



MINUTES

SAN RAFAEL CITY COUNCIL – MONDAY, NOVEMBER 15, 2021

REGULAR MEETING AT 7:00 P.M.

Watch on Webinar: <https://tinyurl.com/cc-2021-11-15>

Watch on YouTube: www.youtube.com/cityofsanrafael

Listen by phone: (669) 900-9128

ID: 899-2635-9885

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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

1. None.

CLOSED SESSION

2. Closed Session: - None.

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 on November 9, 2021.

Mayor Kate provided opening remarks, which included an announcement of United Against Hate Week and Native American Heritage Month, the Redistricting item to be heard tonight 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

- Jason Sarris, addressed the City Council regarding a gas BBQ, donations and fire exits at the Service Support Area.
- Eva Chrysanthe, addressed the City Council regarding services at the Service Support Area.

CITY MANAGER’S REPORT:

3. City Manager’s Report:

City Manager Jim Schutz announced:

- “Clothes and Cards” Donation Drive for Service Support Area, November 15 through December 31
- Lighted Boat Parade on December 12

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

COUNCILMEMBER REPORTS:

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

4. Councilmember Reports:

- Councilmember Bushey reported on Central Marin Sanitation Agency, Loch Lomond Development Oversight Committee and MCCMC Water Committee meetings.
- Councilmember Hill reported on a Priority Setting Committee meeting and the Opening of the Marin History Museum at the Boyd House.
- Councilmember Llorens Gulati reported on a Canal Policy Working Group meeting, a visit to a new Kaiser Permanente Medical Center and a Día de los Muertos celebration.
- Councilmember Kertz reported on Not In Our Town and United Against Hate, a Marin Wildfire Prevention Authority meeting and a First 5 “Race Counts” forum. She announced two openings on the Citizen’s Oversight Committee.
- Mayor Kate reported on the City Council Retreat.

Mayor Kate invited public comment.

Speaker: Eva Chrysanthe

CONSENT CALENDAR:

Councilmember Hill held item 5.d from the Consent Calendar.

Mayor Kate invited public comment.

Speaker: Eda Lochte, San Rafael Business Improvement District

Councilmember Kertz moved and Councilmember Llorens Gulati seconded to approve the Consent Calendar, excluding item 5.d.

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

5. Consent Calendar Items:

a. **Approval of Minutes**

Approve Minutes of City Council / Successor Agency Regular Meeting of Monday, November 1, 2021, and Special Meeting of Tuesday, November 2, 2021 (CC)

Approved minutes as submitted

b. **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 14996 - 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

c. **Downtown Business Improvement District (BID) Business Assessment Annual Renewal Resolution Declaring the City Council's Intention to Levy an Annual Assessment for the Downtown San Rafael Business Improvement District (ED)**

Resolution 14997 - Resolution Declaring the City Council's Intention to Levy an Annual Assessment for the Downtown San Rafael Business Improvement District

d. **[Parks and Recreation Master Plan](#)**

Resolution Authorizing the City Manager to Execute a Professional Services Agreement with Royston, Hanamoto, Alley and Abey (RHAA) to Assist with Development of San Rafael's Parks and Recreation Master Plan, in the Amount of \$259,238, and Authorizing Contingency Funds in the Amount of \$25,762 for a Total Amount of \$285,000 (PW)

This item was held from the Consent Calendar.

Councilmember Hill provided comments.

Susan Andrade-Wax, Library & Recreation Director and Bill Guerin, Public Works Director provided comments.

Councilmember Hill 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 15001 - Resolution Authorizing the City Manager to Execute a Professional Services Agreement with Royston, Hanamoto, Alley and Abey (RHAA) to Assist with Development of San

Rafael's Parks and Recreation Master Plan, in the Amount of \$259,238, and Authorizing Contingency Funds in the Amount of \$25,762 for a Total Amount of \$285,000

- e. **Francisco Boulevard East Sidewalk Improvements Project**
Resolution Approving and Authorizing the City Manager to Execute a First Amendment to the Agreement with Park Engineering, Inc. for Additional Construction Inspection and Materials Testing Services, in an Additional Contract Amount Not to Exceed \$35,000 (PW)
Resolution 14998 - Resolution Approving and Authorizing the City Manager to Execute a First Amendment to the Agreement with Park Engineering, Inc. for Additional Construction Inspection and Materials Testing Services, in an Additional Contract Amount Not to Exceed \$35,000

- f. **Southern Heights Bridge Replacement**
Resolution Approving and Authorizing the City Manager to Execute a Second Amendment to the Agreement with Substrate, Inc. for Additional Construction Management, Inspection, and Materials Testing Services, in an Additional Contract Amount Not to Exceed \$59,000 (PW)
Resolution 14999 - Resolution Approving and Authorizing the City Manager to Execute a Second Amendment to the Agreement with Substrate, Inc. for Additional Construction Management, Inspection, and Materials Testing Services, in an Additional Contract Amount Not to Exceed \$59,000

- g. **Vehicle Purchases**
Resolution Authorizing the City Manager to Purchase Two (2) Ambulances for the Fire Department in a Total Amount Not to Exceed \$630,000 (PW)
Resolution 15000 - Resolution Authorizing the City Manager to Purchase Two (2) Ambulances for the Fire Department in a Total Amount Not to Exceed \$630,000

SPECIAL PRESENTATIONS

6. Special Presentations:

- a. **Presentation Regarding Native American Heritage Month (HR)**

Carmen Valdez, Interim HR Director gave a presentation.

Susan Andrade-Wax, Library & Recreation Director provided comments.

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

PUBLIC HEARINGS – 7:30 PM

7. Public Hearings:

- a. **2021-2022 City Council Redistricting Process**

Update on Final, Adjusted Demographics of Existing Districts; First Public Hearing on Existing Lines and Possible Changes (CA)

City Attorney Robert Epstein introduced Chris Skinnell, Legal Counsel from Nielsen Merksamer. He and Robert McEntire, National Demographics Corporation presented the Staff Report.

Staff responded to questions from Councilmembers.

Mayor Kate invited public comment.

Speaker: Eva Chrysanthe

Staff responded to public comment.

Councilmembers provided comments.

Councilmember Bushey 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. [Accessory Dwelling Unit Regulations](#)

Consideration of 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)

Alicia Giudice, Community Development Director introduced Jacob Noonan, Housing Program Manager and Leslie Mendez, Planning Manager who presented the staff report.

Staff responded to questions from Councilmembers.

Mayor Kate invited public comment.

Speakers: Victoria DeWitt, Susan Bradford, Joanne Webster, San Rafael Chamber of Commerce

Staff responded to public comment.

Councilmembers provided comments.

Councilmember Bushey moved and Councilmember Kertz seconded to pass Ordinance No. 2002 to print

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

NOES: Councilmembers: None

ABSENT: Councilmembers: None

Passed to print Ordinance No. 2002 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)

OTHER AGENDA ITEMS

8. Other Agenda Items:

a. [Year-End Financial Statements and Related Audit Reports](#)

Fiscal Year 2020-2021 Annual Financial Report; Gann Appropriations Limit; Memorandum on Internal Control; Report of Required Communications; Child Development Program Financial Report; and the Transportation Development Act Financial Report (Fin)

Nadine Hade, Finance Director and Amy Meyer, Maze & Associates presented the Staff Report.

Councilmembers provided comments and staff responded to questions from Councilmembers.

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

Councilmember Kertz moved and Councilmember Hill seconded to accept the report.

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

Accepted report

SAN RAFAEL SUCCESSOR AGENCY:

1. Consent Calendar: - None.

ADJOURNMENT:

Mayor Kate adjourned the meeting at 9:26 p.m.

LINDSAY LARA, City Clerk

APPROVED THIS ____ DAY OF _____, 2021

KATE COLIN, Mayor