



MINUTES

SAN RAFAEL CITY COUNCIL – MONDAY, NOVEMBER 1, 2021

REGULAR MEETING AT 7:00 P.M.

Watch on Webinar: <https://tinyurl.com/cc-2021-11-01>

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: 895-5623-2853# - 6:15 P.M.

1. Mayor Kate to announced Closed Session items.

CLOSED SESSION

2. Closed Session:

- a. Conference with Legal Counsel
Existing Litigation – Government Code section 54946,9(d)(a)
Arnold-Ince v. City of San Rafael, Marin Superior Court No. CIV 2000926

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 the City Council voted to approve a settlement of

\$75,000 in the matter of Arnold-Ince v. City of San Rafael, Marin Superior Court No. CIV 2000926 in exchange for the plaintiff's dismissal with prejudice and complete release of all claims with a waiver of civil code section 1542.

Mayor Kate provided opening remarks, which included an announcement of Native American Heritage Month 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

- Eva Chrysanthe addressed the council regarding the death of an unhoused person in Marin and homelessness in San Rafael

CITY MANAGER'S REPORT:

3. City Manager's Report:

- City Manager Jim Schutz announced
 - Townhall on Housing Element on Thursday, November 4, 2021 at 6:30 p.m.
 - Day of the Dead event on Saturday, November 6, 2021 at 3:00 p.m.
 - Report on Caltrans Bridge Replacement Project
- Emergency Management Coordinator Quinn Gardner reported on the recent storm and emergency preparedness

COUNCILMEMBER REPORTS:

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

4. Councilmember Reports:

- Vice Mayor Bushey reported on Marin County Council of Mayors and Councilmembers (MCCMC) Water Committee and commented that she spoke to Glenwood Elementary School's third grade classroom
- Councilmember Hill reported on the MCCMC Water Committee, and announced his upcoming attendance at Glenwood Elementary's third grade classroom to speak to students for Children for Change
- Councilmember Kertz reported on the Marin County Point-in-Time event preparation, United Against Hate Week and the Marin Wildfire Prevention Authority (MWPA). She commented that she would be attending Vallecito Elementary School for a cleanup event.
- Councilmember Llorens Gulati reported on Marin Clean Energy (MCE), Climate Action Plan Quarterly Forum, MCCMC Climate Action Committee, Canal Collaborative, and met with Supervisor Dennis Rodoni regarding East San Rafael updates.
- Mayor Kate reported on Transportation Authority of Marin (TAM), Safe Routes to Schools (SRTS) Ad-hoc Committee, Marin Transit and BayWAVE.

CONSENT CALENDAR:

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

Councilmember Kertz moved and Vice Mayor Bushey 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, October 18, 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)

Adopted Resolution 14990 - 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. **Northgate Mall Redevelopment Project Environmental Consulting Services**

Resolution Approving and Authorizing the City Manager to Execute an Agreement for Professional Services with LSA Associates, Inc. for Environmental Consulting Services for the Northgate Mall Redevelopment Project in an Amount Not to Exceed \$260,350 (CD)

Adopted Resolution 14991 - Resolution Approving and Authorizing the City Manager to Execute an Agreement for Professional Services with LSA Associates, Inc. for Environmental Consulting Services for the Northgate Mall Redevelopment Project in an Amount Not to Exceed \$260,350

d. **Agreement for Project Specific and On-Call Planning Consulting Services**

Resolution Approving and Authorizing the City Manager to Execute an Agreement for Professional Services with MIG, Inc. for Project Specific and On-Call Contract Planning and Environmental Consulting Services in an Amount Not to Exceed \$217,000 (CD)

Adopted Resolution 14992 - Resolution Approving and Authorizing the City Manager to Execute an Agreement for Professional Services with MIG, Inc. for Project Specific and On-Call Contract Planning and Environmental Consulting Services in an Amount Not to Exceed \$217,000

e. **Information Technology Services Agreement Renewal**

Resolution Authorizing the City Manager to Execute a General Service Agreement with Addendum with Xantrion, Inc., for Information Technology Services from November 1, 2021 Through October 31, 2022 In An Amount Not to Exceed \$1,027,260 (DS)

Adopted Resolution 14993 - Resolution Authorizing the City Manager to Execute a General Service Agreement with Addendum with Xantrion, Inc., for Information Technology Services from November 1, 2021 Through October 31, 2022 In An Amount Not to Exceed \$1,027,260

f. **Agreement to Participate in Emergency Medical Service/Ambulance Transport Service Cost Recovery Program**

Resolution Authorizing the City Manager to Execute an Agreement to Allow the San Rafael Fire Department to Participate in an Intergovernmental Transfer with The California Department of Health Care Services (DHCS) In Order to Increase the Department's Reimbursement for Emergency Medical Service Ambulance Transport Services for the Service Period of January 1, 2021 Through December 31, 2021 (FD)

Adopted Resolution 14994 - Resolution Authorizing the City Manager to Execute an Agreement to Allow the San Rafael Fire Department to Participate in an Intergovernmental Transfer with The California Department of Health Care Services (DHCS) In Order to Increase the Department's

Reimbursement for Emergency Medical Service Ambulance Transport Services for the Service Period of January 1, 2021 Through December 31, 2021

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

SPECIAL PRESENTATIONS

6. Special Presentations:

- a. [Presentation of Proclamation Supporting United Against Hate Week and Support for Not In Our Town \(CM\)](#)

Mayor Kate presented a Proclamation

Thomas Wong provided comments and presented a video

Councilmember Kertz provided closing comments

Councilmembers provided comments.

Mayor Kate invited public comment.

Speakers: Eva Chrysanthe

Mayor Kate closed public comment

- b. [Presentation by Marin County on Furthering Fair Housing \(CD\)](#)

Community Development Director Ali Giudice introduced Liz Darby and Leelee Thompson from the County of Marin who gave a presentation

Staff responded to questions from the Council

Mayor Kate invited public comment.

Speakers: Damian, John Reynolds, Eva Chrysanthe

Mayor Kate closed public comment

Staff responded to questions from the public

Councilmembers provided comments

- c. [Presentation by Caltrans on Proposed Roundabout at Freitas Parkway Off-Ramp \(PW\)](#)

Public Works Director Bill Guerin introduced Wajahat Nyaz, Caltrans and Matt Korve, AECOM, who gave a presentation

Staff responded to questions from the Council

Mayor Kate invited public comment.

Speakers: Warren Wells, Marin County Bicycle Coalition, Name withheld, Kate Powers, Lori, Grace Geraghty, Responsible Growth in Marin, Bill Carney, Sustainable San Rafael, Eva Chrysanthe

Mayor Kate closed public comment

Staff responded to questions from the public

Councilmembers provided comments

OTHER AGENDA ITEMS

7. Other Agenda Items:

a. **[Notice of Funding Availability for Affordable Housing](#)**

Informational Report on the Status and Scope of City of San Rafael Notice of Funding Availability (CD)

Accepted report

Jacob Noonan, Housing Program Manager presented the staff report.

Staff responded to questions from Councilmembers.

Mayor Kate invited public comment.

Speakers: Grace Geraghty, Bill Carney, Sustainable San Rafael, Name Withheld, Sunny Lee, Eva Chrysanthe

Staff responded to questions from the public.

Councilmembers provided comments.

Councilmember Llorens Gulati moved and Councilmember Kertz seconded to accept the report.

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

NOES: Councilmembers: None

ABSENT: Councilmembers: None

b. **[Approval of the Memorandum of Understanding with SEIU Local 1021 Child Care](#)**

Resolution Approving a Memorandum of Understanding Pertaining to Compensation and Working Conditions for SEIU Local 1021 Child Care (November 1, 2021 Through October 31, 2024) (HR)

Adopted Resolution 14995 - Resolution Approving a Memorandum of Understanding Pertaining to Compensation and Working Conditions for SEIU Local 1021 Child Care (November 1, 2021 Through October 31, 2024)

Sylvia Gonzalez-Shelton, Human Resources Operations Manager presented the staff report.

Mayor Kate invited public comment; however, there was none

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

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

SAN RAFAEL SUCCESSOR AGENCY:

1. Consent Calendar: - None.

ADJOURNMENT:

Mayor Kate adjourned the meeting at 10:10 p.m.

LINDSAY LARA, City Clerk

APPROVED THIS ____ DAY OF _____, 2021

KATE COLIN, Mayor