



MINUTES

SAN RAFAEL CITY COUNCIL - TUESDAY, JANUARY 17, 2023

REGULAR MEETING AT 7:00 P.M.

In-Person:

San Rafael City Council Chambers
1400 Fifth Avenue, San Rafael, CA 94901

Participate Virtually:

Watch on Zoom Webinar: <https://tinyurl.com/CC-2023-01-17>

Watch on YouTube: 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 in-person, virtually using Zoom and is being streamed to YouTube at www.youtube.com/cityofsanrafael.

How to participate in the meeting in-person:

- Stay home if you are experiencing COVID-19 symptoms.
- Face coverings are recommended for attendees.
- Attendance will be limited to 50 percent of room capacity (no more than 90 persons) and all in-person attendees should socially distance as recommended by public health authorities. If the Chambers are 50% occupied, please participate online instead or utilize the audio feed in the lobby.
- All attendees are encouraged to be fully vaccinated.

How to participate in the meeting virtually:

- 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 press *9 to raise your hand, and *6 to unmute yourself, then provide verbal public comment.

If you experience technical difficulties during the meeting, please contact city.clerk@cityofsanrafael.org.

Present: Councilmember Bushey
 Councilmember Hill
 Vice Mayor Llorens Gulati
 Mayor Kate

Absent: Councilmember Kertz

Also Present: City Manager Jim Schutz
 City Attorney Rob Epstein
 Deputy City Clerk Brenna Nurmi

OPEN SESSION

1. None.

CLOSED SESSION

2. None.

Mayor Kate called the meeting to order at 7:00 p.m. and invited Deputy City Clerk Brenna Nurmi to call the roll. All members of the City Council were present, except for Councilmember Kertz.

Mayor Kate provided opening remarks, which included tonight's first meeting of 2023, the recent record-breaking storms, gratitude to City staff and a land acknowledgement.

Deputy City Brenna Nurmi informed the community that the in-person meeting would also 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, through Zoom and in-person.

OPEN TIME FOR PUBLIC EXPRESSION

- Lori Schifrin, addressed the City Council congratulating DJ Allison, Bicycle and Pedestrian Advisory Committee (BPAC) and noted a Dining Under the Lights sign that is still up advertising the event.
- Jeff Buscher, addressed the City Council regarding workers' compensation.
- Eva Chrysanthe, addressed the City Council regarding services at the Service Support Area.

CITY MANAGER AND COUNCILMEMBER REPORTS:

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

3. City Manager and Councilmember Reports:

Councilmember Reports:

- Councilmember Llorens Gulati reported on meetings and phone calls regarding the 400 Canal Street tenants impacted by the fire.
- Councilmember Hill reported on an Economic Development Subcommittee meeting and a Coleman Elementary School tour.
- Councilmember Bushey reported on Marin Transit, Central Marin Sanitation and San Rafael Sanitation meetings.
- Mayor Kate reported on SMART.

City Manager Jim Schutz announced:

- He addressed Jeff Buscher's comment during Open Time for Public Expression
- B Street Two-Way Conversion Improvements Project Update – Virtual Community Meeting to be held on Thursday, 01/18/2023 at 6 p.m.
- Gratitude to Transportation Authority of Marin (TAM) and Metropolitan Transportation Commission (MTC)
- Citizens Oversight Committee opening at SMART

Mayor Kate invited public comment.

Speakers: Al Vetere, Eva Chrysanthe, Lori Schifrin

Jim Schutz, City Manager responded to public comment.

CONSENT CALENDAR:

Mayor Kate invited public comment.

Speaker: Eva Chrysanthe

Councilmember Bushey moved and Councilmember Llorens Gulati seconded to approve the Consent Calendar.

4. Consent Calendar Items:

- a. **Approval of Minutes**
Approve Minutes of the City Council Regular and Special Meetings of December 19, 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 the Use or Continued Use of Teleconferencing to Hold Public Meetings of the City's Legislative Bodies During the Continuing State of Emergency Relating to the Covid-19 Pandemic (CA)
Resolution 15182 - Resolution Pursuant to Assembly Bill 361 Making Findings and Confirming the Need for the Use or Continued Use of Teleconferencing to Hold Public Meetings of the City's Legislative Bodies During the Continuing State of Emergency Relating to the Covid-19 Pandemic
- c. **ADA Access Advisory Committee Appointments**
Reappoint Timothy Park and Appoint Francine Falk-Allen and Raed Al-Zaher to Fill Three Four-Year Terms to the End of October 2026 on the ADA Access Advisory Committee Due to the Expiration of Terms of Dianne Wolfe, Timothy Park and Fredric Divine (CC)
Approved Appointments
- d. **Pickleweed Advisory Committee Appointment**
Appoint Jairo Ceballos to Fill One Four-Year Term to the End of December 2026 on the Pickleweed Advisory Committee Due to the Expiration of Term of Salvador Avalos (CC)
Approved Appointment
- e. **Proposed Master Fee Schedule Update**
Adoption of Ordinance 2024: An Ordinance of the City of San Rafael City Council Repealing and Replacing Chapter 3.34 of Title 3 of the San Rafael Municipal Code, Titled Fee and Service Charge Revenue/Cost Comparison System (CC)
Final adoption of Ordinance 2024
- f. **City Quarterly Investment Report**
Acceptance of City of San Rafael Quarterly Investment Report for the Quarter Ending December 31, 2022 (Fin)
Accepted report

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

SPECIAL PRESENTATIONS

5. Special Presentation:

- a. [Presentation of Proclamation to Daniel 'DJ' Allison for Service on the Bicycle and Pedestrian Advisory Committee \(PW\)](#)

Mayor Kate invited public comment.

Speakers: Name Withheld, Eva Chrysanthe

Mayor Kate presented the proclamation to Daniel 'DJ' Allison.

Daniel 'DJ' Allison provided comments.

PUBLIC HEARING

6. Public Hearing:

a. **Award of Public Works Contracts**

i. **Introduction of An Ordinance Amending Chapter 11.50 of Title 11 of the San Rafael Municipal Code, Titled Public Works Contract Policy (PW)**

ii. **Resolution Setting Dollar Amount Limits for Award of Public Works Contracts (PW)**

April Miller, Public Works Director introduced Joanna Kwok, Senior Civil Engineer who presented the Staff Report.

Staff responded to questions from Councilmembers.

Mayor Kate invited public comment, however there was none.

Councilmembers provided comments.

Councilmember Bushey moved and Councilmember Llorens Gulati seconded to waive reading, refer to it by title only, and introduce the ordinance; and the Deputy City Clerk read the title of the ordinance.

An Ordinance of the City of San Rafael City Council Amending Chapter 11.50 of Title 11 of the San Rafael Municipal Code, Titled Public Works Contract Policy

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

Waived reading, referred to it by title only, and introduced the Ordinance

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

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

Resolution 15183 - Resolution Setting Dollar Amount Limits for Award of Public Works Contracts

OTHER AGENDA ITEMS

7. Other Agenda Items:

a. **Tenant Relocation Assistance Benefits**

Resolution Adopting Policy on Relocation Assistance Benefits to Tenants Displaced by an Order to Vacate Under Health & Safety Code Section 17975 (CA)

Genevieve Coyle, Assistant City Attorney presented the Staff Report.

Staff responded to questions from Councilmembers.

Mayor Kate invited public comment.

Speakers: Al Vetere, Stephen Bingham, Eva Chrysanthe

Staff responded to public comment.

Councilmembers provided comments.

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

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

Resolution 15184 - Resolution Adopting Policy on Relocation Assistance Benefits to Tenants Displaced by an Order to Vacate Under Health & Safety Code Section 17975

b. **San Rafael Public Safety Alternative Response Team**

Resolution Authorizing the City Manager to Negotiate and Enter into a Professional Services Agreement with Petaluma People Services Center, for a 3-Year Pilot Alternative Response Program, Not to Exceed \$775,000 Per Year with an Additional \$100,000 in Start Up Costs in the First Year (PD)

David Spiller, Police Chief introduced the item. Todd Berringer, Lieutenant presented the Staff Report.

Staff, including Elece Hempel, Petaluma People Services Center responded to questions from Councilmembers.

Mayor Kate invited public comment.

Speakers: Stephen Bingham, Eva Chrysanthe

Staff responded to public comment.

Councilmembers provided comments.

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

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

Resolution 15185 - Resolution Authorizing the City Manager to Negotiate and Enter into a Professional Services Agreement with Petaluma People Services Center, for a 3-Year Pilot Alternative Response Program, Not to Exceed \$775,000 Per Year with an Additional \$100,000 in Start Up Costs in the First Year

SAN RAFAEL SUCCESSOR AGENCY:

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

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

1. Consent Calendar:

a. **Successor Agency Quarterly Investment Report**

Acceptance of Successor Agency Quarterly Investment Report for the Quarter Ending December 31, 2022 (Fin)

Accepted report

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

ADJOURNMENT:

Mayor Kate adjourned the meeting at 8:56 p.m.

LINDSAY LARA, City Clerk

APPROVED THIS ____ DAY OF _____, 2023

KATE COLIN, Mayor