



## AGENDA

SAN RAFAEL CITY COUNCIL – MONDAY, DECEMBER 6, 2021

REGULAR MEETING AT 7:00 P.M.

Watch on Webinar: <https://tinyurl.com/cc-2021-12-06>

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

Listen by phone: (669) 900-9128

ID: 817-3692-0337#

One Tap Mobile: US: +16699009128,,81736920337#

### CORONAVIRUS (COVID-19) ADVISORY NOTICE

In response to Executive Order N-29-20, the City of San Rafael will no longer offer an in-person meeting location for the public to attend. This meeting will be held virtually using Zoom and is being streamed to YouTube at [www.youtube.com/cityofsanrafael](http://www.youtube.com/cityofsanrafael).

How to participate in the meeting:

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

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

### OPEN SESSION

1. Mayor Kate to announced Closed Session item.

### CLOSED SESSION – (669) 900-9128 ID: 815-5125-5972#- 5:30 PM

2. Closed Session:
  - a. CONFERENCE WITH LEGAL COUNSEL—ANTICIPATED LITIGATION  
Significant exposure to litigation pursuant Government Code Section 54956.9(d)(2)  
(One potential case)
  - b. CONFERENCE WITH LEGAL COUNSEL—EXISTING LITIGATION  
Government Code Section 54956.6(d)(1)  
In Re National Prescription Opiate Litigation  
United States District Court for the Northern District of Ohio Eastern Division  
Case No. 17-MD-2804

### 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. **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*
- b. **Agency Report of Public Officials 2021**  
Adoption of Agency Report of Public Official Appointments (FPPC Form 806) (CA)  
*Recommended Action - Adopt Form 806*
- c. **Job Classification and Compensation Adjustments in the Human Resources Department**  
Resolution Approving the New Classification and Compensation of Administrative Services Director (HR)  
*Recommended Action - Adopt Resolution*
- d. **Accessory Dwelling Unit Regulations Ordinance Adoption**  
Final Approval of Ordinance 2002: An Ordinance Amending Title 1 (General Provisions), Title 4 (Fire), Title 12 (Building Regulations), and Title 14 (Zoning Ordinance) of the San Rafael Municipal Code Related to Regulations for Accessory Dwelling Units, and Report Issued Pursuant to Government Code § 65858(d) (CD)  
*Recommended Action - Approve final adoption of Ordinance 2002*
- e. **Citizens Advisory Committee on Economic Development and Affordable Housing Dissolution**  
Resolution Dissolving the Citizen Advisory Committee (CAC) on Economic Development and Affordable Housing (ED)  
*Recommended Action - Adopt Resolution*
- f. **Traffic Mitigation Fees**  
Annual Traffic Mitigation Fee Report - FY 2021-22 (PW)  
*Recommended Action - Accept report*

- g. **Annual CalRecycle Grant**  
Resolution Authorizing Submittal of An Application for All CalRecycle Grants for Which the City of San Rafael is Eligible (PW)  
*Recommended Action – Adopt Resolution*
- h. **Memorandum of Agreement with the County of Marin to Maintain Bayside Park**  
Resolution Approving and Authorizing the Mayor to Sign a Memorandum of Agreement with Marin County Defining Maintenance Responsibilities for Bayside Park (PW)  
*Recommended Action – Adopt Resolution*
- i. **Umbrella Dredging Permit in San Rafael Consulting Services Agreement**  
Resolution Approving and Authorizing the City Manager to Sign a First Amendment to the Professional Services Agreement with Haley & Aldrich, Inc. for Additional Services in Coordinating the Development of an Umbrella Permit for Private Dock Dredging in the San Rafael Canal, in an Amount Not to Exceed \$16,200 (PW)  
*Recommended Action – Adopt Resolution*
- j. **Southern Heights Bridge Replacement**  
Resolution Approving and Authorizing the City Manager to Execute a Fourth Amendment to the Agreement with Mark Thomas & Company, Inc. for Slope Stability Analysis, in an Additional Contract Amount Not to Exceed \$51,789 (PW)  
*Recommended Action – Adopt Resolution*

## **PUBLIC HEARINGS**

### 6. Public Hearings:

- a. **Marin Sanitary Service Rates and Contract for 2022**  
Resolutions of the City Council of the City of San Rafael:
  - i. Resolution Establishing Maximum Rates Collected by Marin Sanitary Service for Refuse and Recyclable Material Collection and Disposal Services, to be Effective January 1, 2022  
*Recommended Action – Adopt Resolution*
  - ii. Resolution Approving a Fourth Amendment to the Amendment and Restatement of Collection Agreement of the City of San Rafael with Marin Sanitary Service (CM)  
*Recommended Action – Adopt Resolution*
- b. **Downtown Business Improvement District (BID) Assessment Annual Renewal**  
Resolution Approving the Downtown San Rafael Business Improvement District Assessment for Calendar Year 2022 (ED)  
*Recommended Action – Adopt Resolution*

## **OTHER AGENDA ITEMS**

### 7. Other Agenda Items:

- a. **Resident Appeal of an AT&T Encroachment Permit**  
Consideration of a Resident Appeal from the Issuance of an Encroachment Permit to AT&T to Install a Utility Cabinet in the Public Right-of-way Alongside Property Located at 109 Bayview Street, San Rafael (PW)  
*Recommended Action – Adopt Resolution Denying Appeal*

**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](mailto: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.*