



MINUTES

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.

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: 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

Mayor Kate called the meeting to order at 7:00 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 a shout-out to Bella Bromberg as she auditions for The Voice tonight, Domestic Violence Awareness Month, 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

- Victoria DeWitt, addressed the City Council requesting immediate action to adopt an interim Ordinance prohibiting Accessory Dwelling Units (ADUs) on Fremont Road.
- Steve Thomson, addressed the City Council regarding ADUs on Fremont Road.
- John Kramer, addressed the City Council regarding ADUs on Fremont Road.

CITY MANAGER’S REPORT:

3. City Manager’s Report:

City Manager Jim Schutz announced:

- COVID-19 Update
- Service Support Area Update
- Prescription Drug Take Back Month
- Senator McGuire to hold a Climate Crisis Town Hall on Wednesday, October 6 at 6:30 p.m.
- Marin Municipal Water District to hold a Community Drought webinar on Monday, October 11 from 5-7 p.m.

COUNCILMEMBER REPORTS:

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

4. Councilmember Reports:

- Councilmember Hill reported on the League of California Cities’ Conference and Ad Hoc Micro Grid and Priority Setting Committee meetings.
- Councilmember Bushey reported on Library Foundation, Transportation Authority of Marin, Loch Lomond Development Oversight Committee and San Rafael Sanitation District meetings.
- Councilmember Llorens Gulati reported on a Marin County Council of Mayors and Councilmembers (MCCMC) for Climate Action and a regular MCCMC meeting, as well as, a meeting with the Superintendent of the San Rafael City Schools.
- Councilmember Kertz reported on Age Friendly Committee, Aging Action Initiative, County Homeless Policy Steering Committee and MCCMC meetings.
- Mayor Kate reported on Transportation Authority of Marin (TAM), MCCMC Economic Recovery and Marin Transit meetings.

CONSENT CALENDAR:

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

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

Approved 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)

Received and filed

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)

Resolution 14978 - Resolution of Appreciation to Recipient of The Richard P. O'Brien and Mary Ferrario O'Brien Citizen of the Year Award 2021

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)

Resolution 14979 - 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

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)

Resolution 14980 - 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

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)

Approved 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**

Resolution 14981 - 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*

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

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

Mayor Kate presented a Proclamation to Shirley Fischer.

Shirley Fischer provided comments.

Councilmembers provided comments.

Mayor Kate invited public comment.

Speakers: Rick O'Brien, David Smith, Kim Keith-Brown, Grace Geraghty

- b. Presentation of Proclamation for National Disability Awareness Month (CD)

Mayor Kate presented a Proclamation to Don Jeppson, Chief Building Official.

Don Jeppson, Chief Building Official provided comments.

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

- c. Presentation of Proclamation for Fire Prevention Week (FD)

Mayor Kate presented a Proclamation to Darin White, Fire Chief

Darin White, Fire Chief provided comments.

Councilmembers provided comments.

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

d. Presentation by Caltrans on the Harbor Bridge Project (PW)

Bill Guerin, Public Works Director introduced Jose David, Caltrans who gave a presentation.

Staff responded to questions from Councilmembers.

Mayor Kate invited public comment.

Speaker: Bill Carney, Sustainable San Rafael

Staff responded to public comment.

OTHER AGENDA ITEMS

7. Other Agenda Items:

a. **Resident Engagement**

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

Thomas Wong, Senior Management Analyst introduced Susan Clark, Common Knowledge who presented the Staff Report.

Staff responded to questions from Councilmembers.

Mayor Kate invited public comment.

Speakers: Amy Likover, Federation of San Rafael Neighborhoods, Richard Bernstein, Federation of San Rafael Neighborhoods, Kim Keith-Brown, Bill Carney, Sustainable San Rafael, Sunny Lee, Bonnie Marmor, Pt. San Pedro Road Coalition, Victoria DeWitt, Jeff Rhoads, Resilient Shore

Councilmembers provided comments.

Staff 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

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)

Alicia Giudice, Community Development Director and Rafat Raie, Deputy Public Works Director presented the Staff Report.

Staff responded to questions from Councilmembers.

Mayor Kate invited public comment.

Speakers: Linzy Klumpp, San Rafael Heritage, Sunny Lee, Leslie Simons, Bill Carney, Sustainable San Rafael, Jeff Rhoads, Resilient Shore

Staff responded to public comment.

Councilmembers provided comments.

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

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

Resolution 14982 - 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

Councilmember Bushey moved and Councilmember Llorens Gulati seconded to add additional language to the resolution based on the discussion of their finding that the Draft Environmental Impact Report (DEIR) is fundamentally inadequate.

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

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)

Bill Guerin, Public Works Director introduced Rafat Raie, Deputy Public Works Director who presented the Staff Report.

Staff responded to questions from Councilmembers.

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

Councilmembers provided comments.

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

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

Resolution 14983 - 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"

SAN RAFAEL SUCCESSOR AGENCY:

1. Consent Calendar: - None.

ADJOURNMENT:

City Attorney Rob Epstein adjourned the meeting in honor of Alfred "Fred" Panacci.

Mayor Kate adjourned the meeting at 11:25 p.m.

LINDSAY LARA, City Clerk

APPROVED THIS ____ DAY OF _____, 2021

KATE COLIN, Mayor