



**City Council
Regular Meeting Minutes - Draft**

Tuesday, January 24, 2023

1:30 PM

1. CALL TO ORDER AND ROLL CALL

Mayor N. Rogers called the meeting to order at 1:30 p.m.

Present: 6 - Council Member Chris Rogers, Council Member Victoria Fleming, Vice Mayor Dianna MacDonald, Mayor Natalie Rogers, Council Member Mark Stapp, and Council Member Jeff Okrepkie

Absent: 1 - Council Member Eddie Alvarez

2. ANNOUNCEMENT OF CLOSED SESSION ITEMS

No public comments were made.

Mayor N. Rogers recessed the meeting to closed session at 1:31 p.m. to discuss Item 2.1 as listed on the agenda.

**2.1 CONFERENCE WITH REAL PROPERTY NEGOTIATOR
(Government Code Section 54956.8)**

Property: 983 Sonoma Avenue, Santa Rosa APN: 009-171-029
Agency Negotiator: Jill Scott, Real Property Negotiator; Stephanie Valkovic, Associate Real Property Negotiator
Negotiating Parties: Housing Authority of Santa Rosa
Under Negotiations: Price and terms of lease.

This item was received and filed.

Mayor N. Rogers adjourned closed session at 1:51 p.m. and reconvened to the study session at 2:00 p.m.

Present: 7 - Mayor Natalie Rogers, Vice Mayor Dianna MacDonald, Council Member Eddie Alvarez, Council Member Victoria Fleming, Council Member Jeff Okrepkie, Council Member Chris Rogers, and Council Member Mark Stapp

3. STUDY SESSION

3.1 SANTA ROSA ANNEXATION OPPORTUNITIES

In February 2022, the Council set six goals for the 2022/2023 fiscal

year, one of which is “Deliver housing for all” and another is “Promote economic and community vibrancy.” One of the strategies noted for achieving these goals is to initiate annexation discussions with the County of Sonoma, including areas within south Santa Rosa (Moorland Avenue, Santa Rosa Avenue and the Todd Creek/”2010 area”) and other unincorporated areas within the City’s Urban Growth Boundary (UGB). In June 2022, the Council reviewed the City’s Draft Housing Element and directed staff to continue with the City’s Housing Element as drafted but to continue conversations with the County on potential transfer opportunities for the County’s Regional Housing Needs Assessment (RHNA) allocations through annexation and mutual agreement. In October 2022, the Council directed staff to add the prioritization and annexation of the Todd Creek/”2010 area” as a future Council agenda item for discussion. At the study session, City staff will present the opportunities for annexation and will seek Council direction on next steps. One option for next steps would be for Council to take no action at this time and instead consider a city-initiated annexation effort within the comprehensive context of the Council’s upcoming 2023/2024 Goal Setting process. Another option would be to proceed with a city-initiated annexation now, by setting proposed boundaries, identifying key principles and directing staff to come back with a work plan and budget for Council consideration.

Clare Hartman, Director of Planning & Economic Development, presented and answered questions from Council.

Jennifer Burke, Director of Water, answered questions from Council.

Jessica Jones, Deputy Director Planning & Economic Development, answered questions from Council.

Alan Alton, Chief Financial Officer, answered questions from Council.

Mark Bramfitt, Executive Officer Local Agency Formation Commission (LAFCO), answered questions from Council.

PUBLIC COMMENT

Jeffrey Janik spoke on wanting city services in the unincorporated area of Santa Rosa, and expressed concern the County is restricting what he can do with his parents property.

Brandon Roy spoke asking for the name of the street on the map presented to clarify the boundary line.

Duane DeWitt spoke in support for Option 2.

Ken McNab, representing ownership in the 2010 area, spoke in support of moving forward with annexation of the 2010 area to provide greater opportunities for more housing.

Maggie Luce, Policy Analyst with the County, introduced herself and stated she was available to answer any questions from Council.

Mayor N. Rogers recessed the meeting at 3:59 p.m. and reconvened at 4:04 p.m.

4. ANNOUNCEMENT OF ROLL CALL (IF NEEDED)

Present: 7 - Council Member Chris Rogers, Council Member Eddie Alvarez, Council Member Victoria Fleming, Vice Mayor Dianna MacDonald, Mayor Natalie Rogers, Council Member Mark Stapp, and Council Member Jeff Okrepkie

5. REPORT, IF ANY, ON STUDY AND CLOSED SESSIONS

Jessica Mullan, Assistant City Attorney, reported Council met in closed session on Item 2.1 Real Property Negotiator regarding property located at 983 Sonoma Ave. Council provided direction and no action was taken.

6. PROCLAMATIONS/PRESENTATIONS - NONE.

7. STAFF BRIEFINGS - NONE.

8. CITY MANAGER'S/CITY ATTORNEY'S REPORTS

Maraskeshia Smith, City Manager, reported the inRESPONSE Mental Health Support Team has been in operation for one year, the dedication ceremony for installation of the Unum sculpture by Blessing Hancock will be held on January 26 in Courthouse Square,

and Fire Captain Mark Jackson and Police Officer Irfaan Jaleel were honored by the Rotary Club of Santa Rosa with the 2023 Lee Abramson Public Safety Award.

No public comments were made.

8.1 REPORT OF SETTLEMENTS AND ACTIVE LITIGATION

The City Attorney will report on settlements over \$50,000 through December 2022 as well as provide a summary of pending litigation against the City.

Assistant City Attorney Mullan reported there were no settlements over \$50,000, 27 cases on the list with two new personal injury cases, and one new general litigation case.

No public comments were made.

9. STATEMENTS OF ABSTENTION BY COUNCIL MEMBERS

Council Member Okrepkie announced he would be abstaining from Items 15.1. and 15.2 due to previously voting on the issues when serving as a Planning Commissioner.

10. MAYOR'S/COUNCIL MEMBERS' REPORTS

Council Member Stapp attended the League of California Cities New Council Members Conference, attended the Provident Memorial Hospital neighborhood meeting, announced his reappointment of Dan Galvin to the Board of Public Utilities and appointed Ethan Cosgrove to Measure H Oversight Committee.

Council Member C. Rogers thanked staff for the coordination and presentation at the Mayors and Council Members meeting in Sacramento, announced he was appointed by the President of National League of Cities to the Energy Environment & Natural Resources Committee.

Council Member Fleming thanked Nancy Wang, President of the Redwood Empire Chinese Association, for the Lunar New Year celebration, announced her appointment of Melanie Jones-Carter to

the Art in Public Places Committee for the next few weeks and then Melanie Jones-Carter will then serve on the Design Review Board, Jeremy Newton to the Community Advisory Board At-Large position, and Patrick Carney to the Cultural Heritage Board.

Council Member Alvarez announced his appointment of Adam Sharron to Design Review Board, attended the League of California Cities New Council Member Conference and a meeting in the South Park neighborhood.

Vice Mayor MacDonald announced her reappointment of Kristen Keifer to Art in Public Places Committee, and appointed Michael Cook to Design Review Board, Robin Bartholow to Board of Public Utilities, David Chen to Community Advisory Board, and Heidi Klyn to Cultural Heritage Board.

Mayor N. Rogers announced her Council Subcommittee appointments as follows:

Board of Public Utilities: Council Members Alvarez, Stapp, and C. Rogers

Economic Development Subcommittee: Council Members C. Rogers, Alvarez, Okrepkie

Violence Prevention Partnership: Vice Mayor MacDonald, Council Member Stapp

Long Term Financial Policy Audit Subcommittee: Mayor N. Rogers, Vice Mayor MacDonald, Council Member Stapp

Open Government and Community Engagement: Council Members Alvarez, Fleming, Okrepkie

Climate Action Subcommittee: Council Members C. Rogers, Fleming, Mayor N. Rogers

Public Safety Subcommittee: Council Members Alvarez, Fleming, Okrepkie

PUBLIC COMMENT

Duane De Witt spoke regarding the reappointment of long sitting board members and the need to appoint new members to increase

diversity on the boards.

Michael Lipelt, volunteer with Bikeable Santa Rosa, spoke on Santa Rosa being chosen to receive a \$50,000 grant with tech assistance to accelerate the active transportation infrastructure, thanked Council Member C. Rogers and City staff for securing the grant, and active transportation planning should be coordinated with many other issues on the agenda.

10.1 MAYOR'S/COUNCIL MEMBERS' SUBCOMMITTEE AND LIAISON REPORTS (AND POSSIBLE COUNCIL DIRECTION TO BOARD REPRESENTATIVE ON PENDING ISSUES, IF NEEDED)

10.1.1 Council Subcommittee Reports

10.1.2 Sonoma County Transportation Authority/Regional Climate Protection Authority (SCTA/RCPA)

10.1.3 Sonoma County Water Agency (SCWA) - Water Advisory Committee

10.1.4 Association of Bay Area Governments (ABAG)

10.1.5 Sonoma County Agricultural Preservation and Open Space District Advisory Committee

10.1.6 Sonoma Clean Power Authority (SCPA)

10.1.7 Zero Waste Sonoma (formerly known as Sonoma County Waste Management Agency (SCWMA))

10.1.8 Groundwater Sustainability Agency (GSA)

10.1.9 Sonoma County Continuum of Care (CoC)

10.1.10 Renewal Enterprise District (RED)

10.1.11 Public Safety Subcommittee

10.1.12 Other

10.2 COUNCIL LIAISON REGIONAL POSITIONS

10.2.1 Mayor's Appointments to County, Regional and State Positions

Mayor N. Rogers will announce and request Council approval of

appointments to county, regional and state bodies on which the City is represented per City Charter section 15.

PUBLIC COMMENT

Richardo spoke in support of Mooreland area being annexed into the city.

A motion was made by Mayor N. Rogers, seconded by Vice Mayor MacDonald, to make the following appointments to Council Liaison Regional positions:

ABAG General Assembly: Mayor N. Rogers, Council Member Alvarez as Alternate

Health Action 2.0: Council Member Okrepkie, Council Member Fleming as Alternate

Library Advisory Board: Council Member Alvarez, Council Member C. Rogers as Alternate

League of California Cities North Bay: Council Member Okrepkie, Vice Mayor MacDonald

Mayors & Council Members Legislative Liaison to LOCC: Mayor N. Rogers, Council Member Alvarez as Alternate

Russian River Watershed Association: Council Member Stapp, Council Member Fleming as Alternate

Water Advisory Committee: Mayor N. Rogers, Council Member Stapp as Alternate

Continuum of Care: Mayor N. Rogers, staff members Kelli Kuykendall and Megan Basinger as Alternates

Groundwater Sustainability Agency: Council Member Stapp, Vice Mayor MacDonald as Alternate

The motion carried by the following vote:

Yes: 7 - Council Member Rogers, Council Member Alvarez, Council Member Fleming, Vice Mayor MacDonald, Mayor Rogers, Council Member Stapp, and Council Member Okrepkie

A motion was made by Mayor N. Rogers, seconded by Council Member C. Rogers, to appoint Council Member C. Rogers and Council Member Fleming (Alternate) to Sonoma Clean Power Authority. The motion carried by the following vote:

Yes: 7 - Council Member Rogers, Council Member Alvarez, Council Member Fleming, Vice Mayor MacDonald, Mayor Rogers, Council Member Stapp, and Council Member Okrepkie

A motion was made by Mayor N. Rogers, seconded by Council Member C. Rogers, to appoint Council Member C. Rogers and Council Member Okrepkie (Alternate) to the Sonoma County Transportation Authority/Regional Climate Protection Authority. The motion carried by the following vote:

Yes: 7 - Council Member Rogers, Council Member Alvarez, Council Member Fleming, Vice Mayor MacDonald, Mayor Rogers, Council Member Stapp, and Council Member Okrepkie

A motion was made by Mayor N. Rogers, seconded by Council Member Okrepkie, to appoint Vice Mayor MacDonald and staff member Joey Hejnowicz (Alternate) to Zero Waste Sonoma. The motion carried by the following vote:

Yes: 7 - Council Member Rogers, Council Member Alvarez, Council Member Fleming, Vice Mayor MacDonald, Mayor Rogers, Council Member Stapp, and Council Member Okrepkie

A motion was made by Mayor Rogers, seconded by Vice Mayor MacDonald, to appoint Council Members Alvarez, Fleming and Vice Mayor MacDonald (Alternate) to the Renewal Enterprise District (RED): The motion carried by the following vote:

Yes: 7 - Council Member Rogers, Council Member Alvarez, Council Member Fleming, Vice Mayor MacDonald, Mayor Rogers, Council Member Stapp, and Council Member Okrepkie

10.3 SONOMA COUNTY MAYORS' AND COUNCIL MEMBERS' ASSOCIATION / CITY SELECTION COMMITTEE

Assistant City Attorney Mullan informed Council this item did not appear on the Preliminary Agenda and in order for Council to take action on this item, Council must make findings of good cause to add the item to the agenda. Assistant City Attorney Mullan informed Council the deadline to submit Letters of Interest from various jurisdictions to the Mayors and Councilmembers Association was after the publication of the preliminary agenda and that the Association would be taking action on the Letters of Interest prior to the Council's next regular meeting.

No public comments were made.

A motion was made by Council Member C. Rogers, seconded by Vice Mayor MacDonald to make findings of good cause to add this item to the agenda. The motion carried by the following vote:

Yes: 7 - Mayor Rogers, Vice Mayor MacDonald, Council Member Alvarez, Council Member Fleming, Council Member Okrepkie, Council Member Rogers, and Council Member Stapp

10.3.1 The City Council will, by motion, provide direction to the Mayor regarding letters of interest received for appointment to the following vacancies, which will be made by the Board of Directors and by the City Selection Committee of the Sonoma County Mayors' and Councilmembers' Association at its meeting on February 9, 2023:

Board of Directors:

1. ABAG Executive Board: Alternate, to fill seat vacated by Dennis Pocekay (Petaluma), term expires June 2023. Letter received from:

- Stephen Zollman (Sebastopol)

2. Sonoma County Agricultural Preservation and Open Space District Citizens Advisory Committee: One seat, to fill seat vacated by former Council Member Osvaldo Jimenez (Healdsburg), term expires February 2024. Letters received from:

- Todd Lands (Cloverdale)
- Mark Stapp (Santa Rosa)

3. North Bay Division, LOCC, Executive Board: One seat, to fill seat vacated by former Council Member John Sawyer, Santa Rosa, term expires two years from appointment. Letter received from:

- Jackie Elward (Rohnert Park)

4. Child Care Planning Council of Sonoma County: One seat, currently held by Council Member Victoria Fleming, Santa Rosa, term expires three years from appointment. Letter received from:

- Stephen Zollman (Sebastopol)

5. Sonoma Marin Area Rail Transit Commission: Two seats, currently held by Council Member Melanie Bagby (Cloverdale), term expires February 2023; and Council Member Chris Rogers (Santa Rosa), term expires February 2023. Letters received from:

- Melanie Bagby (Cloverdale)

- Chris Rogers (Santa Rosa)

City Selection Committee:

1. Local Agency Formation Commission: Two seats + alternate, to fill seats vacated by former Council Member Pam Stafford (Rohnert Park), Mark Landman (Cotati), and the alternate seat vacated by former Council Member Patrick Slayter (Sebastopol); 4-year term.

Letters received from:

- Sandra Lowe (Sonoma)
- Susan Harvey (Cotati)
- Jeff Okrepkie (Santa Rosa)
- Stephen Zollman (Sebastopol)

2. Sonoma County Oversight Board Committee: Alternate, to fill seat vacated by former Council Member Osvaldo Jimenez (Healdsburg), unspecified term). No letters received to date.

3. Remote Access Network (RAN) Board: one position, must be filled by a Mayor, to fill seat vacated by former Council Member Mark Landman (Cotati). No letters received to date.

4. Bay Area Air Quality Management District Board: One seat, to fill seat vacated by former Council Member Teresa Barrett (Petaluma) 2-year term. Letter received from:

- Brian Barnacle (Petaluma)

It is also recommended that if late nominations are received or if the City Selection Committee or Mayors' and Councilmembers' Board recommends alternates, that the City Council authorize the Mayor or their designated representative the authority to vote on these late nominations or recommendations at the City Selection Committee Meeting or Mayors' and Councilmembers' Association board meeting.

No public comments were made.

A motion was made by Council Member C. Rogers, seconded by Council Member Fleming, to support Stephen Zollman (Sebastopol) for the seat of Alternate on the ABAG Executive Board and giving the Mayor

latitude to vote in the best interest of the City. The motion carried by the following vote:

Yes: 7 - Mayor Rogers, Vice Mayor MacDonald, Council Member Alvarez, Council Member Fleming, Council Member Okrepkie, Council Member Rogers, and Council Member Stapp

Quick Index Item

A motion was made by Council Member C. Rogers, seconded by Council Member Okrepkie, to support Mark Stapp (Santa Rosa) for the seat on the Sonoma County Agricultural Preservation and Open Space District Citizens Advisory Committee. The motion carried by the following vote:

Yes: 6 - Mayor Rogers, Vice Mayor MacDonald, Council Member Alvarez, Council Member Fleming, Council Member Okrepkie, and Council Member Rogers

Abstain: 1 - Council Member Stapp

A motion was made by Vice Mayor MacDonald, seconded by Council Member Fleming, to support Jackie Elward (Rohnert Park) for the seat on the North Bay Division, League of California Cities, Executive Board. The motion carried by the following vote:

Yes: 7 - Mayor Rogers, Vice Mayor MacDonald, Council Member Alvarez, Council Member Fleming, Council Member Okrepkie, Council Member Rogers, and Council Member Stapp

A motion was made by Council Member Fleming, seconded by Council Member C. Rogers, to support Stephen Zollman (Sebastopol) for the seat on the Child Care Planning Council of Sonoma County. The motion carried by the following vote:

Yes: 7 - Mayor Rogers, Vice Mayor MacDonald, Council Member Alvarez, Council Member Fleming, Council Member Okrepkie, Council Member Rogers, and Council Member Stapp

A motion was made by Fleming, seconded by Council Member Okrepkie, to support Melanie Bagby (Cloverdale) and Chris Rogers (Santa Rosa) for the two seats on the Sonoma Marin Area Rail Transit Commission. The motion carried by the following vote:

Yes: 7 - Mayor Rogers, Vice Mayor MacDonald, Council Member Alvarez, Council Member Fleming, Council Member Okrepkie, Council Member Rogers, and Council Member Stapp

A motion was made by Council Member C. Rogers, seconded by Council Member Alvarez, to support Jeff Okrepkie for one of two seats

and giving Mayor N. Rogers the latitude to vote in the best interest of the City to fill the second and alternate seats on the Local Agency Formation Commission.

A motion was made by Council Member Fleming, seconded by Council Member MacDonald, to support Jeff Okrepkie (Santa Rosa) and Sandra Lowe (Sonoma) for the two seats and giving Mayor N. Rogers the latitude to vote in the best interest of the City to fill the alternate seat on the Local Agency Formation Commission.

The motion made by Council Member Fleming carried by the following vote:

Yes: 4 - Mayor Rogers, Vice Mayor MacDonald, Council Member Fleming, and Council Member Stapp

No: 2 - Council Member Alvarez, and Council Member Rogers

Abstain: 1 - Council Member Okrepkie

A motion was made by Council Member C. Rogers, seconded by Vice Mayor MacDonald, giving Mayor N. Rogers the latitude to vote in the best interest of the City if a motion is made on the floor at the Mayors and Councilmembers Association meeting to fill the seats on the Sonoma County Oversight Board Committee and the Remote Access Network Board. The motion carried by the following vote:

Yes: 7 - Mayor Rogers, Vice Mayor MacDonald, Council Member Alvarez, Council Member Fleming, Council Member Okrepkie, Council Member Rogers, and Council Member Stapp

A motion was made by Council Member C. Rogers, seconded by Council Member Fleming, to support Brian Barnacle (Petaluma) for the seat on the Bay Area Air Quality Management District Board. The motion carried by the following vote:

Yes: 7 - Council Member Rogers, Council Member Alvarez, Council Member Fleming, Vice Mayor MacDonald, Mayor Rogers, Council Member Stapp, and Council Member Okrepkie

A motion was made by Council Member C. Rogers, seconded by Council Member Fleming, authorizing the Mayor or her designated representative the authority to vote on late nominations or recommendations at the City Selection Committee Meeting or Mayors' and Councilmembers' Association board meeting The motion carried by the following vote:

Yes: 7 - Mayor Rogers, Vice Mayor MacDonald, Council Member Alvarez, Council Member Fleming, Council Member Okrepkie, Council Member Rogers, and Council Member Stapp

11. APPROVAL OF MINUTES - NONE.

12. CONSENT ITEMS

Vice Mayor MacDonald pulled Item 12.7 for a separate vote.

Yuri Koslen, Transit Planner, answered questions from Council on Item 12.2.

PUBLIC COMMENT

Duane De Witt spoke in support of continuing hybrid meetings, in support of Items 12.1, 12.4, 12.15, 12.16, in opposition of Item 12.6, and thanked the Mayor for getting representatives on the various advisory bodies.

Josh Shipper, Director of Special Initiatives for Generation Housing, spoke in support of Item 12.1 and encouraged Council to support Planning Department staff.

Approval of the Consent Agenda

A motion was made by Vice Mayor MacDonald, seconded by Council Member C. Rogers, to waive reading of the text and adopt Consent Items 12.1 through 12.6 and Items 12.8 through 12.17. The motion carried by the following vote:

Yes: 7 - Mayor Rogers, Vice Mayor MacDonald, Council Member Alvarez, Council Member Fleming, Council Member Okrepkie, Council Member Rogers, and Council Member Stapp

12.1 RESOLUTION - PROHOUSING DESIGNATION PROGRAM

RECOMMENDATION: It is recommended by the Planning and Economic Development Department that the Council, by resolution, authorize the Director of the Planning and Economic Development Department or the Director's Designee to: (1) submit a Prohousing Designation Program application to the California Department of Housing and Community Development (HCD) and, if the application is

approved by HCD, (2) execute all documents deemed necessary or appropriate to participate in the Prohousing Designation Program.

This Consent - Resolution was adopted.

RESOLUTION NO. RES-2023-008 ENTITLED: RESOLUTION OF THE COUNCIL OF THE CITY OF SANTA ROSA AUTHORIZING AN APPLICATION AND PARTICIPATION IN THE CALIFORNIA DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT'S PROHOUSING DESIGNATION PROGRAM

12.2 RESOLUTION - FIFTH AMENDMENT TO PROFESSIONAL SERVICES AGREEMENT NUMBER F001275 WITH NWC PARTNERS INC. FOR GRANTS MANAGEMENT SUPPORT

RECOMMENDATION: It is recommended by the Transportation and Public Works Department that the Council, by resolution, approve a Fifth Amendment to Professional Services Agreement Number F001275 with NWC Partners Inc., of Kensington, California for grants management support through June 30, 2028, increasing contractor rates, and increasing compensation in the amount of \$100,000, for a total amount not to exceed amount of \$199,258.

This Consent - Resolution was adopted.

RESOLUTION NO. RES-2023-009 ENTITLED: RESOLUTION OF THE COUNCIL OF THE CITY OF SANTA ROSA APPROVING A FIFTH AMENDMENT TO PROFESSIONAL SERVICES AGREEMENT NUMBER F001275 WITH NWC PARTNERS INC.

12.3 RESOLUTION - SIXTH AMENDMENT TO MEMORANDUM OF UNDERSTANDING NUMBER F001324 WITH THE COUNTY OF SONOMA

RECOMMENDATION: It is recommended by the Transportation and Public Works Department that the Council, by resolution, approve a Sixth Amendment to Memorandum of Understanding Number F001324 with the County of Sonoma for bus stop maintenance through June 30, 2028, and increase compensation in the amount of \$100,000, for a total amount not to exceed \$199,650.

This Consent - Resolution was adopted.

RESOLUTION NO. RES-2023-010 ENTITLED: RESOLUTION OF THE COUNCIL OF THE CITY OF SANTA ROSA APPROVING A SIXTH AMENDMENT TO MEMORANDUM OF UNDERSTANDING NUMBER F001324 WITH THE COUNTY OF SONOMA

- 12.4 RESOLUTION - MODIFICATION TO THE APPROPRIATION OF THE STATE OF CALIFORNIA DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT'S INFILL INFRASTRUCTURE GRANT PROGRAM FUNDS FOR THE DOWNTOWN SANTA ROSA QUALIFIED INFILL AREA FOR THE CAPITAL IMPROVEMENT PROJECT PORTION OF THE GRANT

RECOMMENDATION: It is recommended by the Housing and Community Services and Transportation and Public Works Departments that the Council, by resolution, authorize a modification to the appropriation of the State of California Department of Housing and Community Development's Infill Infrastructure Grant funds in the amount of \$1,072,050 from the Housing Grant Fund 2282 to the City General Fund 1100 for the Capital Improvement Project portion of the grant.

This Consent - Resolution was adopted.

RESOLUTION NO. RES-2023-011 ENTITLED: RESOLUTION OF THE COUNCIL OF THE CITY OF SANTA ROSA AUTHORIZING A MODIFICATION TO THE APPROPRIATION OF THE CALIFORNIA STATE DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT IN-FILL INFRASTRUCTURE GRANT PROGRAM FUNDS OF \$1,072,050 FROM HOUSING GRANT FUND 2282 TO CITY GENERAL FUND 1100

- 12.5 RESOLUTION - SPLIT BID AWARD - REQUEST FOR QUOTES 22-50 AND ISSUANCE OF FEDERALIZED PURCHASE ORDERS FOR FIBER CABLE AND SUPPLIES TO B&H INTERNATIONAL LLC AND ANIXTER, INC.

RECOMMENDATION: It is recommended by the Transportation and Public Works and Finance Departments that the Council, by resolution, approve a split bid award and issuance of a purchase order with federal terms in a total amount not-to-exceed \$108,110.36 for Request for Quote 22-50 for fiber cable and supplies to: 1) B&H International LLC, Bakersfield, California in an amount not to exceed \$92,169.06 for the purchase of Superior Essex cable and EtherWAN switching platforms (Section 1, 3 of RFQ); and 2) Anixter Inc., Glenview, Illinois in an

amount not to exceed \$15,941.30, for fiber components (Section 2 of the RFQ).

This Consent - Resolution was adopted.

RESOLUTION NO. RES-2023-012 ENTITLED: RESOLUTION OF THE COUNCIL OF THE CITY OF SANTA ROSA APPROVING A SPLIT BID AWARD FOR REQUEST FOR QUOTE 22-50 AND ISSUANCE OF FEDERAL PURCHASE ORDERS FOR FIBER CABLE AND SUPPLIES TO B&H INTERNATIONAL AND ANIXTER INC. IN A COMBINED TOTAL AMOUNT NOT TO EXCEED \$108,110.36

12.6 RESOLUTION - DESIGN-BUILD CONTRACT AWARD AND BUDGET AMENDMENTS FOR THE FIRE STATION 5 RESILIENCY AND RELOCATION PROJECT

RECOMMENDATION: It is recommended by the Fire Department, Finance Department and the Transportation and Public Works Department that the Council, by resolution: 1) award a Design-Build Contract No. C02184, Fire Station 5 Resiliency and Relocation project using the City's standard Design Build Contract, in the amount of \$15,241,753 to the best value Design-Build entity, Wright Contracting LLC of Santa Rosa, CA; 2) approve a 20% contract contingency, for a total contract amount of \$18,290,103.60; and 3) amend the FY 2022-23 budget to a) increase appropriations from the General Fund reserves in the amount of \$2,832,504, and b) increase appropriations in the amount of \$16,939,076 from Community Development Block Grant-Mitigation (CDBG-MIT) federal grant funds and increase federal grant revenue estimates by \$16,939,076.

This Consent - Resolution was adopted.

RESOLUTION NO. RES-2023-013 ENTITLED: RESOLUTION OF THE COUNCIL OF THE CITY OF SANTA ROSA AWARDED DESIGN-BUILD CONTRACT FOR THE FIRE STATION 5 RESILIENCY AND RELOCATION PROJECT; APPROVING A 20% CONTRACT CONTINGENCY FOR A TOTAL CONTRACT AMOUNT OF \$18,290,103.60; AND AUTHORIZING BUDGET AMENDMENTS AND APPROPRIATIONS FROM THE GENERAL FUND RESERVES AND COMMUNITY DEVELOPMENT BLOCK GRANT-MITIGATION FEDERAL GRANT FUNDS

12.8 RESOLUTION - APPROVAL OF AMENDMENT TO PURCHASE ORDER 166742 WITH DAY MANAGEMENT CORPORATION, DBA

DAY WIRELESS SYSTEMS, FOR MAINTENANCE, REPAIR, AND INSPECTION SERVICES FOR EXISTING COMMUNICATIONS EQUIPMENT

RECOMMENDATION: It is recommended by the Finance Department that the Council, by resolution, approve an amendment to Purchase Order 166742 with Day Management Corporation, dba Day Wireless Systems, Benicia, California, for the maintenance, repair, and inspection services for existing communications equipment, to increase compensation in the amount of \$45,150 for a total contract amount not to exceed \$144,150 through the July 31, 2023 expiration date.

This Consent - Resolution was adopted.

RESOLUTION NO. RES-2023-014 ENTITLED: RESOLUTION OF THE COUNCIL OF THE CITY OF SANTA ROSA APPROVING AN AMENDMENT TO PURCHASE ORDER 166742 WITH DAY MANAGEMENT CORPORATION, DBA DAY WIRELESS SYSTEMS, FOR MAINTENANCE, REPAIR, AND INSPECTION SERVICES FOR EXISTING COMMUNICATIONS EQUIPMENT

12.9 RESOLUTION - APPROVAL OF PARKING AGREEMENT WITH 10 E STREET LLC FOR RESIDENTIAL PARKING IN CONNECTION WITH MIXED USE DEVELOPMENT

RECOMMENDATION: It is recommended by the Finance Department that the Council, by resolution, approve a Parking Agreement with 10 E Street, LLC, to allow residential parking at Lot 6 Located at 4 E Street for residential parking in connection with a proposed multi-family housing project consisting of 45-80 units to be located at 10 E Street.

This Consent - Resolution was adopted.

RESOLUTION NO. RES-2023-015 ENTITLED: RESOLUTION OF THE COUNCIL OF THE CITY OF SANTA ROSA APPROVING A PARKING AGREEMENT BETWEEN THE CITY OF SANTA ROSA AND 10 E STREET, LLC FOR USE OF LOT 6 FOR RESIDENTIAL PARKING FOR A PROPOSED MULTI-FAMILY HOUSING PROJECT LOCATION AT 10 E STREET

12.10 RESOLUTION - APPROVAL TO EXTEND THE TERM AND INCREASE COMPENSATION OF PURCHASE ORDER 166287 WITH NORTHERN COAST OFFICIALS ASSOCIATION

RECOMMENDATION: It is recommended by the Recreation and Parks and

Finance Departments that the Council, by resolution, approve an amendment to Blanket Purchase Order 166287 with Northern Coast Officials Association, Santa Rosa, California, to provide league official services, for a one-year term extension and increase compensation in the amount of \$77,364, for a total not to exceed amount of \$147,364.

This Consent - Resolution was adopted.

RESOLUTION NO. RES-2023-016 ENTITLED: RESOLUTION OF THE COUNCIL OF THE CITY OF SANTA ROSA APPROVING AN AMENDMENT TO BLANKET PURCHASE ORDER 166287 WITH NORTHERN COAST OFFICIALS ASSOCIATION

- 12.11 RESOLUTION - FOURTH AMENDMENT TO GENERAL SERVICES AGREEMENT F001904 TO EXTEND THE TERM OF THE CONTRACT AND INCREASE COMPENSATION WITH SONOMA DESIGN APPAREL AND PROMOTIONS, INC. FOR TEMPORARY STAFF UNIFORMS AND CAMP/SPORTS APPAREL

RECOMMENDATION: It is recommended by the Recreation and Parks and Finance Departments that the Council, by resolution, approve the Fourth Amendment to General Services Agreement Number F001904 with Sonoma Design Apparel and Promotions, Inc., Santa Rosa, California for temporary staff uniforms and camp/sports apparel, for an additional one-year term and increase compensation in the amount of \$29,350, for a total amount not to exceed \$115,350.

This Consent - Resolution was adopted.

RESOLUTION NO. RES-2023-017 ENTITLED: RESOLUTION OF THE COUNCIL OF THE CITY OF SANTA ROSA APPROVING GENERAL SERVICES AGREEMENT F001904 WITH SONOMA DESIGN APPAREL AND PROMOTIONS, INC. EXTENDING THE TERM OF THE CONTRACT AND INCREASING COMPENSATION

- 12.12 RESOLUTION - APPROVAL OF AMENDMENT TO BLANKET PURCHASE ORDER 167656 TO INCREASE COMPENSATION WITH CREAM'S DISMANTLING, INC.

RECOMMENDATION: It is recommended by the Police and Finance Departments that the Council, by resolution, approve an increase in compensation in the amount of \$100,000 to Blanket Purchase Order 167656 with Cream's Dismantling, Inc., Santa Rosa, California to

provide large vehicle towing services, for a total not to exceed amount of \$195,000 for a one-year term, with two (2) one-year extension options.

This Consent - Resolution was adopted.

RESOLUTION NO. RES-2023-018 ENTITLED: RESOLUTION OF THE COUNCIL OF THE CITY OF SANTA ROSA APPROVING AN AMENDMENT TO BLANKET PURCHASE ORDER 167656 TO INCREASE COMPENSATION WITH CREAM'S DISMANTLING, INC. FOR LARGE VEHICLE TOWING SERVICES

12.13 RESOLUTION - FIRST AMENDMENT TO AGREEMENT WITH WORKCARE, INC. FOR WELLNESS SERVICES FOR THE POLICE DEPARTMENT

RECOMMENDATION: It is recommended by the Police Department, that the Council, by resolution, approve the amendment to the professional services agreement with Workcare, Inc. of Anaheim, CA for an amount not to exceed \$705,000 through June 30, 2026 for wellness services.

This Consent - Resolution was adopted.

RESOLUTION NO. RES-2023-019 ENTITLED: RESOLUTION OF THE COUNCIL OF THE CITY OF SANTA ROSA APPROVING THE FIRST AMENDMENT TO PROFESSIONAL SERVICES AGREEMENT NUMBER F0021701A WITH WORKCARE, INC. FOR WELLNESS SERVICES FOR THE POLICE DEPARTMENT

12.14 RESOLUTION - AUTHORIZING SUBMITTAL OF A GRANT APPLICATION TO THE CALIFORNIA STATE PARKS AND RECREATION DEPARTMENT'S DIVISION OF BOATING AND WATERWAYS BOATING FACILITIES GRANT PROGRAM FOR THE LAKE RALPHINE NON-MOTORIZED BOAT LAUNCH FACILITY IMPROVEMENT PROJECT

RECOMMENDATION: It is recommended by the Recreation and Parks Department that the Council, by resolution: 1) authorize a grant application to the California State Parks and Recreation Department's Division of Boating and Waterways Boating Facilities Grant Program for design and construction of the Lake Ralphine Non-motorized Boat Launch Facility Improvement Project with a total project cost of

\$767,800, and authorize the Assistant City Manager to submit said grant application; 2) authorize the Assistant City Manager to accept the grant and execute any and all grant agreements thereto, and all other documents necessary for the completion of the design and construction of the project; and 3) authorize the Chief Financial Officer to increase appropriations by the approved grant award.

This Consent - Resolution was adopted.

RESOLUTION NO. RES-2023-020 ENTITLED: RESOLUTION OF THE COUNCIL OF THE CITY OF SANTA ROSA AUTHORIZING SUBMITTAL OF A GRANT APPLICATION TO THE CALIFORNIA STATE PARKS AND RECREATION DEPARTMENT'S DIVISION OF BOATING AND WATERWAYS BOATING FACILITIES GRANT PROGRAM FOR DESIGN AND CONSTRUCTION OF THE LAKE RALPHINE NON-MOTORIZED BOAT LAUNCH FACILITY IMPROVEMENT PROJECT WITH A TOTAL COST OF \$767,800 AND AUTHORIZE THE ASSITANT CITY MANAGER TO SUBMIT SAID GRANT, AND AUTHORIZE THE ASSISTANT CITY MANAGER TO ACCEPT THE GRANT AND EXECUTE ANY AND ALL GRANT AGREEMENTS THERETO, AND ALL OTHER DOCUMENTS NECESSARY FOR THE COMPLETION OF THE DESIGN AND CONSTRUCTION PROJECT AND AUTHORIZE THE CHIEF FINANCIAL OFFICER TO INCREASE APPROPRIATIONS BY THE APPROVED GRANT AWARD

12.15 RESOLUTION - EXTENSION OF PROCLAMATION OF LOCAL HOMELESS EMERGENCY

RECOMMENDATION: It is recommended by the Housing and Community Services Department that the Council, by resolution, approve an extension of Resolution No. 28839 which formally proclaimed a local homeless emergency within Santa Rosa.

This Consent - Resolution was adopted.

RESOLUTION NO. RES-2023-021 ENTITLED: RESOLUTION OF THE COUNCIL OF THE CITY OF SANTA ROSA EXTENDING A PROCLAMATION OF LOCAL HOMELESS EMERGENCY (Government Code Sections 8630 et seq.)

12.16 RESOLUTION - EXTENSION OF PROCLAMATION OF EXISTENCE OF A LOCAL EMERGENCY RELATING TO THE THREAT TO COMMUNITY HEALTH POSED BY COVID-19

RECOMMENDATION: It is recommended by the City Attorney's Office that the Council, by resolution, declare that the proclamation of a state of local emergency within the City of Santa Rosa has been and remains in full force and effect without interruption.

This Consent - Resolution was adopted.

RESOLUTION NO. RES-2023-022 ENTITLED: RESOLUTION OF THE COUNCIL OF THE CITY OF SANTA ROSA EXTENDING THE PROCLAMATION OF EXISTENCE OF A LOCAL EMERGENCY DUE TO THE THREAT TO COMMUNITY HEALTH POSED BY COVID-19

- 12.17 RESOLUTION - MAKING REQUIRED MONTHLY FINDINGS AND AUTHORIZING THE CONTINUED USE OF TELECONFERENCING FOR PUBLIC MEETINGS OF THE CITY COUNCIL AND ALL THE CITY'S BOARDS, COMMISSIONS, AND COMMITTEES PURSUANT TO ASSEMBLY BILL 361

RECOMMENDATION: It is recommended by the City Attorney that the Council, by resolution, make required monthly findings and authorize the continued use of teleconferencing for public meetings of the City Council and all the City's boards, commissions, and committees pursuant to Assembly Bill 361.

This Consent - Resolution was adopted.

RESOLUTION NO. RES-2023-023 ENTITLED: RESOLUTION OF THE COUNCIL OF THE CITY OF SANTA ROSA MAKING REQUIRED FINDINGS AND AUTHORIZING THE CONTINUED USE OF TELECONFERENCING FOR PUBLIC MEETINGS OF THE CITY COUNCIL AND ALL THE CITY'S BOARDS, COMMISSIONS AND COMMITTEES PURSUANT TO ASSEMBLY BILL 361

- 12.7 RESOLUTION - APPROVAL FOURTH AMENDMENT TO GENERAL SERVICES AGREEMENT F001690 ARBORICULTURAL SPECIALTIES, INC.

RECOMMENDATION: It is recommended by the Finance Department that the Council, by resolution, approve the Fourth Amendment to General Services Agreement Number F001690 for tree care services for an increase in compensation to Arboricultural Specialties, Inc., Berkeley, California in the amount of \$300,000, for a total contract amount not to exceed \$1,000,000.

Brandalyn Tramel, Purchasing Agent, and Assistant City Manager Nutt answered questions from Council.

PUBLIC COMMENT

Resident spoke addressing the Roberts District Downtown Specific Plan and the Housing Element Plan in Item 12.1, and the floor ratio between the Roberts area and the Imwale property, and proposed an amend to the floor ratio.

Duane De Witt spoke on the importance of the City having its own local arboricultural team, using interns during the summer to help with the work.

A motion was made by Vice Mayor MacDonald, seconded by Council Member Okrepkie, to waive reading of the text and adopt

RESOLUTION NO. RES-2023-024 ENTITLED: RESOLUTION OF THE COUNCIL OF THE CITY OF SANTA ROSA APPROVING THE FOURTH AMENDMENT TO GENERAL SERVICES AGREEMENT NUMBER F001690 WITH ARBORICULTURAL SPECIALTIES, INC.

The motion carried by the following vote:

Yes: 6 - Mayor Rogers, Council Member Alvarez, Council Member Fleming, Council Member Okrepkie, Council Member Rogers, and Council Member Stapp

No: 1 - Vice Mayor MacDonald

13. PUBLIC COMMENT ON NON-AGENDA MATTERS

Duane De Witt spoke on the recent rain events showing water retention is needed, and to seek grants from the State and Federal governments for storm water retention in the creek basin.

15. PUBLIC HEARINGS

15.1 PUBLIC HEARING - BOWDEN ANNEXATION - PREZONING PROPERTIES AT 4646 BADGER ROAD AND 999 MIDDLE RINCON ROAD

BACKGROUND: This project proposes to prezone two parcels for

annexation into the City. The two parcels along the south of Badger Road and the west corner of Middle Rincon Road are proposed to be Pre-zoned to the R-1-6 (Single-Family Residential) zoning district consistent with the General Plan land use designation of Low-Density Residential. No new development or construction is proposed.

RECOMMENDATION: It is recommended by the Planning Commission and the Planning and Economic Development Department that the Council introduce an ordinance to Prezone the properties located at 4646 Badger Road and 999 Middle Rincon Road to the R-1-6 (Single-Family Residential) zoning district.

Monet Sheikhali, Senior Planner, presented and answered questions from Council.

Mayor N. Rogers opened the public hearing at 5:35 p.m.

No public comments were made.

Mayor N. Rogers closed the public hearing at 5:36 p.m.

A motion was made by Council Member Fleming, seconded by Vice Mayor MacDonald, to waive reading of the text and introduce

**ORDINANCE OF THE COUNCIL OF THE CITY OF SANTA ROSA
PREZONING THE PROPERTIES LOCATED AT 4646 BADGER ROAD AND
999 MIDDLE RINCON ROAD, ALSO IDENTIFIED AS ASSESSOR'S PARCEL
NOS. 182-120-034 AND 182-120-035, RESPECTIVELY, TO THE R-1-6
(SINGLE-FAMILY RESIDENTIAL) ZONING DISTRICT; FILE NO. ANX21-001**

The motion carried by the following vote:

Yes: 6 - Mayor Rogers, Vice Mayor MacDonald, Council Member Alvarez, Council Member Fleming, Council Member Rogers, and Council Member Stapp

Abstain: 1 - Council Member Okrepkie

**15.2 PUBLIC HEARING - WINKLER ANNEXATION - PREZONING OF
PROPERTY LOCATED AT 1600 MANZANITA AVENUE**

BACKGROUND: The project proposed to pre-zone a 1.52-acre parcel with an existing single-family dwelling to connect to City utilities due to a

failed septic system located at 1600 Manzanita Ave to RR-40-SR (Rural Residential Scenic Road Combining District) Zoning District. On October 13, 2022, the Planning Commission reviewed the project and supported the staff's recommendation.

RECOMMENDATION: It is recommended by the Planning Commission and the Planning and Economic Development Department that Council introduce an ordinance to Pre-zone a property located at 1600 Manzanita Avenue (Assessor's Parcel No. 181-030-005) as Very Low Density RR-40-SR (Rural Residential Scenic Road Combining District) Zoning District.

Christian Candelaria, City Planner, presented and answered questions from Council.

Mayor N. Rogers opened the public hearing at 5:41p.m.

No public comments were made.

Mayor N. Rogers closed the public hearing at 5:42 p.m.

A motion was made by Council Member Alvarez, seconded by Vice Mayor MacDonald, to waive reading of the text and introduce

**ORDINANCE OF THE COUNCIL OF THE CITY OF SANTA ROSA
PREZONING THE PROPERTY LOCATED AT 1600 MANZANITA AVENUE,
ALSO IDENTIFIED AS ASSESSOR'S PARCEL NO. 181-030-005, TO THE
RR-40-SR (RURAL RESIDENTIAL SCENIC ROAD COMBINING DISTRICT)
ZONING DISTRICT; FILE NO. ANX21-002**

The motion carried by the following vote:

Yes: 6 - Council Member Rogers, Council Member Alvarez, Council Member Fleming, Vice Mayor MacDonald, Mayor Rogers, and Council Member Stapp

Abstain: 1 - Council Member Okrepkie

Mayor N. Rogers recessed the meeting at 5:44 p.m. and reconvened at 6:15 p.m.

Present: 7 - Mayor Natalie Rogers, Vice Mayor Dianna MacDonald, Council Member Eddie Alvarez, Council Member Victoria Fleming, Council Member Jeff Okrepkie, Council Member Chris Rogers, and Council Member Mark Stapp

14. REPORT ITEMS

14.1 REPORT - CITY COUNCIL LEGISLATIVE ADVOCACY POLICY

BACKGROUND: In 2013, the Council last updated its legislative advocacy policy. With the realignment of resources and priorities, the Communications and Intergovernmental Relations Office was created, and a policy revision is necessary to address policy matters affecting the City and our residents efficiently. The Legislative Advocacy Policy will be guided by the Council's adoption of legislative platforms at the state and federal levels. The Council will review and update the platforms annually or as urgent needs arise.

RECOMMENDATION: It is recommended by the Communications and Intergovernmental Relations Office that the Council, by resolution, update the Council's Legislative Advocacy Policy 00-040.

Lon Peterson, Chief Communications and Intergovernmental Relations Officer, and Scott Alonso, Intergovernmental Relations and Legislative Officer, presented and answered questions from Council.

No public comments were made.

A motion was made by Council Member C. Rogers, seconded by Vice Mayor MacDonald, to waive reading of the text and adopt as amended

RESOLUTION NO. RES-2023-025 ENTITLED: RESOLUTION OF THE COUNCIL OF THE CITY OF SANTA ROSA AMENDING COUNCIL POLICY 000-40 - LEGISLATIVE ADVOCACY

The motion carried by the following vote:

Yes: 7 - Mayor Rogers, Vice Mayor MacDonald, Council Member Alvarez, Council Member Fleming, Council Member Okrepkie, Council Member Rogers, and Council Member Stapp

14.2 REPORT - 2023 FEDERAL LEGISLATIVE PLATFORM

BACKGROUND: The 2023 federal legislative session is now underway. City staff have identified federal legislative priorities in a proposed 2023 federal legislative platform for consideration by the City Council. Defined priorities, approved by the City Council, will help communicate

the City's federal legislative and project priorities to the California Federal Legislative Delegation, Congress, regional and federal agencies.

RECOMMENDATION: It is recommended by the Communications and Intergovernmental Relations Office that the Council, by resolution, adopt the City's 2023 Federal Legislative Platform.

Lon Peterson, Chief Communications and Intergovernmental Relations Officer and Scott Alonso, Intergovernmental Relations and Legislation Officer, presented and answered questions. John O'Donnell and Kyriakos Pagonis, MMO Partners presented and answered questions from Council.

No public comments were made.

A motion was made by Council Member C. Rogers, seconded by Vice Mayor MacDonald, to waived reading of the text and adopt as amended

RESOLUTION NO. RES-2023-026 ENTITLED: RESOLUTION OF THE COUNCIL OF THE CITY OF SANTA ROSA ADOPTING THE 2023 CITY OF SANTA ROSA FEDERAL LEGISLATIVE PLATFORM

The motion carried by the following vote:

Yes: 6 - Mayor Rogers, Vice Mayor MacDonald, Council Member Alvarez, Council Member Fleming, Council Member Rogers, and Council Member Stapp

Abstain: 1 - Council Member Okrepkie

14.3 REPORT - 2023 STATE LEGISLATIVE PLATFORM

BACKGROUND: To prepare for these legislative and advocacy activities, City staff has worked with various City departments and identified state legislative priorities in the proposed 2023 state legislative platform for consideration by the City Council. The priorities focus efforts in the following core areas: Wildfire Prevention and Recovery, Hazard Mitigation and Resiliency; Administration, Human Resources and Risk Management; Governmental Transparency and Public Access; Economic Development; Environment, Climate Change and Sustainability; Water Quality and Water Supply; Land Use-Planning and Housing; Homelessness; Recreation and Parks; Public Safety and

Police, Fire and Emergency Services; Transportation; Public Works and Utilities; and Public Health.

RECOMMENDATION: It is recommended by the Communications and Intergovernmental Relations Office that the Council, by resolution, adopt the City's 2023 State Legislative Platform.

Lon Peterson, Chief Communications and Intergovernmental Relations Officer, and Scott Alonso, Intergovernmental Relations and Legislative Officer, presented and answered questions from Council.

Sharon Gonsalves, Renne Public Policy Group, presented and answered questions from Council.

No public comments were made.

A motion was made by Council Member C. Rogers, seconded by Council Member Okrepkie, to waive reading of the text and adopt as amended

RESOLUTION NO. RES-2023-027 ENTITLED: RESOLUTION OF THE COUNCIL OF THE CITY OF SANTA ROSA ADOPTING THE 2023 CITY OF SANTA ROSA STATE LEGISLATIVE PLATFORM

The motion carried by the following vote:

Yes: 6 - Mayor Rogers, Vice Mayor MacDonald, Council Member Alvarez, Council Member Fleming, Council Member Rogers, and Council Member Stapp

Abstain: 1 - Council Member Okrepkie

14.4 REPORT - APPROVAL OF JEFFREY BERK AS AN EXTRA HELP TEMPORARY EMPLOYEE TO SERVE AS ACTING CHIEF ASSISTANT CITY ATTORNEY FOR A PERIOD OF LIMITED DURATION (This item has been continued to February 14, 2023)

BACKGROUND: Jeffrey Berk retired from his position as Chief Assistant City Attorney as of January 3, 2023. The City is currently conducting an open recruitment for his replacement. It is anticipated that the recruitment could take four to six months. There are critical issues and projects pending which will need to be addressed while the recruitment for a permanent replacement is underway. Mr. Berk has the

specialized knowledge and skills to address those critical issues and projects. Existing staff resources are not otherwise sufficient to undertake that work. To ensure a smooth transition and uninterrupted City operations, it is recommended that Mr. Berk return as an Extra-Help Temporary Employee to serve in the position of part-time Acting Chief Assistant City Attorney pursuant to the provisions of Government Code sections 7522.56, 21221(h), and 21224. In particular, Government Code section 21221(h) permits the hiring of a CalPERS retired annuitant to a vacant position while a recruitment for a permanent placement is underway and Government Code section 21224 permits the hiring of a CalPERS retired annuitant when specialized skills are needed in performing work of limited duration. The appointment will also be made in compliance with the City's Extra Help Temporary Employee policy.

RECOMMENDATION: It is recommended by the City Attorney's Office and Human Resources Department that the Council, by resolution: 1) approve Jeffrey Berk to be hired as an Extra Help Temporary Employee to the position of part-time Acting Chief Assistant City Attorney for a limited period from January 30, 2023 through July 30, 2023, or until the permanent full-time position is filled, whichever is sooner; and 2) amend the City's Classification and Salary Plan to add the temporary classification of Extra-Help Chief Assistant City Attorney with an hourly salary of \$101.46.

This item was continued to the February 14, 2023, meeting.

16. WRITTEN COMMUNICATIONS - NONE.

17. PUBLIC COMMENTS ON NON-AGENDA MATTERS

No public comments were made.

18. ANNOUNCEMENT OF CONTINUED CLOSED SESSION ITEMS, RECESS TO CLOSED SESSION IN THE MAYOR'S CONFERENCE ROOM, RECONVENE TO OPEN SESSION, AND ANNOUNCEMENTS [IF NEEDED] - NONE.

19. ADJOURNMENT OF MEETING

Mayor N. Rogers adjourned the meeting 7:43 P.M. The next regular meeting will be held on Tuesday, February 14, 2023, at a time to be set by the Mayor.

20. UPCOMING MEETINGS

20.1 UPCOMING MEETINGS LIST

This item was received and filed.

Approved on:

Stephanie A. Williams
City Clerk