

RESOLUTION NO. RES-2022-229

RESOLUTION OF THE COUNCIL OF THE CITY OF SANTA ROSA APPROVING FORGIVENESS OF DEFERRED RENT AMOUNTS FOR CITY TENANTS IMPACTED BY COVID-19 ORDERS

WHEREAS, the City leases portions of buildings and property that it owns to commercial and other businesses located primarily in the downtown area but also on other City owned sites, including a daycare facility in west Santa Rosa; and

WHEREAS, many of the City's retail tenants and the daycare operator were unable to pay the full amount of rent owed during 2020 because of COVID-19 (Pandemic) orders from the State, County of Sonoma and City of Santa Rosa, which reduced business capacity limits, imposed social distancing requirements and in some cases outright closed non-essential indoor operations for large periods of time; and

WHEREAS, during the Pandemic, the City Manager, under the City's emergency ordinance, approved deferred rental payments for those tenants meeting established criteria, including the inability to pay the full amount of their rent; and

WHEREAS, waiving rental benefits that were deferred, while providing incidental benefit to the individual businesses, satisfies a larger public purpose by promoting the ongoing operation of small businesses in the City, in an effort to ensure a thriving downtown and that childcare options continue to remain available to City residents; and

WHEREAS, Staff now seeks Council approval to forgive those back rent amounts as previously identified to Council, in the interest of alleviating further burden to downtown retail businesses and the daycare, and avoid vacant storefronts, loss of sales taxes and loss of businesses which provide necessary services to the City and its residents.

NOW, THEREFORE, BE IT RESOLVED that the Council of the City of Santa Rosa approve the forgiveness of the following outstanding back rent amounts previously deferred during the COVID-19 Pandemic:

Water Enterprise Fund:

- Child Family Community, Inc. (daycare) – 1225 Fulton Road property lease - \$22,324.00

Parking Enterprise Fund:

- Hugh Futrell Corporation (Hotel E)- valet parking- Garage 12 lease- \$20,160.00
- Chandi and Judge Brothers, Inc. dba Beer Baron- Garage 5 dumpster license- \$1,395.32
- Blue Chalk Enterprises, Inc. dba VerTice (Perch and Plow) – Garage 5 dumpster license - \$1,395.32
- Soltani's Inc. dba Mac's- Garage 5 dumpster license - \$1,395.32
- Syrah Restaurants, dba Jackson's Bar and Oven – Lot 14 dumpster license - \$1,384.56

- Johnny Garlic’s, Inc. dba Tex Wasabi’s- Lot 11 dumpster license- \$1,395.32
- Gerard’s LLC dba Gerard’s Paella y Tapas- Lot 10 dumpster license - \$1,395.32
- The Parish Café- Lot 10 dumpster license - \$1,395.32

BE IT FURTHER RESOLVED that the Council authorize the City Manager or designee to execute any amendments as necessary to implement the back rent forgiveness in an amount not to exceed \$22,324.00 for the Water Enterprise Fund and \$29,916.48 for the Parking Enterprise Fund.

IN COUNCIL DULY PASSED this 6th day of December, 2022.

AYES: (6) Mayor C. Rogers, Council Members Fleming, MacDonald, N.Rogers, Sawyer, Schwedhelm

NOES: (0)

ABSENT: (1) Vice Mayor Alvarez

ABSTAIN: (0)

ATTEST: _____ APPROVED: _____
City Clerk Mayor

APPROVED AS TO FORM: _____
City Attorney