



## MINUTES

SAN RAFAEL CITY COUNCIL – TUESDAY, JANUARY 18, 2022

### REGULAR MEETING AT 7:00 P.M.

Watch on Webinar: <https://tinyurl.com/cc-2022-01-18>

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

Present: Mayor Kate  
Vice Mayor Kertz  
Councilmember Bushey  
Councilmember Hill  
Councilmember Llorens Gulati (joined at 7:03 p.m.)

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 7:02 p.m. and invited City Clerk Lindsay Lara to call the roll. All members of the City Council were present, except for Councilmember Llorens Gulati. She joined the meeting at 7:03 p.m.

Mayor Kate provided opening remarks, which included a land acknowledgment, gratitude to City staff and honoring Martin Luther King Jr.

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

- Lori, addressed the City Council regarding the Third Street Improvements item at the May 3, 2021 Council Meeting.
- Eva Chrysanthe, addressed the City Council regarding Martin Luther King and services at the Service Support Area.

### CITY MANAGER'S REPORT:

#### 3. City Manager's Report:

City Manager Jim Schutz announced:

- COVID-19 and Omicron Update
- Update on in-person meetings

Mayor Kate invited public comment.

**Speaker:** Eva Chrysanthe

### COUNCILMEMBER REPORTS:

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

#### 4. Councilmember Reports:

- Councilmember Kertz reported on Marin Wildfire Prevention Authority, Point-in-Time Count and Alert Marin.
- Councilmember Bushey reported on Central Marin Sanitation Agency, water resources and library issues.
- Councilmember Hill reported on the Southern Heights Bridge opening and a MCCMC Water Committee meeting.
- Councilmember Llorens Gulati reported on COVID and the retirement of Natu Tuatagaloa, San Rafael Board of Education.
- Mayor Kate reported on Marin Transit and 580/101 Ad Hoc meetings.

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

### CONSENT CALENDAR:

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

Councilmember Kertz moved and Councilmember Hill 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, December 20, 2022 (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 15017 - 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 Cannabis Industry Tax Oversight Committee and the Fire Commission (CC)**  
*Received and filed*
- d. Pickleweed Advisory Committee Appointment  
Approve Appointment of Miguel Hau-Gutierrez to the Pickleweed Advisory Committee as a Youth Member to the End of December 2024 (CC)**  
*Approved appointment*
- e. Residential Building Resale (RBR) Report  
Resolution Adopting an Extension of Temporary Measures for Administering the Residential Building Record Program ("RBR Program") Set Forth in San Rafael Municipal Code Title 12 (Building Regulations), Chapter 12.36 (Report of Residential Building Record) During the High Demand Real Estate Market and COVID-19 Pandemic (CD)**  
*Resolution 15018 - Resolution Adopting an Extension of Temporary Measures for Administering the Residential Building Record Program ("RBR Program") Set Forth in San Rafael Municipal Code Title 12 (Building Regulations), Chapter 12.36 (Report of Residential Building Record) During the High Demand Real Estate Market and COVID-19 Pandemic*
- f. City Quarterly Investment Report  
Acceptance of City of San Rafael Quarterly Investment Report for the Quarter Ending December 31, 2021 (Fin)**  
*Accepted report*
- g. Fire Mid-Management Personnel Changes  
Resolution Approving the Reclassification of One Fire Department Battalion Chief Position to a Deputy Fire Chief and Add a Deputy Director of Emergency Management Position (HR)**  
*Resolution 15019 - Resolution Approving the Reclassification of One Fire Department Battalion Chief Position to a Deputy Fire Chief and Add a Deputy Director of Emergency Management Position*
- h. Revised Salary and Benefit Plan for Temporary Employees  
Resolution Rescinding Resolution 14268 and Adopting a Revised Temporary, Seasonal, Retiree, and Fixed-Term Employees Salary and Benefit Plan and Salary Schedule (HR)**  
*Resolution 15020 - Resolution Rescinding Resolution 14268 and Adopting a Revised Temporary, Seasonal, Retiree, and Fixed-Term Employees Salary and Benefit Plan and Salary Schedule*
- i. California State Preschool Program Continued Funding Application**

**Resolution Authorizing the Senior Recreation Supervisor-Child Care to Submit an Application to the California Department of Education for a Grant to Provide Child Care and Development Services for Fiscal Year 2022-2023, and if Granted, to Sign all Necessary Grant Documents (LR)**

*Resolution 15021 - Resolution Authorizing the Senior Recreation Supervisor-Child Care to Submit an Application to the California Department of Education for a Grant to Provide Child Care and Development Services for Fiscal Year 2022-2023, and if Granted, to Sign all Necessary Grant Documents*

- j. **Albert Park Fencing and Netting**  
**Albert Park Fencing and Netting Project, City Project No. 11372 Bid Rejection (PW)**  
*Rejected bid and directed staff to develop design alternatives*

- k. **Caltrans Local Procedures**  
**Resolution Adopting Chapter 10 of the Caltrans Local Assistance Procedures Manual Entitled "Consultant Selection", as well as All Future Updates, as the Process by which the City Procures Architectural and Engineering Consultant Services Related to Federal and State Funded Transportation Projects (PW)**  
*Resolution 15022 - Resolution Adopting Chapter 10 of the Caltrans Local Assistance Procedures Manual Entitled "Consultant Selection", as well as All Future Updates, as the Process by which the City Procures Architectural and Engineering Consultant Services Related to Federal and State Funded Transportation Projects*

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

**PUBLIC HEARING AT 7:30 PM:**

6. Public Hearing:

- a. [2021-2022 City Council Redistricting Process](#)  
**Second Public Hearing on Existing Council District Lines and Possible Changes (CA)**

City Attorney Robert Epstein introduced Marguerite Leon, Legal Counsel from Nielsen Merksamer. She and Kristen Parks, National Demographics Corporation presented the Staff Report.

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*

**OTHER AGENDA ITEMS:**

7. Other Agenda Items:

a. **San Quentin Pump Station**

**Informational Report regarding the San Quentin Pump Station Reconstruction Project and Funding (PW)**

Bill Guerin, Public Works Director introduced April Miller, Assistant Public Works Director who presented the Staff Report.

Staff responded to questions from Councilmembers.

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

Staff responded to public comment.

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:**

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

Member Bushey moved and Member Kertz seconded to approve the Consent Calendar.

1. Consent Calendar:

a. **Recognized Obligation Payment Schedule (ROPS) for Fiscal Year 2022-23**

**Acceptance of ROPS Report and Authorization to Submit to the Marin County Successor Agency Oversight Board and the State Department of Finance (Fin)**

*Accepted report*

b. **Successor Agency Quarterly Investment Report**

**Acceptance of Successor Agency Quarterly Investment Report for the Quarter Ending December 31, 2021 (Fin)**

*Accepted report*

AYES: Members: Bushey, Hill, Kertz, Llorens Gulati & Chair Kate  
NOES: Members: None  
ABSENT: Members: None

**ADJOURNMENT:**

Mayor Kate adjourned the meeting at 8:36 p.m.

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LINDSAY LARA, City Clerk

APPROVED THIS \_\_\_\_ DAY OF \_\_\_\_\_, 2022

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KATE COLIN, Mayor