and E Francisco Boulevard Sidewalk) to encourage the arrivals of multimodal trips from the Canal. While it is difficult to capture and compare the overall pedestrian experience between the alternatives, the report fell short of describing the existing pedestrian safety issues that could be attributed to the legal and illegal crossings. The Gateway alternative suggests several driveways ensuring proper circulation for the busses without recognizing the detriment of the pedestrian experience. The Draft EIR needs to be revised to address existing pedestrian safety records and the association of it with numerous and large driveways.*
 - b. *The report Non-Motorized Transportation Section 5.0 was built on incomplete assumptions of pedestrian circulation in general, and on similar inaccurate assumptions specific to the transit center. None of the assumptions made were*

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- introduced nor discussed with City staff prior to the preparation of these analysis. Staff mentioned this previously and indicated that major overhaul of the assumptions and the presentation of pedestrian comparisons of the pedestrian travel will be required. Staff was never contacted subsequent to providing these comments. The EIR will need to be revised to accurately reflect pedestrian circulation patterns.*
- c. *All alternatives result in circulation challenges caused by the short sizes of the blocks west of Heatherton Avenue. The block sizes were bisected by the SMART tracks leaving the City with short blocks affecting the ability to store vehicles leaves us with the challenge of clearing the tracks during excessive queuing times. The DEIR does not discuss the critical nature of queueing near railroads tracks. This is an environmental and safety issue that needs to be in the center of the considerations. The EIR needs to be revised to recognize the environmental disadvantages of having large vehicles, on short blocks, near at-grade rail tracks, and the potential impacts of gridlock near moving trains.*
- d. *The No-Build Alternative is presented as an alternative because CEQA mandates it to be part of the analysis. The report falls short of describing the existing conditions from a multimodal and functional point of view. Please revise the EIR to provide an accurate description as noted.*
8. The LOS data is presented using VISSIM numbers which are not consistent with the method used to calculate the LOS by the City. Please revise EIR to reflect methodology that is consistent with what the City uses.
9. Although the LOS is calculated through the model and is not the real LOS, the report offered no comparative summaries of the LOS impacts to allow decision makers to make informed decisions. Please revise the EIR to include comparative summaries.
10. Queueing is not typically an environmental issue. However, given the environment and the safety implication of queueing it needs to be included in the environmental assessment.
11. The DEIR failed to recognize the inadequacy of the design at Third and Hetherton intersection with both Whistlestop alternatives. The introduction of a second southbound right turn from Hetherton onto Third Street could be detrimental to vehicle and pedestrian safety and traffic flow. There are two major and fundamental issues with the second southbound right turn. The first is the addition of a significant exposure of pedestrians in the crosswalk. While there are no rules against the practice in general, local experience shows documented issues with it. The City eliminated a crosswalk on the south side of the same intersection to eliminate the vehicle pedestrian conflict after a series of accidents occurred there. The suggestion of adding the additional turn lane will likely be rejected by the City for many reasons. The second issue is the receiving block capacity in the westbound direction on Third Street is very limited. It is further constrained during the SMART train preemption. The impact of not having the block storage capacity is deflected onto the north/south crosswalk and the number three southbound lane on Hetherton. These are serious impacts under the threshold question of whether the project would "Substantially increase hazards due to a geometric design

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feature". The City considers the option of creating congestion due to vehicles waiting to turn onto Third Street, effectively eliminating a southbound travel lane on Hetherton, to be an unsafe solution that will create significant traffic issues in this heavily travelled area of San Rafael. It is an inadequate and unsafe design that could potentially jeopardize pedestrian and vehicular safety. These impacts were not recognized by the TSR nor by the DEIR and the DEIR needs to be revised to adequately analyze these impacts.

12. The DEIR does not discuss the critical nature of queueing near railroads tracks. This is an environmental and safety issue that needs to be evaluated. The DEIR needs to recognize the environmental disadvantages of having large vehicles, on short blocks, near at-grade rail tracks, and the potential impacts of gridlock near moving trains. Please revise accordingly.

O. Wildfires

1. The City of San Rafael adopted the Marin County Multi-Jurisdictional Local Hazard Mitigation Plan in November of 2018. Page 3.17-4 needs to be revised to accurately reflect this change.
2. Fire Ordinance, Chapter 4.12 applies to the Wildland UI- however it also applies vegetation standards Citywide. Please revise page 3.17-4 accordingly.

P. Alternatives to the Project

1. Essentially, this DEIR section summarizes the document findings for the four Build Alternatives plus a "No Project Alternative." As discussed above under comment C.1 (Project Description), the "Project Objectives" which are used to define the Project Alternatives need to include the City's objectives and design goals for this project. The impact findings for each of the Build Alternatives (as well as Table 5-1) need to be updated based on the comments presented herein. For example, 927 Tamalpais Avenue (Barrel House) is a contributor to a potential historic district, so it is a potential historic resource. Demolition of this building under the "Move Whistlestop Alternative" and "Adapt Whistlestop Alternative" would result in the demolition of this building, which is a significant impact. The EIR needs to be revised as noted above. Each of the alternatives need to be reevaluated against the City's objectives as well, to disclose the extent to which the alternatives do or do not meet those objectives in addition to the GGBHTD's objectives.
2. As mentioned above, the analysis of the No-Build Alternative is inadequate. The report falls short of describing the existing conditions from a multimodal and functional point of view and overall does not evaluate the project with the same level of specificity as the other alternatives. Pursuant to CEQA section 15125.6(d) The EIR shall include sufficient information about each alternative to allow meaningful evaluation, analysis, and comparison with the proposed project. Instead, the DEIR provides a meaningful analysis for each of the proposed alternatives within the document but provides only a summary for the 'No build" alternative. The DEIR needs to be revised to provide an

SAN RAFAEL TRANSIT CENTER RELOCATION PROJECT
STAFF WORKING DRAFT COMMENTS ON DRAFT ENVIRONMENTAL IMPACT REPORT
COMMUNITY DEVELOPMENT DEPARTMENT
September 29, 2021 Version

accurate description of existing conditions as mentioned above and needs to provide the same level of comparison provided for the other alternatives

3. The DEIR concludes that the “Environmentally Superior Alternative” is the “Adapt Whistlestop Alternative.” This finding is credible given that this Build Alternative would result in the least number of environmental impacts analyzed in the DEIR. However, like the “Move Whistlestop Alternative,” it would result in the demolition of a potential historic resource.
4. Additionally, as Table 5-1 illustrates, none of the alternatives would reduce environmental impacts as compared to the preferred project; at best they are the same as the preferred project and even worse for some categories of impacts. This conclusion suggests that the District did not adequately fulfill its obligation under CEQA to consider a range of reasonable alternatives, as the Guidelines require consideration of alternatives that would feasibly attain most of the project objectives *and would avoid or substantially lessen* any of the significant effects of the project. (Guidelines, § 15126.6, subd. (a).)
5. This section provides a very good and detailed summary of other alternatives that were considered and rejected.

Q. Other Non-CEQA Topics for Study Recommended as Part of the NOP Process

1. As part of the NOP process, the City requested that the fiscal Impacts of “the Project and Alternatives” be prepared concurrent and made available with the DEIR. A fiscal impacts assessment of the Build Alternatives has not been prepared.
2. Short-term and Long-term Parking Assessment. A very high-level assessment of parking is presented in DEIR Appendix C, the Transportation Summary Report. The parking assessment in this report merely identifies the number of parking spaces that would be eliminated under the Built Alternatives but does not include any measures to accommodate or retain parking.

Attachments

1. Memo prepared by Jim Martin 2019

MEMORANDUM

TO: Mr. Paul Jensen
City of San Rafael
1400 Fifth Street
San Rafael, California 94901

FROM: Jim Martin
ENVIRONMENTAL COLLABORATIVE

DATE: 29 May 2019

SUBJECT: Summary of Regulatory Issues
Proposed San Rafael Transit Center Replacement Project
Interstate 101 Undercrossing Site along Irwin Creek

As you requested, I have prepared this memo to summarize the regulatory issues related to the possible relocation of the San Rafael Transit Center to an area beneath Interstate 101 (I-101) between Hetherton Street to the west, Irwin Street to the east, 4th Avenue to the south and 5th Avenue to the north. Most of site is developed or paved, with the freeway overpass structures occupying the western portion and paved parking under the northbound freeway lanes and buildings fronting on Irwin Street. However, a channelized reach of what is known as Irwin Creek flows in a southerly direction beneath the southbound. This drainage is a regulated waters¹ under the jurisdiction of the U. S. Army Corps of Engineers (Corps), the Regional Water Quality Control Board (RWQCB), and the California Department of Fish and Wildlife (CDFW).

Between 4th and 5th Avenues, the active channel of Irwin Creek is from 30 to 40 feet in width, and is under tidal influence. It flows south, paralleling the east side of Hetherton Street to the confluence with San Rafael Creek, which is also partially under the I-101 overpass. Concrete wing walls extend approximately 15 feet upstream of the 4th Avenue overcrossing, which consists of two concrete box culverts. Shading from the freeway overpass and extensive asphalt paving that extends almost to the eastern top-of-bank to the drainage limits the growth of riparian trees and shrubs. Vegetation is limited to largely non-native ground covers, invasive sweet fennel and Bermuda buttercup, and a few shrubs along the east bank. **Figures 1 and 2**

¹ The Corps, RWQCB and CDFW have jurisdiction over regulated waters. Jurisdiction of the Corps is established through provisions of Section 404 of the Clean Water Act, which prohibits the discharge of dredged or fill material into "waters of the U.S." without a permit. The RWQCB jurisdiction is established through Section 401 of the Clean Water Act, which requires certification or waiver to control discharges in water quality whenever a Corps permit is required under Section 404 of the Clean Water Act, and State waters as regulated under the Porter-Cologne Act. Jurisdictional authority of the CDFW over wetland areas is established under Sections 1600-1607 of the State Fish and Wildlife Code, which pertains to activities that would disrupt the natural flow or alter the channel, bed or bank of any lake, river or stream.

show the exiting conditions of the drainage at the 4th and 5th Avenue overcrossings.

A visit to the site on April 8, 2019 was attended by Nicole Fairley of the RWQCB, yourself, Bill Guerin the Director of the City's Public Works Department, Steve Kinsey, and myself. The purpose of the site visit was to briefly inspect existing conditions, review the regulatory authority of the RWQCB, and obtain input from the RWQCB on the feasibility of preliminary plans for the transit center use of the site.

During our site visit, Nicole confirmed that the drainage was a jurisdictional waters regulated by the RWQCB and that any fills or modifications to this reach of the creek would be subject to their review and authorization. She explained that the preferred policy of the RWQCB is to avoid modifications to jurisdictional waters. Where avoidance is not feasible, that they then prefer that direct and indirect impacts be minimized, and that compensatory mitigation be provided where impacts are unavoidable. That as part of the review process performed by the Corps and RWQCB, a finding must be made that the proposed modifications to jurisdictional waters are the Least Environmentally Damaging Practicable Alternative (LEDPA).

We reviewed the preliminary schematics for the Transit Center Relocation prepared by the Golden Gate Transportation District (see attached plans), which show the entire reach of Irwin Creek across the site to be culverted. Nicole indicated in reviewing the plans that a proposal to culvert the entire reach of Irwin Creek across the site would be unacceptable by the RWQCB. This is because the RWQCB could not make necessary findings that culverting the entire reach was the LEDPA available, and that there was no alternative for the Transit Center Project that didn't either completely avoid the creek or at most had a much more limited impact by culverting just a portion of this reach to provide access over it, such as a bridge structure. We discussed possible options for limiting potential impacts and providing compensatory mitigation for any unavoidable impacts. However, this would depend on final design, the extent of any fills or other modifications to regulated waters, and other factors that can't be fully understood or addressed at this time given the preliminary nature of the proposed project. We indicated to Nicole that at some point the City intends to present more refined plans at a Marin Project Coordination Meeting in the near future.

With appropriate refinement to the proposed Transit Center site under the I-101 overpass, use of this location does look possible from a regulatory agency permitting standpoint based on the preliminary information we received from RWQCB. Following refinement of project plans to minimize fills to the Irwin Creek channel and adhering to standard Best Management Practices would greatly reduce and control potential impacts to regulated habitat. Where permanent impacts could not be avoided due to fills and shading associated with a new bridge structure, compensatory mitigation could then be achieved by creating replacement habitat or other approaches acceptable to the regulatory agencies. Opportunities for achieving compensatory mitigation for any fills to the Irwin Creek channel may be available downstream, elsewhere in the watershed, and at other locations in East Marin County.

Similar projects involving bridge structures affecting jurisdictional waters that required regulatory agency review and approval, as well as compensatory mitigation, include the nearby San Rafael Creek Bridge Project that was part of the Second Street off-ramp for northbound I-101 and the new Bon Air Bridge over Corte Madera Creek in Larkspur. Information on each of these projects, their impacts on jurisdictional waters, and the mitigation required as part of the regulatory agency authorizations is summarized below. But both projects provide an indication that similar projects impacting jurisdictional waters can be mitigated through a careful process of design refinements to minimize potential impacts and by providing adequate compensatory mitigation that addresses concerns of the both the local community and regulatory agencies.

San Rafael Creek Bridge at I-101 Second Street Off-Ramp. This project will replace the San Rafael Creek bridge on the I-101 off-ramp to Second Street, located just downstream of the proposed Transit Center site. The existing reinforced concrete slab bridge will be removed and replaced by a two-span precast voided slab bridge supported by precast abutments and 24-inch cast-in-steel-shell (CISS) piles. The new bridge and ramp will be slightly realigned and widened to meet Caltrans standards. Project implementation will permanently impact approximately 24 linear feet (0.001 acre) of San Rafael Creek due to installation of twelve 24-inch CISS piles in the creek to support the bridge. It will also temporarily impact approximately 225 linear feet (0.38 acre) of the creek due to removal of the existing bridge piers and deck, installation and removal of the temporary bridge, installation of piers for the new bridge, and implementation of sediment and debris containment and control measures during construction. To mitigate for temporary impacts to the channel, Caltrans will restore temporarily disturbed areas to their previous or to an enhanced condition. For permanent impacts to San Rafael Creek, Caltrans is required to 1) remove all of the existing bridge piers to an elevation at least three feet below the existing channel bottom elevation and 2) excavate approximately 0.03 acres of upland area adjacent to the southwestern corner of the existing bridge that will then become new channel area spanned by the new bridge. Removal of the existing piers in the channel and excavation of approximately 0.03 acres of upland area adjacent to the southwestern corner of the bridge will result in an increase of approximately 0.03 acres of open channel habitat, which was considered sufficient compensatory mitigation by the regulatory agencies.

Bon Air Bridge Replacement. This project involves the replacement of the Bon Air Bridge over Corte Madera Creek in Larkspur. The City of Larkspur completed the environmental review for the project in 2012, which involved permits and authorizations from the Corps, U.S. Fish and Wildlife, CDFW, Bay Conservation and Development Commission, and the RWQCB. To address the temporary and permanent impacts of the project, five mitigation projects are to be completed before the end of bridge construction. Several components of the mitigation are intended to improve habitat for special-status species affected by the project. Mitigation includes: 1) installing low impact development/stormwater enhancements on Magnolia Lane by widening the planting area along the adjacent roadside ditch, providing curb cuts to allow street runoff to pass into bioswales for pretreatment before entering storm drains, and installing an underground infiltration system; 2) relocating the dog park in Piper Park to a new area east of the Central Marin Police Station and restoring the original dog park area as tidal marsh habitat with an educational overlook; and 3) improving public access to Corte Madera Creek by rehabilitating walkways and docks at Bon Air Landing Park and the public dock at the Marin Rowing Club.

I trust this provides you with the summary of the preliminary regulatory issues related to use of the I-101 undercrossing site along Irwin Creek. Please let me know if you have any questions regarding the above summary. I can be reached by phone at 510-393-0770 or email at beach127@aol.com.



Figure 1. View upstream of Irwin Creek from 4th Avenue at proposed site.



Figure 2. View downstream of Irwin Creek from 5th Avenue at proposed site.

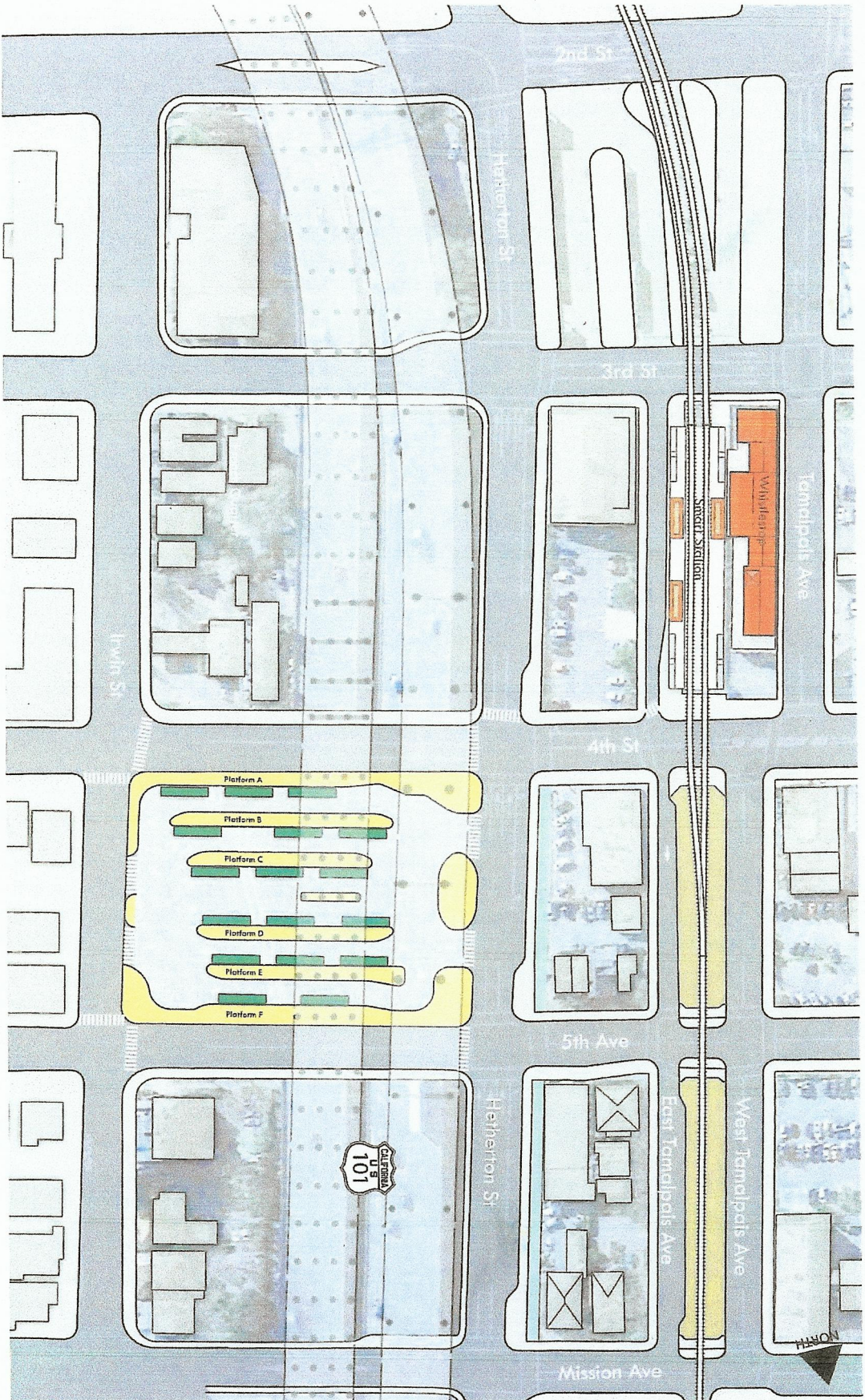
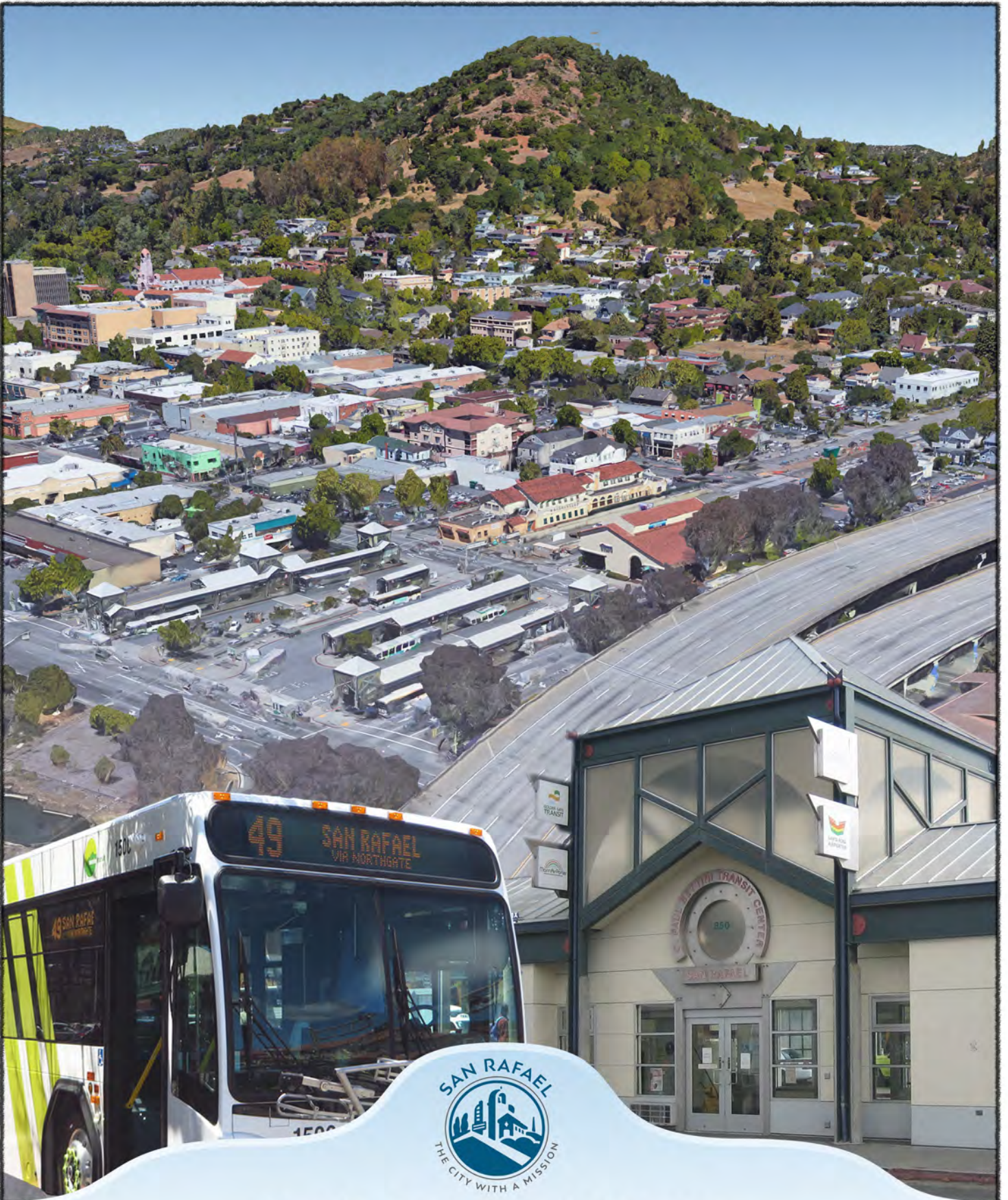


Figure 6
North of 4th Street Concept



San Rafael Transit Center Relocation Guidance Report

SAN RAFAEL TRANSIT CENTER RELOCATION GUIDANCE REPORT

INTRODUCTION

San Rafael looks forward to a successful collaboration with the Golden Gate Bridge District, its transit partners, transit users, and our community to plan and build an outstanding new transit center that improves regional transit mobility while also contributing to Downtown San Rafael's prosperity, vitality, and civic pride.

For a quarter century, the City has steadfastly embraced the focus of our Downtown Vision, and that remains so. The City values our Downtown being connected regionally with quality transit options.

At the same time, we recognize that the relocated transit center's impacts and influence will extend far beyond its specific site, warranting a clear demonstration of how the solution furthers our Vision, respecting existing neighborhood context while also contributing to the emergence of a more inviting gateway into Downtown.



In fulfillment of the Downtown Vision, numerous City-adopted plans and studies provide substantial direction and detailed guidance. They will form the City's basis of review as the process of identifying a preferred option moves forward.



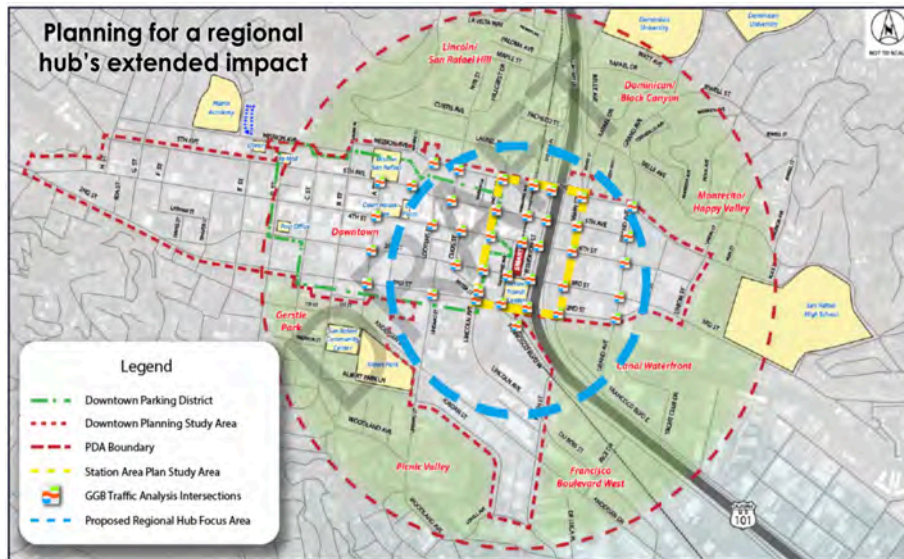
THE IMPORTANCE OF THE 4TH OPTION

The 2016 Kimley-Horn Transit Center Relocation Study identified three alternatives to be further evaluated and refined for additional consideration as part of the Bridge District's study. The City is concerned that none of these alternatives will adequately achieve the City's goals for this neighborhood.

To address this, the City asked the Bridge District to identify a 4th Option before initiating Environmental Review, and to actively engage our community in its development. We appreciate their willingness to do so. This Guidance Report identifies the City's primary area of concern associated with relocation of the transit center. It also highlights key improvements the City is seeking in the 4th Option.

DEFINING A TRANSIT HUB FOCUS AREA

To successfully integrate with the existing Downtown and contribute to a neighborhood renaissance, transit center relocation planning and design must extend beyond its specific site.



The City has identified a Transit Hub Focus Area extending ¼ mile circle around the existing SMART station. This area is within easy walking distance for most transit users, and includes the retail core, the area under 101, and private property zoned for mix use development.

All forms of mobility within the Hub Focus Area require careful attention, and intersection analyses will need to extend beyond the boundary.

For the transit center to successfully integrate with the Downtown, public gathering spaces within and adjacent to it, lighting, landscaping, wayfinding, and other distinguishing features will be included in District plans.



VISION FOR THE HUB FOCUS AREA

The Transit Hub Focus Area will be a vibrant, prosperous neighborhood, welcoming both residents and visitors with a memorable sense of arrival. Our diverse cultural heritage and historic neighborhoods will be respected, while encouraging infill development that expresses fresh ideas and urban form.

4TH St. will remain our retail backbone, extending its pedestrian-friendly hometown sense of place beneath the 101 viaducts. SMART riders' approaching or departing the Downtown station will enjoy a "shady lane" feeling between Mission and 2nd St.

Caltrans' right-of-way beneath 101 will be visually transformed using creative lighting, artwork, street vendors, and landscaped pathways alongside a healthy, restored creek. Bus stop or parking improvements will increase the functional use of the land.



The entire Transit Hub Focus Area will be interconnected along broad, inviting, tree-lined sidewalks teeming with vitality both day and night.

People will stay, rather than simply pass through the area. Bicyclists and pedestrians will come and go along safe, well-defined routes and find abundant bike parking and bike share opportunities near the transit stations.

Excellent transit connections, functioning in concert with traffic-calmed streets will keep auto traffic moving efficiently. Curbside "Last mile" pick-up and drop-off will be close by, with both car share opportunities and easily identified short-term and all-day parking available within walking distance.

The transit center will be clean, safe, well-lit and designed to become an enduring neighborhood landmark. It will reflect the City's pursuit of sustainability in its design and operation, and forward-thinking adaptability. Attractive onsite and nearby public gathering opportunities will benefit transit riders and residents living in a variety of new housing types over shops and businesses.

We value:

- Sense of Community**
- Healthy Economy**
- Hometown Feel**
- Complete Urban Community**
- Strong Identity**
- Clean, Safe and Attractive**
- Pleasant to Walk In**
- Active, Outdoor and People Orientation**
- Gathering Place**
- Historic Heritage**
- Good Neighbor to Neighborhoods**
- Easy to Move About**
- Diversity**
- Environmentally Sound Practices**
- Civic Cooperation**

From 1993 Downtown Vision

KEY 4th OPTION ELEMENTS

The Bridge District has agreed to work with City staff and our residents to develop a 4th Option for relocating the bus transit center. To focus the design process, the City has identified five key design goals for the 4th Option alternative.

MAXIMIZE 4TH STREET VITALITY

CLEARLY DEFINE TRANSIT CENTER ACCESS ROUTES

IMPROVE UTILIZATION OF THE CALTRANS RIGHT-OF-WAY

DEMONSTRATE ENDURING DESIGN

PRESERVE THE WHISTLESTOP BUILDING

A brief description of detailed aspects of these elements follows.

MAXIMIZE 4TH STREET VITALITY

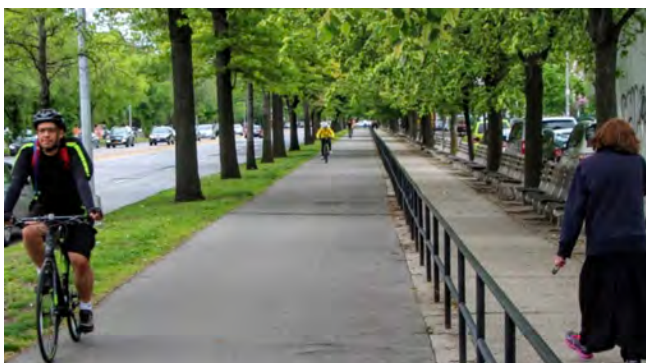
- 1- Foster 4th Street's "main street" feeling between Lincoln and Irwin. Accommodate broader tree-lined sidewalks with fewer vehicle crossings, unique, street-facing storefronts and inviting public space, adequately sized to allow outdoor dining, family fun, community events, and people watching.
- 2- Respect the City's mid-term goal to eliminate vehicle access from 4th St. north onto both West and East Tamalpais, expanding opportunities for public space.
- 3- Continue preventing vehicle access into Caltrans' parking lot on the north side of 4th St, to maximize pedestrian safety.
- 4- Identify the safest, most convenient bikeway crossing location of Fourth St. at W. Tamalpais.
- 5- Prevent permanent 4th St. bus stops under the freeway to allow for safer shared use of the roadway.
- 6- Limit any 4th St. transit center driveways to the minimum width necessary, with excellent sight lines.
- 7- The 4th St. intersection at Hetherton is a priority location for gateway elements, including signature landscaping, artwork, wayfinding signage, electronic message boards and specialty lighting.



CLEARLY DEFINE TRANSIT CENTER ACCESS ROUTES

All east-west downtown access streets between Mission and 2nd St shall be kept open.

- 1- Within the Hub Focus Area, prioritize pedestrian safety. Identify preferred transit center access routes for student and Canal transit riders.
- 2- Minimize rider transfer times for rail and bus services.
- 3- Design adaptive Last Mile pick up and drop off locations for a minimum of 10 vehicles.
- 4- Identify preferred nearby public or private replacement parking space locations for all displaced existing spaces, plus an additional 60 parking spaces serving regional transit users.



5- North-south transit center access for bikes, between Mission and 2nd St., will be from a two-way Class IV bikeway on W. Tamalpais

6- Anticipate a landscaped pathway on the east side of Hetherton between Mission and 3rd St. where feasible.



7- Wayfinding elements should be integrated into the project, and complementary to the building design.

8- Incorporate traffic signalization and other technological methods to increase bus movement efficiency.

9- Safe, inviting mid-block pedestrian routes to the transit center should be provided, where possible.

IMPROVE UTILIZATION OF THE CALTRANS RIGHT-OF-WAY



1- Transformation of the Caltrans property will increase transit center safety and use. Identify modifications that will benefit the project and the overall improvement of the neighborhood.

2- Explore increasing the efficiency of Caltrans' land use under the freeway by either creating a safe, inviting transit center or expanding parking capacity using vertical lift parking systems.

3- The area under the raised freeway structures should be redeveloped to increase the visual appeal and unique sense of Gateway arrival into the Downtown. Include elements such as identity graphics, artwork, creek restoration, landscaped plazas and sitting areas, historic markers, electronic message signs, special effect lighting, and food trucks and kiosk vendors.



4- Include more street trees on both sides of this roadway to add visual relief and calm traffic. Accommodate landscaping within Caltrans' right-of-way on the eastern frontage of the existing Bettini Transit Center if Hetherton bus pads are discontinued.

5- Create an attractive landscaped terminus adjacent to the SB 101 on-ramp south of 2nd St.

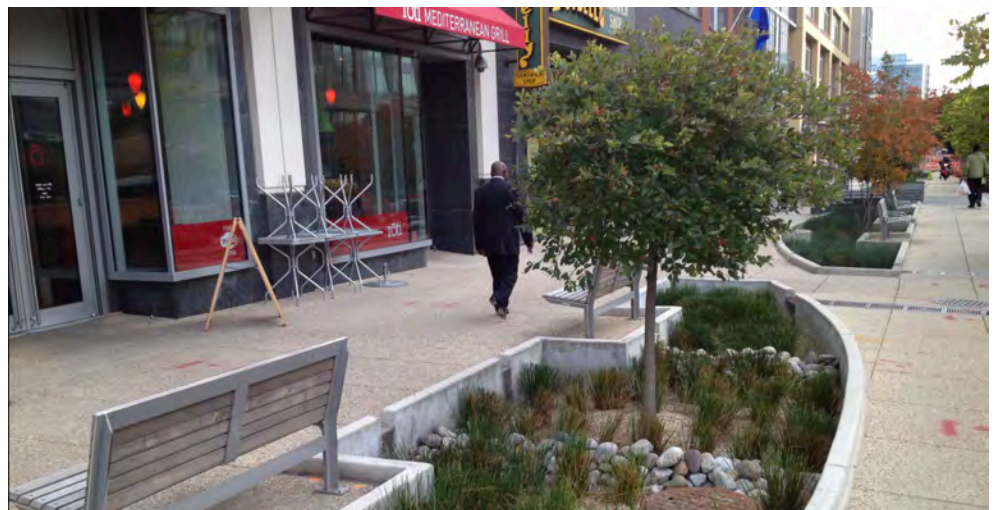
DEMONSTRATE ENDURING DESIGN



1- The relocated transit center will be a central facility in the Downtown, and serve as a welcoming point of arrival for regional travelers and visitors to

San Rafael. In concert with other Gateway features, the building and site should reflect the heritage of the City, contribute to the City's Vision for extension of the 4th St. Retail Core, and afford transit users the safest, most efficient means of using bus and rail services.

- 2- The transit center should reflect San Rafael's pattern, scale, and neighborhood heritage, while also being a unique, innovative architectural statement. Construction materials should produce an enduring high quality with reasonable ongoing maintenance needs.
- 3- The Transit Center should be safe, well-lit, and attractively landscaped, creating a welcoming effect for users and passers-by. Include Gateway features within the site plan and facility design that are compatible with the City Vision. Nighttime lighting should create a safe, artistic sense of arrival, while limiting night sky glare.
- 4- Sustainable elements should be visible in its site planning, building design, and operation. Identify storm water pollution prevention, water and energy conservation, renewable energy integration, air and noise quality, waste management, and green construction technology components.





5- Identify locations for appropriately sized public gathering areas to complement the center's function as a regional and Downtown hub. These settings would include attractive seating, unique paving, landscaping, lighting, directional signage, informational kiosks, historic markers, play areas, public art, trash and recycling containers, and flexible space for micro-enterprise and event opportunities.

6- Advanced communication technology should be integrated into the transit center design, including electronic, real-time messaging, and public Wi-Fi.

7- Transit Center planning should accommodate emerging trends in mobility and mobility technology. Incorporate surrounding site flexibility for change over time.

8- Provide a minimum of 15 ft. wide sidewalks within the block surrounding the new Transit Center

PRESERVE WHISTLESTOP



1- Retain the Whistlestop building on its current site, with street level modifications to improve pedestrian enjoyment. Create wider sidewalks on the south and west side of the building.

2- At the north end of Whistlestop, anticipate more public amenities, including possibly a coffee kiosk, fountain, landscaping, or other gateway features.

3- Anticipate removal of a portion of the south end of the Whistlestop building to create safer transit user movement across 3rd St. and more interesting public space.

4- Integrate last-mile drop-off/pick up spaces and a two-way Class IV bikeway into the W. Tamalpais street section.



**MEMORANDUM OF UNDERSTANDING BETWEEN
THE GOLDEN GATE BRIDGE, HIGHWAY AND
TRANSPORTATION DISTRICT AND THE CITY OF SAN RAFAEL**

This Memorandum of Understanding is entered into as of this 27 day of OCTOBER, 2017, by and between the Golden Gate Bridge, Highway and Transportation District, a special district of the State of California, duly created and acting under California Streets and Highways Code Section 27000 et seq ("District") and the City of San Rafael, a California charter city ("City"), (collectively referred to as the ("Parties")).

RECITALS

A. The Sonoma Marin Area Rail Transit District ("SMART") was created pursuant to AB 2224 (California Public Utilities Code § 105000 et seq.) for the purpose of providing a passenger rail service and multi-use pathway within the Counties of Sonoma and Marin.

B. The SMART rail corridor, historically known as the Northwestern Pacific Railroad, runs north to south in Sonoma and Marin Counties, generally parallel to U.S. Highway 101, including a segment running through Downtown San Rafael between Hetherton Street and Tamalpais Avenue.

C. SMART has commenced passenger rail operations between the City of Santa Rosa and the Downtown San Rafael SMART Station, located in the block encompassed by Third Street, Hetherton Street, Fourth Street, and Tamalpais Avenue.

D. Adjacent to the Downtown San Rafael SMART Station to the south, District owns and operates the C. Paul Bettini Transportation Center, also commonly known as the San Rafael Transit Center ("Transit Center"), situated in the block encompassed by Second Street, Hetherton Street, Third Street, and Tamalpais Avenue. The SMART rail corridor runs north to south directly through the the Transit Center, and crosses Second and Third Streets.

E. The Transit Center is the main passenger transit terminal for Marin County, providing essential transit services to over 9,000 customers daily and facilitating travel and transfers throughout Marin County, to San Francisco, Contra Costa, and Sonoma Counties. The Transit Center accommodates transportation services provided by the District, Marin Transit, Sonoma County Transit, Greyhound Bus Lines, the Marin Airporter and the Sonoma Airporter. The continued and efficient operation of the Transit

Center is a crucial concern of District and the other transportation service providers operating there, and of their customers.

F. The streets surrounding the Downtown San Rafael SMART Station and the Transit Center are among the busiest streets in the City of San Rafael. Second Street and Third Street are the City's main east-west traffic corridors south of Puerto Suello Hill, providing a primary access between Highway 101 and West Marin, Fairfax, and San Anselmo as well as to Downtown San Rafael. The offramp from Highway 101 South into Downtown San Rafael feeds directly into Hetherton Street, which, four blocks farther south, feeds directly into the onramp to Highway 101 South from Downtown San Rafael. The smooth and efficient flow of traffic in this area is a vital concern to the City of San Rafael and its residents, businesses, and visitors, as well as to the transit operators whose buses use the City's streets, and transit passengers.

G. SMART is also proceeding with the design and construction of the improvements needed to extend its passenger rail service system the 2.2 miles from the Downtown San Rafael SMART Station to a location near the District's Larkspur Ferry Terminal in Larkspur (the "SMART Larkspur Extension Project").

H. Because the SMART rail corridor in San Rafael runs through the Transit Center, the SMART Larkspur Extension Project will require replacement of the Transit Center and its transit operations to an existing and/or new site in downtown San Rafael. The City and the District have cooperated to develop several options for the replacement Transit Center, more specifically identified in the March 2017 San Rafael Transit Center Relocation Study Final Report, all of which are within close proximity of the current Transit Center and the Downtown San Rafael SMART Station; and the District, as lead agency, will soon be undertaking the environmental analysis and design for the permanent replacement facility.

I. The District has worked with the City, SMART, and other transit agencies to design an "Interim Transit Center" for transit operations. The Interim Transit Center will be designed and constructed by SMART in association with its construction of the SMART Larkspur Extension Project. It will serve as the main passenger transit terminal in Marin County until such time as the permanent replacement of the Transit Center is constructed and occupied.

J. The City and District desire to memorialize herein their intention and agreements for cooperating on the environmental review, planning and approval of the Transit Center Replacement Project (hereafter, the "Project").

NOW, THEREFORE, the City and the District agree as follows:

AGREEMENT

1. The District shall be the lead agency for purposes of environmental review of the Project under the California Environmental Quality Act ("CEQA").

2. The City shall be a responsible agency for purposes of environmental review of the Project under CEQA.

3. The District and the City shall cooperate to develop and consider, to the extent feasible, an additional alternative for the replacement Transit Center, besides those identified in the March 2017 Report.

4. In planning and developing specific Project features, the District shall meet and confer with the City's Community Development Department staff concerning consistency of the proposed Project with the City's General Plan, Station Area Plan, and Zoning Ordinance.

5. The parties agree that the selected alternative must be approved by the City Council.

6. In consideration of the obligations undertaken by District herein, City shall waive standard application and hearing fees for City review of the Project, and shall streamline any District applications, as applicable, to the City for work required in or affecting the public right-of-way or other public property.

IN WITNESS WHEREOF, the parties have executed this Agreement as of the day, month and year first above written.

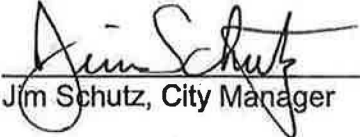
GOLDEN GATE BRIDGE, HIGHWAY AND TRANSPORTATION DISTRICT

By: 
Denis J. Mulligan, General Manager


APPROVED AS TO FORM:

By: 
District Counsel


CITY OF SAN RAFAEL

By: 
Jim Schutz, City Manager

ATTEST:

By: 
Esther Beirne, City Clerk

APPROVED AS TO FORM:

By: 
Robert F. Epstein, City Attorney



SAN RAFAEL CITY COUNCIL AGENDA REPORT

Department: Public Works

Prepared by: Bill Guerin,
Director of Public Works

City Manager Approval:

TOPIC: TRAFFIC MITIGATION FEE (TMF) – 2040 GENERAL PLAN

SUBJECT: RESOLUTION TO UPDATE THE CITYWIDE TRAFFIC MITIGATION FEE AS RECOMMENDED BY THE 2040 GENERAL PLAN REPORT TITLED “CITY OF SAN RAFAEL TRANSPORTATION FEE NEXUS REPORT”

RECOMMENDED ACTION: Adopt a resolution to approve an increased traffic mitigation fee with revised implementation policies.

BACKGROUND: The City of San Rafael established a traffic mitigation fee in the mid-1980’s. The mitigation fees were started as a funding mechanism towards specific improvements within the planning area.

In 2004, the City adopted the San Rafael General Plan (“GP”) 2020. The GP 2020 included a complete update of the Land Use and the Circulation Elements. The identification of major transportation improvements provided the necessary nexus to expand the traffic mitigation fee to morning and afternoon trip generations and to include all developments in the City. In 2004, the City Council adopted [Resolution No. 11668](#) that established a \$4,246 per trip fee. The resolution excluded cultural and theatre facilities, childcare facilities and affordable housing projects from the traffic mitigation fees. The resolution allowed for an annual adjustment of the fee based on the “Lee Saylor Construction Cost Index”. Due to difficult economic times after the adoption however, the rate was never adjusted after 2004.

In 2012, the City Council adopted [Resolution No. 13364](#), which amended Resolution No. 11668. The updated resolution added another project type (second dwelling units) to the list of projects exempt from citywide traffic mitigation fees.

ANALYSIS: The Mitigation Fee Act (California Government Code §§66000 – 66025), the bulk of which was adopted as 1987’s Assembly Bill (“AB”) 1600, establishes requirements for how cities collect, maintain and spend mitigation fees. Those requirements are commonly referred to as “AB 1600” requirements. The AB 1600 requirements mandate that mitigation fees must demonstrate a reasonable connection between the fee charged and the cost of the improvements for which they are collected, must be deposited in a separate account, segregated from the city’s general fund, and used only for the identified improvements. Additionally, cities must spend or commit the fees within five years of collection or return them to the developer unless a finding can be made that a reasonable relationship continues to exist between the current need for the fee and the purpose for which it was originally collected (Gov. Code §66001(d)).

FOR CITY CLERK ONLY

Council Meeting:

Disposition:

Per the requirements of AB 1600, each mitigation fee program must be supported by a “nexus” analysis, which is a rational and documented set of procedures by which the agency establishes that there is a reasonable relationship (or “nexus”) between anticipated future development in the jurisdiction, the need for new infrastructure to support that development, and the fees that will be charged to help fund that infrastructure. With the GP 2040 update, the City commissioned Fehr and Peers Engineering consultants to establish the nexus analysis. The effort was documented in the report attached as Attachment 6.

The report lists the projects envisioned as part of the General Plan 2040. Preliminary cost estimates were prepared for each project. Assumptions were made to estimate the potential City contribution for each project followed by an overall fair share analysis based on the transportation model developed by the Transportation Authority of Marin (TAM). With a total cost estimate of \$114.7 million, the report suggests \$85.66 million would be eligible for the traffic mitigation fee.

Based upon further considerations and assumption of the future funding opportunities, the nexus analysis used only 28% of the \$85.66 million eligible for Citywide traffic mitigation fees. The assumptions accounted for federal, state, and regional funding opportunities.

The establishment of the fee is dependent on the anticipated morning and afternoon peak hour trips. The TAM transportation model calculated a total of 3,513 morning and afternoon new trips based on the anticipated growth. The total eligible cost of projects divided by the total number of new trips would be the recommended fee of \$6,909 per trip.

The report justifies the continuation of the collection of traffic mitigation fees and recommends an increase of the base fee to \$6,909 per trip to meet the increasing cost of delivering needed transportation improvements. With the current traffic mitigation fee at \$4,246 the recommended fee increase would be 62.7% higher if implemented all at one time. The main reason for this increase is the fee was not adjusted for inflation in 17 years. While the original resolution recommended an annual adjustment, the adjustments were not made due to instability in economic conditions. The challenge with this recommendation lies in the implementation of a major fee increase.

The City met with the San Rafael Chamber of Commerce (“Chamber”) Board and the feedback was mixed, with concerns regarding the potential for impact on the development community. The Chamber executive director followed up in an email which stressed the need for additional outreach with local developers, questioned the impact on development projects in the queue, and requested flexibility with financing options.

The City then invited local developers to a meeting. The nexus report was presented by staff. We received excellent feedback. After the meeting, staff received a letter from one of the developers present which suggested providing concessions to incentivize housing flexibility in the timing of collecting the fee, and flexibility in applying the fee increase. A suggestion to waive the fee entirely for housing projects was discussed and dismissed as the majority of the 2040 growth is anticipated in housing.

Realizing the need to establish an equitable, logical, and community-based balance to fit the development community and the transportation infrastructure needs, the following explains the logic behind staff considerations and the basis for staff recommendations.

- 1- Gradual increase of the fee: The report suggested an option to increase the fee over a three-year period. This option was presented to the Chamber and to the developers’ group. The feedback was a request for a longer period. We discussed the possibility for

extension with Fehr and Peers and determined that a five-year option would be viable. Staff recommends that during the gradual increase of the fee an adjustment for inflation be maintained. If we do not adjust for inflation during the first five years, the City will be facing another significant need for adjustment in five years. Staff recommends maintaining the Lee Saylor Construction Cost Index as the basis for Construction Price Index annual adjustment. It is also recommended to start the Construction Price Index adjustment, when above 0% at the end of year one and starting with year two. Staff recommends that the initial fee increase become effective on January 1, 2022. The fee amounts without the index adjustments over five years would be as follows:

| | 5 Year Option |
|--------------------------|----------------------|
| Year 1 – January 1, 2022 | \$4,779 |
| Year 2 – January 1, 2023 | \$5,312* |
| Year 3 – January 1, 2024 | \$5,845* |
| Year 4 – January 1, 2025 | \$6,378* |
| Year 5 – January 1, 2026 | \$6,909* |

*This amount does not include the Construction Price Index annual adjustment

The Lee Saylor Construction Price Index is published monthly. Staff recommends adopting the Month of November to compare the index for one year to another. This will give enough time to calculate the annual change and apply it accordingly.

A question was raised by the stakeholders about the applicability of projects that are either already entitled or in the queue for review. The proposed resolution provides that for development projects where the planning application has been submitted to the Community Development Department prior to January 1, 2022 the current fee of \$4,246 would apply, but for projects applying on or after January 1, 2022, the amount of the fee will start increasing, and the assessed amount will be determined based on the rate in effect at the time the building permit is issued.

- 2- Comparison with other municipalities: Fehr and Peers compared the traffic mitigation fees with similar and nearby municipalities along the Highway 101 corridor. The following table compares the traffic impact fee collected for a single-family home in Novato, Petaluma and Santa Rosa. The comparison shows we are now collecting less than the three compared cities.

| City | Traffic Fee Per Home |
|-------------------------|-----------------------------|
| Novato | \$9,151 |
| Petaluma | \$16,034 |
| Santa Rosa | \$9,009 |
| Average of Three Cities | \$11,398 |
| San Rafael | \$8,492 |

- 3- Overall equity of the fee: during conversations with stakeholders it was suggested to take a more holistic look at the fees collected by San Rafael compared to other communities. The suggestion was prompted due to the number of fees imposed for various reasons on the development community. Staff sees this step as necessary to continue to assess the City’s ability to maintain sustainable growth and it would need to be a part of a broader issue discussion that goes far beyond the consideration of traffic mitigation fees.

- 4- Incentives for housing: The suggestion was also made that the City should incentivize the housing industry to meet State and regional mandates. The City has taken favorable actions adjusting the minimum affordable housing ratios. In addition, the current resolution already exempts affordable housing projects from the traffic mitigation fee. Staff recommends continuing the exemption of affordable housing projects and to take it one step further by exempting affordable units built in conjunction with market-based units, thus further incentivizing building more affordable units.
- 5- Deferred collection of the fee: Currently the fee must be paid at the time of the issuance of the building permit. Stakeholders asked for a grace period to pay the fee. Staff recommends that the City give the option to pay the fee at either the issuance of the building permit or before occupancy. This would give developers the full time of construction (one to three years) as a grace period for paying the fee.
- 6- Annual review of accomplishments: AB 1600 mandates an annual review of the expenditure of the Traffic Mitigation Fund by the City Council. The recommendation is to continue this practice.
- 7- Credit for Existing Buildings and Fee Calculations: Owners who have an existing building should be able to receive credit for the trips generated by existing structures. The credit is calculated without any adjustment of the raw trip generation. Therefore, the calculations for the trip generation number for the new trips should not have any adjustments for pass-by nor multimodal discounts. If the structure has been removed for two years or more the existing structure should not get any trip generation credits simply because the structure or the building has not generated trips and new trips would be generated.
- 8- Building Reuse and Tenanting: As an incentive to reuse and renew developments, staff recommends exempting from the traffic mitigation fee, any reuse of existing square footage regardless of how many trips it may generate. Only *additional* square footage to an existing structure would be assessed the traffic mitigation fee.
- 9- Inclusion of 2017 Policy and Practices: Staff recommends including the policy and procedures in the 2017 staff memorandum in the revised traffic mitigation fee resolution.

FISCAL IMPACT: The increase of the fee will gradually increase the Traffic Mitigation Fund. The status of the fund is discussed annually by the City Council. The allocations of the funds to projects will also be discussed by the City Council as part of the Capital Improvement Program.

RECOMMENDED ACTION: Adopt a resolution to increase the City's traffic mitigation fee with revised implementation policies.

ATTACHMENTS:

1. Resolution No. 11668, adopted 2004
2. Resolution No. 13364, adopted 2012
3. City of San Rafael Transportation Fee Nexus Report
4. Proposed 2021 Draft Resolution

RESOLUTION NO. 11668

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAN
RAFAEL IMPOSING TRAFFIC MITIGATION FEE ON
DEVELOPMENT PROJECTS CITYWIDE IN SAN RAFAEL
PLANNING AREA.
(\$4,246.00 PER TRIP)**

WHEREAS, the City Council of the City of San Rafael has adopted San Rafael Municipal Code Section 3.32 creating and establishing the authority for imposing and charging Public Facilities Fees; and

WHEREAS, pursuant to Section 3.32, the City Council of the City of San Rafael adopted Resolution No. 7882 establishing a traffic mitigation fee for certain zones of benefit within the City; and

WHEREAS, San Rafael General Plan 2020 identifies the potential impacts of projected future development, the needed facilities and the estimated costs of those improvements, including specifically for these purposes necessary and needed traffic infrastructure improvements and the projected costs thereof; and

WHEREAS, the circulation element of the General Plan 2020, and the effectiveness of the existing traffic mitigation fee were discussed at public hearings on September 28, 2004; and

WHEREAS, it was determined that the existing traffic mitigation fee is insufficient to fund the proposed traffic infrastructure improvements necessary to support projected future development in the City; and

ORIGINAL

11668

WHEREAS, it was further determined that the current traffic mitigation fee, which said fee is currently only applied to development projects in three defined traffic impacted areas of the City, does not adequately reflect the current traffic and circulation concerns of the City because: (1) the City is experiencing City-wide traffic congestion beyond the three previously defined zones of benefit; (2) the City has traffic infrastructure needs outside of the three defined zones of benefit; and (3) development projects in each area of the City impact traffic throughout the City by changes in the number of A.M. and P.M. peak hour trips; and

WHEREAS, various proposed alternatives and/or amendments to the existing traffic mitigation fee were presented and discussed at the public hearings in order to address these concerns, and the City Council preferred expanding the geographical application of the existing traffic mitigation fee so that it would be assessed Citywide, and further preferred combining all fees collected into one citywide traffic mitigation fee account; and

WHEREAS, the City Council further determined that the traffic mitigation fee should be increased to \$4,246.00 per trip, and that the fee shall be assessed by multiplying the per trip fee by the total number of new AM plus PM peak trips generated by a project; and

WHEREAS, the estimated number of trips generated per development project shall be approved by the City Traffic Engineer and traffic mitigation fee shall be assessed and paid at the time of the issuance of the building permit for development; and

WHEREAS, the traffic mitigation fee will be adjusted annually based on "Lee Saylor Construction Cost Index"; and

WHEREAS, the City Council has determined that: 1) cultural and theater facilities, excluding night clubs in Downtown, 2) childcare facilities, and 3) affordable housing projects shall be exempt from traffic mitigation fees; and

WHEREAS, the traffic mitigation fee adopted herein shall not be assessed on any development project for which land-use entitlements have been granted and remain valid, pursuant to Title 14 of the San Rafael Municipal Code (Zoning Ordinance), as of the effective date of this resolution. For those projects, the traffic mitigation fee in place prior to the effective date of this resolution shall be assessed and collected. A "valid" land-use entitlement shall be one for which project approval has been granted by the decision-making authority, no appeals have been filed within the appeal period specified within the Zoning Ordinance, and the approval granted by the decision-making authority has not lapsed; and

WHEREAS, the traffic mitigation fee adopted hereby shall not be assessed on or collected for any project subject to a Development Agreement approved prior to the effective date of this resolution, except in those instances where the Development Agreement specifically authorizes the City to collect fees and charges adopted by the City subsequent to the date of approval of the Development Agreement.

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of San Rafael hereby finds and determines that the above Recitals are true and correct and serve as the basis, in part, for the actions of the City Council set forth below; and

BE IT FURTHER RESOLVED that the City Council of the City of San Rafael does hereby adopt this Resolution establishing a new Citywide traffic mitigation fee pursuant to San Rafael Municipal Code Section 3.32;

I, **JEANNE M. LEONCINI**, 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 the 15th day of November, 2004, by the following vote, to wit:

AYES: **COUNCILMEMBERS:** **Cohen, Heller, Miller and Mayor Boro**

NOES: **COUNCILMEMBERS:** **None**

ABSENT: **COUNCILMEMBERS:** **Phillips**


JEANNE M. LEONCINI, City Clerk

RESOLUTION NO. 13364

**RESOLUTION OF THE SAN RAFAEL CITY COUNCIL
AMENDING RESOLUTION 11668 (REQUIRING THE IMPOSING OF TRAFFIC
MITIGATION FEES ON DEVELOPMENT PROJECTS CITYWIDE) EXEMPTING THE
CREATION OF NEW OR LEGALIZATION OF EXISTING
SECOND DWELLING UNITS FROM THE
CITYWIDE TRAFFIC MITIGATION FEE REQUIREMENT
(P12-002)**

The City Council of the City of San Rafael finds and determines that:

WHEREAS, San Rafael Municipal Code (SRMC) Section 3.32 provides enabling legislation for the City Council to create and establish the authority to impose and charge Public Facility Fees; and

WHEREAS, pursuant to SRMC Section 3.32, on December 19, 1988, the City Council adopted Resolution No. 7882 establishing traffic mitigation fees required for new development for three zones of benefit within the City. The adoption of these traffic mitigation fees was done in conjunction with the adoption of and as implementation to the San Rafael General Plan 2000; and

WHEREAS, in 2002, the City initiated an update of the San Rafael General Plan 2000, which included revisions to the Land Use and Circulation Elements. On November 15, 2004, the City Council adopted the San Rafael General Plan 2020. The General Plan 2020 includes policies and programs intended to address and mitigate traffic and transportation impacts associated with new land development within the City. Specifically, General Plan 2020 Circulation Element Policy C-5 (Traffic Level of Service Standards) sets forth intersection and arterial segment level of service standards that are to be maintained as new development is proposed, approved and built. Further, the Circulation Element includes: a) Policy C-6 (Proposed Improvements) which sets forth a list of planned transportation improvements that are deemed necessary to accommodate planned growth under the General Plan 2020, along with the estimated cost of needed improvements and timing; and b) Policy C-7 (Circulation Improvements Funding) which outlines the funding sources for the needed circulation improvements, which include, among others, traffic mitigation fees. Lastly, Circulation Element Program C-7a (Traffic Mitigation Fees) directs that the City continue to implement and periodically update the traffic mitigation fee program; and

WHEREAS, in conjunction and concurrent with the adoption of the San Rafael General Plan 2020, on November 15, 2004, the City Council adopted Resolution No. 11668, which updates the City's traffic mitigation fee program to: a) address and apply fees to both AM and PM peak hour traffic conditions; and b) apply the fees citywide. This action updated the fee amount to \$4,246.00 per peak hour trip (a collective amount of both AM and PM peak hour trips generated by new development). Resolution No. 11668 requires the application of traffic mitigation fees to all new development except for cultural and theater facilities (excluding night clubs in Downtown, childcare facilities and affordable housing projects; and

WHEREAS, in 2009 the City prepared and published the Second Dwelling Unit Progress Report - 2009. The San Rafael General Plan 2020 Housing Element encourages second dwelling units as they provide a good source of affordable housing for the community. The

purpose of the progress report, among others, was to assess second dwelling unit production since the 2004 adoption of the San Rafael General Plan 2020 as the General Plan estimated that 34 second dwelling units per year would be built or legalized during this time frame. The report disclosed that between 2004 and 2009, a total of 32 second dwelling units were built or legalized citywide, far below the per year estimate cited in the General Plan. Further, the report disclosed that one of the biggest obstacles to building a new or legalizing an existing second dwelling unit is the requirement to pay traffic mitigation fees; and

WHEREAS, as a result of the findings of the Second Dwelling Unit Progress Report-2009, in August 2011, the City Council adopted an amendment to the San Rafael General Plan 2020, which incorporated a new Housing Element Program H-25e (City Fees to Reduced Second Dwelling Unit Costs), which directs that the Citywide Traffic Mitigation Fee to waive the amount that is currently charged for second dwelling units; and

WHEREAS, the Department of Public Works, Transportation Division has reviewed and supports the proposal to waive the Citywide Traffic Mitigation Fee for second dwelling units. The Public Works Director finds that: a) the amount of traffic generated by a second dwelling unit during the AM and PM peak hour is minimal and is generally combined and/or absorbed with the peak hour traffic generation of the primary single-family residence; and b) the amount of second dwelling units that have been permitted citywide in combination with the number of such units planned and projected in the General Plan are not enough to result in a noticeable difference in traffic conditions. For these reasons, the fee is not warranted for second dwelling units; and

WHEREAS, no other amendments are proposed to Resolution 11668 that would change the structure or purpose of the fee, or the fee amount.

NOW, THEREFORE, BE IT RESOLVED, that the City Council of the City of San Rafael hereby adopts an amendment to Resolution 11668 (Citywide Traffic Mitigation Fee) exempting the creation of new or the legalization of existing second dwelling units from the mitigation fee payment based on the following findings:

1. The exemption of second dwelling units from the Citywide Traffic Mitigation Fee would be consistent with San Rafael General Plan 2020 Housing Element Policy H-25 (Second Units) and Programs H-25b (Second Unit Assistance) in that the action would: a) encourage new and the legalization of existing second dwelling units, which are a source of affordable housing in the community; and b) provide a financial incentive and assistance to property owners that are being encouraged to legalize existing second dwelling units. Further, this action would implement Housing Element Program H-25e (City Fees to Reduce Second Dwelling Unit Costs), which directs that this traffic mitigation fee be waived for second dwelling units.
2. The exemption of second dwelling units from the Citywide Traffic Mitigation Fee would not be detrimental to the health, safety and welfare of the community in that the Department of Public Works, Transportation Division has concluded that the amount of traffic generated by second dwelling units is minimal and ancillary to the traffic generated by the primary single-family residences. As such, the charging of a traffic mitigation fee for a second dwelling unit is not warranted.

BE IT FURTHER RESOLVED that the City Council of the City of San Rafael does hereby adopt this resolution amending Resolution 11668 (Citywide Traffic Mitigation Fee) to

expand list of projects and uses exempt from this fee to include the creation of new or legalization of existing second dwelling units to read as follows:

“The City Council has determined that: 1) cultural and theater facilities, excluding nightclubs in Downtown, 2) childcare facilities, 3) affordable housing projects, and 4) development of new or the legalization of existing second dwelling units shall be exempt from traffic mitigation fees.”

I, ESTHER BEIRNE, Clerk of the City of San Rafael, hereby certify that the foregoing resolution was duly introduced and read at a regular meeting of the San Rafael City Council held on the 2nd day of July, 2012, by the following vote, to wit:

| | | |
|--------|-----------------|---|
| AYES | COUNCILMEMBERS: | Connolly, Levine, McCullough & Mayor Phillips |
| NOES | COUNCILMEMBERS: | None |
| ABSENT | COUNCILMEMBERS: | Heller |



ESTHER C. BEIRNE, City Clerk

Draft Report

City of San Rafael Transportation Fee Nexus Report



June 2021

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1. Introduction

Background and Purpose

The Traffic Mitigation Fee (TMF) on development projects in San Rafael was last updated by the City Council on November 15, 2004. The fee was updated in conjunction with the San Rafael General Plan 2020 that was also adopted by the City Council in 2004, with the purpose of providing funds to support implementation of improvements identified in the Circulation Element due to the potential impacts of projected future development.

The purpose of this report is to serve as the necessary documentation to allow the City to update the existing citywide TMF program in conjunction with the current update to the General Plan and preparation of a Downtown Precise Plan. The City of San Rafael TMF is based on multiplying the number of net new peak hour trips (AM plus PM peak hours) for a project by the fee of \$4,246 per trip. The fee of \$4,246 per trip has not changed since 2004.

Impact fees are established under a state law known as Assembly Bill (AB) 1600, the Mitigation Fee Act. Fees charged pursuant to this legislation are used to build capital facilities needed to offset the impacts generated by new development. It is common practice throughout California for local jurisdictions to establish impact fee programs to fund the construction of several types of public infrastructure and facilities; one common type of fee program is a transportation impact or mitigation fee, which generates funds that are used to construct infrastructure and provide facilities that support the transportation needs of new residents and businesses.

Per the requirements of AB 1600, each impact fee program must be supported by a “nexus” analysis, which is a rational and documented set of procedures by which the agency establishes that there is a reasonable relationship (or “nexus”) between anticipated future development in the jurisdiction, the need for new infrastructure to support that development, and the fees that will be charged to help fund that infrastructure. Thus, the technical reports (such as this report) that are prepared to support a fee program are commonly called nexus studies.

Study Area

This nexus study addresses anticipated future development in the incorporated City of San Rafael as well as in the sphere of influence (SOI) area that immediately surrounds the incorporated city.

Organization of the Report

After this introductory section, the report contains four additional sections:

- *Section 2* – Project List describes the list of capital improvement projects that would be included in the program.
- *Section 3* – Growth Projections documents the amount of growth anticipated over the next twenty years in the geographic areas that would be covered by the Citywide TMF.
- *Section 4* – Nexus Analysis and Fee Calculations describes the results of the nexus analysis and calculates the fee amounts using the information presented in the report.
- *Section 5* – Summary of Required Program Elements summarizes how the information in this report satisfies the requirements of the Mitigation Fee Act (AB 1600).

2. Project List

The General Plan Update team comprised of City staff collaborated to develop a list of capital improvement projects for inclusion as part of the Citywide TMF. The projects reflect the goals and objectives in the General Plan Circulation Element, with particular emphasis on improving traffic flow and reducing conflicts for vehicles, bicyclists and pedestrians through the application of intersection improvements such as constructing roundabouts, additional turn and merge lanes, and other facilities that would smooth traffic flow and reduce exposure of more vulnerable road users. Priority was given to projects that are located on the City's arterial and collector streets, defined as existing roadways that serve as primary travel routes to and through the City.

Table 1 contains a description of each project along with its estimated cost. The projects in Table 1 are broken down into the following six categories.

- Interchange Projects
- Downtown Area Improvements
- Active Transportation (Pedestrian/Bicycle) Improvements
- Complete Streets & Corridors
- Intersection Improvements
- Smart Infrastructure (Technology)

A total of 16 projects or programs are listed within the six categories listed above. As noted in Table 1, 12 of the 16 projects or programs are included in the current Citywide TMF.

The four projects that are added to the current Citywide TMF are as follows.

- Downtown San Rafael Remaining One-Way Street Conversions – as described in Downtown Precise Plan, convert one-way segment of B Street to two-way operation
- US 101/Downtown San Rafael Interchange – improvements to local road segments and intersections along Irwin Street, Hetherton Avenue, 2nd Street, and 3rd Street in the vicinity of the Downtown northbound and southbound ramps to US 101
- Fourth Street (West End) Intersection Realignment – realignment of Fourth Street/Second Street/Marquard Avenue intersection per alternatives developed for the 3rd Street
- Fourth Street Multimodal Improvements – as described in Downtown Precise Plan, improve pedestrian and bicycle connections while maintaining high quality transit route along 4th Street

The above four improvements are identified to serve planned residential and employment growth in Downtown San Rafael as identified in both the General Plan Update and Downtown Precise Plan. PM peak hour volumes on the segments of 2nd Street, 3rd Street, 4th Street, Irwin Street, and Hetherton Avenue that are part of the four new above projects are forecast to increase from 16 percent to 29 percent from existing to 2040 conditions due to planned growth.

Table 1: City of San Rafael Citywide TMF Project List

| # | DESCRIPTION | COST (\$M) |
|---|---|-------------|
| 1. INTERCHANGE PROJECTS | | |
| Includes modifications to interchanges for capacity, safety, access, and improved circulation | | |
| 1A ¹ | US 101/Freitas Parkway Interchange West. Reconfigure the US 101 off-ramp / Freitas Parkway (Del Presidio) and Northgate Rd/ Freitas Parkway intersection to address safety, circulation, and capacity issues. Improvements would be coordinated with ongoing development plans and anticipated Northgate Specific Plan/ Precise Plan process where appropriate. | \$15 |
| 1B ¹ | US 101/ Freitas Parkway Interchange East. Reconfigure the US-101 NB off-ramp/Civic Center Drive intersection to address safety, circulation, and capacity issues. Improvements would be coordinated with ongoing development plans and Northgate PDA, and future planning process where appropriate. | \$15 |
| 1C ¹ | Smith Ranch Road/Lucas Valley Road Multimodal Improvements at US 101. Road widening and additional lane capacity from Los Gamos to Redwood Highway. Improve pedestrian and bicycle access across the US-101 underpass by reconstructing the bridge to provide dedicated bicycle facilities and wider pedestrian sidewalks. | \$6 |
| Category 1 Subtotal | | \$36 |
| 2. DOWNTOWN AREA IMPROVEMENTS | | |
| Includes improvements in the downtown area as defined by the Downtown Precise Plan area. Projects and improvements may include projects from other adopted City plans but is intended to include improvements to meet the vision, goals, and objectives of the Downtown Precise Plan. | | |
| 2A | Downtown roadway and intersection improvements (traffic signals, roundabouts, pedestrian/bicycle, ADA, and/or turn lane modifications) and improvements to gateway streets to Downtown, including: <ul style="list-style-type: none"> ▪ Downtown San Rafael Remaining One-Way Street Conversions, per Downtown Precise Plan ▪ New traffic control devices¹ (e.g., traffic signal, roundabout, or other devices) at Fifth Ave/H St, First St/C St, First St/D St, Fourth St/Union St, and Mission Ave/Court St | \$4 |
| 2B | US 101/ Downtown San Rafael Interchange. Improvements to Irwin St, Hetherton Ave, 2nd St, and 3rd St in the vicinity of the NB off-ramp and SB on-ramp. | \$10 |
| 2C | Fourth Street (West End) Intersection Realignment. Re-align Fourth Street/Second Street/Marquard Avenue intersection. | \$6 |
| 2D ¹ | Second Street Multimodal Improvements. Improve Second Street corridor operations while addressing pedestrian and bicycle safety at crossing locations, and widen sidewalks and remove parking where feasible | \$6 |
| 2E | Fourth Street Multimodal Improvements. Improve pedestrian and bicycle connections while maintaining high quality transit route along 4th Street. Improvements include converting parking to loading, widening sidewalks, and improving the bus and bike experience. Also Includes 4th Street signal and ADA upgrades. | \$13 |
| Category 2 Subtotal | | \$43 |
| 3. ACTIVE TRANSPORTATION (PEDESTRIAN/BICYCLE) IMPROVEMENTS | | |
| Includes multimodal improvements and programs with a focus on pedestrian and bicycle improvements identified in the Bicycle & Pedestrian Master Plan. | | |

Table 1: City of San Rafael Citywide TMF Project List

| # | DESCRIPTION | COST (\$M) |
|---|---|----------------|
| 3A ¹ | Includes various projects identified in the 2018 BPMP, consistent with the priorities expressed in that Plan. | \$9.6 |
| Category 3 Subtotal | | \$9.6 |
| 4. COMPLETE STREETS & CORRIDORS | | |
| Corridor level improvements including reconstruction of sidewalks, streets, pavement, signing, striping, and crossing improvements, with the objective of improving peak hour traffic flows and accommodate modes other than just motorized vehicles. | | |
| 4A ¹ | Lincoln Avenue Peak Period Lanes/Parking Restrictions. Extend the existing PM peak period parking restrictions, to allow for two lanes in each direction during both AM and PM peak periods, from Hammondale Court/SB US 101 ramps to Mission Ave. Provide additional parking in corridor. Include ADA upgrades, crossing improvements, and other multimodal improvements/accommodations. | \$4.6 |
| 4B ¹ | Northgate Area Intersection and Complete Streets Improvements. Includes Las Gallinas/Northgate and Las Gallinas/Del Presidio intersections. Also includes improvements to Las Gallinas Avenue and Los Ranchitos Road, Northgate Drive, and Del Presidio Blvd, and continued development of North San Rafael Promenade. Additional improvements to be identified through future PDA planning process. | \$2.3 |
| 4C ¹ | Francisco Boulevard East Corridor Improvements. Increase capacity from Bellam to Grand Avenue bridge and install signal, ADA, and pedestrian improvements at Harbor St. Additional improvements to be identified through future PDA planning process. | \$10.2 |
| Category 4 Subtotal | | \$17.1 |
| 5. INTERSECTION IMPROVEMENTS | | |
| Intersection improvements including new traffic signals, intersection realignments/reconfigurations, and other major changes to spot locations that are outside the Downtown Precise Plan area. | | |
| 5A ¹ | Fourth Street (Miracle Mile) Intersection Improvement. Improve performance of Fourth Street signal at Ross Valley Dr and Santa Margarita Dr, including ADA upgrades. | \$0.5 |
| 5B ¹ | Lincoln/DuBois/Irwin. New signal, roundabout, or other intersection improvement to improve safety and traffic flow. | \$2.5 |
| Category 5 Subtotal | | \$3.0 |
| 6. SMART INFRASTRUCTURE (TECHNOLOGY) | | |
| Traffic signal and communication infrastructure upgrades, including monitoring equipment, fiber optic/communication systems, and other technology enhancements to facilitate smart management of transportation system. | | |
| 6A ¹ | Intersection Technology. Traffic signal equipment, cameras, modems, wireless, Bluetooth, automated data collection, etc. | \$4.0 |
| 6B ¹ | Corridor Communication System. Fiber optic cable and conduit along major arterials and central City system upgrades. | \$2.0 |
| Category 6 Subtotal | | \$6.0 |
| TOTAL | | \$114.7 |

¹ Project in current transportation mitigation fee program.

3. Growth Projections

An important element of every fee calculation is the estimate of future growth in the fee area. The growth forecasts that are used in this nexus study are based on the existing and 2040 forecasts from the preferred land use alternative for San Rafael General Plan 2040, as shown in **Table 2**.

The land use data shown in Table 2 was incorporated into the Transportation Authority of Marin Travel Demand Model (TAMDM) and forecasts of person trips and vehicle trips prepared for both the base year and 2040 scenarios. The forecast growth in the number of net new AM and PM peak vehicle hour trips was extracted from the model, as the current City of San Rafael TMF is based on multiplying the number of net new peak hour vehicle trips (AM plus PM peak hours) for a project by the fee of \$4,246 per vehicle trip. As shown in Table 1, a total of 3,513 net new vehicle trips are forecast to be added to the street network for a typical weekday based on growth in the City of San Rafael over the next 20 years. This represents the total number of net new peak hour vehicle trips estimated to occur because of new development in San Rafael and will be the basis for calculating the updated fee.

Table 2: Projected Growth in San Rafael

| | INCORPORATED CITY | SOI AREA | TOTAL CITY + SOI |
|---|-------------------|----------|------------------|
| POPULATION | | | |
| Existing | 61,230 | 14,521 | 75,751 |
| 2040 | 69,240 | 15,421 | 84,661 |
| Growth | 8,010 | 900 | 8,910 |
| EMPLOYMENT | | | |
| Existing | 42,050 | 2,150 | 44,200 |
| 2040 | 46,100 | 2,215 | 48,315 |
| Growth | 4,050 | 65 | 4,115 |
| SERVICE POPULATION (POPULATION + EMPLOYMENT) | | | |
| Existing | 103,280 | 16,671 | 119,951 |
| 2040 | 115,340 | 17,636 | 132,976 |
| Growth | 12,060 | 965 | 13,025 |
| Projected Growth in New AM Peak Hour plus PM Peak Hour Trips for a Typical Weekday (2020-2040) | | | 3,513 |

Source: Trip growth from TAM Marin County Travel Demand Model (TAMDM) based on the San Rafael Plan 2040 population and employment growth forecasts, Fehr & Peers.

4. Nexus Analysis and Fee Calculations

Analysis of Future Usage

A key part of the nexus study process is to conduct an analysis of the future usage of the TMF facilities to establish a relationship between the travel needs generated by new development in San Rafael and the facilities that are proposed to be improved through application of fee revenues. A common practice in nexus studies is to use a travel demand model for this purpose. Below we present a brief introduction to travel demand models, followed by a description of the process used to conduct this nexus analysis and the results.

Brief Description of Travel Demand Models

Travel demand models are developed by transportation planners and engineers with specific training in this field. The models are built using specialized software and a wide range of data about the existing transportation system. This data includes Geographic Information Systems (GIS) data about the locations and characteristics of all the streets and highways in the study area, data about the types of land uses (e.g., single-family homes, retail shops, office buildings, etc.) located in the study area, data about the socioeconomic characteristics (such as age, income, and employment status) of the people living in the study area, and survey data about how people with varying characteristics tend to travel. Once the input data is developed and checked, the model is calibrated to reflect existing travel patterns; that is, the mathematical procedures applied within the model are adjusted until the model's outputs (such as traffic volumes and speeds on each road) match reasonably well with actual observations.

At that point, the model is considered ready for use in analyzing future scenarios. Model inputs can be changed to reflect different possible futures, and then the outputs are examined to see how future travel patterns might change in response to those different scenarios. For example, there may be a proposal to build a group of new office and retail buildings on a site that is currently vacant; the model inputs can be adjusted to reflect that proposed new development (size of the new buildings, types of uses, etc.), and then the model will be applied to see how the traffic volumes in that vicinity might be expected to change.

Modeling in Marin County

The travel model that is currently used for transportation planning purposes in Marin County is developed and maintained by the Transportation Authority of Marin (TAM) and is referred to as the Transportation Authority of Marin Travel Demand Model (TAMDM). TAM has maintained a travel model for many years and applies industry-standard model development and calibration procedures. The TAMDM was most

recently updated in 2019 and the most current available version of the model has been used for this nexus analysis. The horizon year of the model is year 2040.

Procedure for Analyzing Future Usage

For the purposes of a nexus analysis, a model is used to determine the linkage between traffic coming from the geographic areas subject to the TMF and the usage of the specific facilities that are going to be funded with TMF revenues. In a travel demand model, roads and intersections are represented by a network of “links” and “nodes”; in general, each link represents a road segment and each node (i.e., a location where two links are joined) represents an intersection. For each of the projects included in the Citywide TMF program, the links in the model network that represent that project location were identified. Then, “select link” model runs were conducted for each of the proposed TMF projects. The select link analysis identifies the origins and destinations of each vehicle that is projected to use each selected link; with this information, the fair share of cost associated with each project can be allocated to development in San Rafael and included in the impact fee.

For the fair share calculations for the San Rafael TMF programs, there are four types of trips identified through the select link process:

1. Trips that both start and end in San Rafael;
2. Trips that have an origin in San Rafael and a destination elsewhere;
3. Trips that have a destination in San Rafael and an origin elsewhere; and,
4. Trips that have neither an origin nor a destination in San Rafael but are using roads that pass-through San Rafael (also referred to as “pass-through” trips).

Trips that fall into the final category, “pass-through” trips, should not be included in the fee program because those trips are not related to San Rafael development that is subject to the fee. Trips from the other three categories are attributable to development in San Rafael and thus can be included in the TMF calculations.

Results of Analyzing Future Usage

The results are shown in **Table 3**. The column titled “Proportion of 2040 Trips from City and SOI Areas” shows the percentage of traffic on each facility that falls within the first three categories described above (i.e., the traffic that is linked to development in San Rafael). That percentage is then applied to the estimated cost for each project to determine the dollar amount that is considered eligible for inclusion in the TMF program.

It should be noted that the intent of this analysis is solely for the purposes of the TMF nexus analysis. The primary result is the percentage of trips projected to use each facility that are linked to development in San Rafael. It is not intended for these results to be used to determine the appropriate size or configuration for any particular facility.

Table 3: Eligible TMF Costs: Future Trip Allocation for City of San Rafael and SOI Zones

| Number | Category | Total Cost Estimate (2020 \$) | Proportion of 2040 Trips from City and SOI Zones | Cost Eligible for Citywide TMF |
|--------------|--|-------------------------------|--|--------------------------------|
| 1 | Interchange Projects | \$36 M | 89% | \$32.2 M |
| 2 | Downtown Area Improvements | \$43 M | 64% | \$28.0 M |
| 3 | Active Transportation (Pedestrian/Bicycle) | \$9.6 M | 60% | \$ 5.7 M |
| 4 | Complete Streets & Corridors | \$17.1 M | 84% | \$14.3 M |
| 5 | Intersection Improvements | \$3.0 M | 75% | \$ 2.2 M |
| 6 | SMART Infrastructure (Technology) | \$6.0 M | 60% | \$ 3.6 M |
| TOTAL | | \$114.7 M | | \$85.66 M |

Fee Amounts

Table 4 displays the calculated impact fees. These fees have been calculated based on the list of projects as shown in Table 1, and the projected number of new daily trips as shown in Table 2. Based on consultation with City staff, it was determined that \$90 million in revenues (or about 78 percent of the total program cost) would be acquired from other revenue sources such as federal, state, and regional grant programs as well as public benefit contributions from large developments.

The result of the calculations is a fee per new peak hours trip that would be applied to applicants for new building permits in San Rafael. The fee below represents a 63 percent increase in the current fee program that has not been updated since November 2004. The 2004 TMF update included a provision for the traffic mitigation fee to be adjusted annually to account for inflation based on a construction cost index. The National Highway Construction Cost Index (NHCCI) maintained by the Federal Highway Administration (FHWA) indicates that the cost for construction increased 72 percent from 2004 through 2020.

Table 4: Calculation of San Rafael TMF Fees

| Calculation | Value |
|---|----------------|
| Total Estimated TMF Project Costs | \$114,700,000 |
| Total Funds from Other Revenue Sources | \$ 90,430,000 |
| Total Cost of Projects Funded by TMF (note: this represents about 28 percent of the \$85.66 million eligible for Citywide TMF per Table 3 above) | \$ 24,270,000 |
| Divided by Growth in AM and PM Peak Hour Trips (20 years) | 3,513 |
| Fee per Net New AM and PM peak Hour Trip | \$6,909 |

Fee Update Implementation

Two alternatives for implementing the updated transportation fees are presented in **Table 4** for consideration. Option A would involve a one-time adjustment of the current fee of \$4,246 per AM and PM peak hour trip to \$6,900 as shown in Table 4. This one-time adjustment would result in a fee that would be slightly less than an updated amount adjusted for inflation since the fee was last updated in 2004, which would be approximately \$7,300 based on the National Highway Construction Cost Index (NHCCI) maintained by the Federal Highway Administration (FHWA). Option B would involve pro-rating the one-time adjustment in Option A over three years.

Table 5: Options for Implementing Updated Transportation Fees

| YEAR | UPDATED FEES WITH IMPLEMENTATION OPTIONS | |
|------|--|--|
| | Option A: One-Time Increase | Option B: Increase Pro-rated Over 3 Years |
| 2021 | \$6,909 | \$5,134 |
| 2022 | Adjusted each year based on prior year inflation | \$6,021 |
| 2023 | | \$6,909 |
| 2024 | | Adjusted each year based on prior year inflation |
| 2025 | | |
| 2026 | | |

¹ The average annual inflation rate based on the National Highway Construction Cost Index (NHCCI) maintained by the Federal Highway Administration (FHWA) from 2004 through 2020 was 4.5 percent.

5. Summary of Required Program Elements

This report has provided a detailed discussion of the elements of the San Rafael Transportation Mitigation Fee program and explained the analytical techniques used to develop this nexus study. The report addresses all of the fee program elements required by AB 1600, as summarized below.

1. *Identifying the purpose of the fee*

The City of San Rafael TMF program was established for the purpose of supporting public infrastructure improvements and facilities needed to mitigate the traffic-related impacts of new development in the City of San Rafael.

2. *Identifying how the fee will be used and the facilities to be funded through the fee*

The fee will be used to help fund capital improvement projects that will accommodate future transportation needs throughout Sam Rafael. Table 1 identifies the projects to be funded through the fee.

3. *Determining a reasonable relationship between the fee's use and the type of development on which the fee is imposed*

As described in this report, different types of development generate traffic with different characteristics. The calculations presented in Table 2 account for these characteristics by calculating the number of peak trips generated by the different land use types that are assumed to occur over the next 20 years in the San Rafael General Plan 2040. These considerations account for the differential impacts on the local transportation system generated by different development types.

4. *Determining a reasonable relationship between the need for the public facility and the type of development on which the fee is imposed*

The need for the facilities listed in Table 1 has been established through planning processes including the San Rafael General Plan 2040 and Downtown Precise Plan prepared by the City of San Rafael. As described in the report, the facilities included in the TMF currently operate acceptably so there are no existing deficiencies on the facilities included in this program, indicating that the need for improvements is not caused by existing development.

5. *Determining a reasonable relationship between the amount of the fee and the cost of the public facility (or portion of facility) attributable to new development*

Section 4 of this report describes the calculations applied to determine the cost of the public facility that is attributable to new development in San Rafael; this process accounts for the effects of existing deficiencies (of which there are none in this program) and the effects of traffic generated from outside the area that will be subject to the fee. Thus, a reasonable effort has been made to quantitatively establish the relationship between the fees charged in the San Rafael TMF program and the costs of public improvements attributable to new development within the TMF area.

RESOLUTION NO. _____

RESOLUTION OF THE SAN RAFAEL CITY COUNCIL TO UPDATE THE CITYWIDE TRAFFIC MITIGATION FEE AS RECOMMENDED BY THE 2040 GENERAL PLAN REPORT TITLED “CITY OF SAN RAFAEL TRANSPORTATION FEE NEXUS REPORT”

WHEREAS, San Rafael Municipal Code (SRMC) Chapter 3.32 provides enabling legislation for the City Council to create and establish the authority to impose and charge Public Facilities Development Fees; and

WHEREAS, pursuant to SRMC Chapter 3.32, on December 19, 1988, the City Council adopted Resolution No. 7882 establishing traffic mitigation fees required for new development for three zones of benefit within the City. The adoption of the traffic mitigation fees was done in conjunction with the adoption of and as implementation to the San Rafael General Plan 2000; and

WHEREAS, in 2004, in connection with the adoption of the updated San Rafael General Plan 2020, the City Council adopted Resolution No. 11668 expanding the requirement for payment of the traffic mitigation fees to development projects citywide and establishing the fee amount of \$4,246 per total new morning and afternoon peak hour trips generated by the new development; and

WHEREAS, in 2012, the City Council adopted Resolution No. 13364 exempting second units from the citywide traffic mitigation fee; and

WHEREAS, in 2021, in connection with the General Plan 2040 update, the City commissioned the preparation of a nexus study for the citywide traffic mitigation fee to comply with AB 1600. The study was completed by Fehr and Peers Consultants and was accepted by the City; and

WHEREAS, the Fehr and Peers nexus study supports and recommends raising the amount of the traffic mitigation fee from \$4,246 per new morning and afternoon peak hour trips to \$6,909 per new morning and afternoon peak hour trips; and

WHEREAS, Staff reached out to the San Rafael Chamber of Commerce and the local builders and received valuable feedback and requests to phase in the raising of the traffic mitigation fee; and

WHEREAS, in consultation with Fehr and Peers about the appropriate period of time over which to phase in the increased fee, staff has recommended implementation of the fee increase over a five-year period to accommodate requests made by local builders; and

WHEREAS, the community comments requested that the City minimize the impact on housing projects and delay the collection of the fees as much as possible; and

WHEREAS, numerous amendments to Resolution No. 11668 and Resolution No. 13364 are needed to comprehensively update the citywide traffic mitigation fee;

NOW, THEREFORE, BE IT RESOLVED, by the City Council of the City of San Rafael that the traffic mitigation fee requirements and policies established by Resolution No. 11668 and amended by Resolution No. 13364 are hereby updated and restated in full as follows:

1. Following adoption of this Resolution, the current traffic mitigation fee of \$4,246 per trip shall apply to any development application submitted to the City's Community Development Department prior to January 1, 2022.
2. Except as provided in Paragraph 1 above, as of January 1, 2022, the amount of the traffic mitigation fee will be determined based on the rate in effect on the date of building permit issuance.
3. As of January 1, 2022, the traffic mitigation fee shall be increased to \$4,779 per trip and shall be increased until January 1, 2027 as follows:

| Effective date | Traffic mitigation fee (per trip) |
|-----------------|---|
| January 1, 2022 | \$4,779 |
| January 1, 2023 | Base Amount * + gradual increase (\$533) and adjusted by the percentage change in the Lee Saylor Construction Cost Index if greater than zero percent for the November to November twelve-month period immediately preceding the date of the fee increase |
| January 1, 2024 | Base Amount + gradual increase (\$533) and adjusted by the percentage change in the Lee Saylor Construction Cost Index if greater than zero percent for the November to November twelve-month period immediately preceding the date of the fee increase |
| January 1, 2025 | Base Amount + gradual increase (\$533) and adjusted by the percentage change in the Lee Saylor Construction Cost Index if greater than zero percent for the November to November twelve-month period immediately preceding the date of the fee increase |
| January 1, 2026 | Base Amount + gradual increase (\$533) and adjusted by the percentage change in the Lee Saylor Construction Cost Index if greater than zero percent for the November to November twelve-month period immediately preceding the date of the fee increase |

* "Base Amount" is defined for this Resolution as the prior year's fee amount

4. After 2026, each January 1, starting on January 1, 2027, the traffic mitigation fee will be equal to the Base Amount adjusted by the percentage change in the Lee Saylor Construction Cost Index if greater than zero percent for the November to November twelve-month period immediately preceding the date of the fee increase.

5. The fee shall be paid at either the issuance of the building permit for development or prior to occupancy of any portion of the development.
6. The fee will be based on the unadjusted (no pass by or multimodal adjustments) trip generation calculations approved by the City Traffic Engineer.
7. The fee shall not be assessed on or collected from the following: Low income and very low income (affordable) housing units, second dwelling units, also known as Auxiliary Dwelling Units or "ADUs", cultural and theater facilities, excluding night clubs in Downtown, or childcare facilities.
8. The fee may be negotiated for projects subject to a Development Agreement. This resolution does not affect the conditions of Development Agreements approved prior to the effective date of this resolution.
9. The fee shall not be assessed on or collected for tenant improvements not adding building area.
10. The fee shall be assessed on and collected for tenant improvements adding building area only on the net increase of square footage converted to new trips for morning and afternoon.
11. The fee shall be assessed on and collected for rezoned properties.
12. Where the manner of assessing the traffic mitigation fee on a particular project is not clearly provided for in this Resolution or in adopted City policy, the City's Traffic Engineer shall determine the appropriate method of determining the fee to be assessed. Such decision by the City Traffic Engineer may be appealed to the City's Community Development Director, whose decision shall be final.
13. Nothing in this Resolution shall be deemed to apply in a manner that would conflict with applicable state law, including but not limited to the provisions of Senate Bill 330- the Housing Crisis Act of 2019.

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 meeting held on October 4, 2021 by the following vote, to wit:

AYES: COUNCILMEMBERS:

NOES: COUNCILMEMBERS:

ABSENT: COUNCILMEMBERS:

Lindsay Lara, City Clerk