



MINUTES

SAN RAFAEL CITY COUNCIL – MONDAY, DECEMBER 20, 2021

REGULAR MEETING AT 7:00 P.M.

Watch on Webinar: <https://tinyurl.com/cc-2021-12-20>

Watch on YouTube: www.youtube.com/cityofsanrafael

Listen by phone: (669) 900-9128

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CORONAVIRUS (COVID-19) ADVISORY NOTICE

In response to Assembly Bill 361, the City of San Rafael is offering teleconference without complying with the procedural requirements of Government Code section 54953(b)(3). 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 Kertz

Absent: Councilmember Hill
Councilmember Llorens Gulati

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 7:01 p.m. and invited City Clerk Lindsay Lara to call the roll. All members of the City Council were present, except for Councilmembers Hill and Llorens Gulati.

Mayor Kate provided opening remarks, which included an announcement of tonight's last legislative meeting for the Council in 2021; gratitude for the resilience of the community throughout the year, to those who continue to follow COVID safe protocols, to the Board and Commission volunteers, to City Staff, and to residents; 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

- Amy Likover addressed the Council expressing gratitude to City for making C and D Streets two-way and spoke about a recent city ride-along tour with a new City staff member.
- Eva Chrysanthe addressed the Council regarding the recent death of a woman at the Service Support Area.
- Kristen Vandivier, Meditation Without Borders, addressed the Council regarding meditation classes and other services at the Service Support Area.
- Name withheld addressed the Council regarding services at the Service Support Area.

CITY MANAGER'S REPORT:

3. City Manager's Report:

City Manager Jim Schutz announced:

- His gratitude to the City Council, all City staff and the entire extended community for everything that was done to make San Rafael a better place in 2021
- City Administrative Offices will be closed the last week of December. Fire, paramedic and police services will be staffed 24-7. Public Works and Sanitation District crews will be staffed and monitoring emergency maintenance requests, as well.
- Tuesday, January 18th will be the first City Council meeting of 2022, as the January 3rd meeting is cancelled
- Update on in-person meetings
- Planning Commission vacancy
- Bicycle & Pedestrian Advisory Committee youth member vacancy
- Nominations are due for the Citizen of the Year Award

Mayor Kate invited public comment.

Speakers: Grace Geraghty, Eva Chrysanthe

Jim Schutz, City Manager provided comments.

COUNCILMEMBER REPORTS:

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

4. Councilmember Reports:

- Councilmember Bushey reported on MCCMC Water Committee, San Rafael Sanitation Board and Central Marin Sanitation Agency meetings, as well as, the Lighted Boat Parade.
- Councilmember Kertz reported on the Lighted Boat Parade, as well as, Marin Wildfire Prevention Authority (MWPA) and Age-Friendly San Rafael meetings.
- Mayor Kate reported on the Lighted Boat Parade, a Transportation Authority of Marin meeting, a Community Circle and the Boards & Commissions Volunteer Appreciation Party.

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

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 Special and Regular Meetings of Monday, November 15, 2021 and Regular Meeting of Monday, December 6, 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 15012 - 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. **Vacancies on San Rafael Boards and Commissions**
Announcement of Vacancies on the Planning Commission and the Bicycle and Pedestrian Advisory Committee (Youth Member) (CC)
Received and filed
- d. **Cannabis Industry Tax Oversight Committee Appointment**
Approve Appointment of Charles Friede to the Cannabis Industry Tax Oversight Committee to the End of February 2024 Due to the Resignation of Drew Bulfer (CC)
Approved appointment
- e. **Revised City Manager Employment Agreement**
Resolution Approving and Authorizing the Mayor to Execute a Revised Employment Agreement Between the City and City Manager James M. Schutz (CM)
Resolution 15013 - Resolution Approving and Authorizing the Mayor to Execute a Revised Employment Agreement Between the City and City Manager James M. Schutz
- f. **Annual Measure E TUT Oversight Committee Report**
Measure E Transactions and Use Tax Oversight Committee Report for Fiscal Year 2020-2021 (Fin)
Accepted report
- g. **Library Parcel Tax Annual Report**
Special Library Parcel Tax Oversight Committee's Annual Measure D Report (L/R)
Accepted report
- h. **Fire Station 54 & 55 – Materials Testing and Special Inspection, and Geotechnical Testing and Inspection Services**

Resolution Authorizing the City Manager to Execute a Professional Services Agreement with BSK Associates for Materials Testing and Special Inspection Services and Geotechnical Testing and Inspection Related to Phase 2 Essential Facilities Projects - Fire Station 54 and 55 In the Amount of \$145,744 (PW)

Resolution 15014 - Resolution Authorizing the City Manager to Execute a Professional Services Agreement with BSK Associates for Materials Testing and Special Inspection Services and Geotechnical Testing and Inspection Related to Phase 2 Essential Facilities Projects - Fire Station 54 and 55 In the Amount of \$145,744

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

OTHER AGENDA ITEMS

6. Other Agenda Items:

a. [Homelessness Update](#)

Informational Report on Status of Homelessness in San Rafael (CM)

David Spiller, Police Chief and Marc Sabin, Homeless Program Manager presented the Staff Report.

Councilmembers provided comments.

Staff responded to questions from Councilmembers.

Ken Shapiro, County of Marin and Gary Naja-Riese, County of Marin provided comments.

Mayor Kate invited public comment.

Speakers: Jason Sarris, Damian Edwards, Downtown Streets Team, Kristen Vandivier, Meditation Without Borders, Nick Morris, The Street Chaplaincy, Karen Strolia, Downtown Streets Team, Eva Chrysanthe, Name Withheld

Ken Shapiro, County of Marin provided comments.

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

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

Accepted Report

b. [Ministerial Review of Two-Unit Residential Developments and Urban Lot Splits Pursuant to Senate Bill 9 \(SB 9\)](#)

Resolution Directing Staff to Prepare an Interim Guidance Document Establishing Standards and Review Procedures for Ministerial Review of Two-Unit Residential Developments and Urban Lot Splits to Implement SB 9 - The California Home Act; And Directing the Preparation of an SB 9 Implementing Ordinance (CD)

Alicia Giudice, Community Development Director introduced Jeff Ballantine, Senior Planner who presented the Staff Report.

Staff responded to questions from Councilmembers.

Mayor Kate invited public comment.

Speakers: John Reynolds, David Smith, Responsible Growth Marin, Shirley Fischer

Staff responded to public comment.

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

AYES: Councilmembers: Bushey, Kertz & Mayor Kate

NOES: Councilmembers: None

ABSENT: Councilmembers: Hill & Llorens Gulati

Resolution 15015 - Resolution Directing Staff to Prepare an Interim Guidance Document Establishing Standards and Review Procedures for Ministerial Review of Two-Unit Residential Developments and Urban Lot Splits to Implement SB 9 - The California Home Act; And Directing the Preparation of an SB 9 Implementing Ordinance

c. [Emergency Vehicle Preemption of Traffic Signals – Public Safety Initiative](#)

Resolution Approving and Authorizing the City Manager to Execute a Master Sale of Goods and Services Agreement with Global Traffic Technologies to Provide Preemption Services for Police and Fire Vehicles at Signalized Intersections (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.

Speakers: Lori Shifrin, Grace Geraghty, Eva Chrysanthe

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

AYES: Councilmembers: Bushey, Kertz & Mayor Kate

NOES: Councilmembers: None

ABSENT: Councilmembers: Hill & Llorens Gulati

Resolution 15016 - Resolution Approving and Authorizing the City Manager to Execute a Master Sale of Goods and Services Agreement with Global Traffic Technologies to Provide Preemption Services for Police and Fire Vehicles at Signalized Intersections

d. [2022 Vice-Mayor](#)

Select Vice-Mayor for the City of San Rafael 2022 (CC)

Mayor Kate introduced this item.

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

Councilmembers provided comments.

Councilmember Bushey moved and Councilmember Kertz seconded to nominate Rachel Kertz to be the Vice-Mayor for 2022.

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

Selected Rachel Kertz as Vice-Mayor for 2022

e. City Council Appointments to Committees
Approve City Council Appointments to Committees 2022 (CC)

Mayor Kate introduced this item.

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

Councilmember Bushey moved and Councilmember Kertz seconded to adopt the City Council appointments to committees as presented.

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

Approved Appointments

SAN RAFAEL SUCCESSOR AGENCY:

- 1. Consent Calendar: - None.

ADJOURNMENT:

Mayor Kate adjourned the meeting at 9:29 p.m.

LINDSAY LARA, City Clerk

APPROVED THIS ____ DAY OF _____, 2022

KATE COLIN, Mayor