



## MINUTES

SAN RAFAEL CITY COUNCIL - TUESDAY, FEBRUARY 21, 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-2023-02-21>

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

Listen by phone: (669) 444-9171

ID: 844 3204 9611

One Tap Mobile: US: +16694449171,,84432049611#

### **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](http://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](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 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](mailto:city.clerk@cityofsanrafael.org).

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

Absent: None

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

### **OPEN SESSION**

1. None.

## **CLOSED SESSION**

2. None.

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.

Mayor Kate provided opening remarks, which included gratitude to staff, the one-year anniversary of the Ukrainian Russian conflict, the earthquakes in Turkey, a CDC report on mental health, the shooting down of weather balloons, gratitude to the community and a land acknowledgment. She invited City Attorney Rob Epstein to provide a [report](#) on last year's police incident.

City Clerk Lindsay Lara 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**

- Carey MacCarthy addressed the City Council regarding a loud noise and vibration complaint.
- Salamah Locks, Age-Friendly Marin, addressed the City Council regarding City Attorney Rob Epstein's report and on the Age-Friendly Celebration held on Sunday, February 19.
- Al Vetere addressed the City Council regarding City Council purview, a San Rafael General Plan progress report update, as well as law enforcement and the public's behavior in San Rafael.
- Amy Likover addressed the Council regarding commenting on a Consent Calendar item.
- Eva Chrysanthe addressed Council regarding the City Attorney's comments, other public comment and her correspondence with the City.
- Samantha Ramirez addressed the City Council regarding last year's police incident.

## **CITY MANAGER AND COUNCILMEMBER REPORTS:**

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

3. City Manager and Councilmember Reports:

City Manager announced:

- Marin Wildfire Prevention Authority (MWPA) conversation (including project plan and budget for new fiscal year) at the March 6<sup>th</sup> City Council meeting.
- Annual progress report on General Plan 2040 and Housing Element at the March 20<sup>th</sup> City Council meeting.

City Councilmember Reports:

- Vice Mayor Llorens Gulati reported on Policing in our Community and Marin Clean Energy (MCE) meetings. She met with PG&E regarding the lighting project in the Canal.
- Councilmember Hill attended the memorial for Battalion Chief Paul Crimmins at the Marinwood Community Center.
- Councilmember Kertz reported on a Marin Wildfire Prevention Authority (MWPA) board meeting. She attended the Age-Friendly Celebration and expressed gratitude to staff for the event.
- Councilmember Bushey reported on a San Rafael Public Library Foundation board meeting and noted a first draft of a video presentation on the role of libraries in San Rafael. She attended a Resource Recovery Coalition of California event. She reported

on a Central Marin Sanitation Agency board meeting and noted the new, five-year financial plan.

- Mayor Kate reported on a SMART meeting and noted its newly established Citizens Oversight Committee. Also, she reported on an Economic Development Subcommittee report.

Mayor Kate invited public comment.

**Speakers:** Lori Schifrin, Eva Chrysanthe

**CONSENT CALENDAR:**

Mayor Kate invited public comment.

**Speaker:** Amy Likover

City Attorney Rob Epstein responded to public comment.

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

4. Consent Calendar Items:

- a. **Approval of Minutes**  
**Approve Minutes of the City Council Special Meetings of January 30, 2023 and February 2, 2023 and the City Council Regular Meeting of February 6, 2023 (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 15190 - 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. **Vacancies on San Rafael Boards and Commissions**  
**Announcement of Vacancies on the Fire Commission, Planning Commission and Pickleweed Advisory Committee (CC)**  
*Received and filed*
- d. **Pickleweed Advisory Committee Appointment**  
**Reappoint Janet Sanchez to Fill One Four-Year Term to the End of December 2026 on the Pickleweed Advisory Committee Due to the Expiration of Term of Janet Sanchez (CC)**  
*Approved Appointment*
- e. **Report on 2022 Fire Prevention Inspections of Certain Occupancies**  
**Resolution Acknowledging Receipt of a Report Made by the Fire Chief Regarding the 2022 Annual Fire Department Inspection of Certain Occupancies Pursuant to Section 13146.4 of the California Health and Safety Code (FD)**

*Resolution 15191 - Resolution Acknowledging Receipt of a Report Made by the Fire Chief Regarding the 2022 Annual Fire Department Inspection of Certain Occupancies Pursuant to Section 13146.4 of the California Health and Safety Code*

f. **The Taxpayer Protection and Government Accountability Act  
Resolution Opposing the Proposed Ballot Measure: The Taxpayer Protection and Government Accountability Act (CM)**

*Resolution 15192 - Resolution Opposing the Proposed Ballot Measure: The Taxpayer Protection and Government Accountability Act*

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

**OTHER AGENDA ITEMS**

5. Other Agenda Items:

a. **[Citywide Parks and Recreation Master Plan Update](#)  
Report on the Progress of the Citywide Parks & Recreation Master Plan (LR)**

Catherine Quffa, Library & Recreation Director introduced Lauren Ivey-Thomas, RHAA Landscape Architects who presented the Staff Report.

Staff responded to questions from Councilmembers.

**Speakers:** Al Vetere, Amy Likover, Eva Chrysanthe

Staff responded to public comment.

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

*Accepted report*

b. **[Boards, Commissions & Committees Rules and Procedures Update](#)  
Update on Boards, Commissions & Committees Rules and Procedures and Provide Feedback on an Annual Appointment Process (CC)**

Lindsay Lara, City Clerk presented the Staff Report.

Staff responded to questions from Councilmembers.

**Speakers:** Al Vetere, Eva Chrysanthe

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*

**SAN RAFAEL SUCCESSOR AGENCY:**

1. Consent Calendar: None.

**ADJOURNMENT:**

Mayor Kate adjourned the meeting at 9:23 p.m., in honor of Battalion Chief Paul Crimmins.

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LINDSAY LARA, City Clerk

APPROVED THIS \_\_\_\_ DAY OF \_\_\_\_\_, 2023

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KATE COLIN, Mayor