



## MINUTES

SAN RAFAEL CITY COUNCIL – MONDAY, MARCH 21, 2022

REGULAR MEETING AT 7:00 P.M.

Watch on Webinar: <https://tinyurl.com/cc-2022-03-21>

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

Listen by phone: (669) 900-9128

ID: 899-2635-9885#

One Tap Mobile: US: +16699009128,,89926359885#

### 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

Absent: None

Also Present: City Manager Jim Schutz  
City Attorney Robert Epstein  
City Clerk Lindsay Lara

### **OPEN SESSION – (669) 900-9128 ID: 894-8602-0233# - 6:15 PM**

1. Mayor Kate announced Closed Session items.

### **CLOSED SESSION – (669) 900-9128 ID: 894-8602-0233# - 6:15 PM**

2. Closed Session:
  - a. Conference with Legal Counsel—Anticipated Litigation  
Significant Exposure to Litigation Pursuant to Paragraph (2) of Subdivision (d) of Government Code Section 54956.9(d)(2) and (e)(3): (One case)

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 prior to the meeting.

Mayor Kate provided opening remarks, which included a land acknowledgement, gratitude to City Staff, Russia's attack on Ukraine and the two-year mark of virtual council meetings. She announced the first in-person, hybrid meeting will be on April 18.

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**

- Name Withheld, addressed the City Council regarding posting a No Smoking sign next to the picnic tables at Hartzell Park, as well as, upgrading San Rafael parks.

### **CITY MANAGER'S REPORT:**

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

City Manager Jim Schutz announced:

- Citywide Parks & Recreation Master Plan Update – Next Community Meeting to be held on Wednesday, March 30 at 6 pm
- Friends of San Rafael Library Spring Book Sale on Friday, March 25 at 10 am and Saturday, March 26 at 9 am
- 50<sup>th</sup> Anniversary of Vivalon March for Meals Campaign

Mayor Kate invited public comment.

**Speaker:** Lori Schifrin

### **COUNCILMEMBER REPORTS:**

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

#### 4. Councilmember Reports:

- Councilmember Kertz reported on a Cal Cities Planning Academy, a Children for Change event, an Age-Friendly San Rafael meeting, and the Marin Wildfire Prevention Authority (MWPA).
- Councilmember Bushey reported on meetings with Public Works, constituent groups and the County regarding two lane closures on Pt. San Pedro Road, as well as, Loch Lomond Oversight Committee, Central Marin Sanitation Agency and MCCMC Water Committee meetings.
- Councilmember Hill reported on the Third Street Rehabilitation Project and a MCCMC Water Committee meeting.
- Councilmember Llorens Gulati reported on Economic Development and Marin Clean Energy (MCE) meetings, as well as, a Climate Solutions for Marin event.
- Mayor Kate reported on a Climate Solutions for Marin event, a Mayor Kate Walkabout, as well as, Economic Development and Safe Routes to Schools meetings, a Transportation Authority of Marin (TAM) hard hat tour and her Joint Community Conversation.

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

**CONSENT CALENDAR:**

Mayor Kate invited public comment.

**Speaker:** Lori Schifrin

Staff responded to public comment.

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 Regular Meeting and Special Meetings of Tuesday, March 7, 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 15044 - 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. **Update to Assistant City Attorney Compensation**

**Resolution Approving the Adjustment of the Compensation Schedule for the Assistant City Attorney to Align with Executive Management Salaries (HR)**

*Resolution 15045 - Resolution Approving the Adjustment of the Compensation Schedule for the Assistant City Attorney to Align with Executive Management Salaries*

d. **Fifth Avenue Traffic Signal Upgrades**

**Resolution Authorizing the City Manager to Sign Purchase Orders and/or Agreements with Miovision and DC Electric Group for Traffic Signal Upgrades on Fifth Avenue at: C, B, A, and Court Streets (PW)**

*Resolution 15046 - Resolution Authorizing the City Manager to Sign Purchase Orders and/or Agreements with Miovision and DC Electric Group for Traffic Signal Upgrades on Fifth Avenue at: C, B, A, and Court Streets*

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

NOES: Councilmembers: None

ABSENT: Councilmembers: None

## **PUBLIC HEARINGS**

### **6. Public Hearings:**

#### **a. [2021-2022 City Council Redistricting Process](#)**

**Fourth Public Hearing on Existing City Council District Lines and Possible Changes; Resolution Adjusting the Boundaries and Selecting a Preferred District Map of the City Council Districts in Accordance with California Elections Code Sections 21601-21609 and San Rafael Municipal Code Section 2.02.040 (CA)**

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

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

Councilmembers provided comments.

Councilmember Kertz moved and Councilmember Bushey seconded to adopt the resolution, in the form attached to the Staff Report, approving the current district map for use beginning at the City's November 2022 election.

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

*Resolution 15047 - Resolution Adopting Resolution, in the Form Attached to the Staff Report, Approving the Current District Map for Use Beginning at the City's November 2022 election*

#### **b. [Annual Progress Report & Housing Policy Update](#)**

**Annual Progress Report (APR) on Residential Development Approved and Built in 2021 and Implementing Housing Element Programs, Including an Update on Progress Implementing City Council Housing Policy Priorities. Case No. P21-003 (CD)**

Alicia Giudice, Community Development Director introduced Alexis Captanian, Housing Program Analyst and Michaela O'Brien, Building & Planning Intern who presented the Staff Report.

Staff responded to questions from Councilmembers.

Mayor Kate invited public comment.

**Speakers:** Grace Geraghty, Responsible Growth, Bill Carney, Sustainable San Rafael, David Smith, Sunny Lee

Staff responded to public comment.

Councilmembers provided comments.

Councilmember Bushey moved and Councilmember Kertz 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. **[Community Development Block Grant \(CDBG\)](#)**

**Resolution Recommending Community Development Block Grant (CDBG) Project Funding for the Fiscal Year 2022-23 to the Marin County Board of Supervisors (CD)**

Jacob Noonan, Housing Program Manager presented the Staff Report.

Staff, including Molly Kron, Marin County Housing and Federal Grants Senior Planner, responded to questions from Councilmembers.

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

Councilmembers provided comments.

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

*Resolution 15048 - Resolution Recommending Community Development Block Grant (CDBG) Project Funding for the Fiscal Year 2022-23 to the Marin County Board of Supervisors*

b. **[Permanent Local Housing Allocation \(PLHA\)](#)**

**Resolution Recommending Permanent Local Housing Allocation (PLHA) Project Funding for the Fiscal Year 2022-23 to the Marin County Board of Supervisors (CD)**

Jacob Noonan, Housing Program Manager presented the Staff Report.

Staff, including Aline Tanielian, Marin County Planner, responded to questions from Councilmembers.

Mayor Kate invited public comment.

**Speakers:** Johnson Reynolds, Cory Hiraga, Eden Housing

Councilmembers provided comments.

Councilmember Hill moved and Councilmember Llorens Gulati seconded to adopt the resolution.

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

*Resolution 15049 - Resolution Recommending Permanent Local Housing Allocation (PLHA)  
Project Funding for the Fiscal Year 2022-23 to the Marin County Board of Supervisors*

**SAN RAFAEL SUCCESSOR AGENCY:**

1. Consent Calendar: - None

**ADJOURNMENT:**

Mayor Kate adjourned the meeting at 9:18 p.m.

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LINDSAY LARA, City Clerk

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

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KATE COLIN, Mayor