



MINUTES

SAN RAFAEL CITY COUNCIL - MONDAY, MAY 15, 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-2023-05-15>

Watch on YouTube: www.youtube.com/cityofsanrafael

Listen by phone: (669) 444-9171

ID: 860-6190-5675#

One Tap Mobile: +16694449171,,86061905675# US

This meeting will be held in-person. The public may attend in-person or participate virtually using Zoom. This meeting is being streamed to YouTube at www.youtube.com/cityofsanrafael.

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 Kertz
Vice Mayor Llorens Gulati
Mayor Kate

Absent: Councilmember Hill

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

Mayor Kate called the meeting to order at 7:04 p.m. and invited City Clerk Lindsay Lara to call the roll. All members of the City Council were present, except for Councilmember Hill.

Mayor Kate provided opening remarks, which included information on how the agenda is structured. She announced that tonight would be the last City Council meeting for City Manager Jim Schutz. Also, she included a land acknowledgment.

City Clerk Lindsay Lara announced the process for Spanish interpretation for the evening. She 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 SESSION

1. None.

CLOSED SESSION

2. None.

OPEN TIME FOR PUBLIC EXPRESSION

- Tom De Cook addressed the City Council regarding the West End Block Party.
- Joe Adams addressed the City Council regarding the West End Block Party.
- Senadhi addressed the City Council regarding the West End Block Party.
- Angela Tucker addressed the City Council regarding the West End Block Party.

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 Jim Schutz announced:

- Ember Stomp to be held on Saturday, May 20, 11 a.m. to 5 p.m.
- Youth in Arts C Street Celebration to be held on Saturday, May 20, 10:30 a.m. to 5:30 p.m.
- He reported on the San Rafael Chamber of Commerce State of the City event held on Wednesday, May 10

City Councilmember Reports:

- Vice Mayor Llorens Gulati reported on the quarterly Climate Action Plan meeting, the City Council Goals and Objectives meeting, the Board of Library Trustees interviews, an East San Rafael check-in with Supervisor Rodoni and Policing in San Rafael meetings.
- Councilmember Kertz reported on the Jewish Political Advocacy Communities Capitol Summit in Sacramento, the Stand Up to Jewish Hate campaign, Jewish American Heritage Month and the Marin Wildfire Prevention Authority (MWPA).
- Councilmember Bushey reported on a Marin Transit Board meeting, a meeting with Supervisor Sackett, a Central Marin Sanitation Agency meeting, a Police and Pt. San Pedro Road Neighborhood meeting, a Fire Department ride-along, and a Loch Lomond Oversight Committee meeting.
- Mayor Kate reported on May Madness, Dining Under the Lights, the Farmers Market, an Economic Development Subcommittee meeting and SMART.

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

CONSENT CALENDAR:

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

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

4. Consent Calendar Items:

a. **Approval of Minutes**

Approve Minutes of the Special City Council Meetings of May 8 and May 9, 2023 (CC)

Approved minutes as submitted

b. **Reusable Foodware Ordinance**

Adoption of Ordinance 2027: An Ordinance of the City Council of the City of San Rafael Amending the San Rafael Municipal Code to Repeal and Replace Chapter 10.92 - Prohibition on Use of Polystyrene Foam Disposable Food Packaging with New Chapter 10.92 - Regulation of Foodware for Retail Food Vendors (CC)

Final adoption of Ordinance 2027

c. **Proclamations**

i. **Proclamation Supporting National Gun Violence Awareness Day (CM)**

ii. **Proclamation Supporting Jewish American Heritage Month (HR)**

Received and Filed

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

NOES: Councilmembers: None

ABSENT: Councilmembers: Hill

PUBLIC HEARINGS

5. Public Hearings:

a. **[San Rafael 2023-2031 Housing Element and Related General Plan and Zoning Amendments \(CD\):](#)**

i. **Resolution Adopting the San Rafael 2023-2031 Housing Element and Amending the Safety and Resilience Element of General Plan 2040**

ii. **Introduction of an Ordinance Amending the Zoning Map of the San Rafael Municipal Code to Change the Zoning for Two Non-Addressed Parcels Located Immediately North and East of 86 Culloden Park Road from Planned District 1729 (PD 1729) to Low-Density Residential 20,000 Square Foot Lot Minimum (R20) (APN 011-051-31 and APN 011-115-30) (ZC23-001 and ZC23-002)**

iii. **Introduction of an Ordinance Amending the Zoning Map of the San Rafael Municipal Code to Change the Zoning for 380 Merrydale Road (APN 173-041-22) from Planned District 1436 (PD 1436) to Office, And the Zoning Classification of 401 Merrydale Road (APN 179-041-05) from Light Industrial-Office to Office (ZC23-003 and ZC23-004)**

Assistant Community Development Director Chris Hess introduced Consultant Barry Miller who presented the staff report pertaining to 5.a.i and 5.a.iii.

Staff responded to questions from the City Council.

Mayor Kate invited public comment.

Speakers: Marina Palma, Voces del Canal, Darlin Ruiz, Voces del Canal, Piqui Tenorio, Voces del Canal, Veronica Duarte, Auriela Vargas, Lizbeth Lopez, Glendy Barrios, Crisalia Calderon, Zoila Rios, Voces del Canal, Name withheld, Cruz Vargas, Miriam Huinac, Kellen, Cris Barra, Carly Finkle, Canal Alliance, Gina Guillemette, Community Action Marin, Aaron Burnett, Canal Alliance, Peter Goetz, Al Vetere, Alex Nava, Linda Jackson, San Rafael City Schools Board of Education Trustee/Sustainable San Rafael, John Reynolds, Skylar Collins, Liliana Palu, North Marin Community Services, Name

withheld, Gregory Andrew, Grace Geraghty, Rosa Vasquez, Cristina Rosales, Voces del Canal, Lucie Hollingsworth, Legal Aid of Marin, Name withheld, Sharon

Staff responded to public comment.

Councilmembers provided comments.

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

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

Resolution 15215 - Resolution Adopting the San Rafael 2023-2031 Housing Element and Amending the Safety and Resilience Element of General Plan 2040

Councilmember Kertz moved and Councilmember Bushey seconded to waive further reading of the Ordinance, refer to it by title only and introduce the Ordinance; and the City Clerk read the title of the Ordinance.

An Ordinance of the San Rafael City Council Amending the Zoning Map of the San Rafael Municipal Code to Change the Zoning for 380 Merrydale Road (APN 173-041-22) from Planned District 1436 (PD 1436) to Office, And the Zoning Classification of 401 Merrydale Road (APN 179-041-05) from Light Industrial-Office to Office (ZC23-003 and ZC23-004)

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

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

Mayor Kate recused herself from agenda item 5.a.ii due to a conflict of interest and left the Chambers. Vice Mayor Llorens Gulati became Mayor Pro Tem.

Consultant Barry Miller presented agenda item 5.a.ii.

Mayor Pro Tem Llorens Gulati invited public comment.

Speakers: Gregory Andrew, Name withheld

Councilmember Kertz moved and Councilmember Bushey seconded to waive further reading of the Ordinance, refer to it by title only and introduce the Ordinance; and the City Clerk read the title of the Ordinance.

An Ordinance of the San Rafael City Council Amending the Zoning Map of the San Rafael Municipal Code to Change the Zoning for Two Non-Addressed Parcels Located Immediately North and East of 86 Culloden Park Road from Planned District 1729 (PD 1729) to Low-Density Residential 20,000 Square Foot Lot Minimum (R20) (APN 011-051-31 and APN 011-115-30) (ZC23-001 and ZC23-002)

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

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

Mayor Pro Tem Llorens Gulati called a recess at 9:33 p.m.

Mayor Kate called the meeting back in session at 9:39 p.m.

OTHER AGENDA ITEMS

6. Other Agenda Items:

- a. **[Draft FY 23-25 Goals and Objectives and Performance Metrics](#)**
Informational Report on the City Council Draft FY 23-25 Goals and Objectives and Performance Metrics (CM)

Senior Management Analyst Bernadette Sullivan presented the staff report along with Digital Service and Open Government Director Sean Mooney and Product Manager Vedika Ahuja.

Staff responded to questions from the City Council.

Mayor Kate invited public comment.

Speakers: Al Vetere, Gina Silvestri, Gerstle Park Neighborhood Association/The San Rafael Tree Group, Amy Likover, The San Rafael Tree Group, Bill Carney, Sustainable San Rafael, Ross Bishop, Spinnaker Point/Baypoint, Dave Rhoads, John Reynolds, Alice Cochran, Barry Taranto, Amy

Staff responded to public comment.

Councilmembers provided comments.

Councilmember Kertz moved and Councilmember Llorens Gulati seconded to accept the report.

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

Accepted report

- b. **[Economic Development Strategic Plan](#)**
Resolution Adopting the Economic Development Strategic Plan (ED)

Economic Development Director Micah Hinkle presented the staff report along with Ken Hira of Kosmont.

Staff responded to questions from the City Council.

Mayor Kate invited public comment.

Speakers: Bill Carney, Sustainable San Rafael, Al Vetere

Councilmembers provided comments.

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

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

Resolution 15216 - Resolution Adopting the Economic Development Strategic Plan

SAN RAFAEL SUCCESSOR AGENCY:

1. Consent Calendar: - None.

ADJOURNMENT:

Mayor Kate adjourned the meeting at 11:39 p.m., in honor of the years of service that (retiring) City Manager Jim Schutz has given to San Rafael.

LINDSAY LARA, City Clerk

APPROVED THIS ____ DAY OF _____, 2023

KATE COLIN, Mayor