



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

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: 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