



**City Council
Regular Meeting Minutes - Final**

Tuesday, April 28, 2020

1:30 PM

1. CALL TO ORDER AND ROLL CALL

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

Present: 7 - Mayor Tom Schwedhelm, Vice Mayor Victoria Fleming, Council Member Ernesto Olivares, Council Member Chris Rogers, Council Member John Sawyer, Council Member Jack Tibbetts, and Council Member Richard Dowd

2. ANNOUNCEMENT OF CLOSED SESSION ITEMS

Mayor Schwedhelm recessed the meeting to closed session at 1:30 p.m. to discuss Item 2.1 as listed on the agenda:

2.1 CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION
(Paragraph (1) of subdivision (d) of Government Code Section 54956.9)

Name of Case: Rafael Mateos-Sandoval and Simeon Avendano Ruiz v. County of Sonoma, et al.

Court Case No.: Northern District of California Court Case No. 3:11-cv-05817-EMC

This item was received and filed.

Mayor Schwedhelm adjourned the closed session at 1:52 p.m. and reconvened to the study session at 2:00 p.m.

3. STUDY SESSION

3.1 UPDATED GENERAL FUND LONG-RANGE FINANCIAL FORECAST

This Study Session will provide a review of the General Fund Long Range Financial Forecast, updated to include revenue impacts resulting from the COVID-19 emergency.

Attachments: [Staff Report](#)
[Attachment 1- LTFPA Presentation](#)
[Presentation](#)
[Presentation REVISED \(Uploaded 4-27-2020\)](#)

Interim Chief Financial Officer Alan Alton introduced Andy Belnap,

Senior Vice President, and Bob Leland, Special Advisory from Management Partners to make the presentation and answer questions from the Council.

PUBLIC COMMENT

Duane De Witt spoke on wanting a paper copy of the Long Term Financial Report to be provided to the public at the kiosks at City Hall.

This item was received and filed.

The time not yet being 4:00 p.m., Mayor Schwedhelm recessed the meeting at 3:25 p.m. and reconvened the meeting at 4:00 p.m.

4. ANNOUNCEMENT OF ROLL CALL

Present: 7 - Mayor Tom Schwedhelm, Vice Mayor Victoria Fleming, Council Member Ernesto Olivares, Council Member Chris Rogers, Council Member John Sawyer, Council Member Jack Tibbetts, and Council Member Richard Dowd

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

City Manager McGlynn noted there was nothing further to report.

6. PROCLAMATIONS/PRESENTATIONS

6.1 PROCLAMATION - WATER AWARENESS MONTH

Attachments: [Proclamation](#)

Vice Mayor Fleming read the proclamation and noted it would be delivered to the recipients.

6.2 PROCLAMATION - FAIR HOUSING MONTH

Attachments: [Proclamation](#)

PUBLIC COMMENT

Duane De Witt spoke on the importance of providing housing.

Council Member Tibbetts read the proclamation and noted it would be sent to the recipient.

7. STAFF BRIEFINGS

7.1 FIRE RECOVERY AND REBUILD UPDATE

This will be a standing item on the agenda. No action will be taken except for possible direction to staff.

No report provided.

This item was received and filed

7.2 COVID-19 RESPONSE UPDATE

This will be a standing item on the agenda. No action will be taken except for possible direction to staff.

No report provided.

PUBLIC COMMENT

Duane De Witt spoke his concern the homeless population is being taken advantage of during the pandemic.

This item was received and filed

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

City Attorney Gallagher reported Council met in closed session to discuss a possible settlement and direction was provided to its legal staff, and reported the City Attorney's Office continues to work with the operational team to address pandemic issues as well as to keep basic city services operating.

9. STATEMENTS OF ABSTENTION BY COUNCIL MEMBERS

Council Member Dowd requested guidance from the City Attorney Gallagher on whether he needed to abstain from Item 14.1 due to serving as Chair on Sonoma Clean Power Community Advisory Committee.

The meeting was experiencing some technical difficulties and City Attorney Gallagher could not respond at this time. The Mayor noted that this request would be revisited when Item 14.1 was reached on

the agenda.

10. MAYOR'S/COUNCIL MEMBERS' REPORTS

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

Mayor Schwedhlem provided a brief report on the Long Term Financial Policy Audit Subcommittee meeting.

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 Home Sonoma County (HSC)

Mayor Schwedhelm provided a brief report.

10.1.10 Renewal Enterprise District (RED)

10.1.11 Other

Vice Mayor Fleming provided a brief report on economic recovery initiatives she has been working on with Planning and Economic Development and business leaders.

Mayor Schwedhelm provided a brief report on the Homeless Task Force.

11. APPROVAL OF MINUTES - NONE.

12. CONSENT ITEMS

PUBLIC COMMENT

Duane De Witt spoke on Item 12.1 stating SMART should pay for the contract.

Approval of the Consent Agenda

A motion was made by Vice Mayor Fleming, seconded by Council Member Sawyer, to waive reading of the text and adopt Consent Items 12.1 through 12.4. The motion carried by the following vote:

Yes: 7 - Mayor Schwedhelm, Vice Mayor Fleming, Council Member Olivares, Council Member Rogers, Council Member Sawyer, Council Member Tibbetts, and Council Member Dowd

12.1 MOTION - CONTRACT AWARD - SMART HEARN AVENUE MULTI-USE PATH CROSSING

RECOMMENDATION: It is recommended by the Transportation and Public Works Department that the Council, by motion, award Contract No. C01727, Sonoma-Marín Area Rail Transit Hearn Avenue Multi-Use Path Crossing, in the amount of \$421,630.00 to the lowest responsible bidder, St. Francis Electric of San Leandro, California, approve a 20% contract contingency, and authorize a total contract amount of \$505,956.00.

Attachments: [Staff Report](#)
[Attachment 1 - Location Map](#)
[Attachment 2 - Summary of Bids Presentation](#)

This Consent - Motion was approved.

12.2 RESOLUTION - SECOND AMENDMENT TO GENERAL SERVICES AGREEMENT WITH NICK BARBIERI TRUCKING, LLC, DBA REDWOOD COAST FUELS

RECOMMENDATION: It is recommended by the Finance Department that the Council, by resolution, approve the Second Amendment to General Services Agreement Number F001818 with Nick Barbieri Trucking, LLC, dba Redwood Coast Fuels, Ukiah, California for the purchase and delivery of fuels to various locations throughout the City

and to increase compensation by \$200,000 for a total amount not to exceed of \$495,000, with the increase due to unexpected PSPS and Kincade Fire fuel usage, that went above our historic monthly burn rate for fuel usage.

Attachments: [Staff Report](#)
 [Resolution](#)
 [Exhibit A](#)
 [Presentation](#)

This Consent - Resolution was adopted.

RESOLUTION NO. RES-2020-062 ENTITLED: RESOLUTION OF THE COUNCIL OF THE CITY OF SANTA ROSA APPROVING THE SECOND AMENDMENT TO GENERAL SERVICES AGREEMENT NUMBER F001818 WITH NICK BARBIERI TRUCKING, LLC, DBA REDWOOD COAST FUELS

12.3 RESOLUTION - SIXTH AMENDMENT TO GENERAL SERVICES AGREEMENT NUMBER F000913 WITH DAY MANAGEMENT CORPORATION, DBA DAY WIRELESS SYSTEMS

RECOMMENDATION: It is recommended by the Finance Department that the Council, by resolution, approve a Sixth Amendment to General Services Agreement Number F000913 with Day Management Corporation, dba Day Wireless Systems, Benicia, California, one-year extension and to increase compensation by \$125,000 for a total amount not to exceed \$674,826.14.

Attachments: [Staff Report](#)
 [Resolution](#)
 [Exhibit A](#)
 [Revised Exhibit A \(Uploaded 4/28/20\)](#)
 [Presentation](#)

This Consent - Resolution was adopted.

RESOLUTION NO. RES-2020-063 ENTITLED: RESOLUTION OF THE COUNCIL OF THE CITY OF SANTA ROSA APPROVING A SIXTH AMENDMENT TO GENERAL SERVICES AGREEMENT NUMBER F000913 WITH DAY MANAGEMENT CORPORATION, DBA DAY WIRELESS SYSTEMS FOR MAINTENANCE, REPAIR AND INSPECTION SERVICES FOR EXISTING COMMUNICATIONS EQUIPMENT

12.4 RESOLUTION - APPROVING A MEMORANDUM OF UNDERSTANDING TO ALLOW ZERO WASTE SONOMA TO APPLY FOR GRANT FUNDING TO ESTABLISH NEW DROP-OFF

RECYCLING CENTERS AND AUTHORIZING THE CITY MANAGER TO EXECUTE THE MEMORANDUM OF UNDERSTANDING ON BEHALF OF THE CITY

RECOMMENDATION: It is recommended by the Transportation and Public Works Department that the Council, by resolution, approve a Memorandum of Understanding Between the City of Santa Rosa and Zero Waste Sonoma Regarding Application for and Implementation of CalRecycle CRV Pilot Project Grant to allow Zero Waste Sonoma to apply for grant funding to establish new drop-off recycling centers and authorize the City Manager to execute the Memorandum of Understanding on behalf of the City.

Attachments: [Staff Report](#)
 [Resolution](#)
 [Exhibit A](#)
 [Presentation](#)

This Consent - Resolution was adopted.

RESOLUTION NO. RES-2020-064 ENTITLED: RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SANTA ROSA APPROVING A MEMORANDUM OF UNDERSTANDING BETWEEN THE CITY OF SANTA ROSA AND ZERO WASTE SONOMA REGARDING APPLICATION FOR AND IMPLEMENTATION OF CALRECYCLE CRV PILOT PROJECT GRANT TO ALLOW ZERO WASTE SONOMA TO APPLY FOR GRANT FUNDING TO ESTABLISH NEW DROP-OFF RECYCLING CENTERS AND AUTHORIZING THE CITY MANAGER TO EXECUTE THE MEMORANDUM OF UNDERSTANDING ON BEHALF OF THE CITY OF SANTA ROSA

14. REPORT ITEMS

Council Member Dowd requested guidance from City Attorney Gallagher on whether he needed to recuse himself on Agenda Item 14.1 due to being Chair of the Sonoma Clean Power Community Advisory Committee. City Attorney Gallagher noted he did not need to recuse himself from voting on the item.

14.1 REPORT - APPROVAL OF THE PRELIMINARY 2020/21 REGIONAL WATER REUSE SYSTEM OPERATING AND MAINTENANCE, CAPITAL IMPROVEMENT, AND DEBT SERVICE BUDGET AND ALLOCATION OF COSTS

BACKGROUND: The Regional Water Reuse System, managed by the

City of Santa Rosa per Agreement, is a state-of-the-art wastewater treatment facility serving five member agencies (Santa Rosa, Rohnert Park, Sebastopol, Cotati, and the Sonoma County South Park Sanitation District, each hereinafter referred to as “User Agency” or collectively as “User Agencies”). The Agreement requires that the City annually prepare a Preliminary Budget and Allocation of Costs for the Regional Water Reuse System and notify the User Agencies of these costs by May of each year. The Agreement further requires that the proposed budget and allocation of costs be reviewed by the Regional Technical Advisory Committee (TAC), the Board of Public Utilities (BPU) and the Council of the City of Santa Rosa prior to noticing the User Agencies of operating and debt service costs due.

The Regional Operations and Maintenance (O&M) Fund budget request is \$31,075,462 the Regional cash-funded Capital Improvement Program (CIP) is \$7,000,000 and the Regional debt service due is \$22,514,346.

RECOMMENDATION: It is recommended by the Water Department, the Regional Water Reuse System Technical Advisory Committee and the Board of Public Utilities that the Council, by resolution, approve the Preliminary 2020/21 Regional Water Reuse System Operating and Maintenance, Capital Improvement, and Debt Service Budget and Allocation of Costs for the purpose of notifying the participating Regional Water Reuse User Agencies of their allocation of such costs by May, 2020.

Attachments: [Staff Report](#)
 [Resolution](#)
 [Presentation](#)

Kimberly Zunino, Deputy Director Water Administration, presented and answered questions from Council.

PUBLIC COMMENT

Duane De Witt spoke on his concern about the department's budgetary issues and the public not knowing how the money is being spent.

A motion was made by Council Member Dowd, seconded by Council Member Sawyer, to waive reading of the text and adopt

RESOLUTION NO. RES-2020-065 ENTITLED: RESOLUTION OF THE COUNCIL OF THE CITY OF SANTA ROSA APPROVING THE PRELIMINARY FISCAL YEAR 2020/21 REGIONAL SYSTEM OPERATING, CAPITAL AND DEBT SERVICE BUDGET AND ALLOCATION OF COSTS

The motion carried by the following vote:

Yes: 7 - Mayor Schwedhelm, Vice Mayor Fleming, Council Member Olivares, Council Member Rogers, Council Member Sawyer, Council Member Tibbetts, and Council Member Dowd

The time not yet being 5:00 p.m. to take Item 13 - Public Comment on Non-Agenda Matters, Mayor Schwedhelm recessed the meeting at 4:45 p.m. and reconvened the meeting at 5:00 p.m.

Present: 7 - Mayor Tom Schwedhelm, Vice Mayor Victoria Fleming, Council Member Ernesto Olivares, Council Member Chris Rogers, Council Member John Sawyer, Council Member Jack Tibbetts, and Council Member Richard Dowd

13. PUBLIC COMMENT ON NON-AGENDA MATTERS

Marsha Dupre submitted comment on opening of parks and public restrooms.

Briana Pawka submitted comment on pedestrian and runner safety.

Kate Christensen submitted comment requesting pools be opened and ways to do it safely in this time of COVID-19.

Darcie Fellows submitted comment on her concern on the impact of the minimum wage increase on businesses and asked Council to postpone adopting the minimum wage ordinance until January 2021.

Mary Dahl submitted comment in opposition to the cell towers installed near her home and the affects it has had on her health.

Duane De Witt submitted comment thanked city staff for installing a new flag at Southwest Community Park and various topics.

Catherine Dodd submitted comment in opposition of installation of new 5G cell towers during the COVID-19 pandemic.

Tara Beil submitted comment in opposition of installation of new 5G cell towers in her neighborhood.

Kim Schroeder submitted comment in opposition of installation of new 5G cell towers, requested a moratorium on the permit process, and adoption of a modified telecommunications ordinance.

Shelly Browning submitted comment on the fossil fuels and urged the Council to amend the City's investment policy and establish public banking.

Kevin Conway submitted comment in support of the Friends of Public Banking, asked Council to divest from all banks that are investors in the fossil fuel industry and amend the City's investment policy.

Cliff Whigham submitted comment regarding the issues arising from the illegal homeless encampments at 250 and 275 Roberts Ave.

Terri Moon submitted comment regarding asked Council to divest from all banks that are investors in the fossil fuel industry, amend the City's investment policy, and establish a Public Bank system.

Sheri Kostosky submitted comment on her frustration with a neighbor who smokes and Code Enforcement not enforcing the Association and the City Code rules regarding No Smoking.

Eris Weaver submitted comment commending the Council for their work during the pandemic crisis and the virtual programs the Sonoma County Bicycle Coalition offers during the month of May, National Bike Month.

Jennifer La Porta submitted comment in opposition of installation of new 5G cell towers, requested a moratorium on the permit process, and adoption of a modified telecommunications ordinance.

Tom La Porta submitted comment in opposition of installation of new 5G cell towers, requested a moratorium on the permit process, and adoption of a modified telecommunications ordinance.

Jorge Inocencio submitted comment regarding establishing a small business loan program to help small businesses survive the pandemic and asked the city to contribute to UndocuFund to help undocumented workers through the crisis.

Lin Marie deVincent submitted comment in support of extending the state of emergency and in opposition to construction permits for AT&T and other carriers.

Michael Reed submitted comment regarding the growing homeless encampment on Doyle Park Drive and in opposition of port-a-lets being installed at a location in front of homes and a school and asked Council to reconsider this decision.

Katie Pell submitted comment regarding her concern of portable toilets being installed for the growing homeless encampment on Doyle Park Drive near homes and the Santa Rosa French-American Charter School and asked Council to reconsider this decision.

Glen Mitchell submitted comment regarding his concern of portable toilets being installed for the growing homeless encampment on Doyle Park Drive near homes and the Santa Rosa French-American Charter School and asked Council to reconsider this decision.

Kern Shin submitted comment regarding concern of portable toilets being installed for the growing homeless encampment on Doyle Park Drive near homes and the Santa Rosa French-American Charter School and asked Council to reconsider this decision.

Jennifer Marinace submitted comment regarding concern of portable toilets being installed for the growing homeless encampment on Doyle Park Drive near homes and the Santa Rosa French-American Charter School.

George Stenger submitted comment regarding concern of portable toilets being installed for the growing homeless encampment on Doyle Park Drive near homes and the Santa Rosa French-American Charter School.

Kim Petty submitted comment regarding concern of portable toilets being installed for the growing homeless encampment on Doyle Park Drive near homes and the Santa Rosa French-American Charter School.

Sarah Reid submitted comment in opposition of softening of COVID restrictions.

Alex Krohn submitted comment asking the Council to prioritize creating an effective telecommunications ordinance for wireless telecommunication facilities in close proximity to schools, homes, and other sensitive institutions.

15. PUBLIC HEARINGS - NONE.

16. WRITTEN COMMUNICATIONS - NONE.

17. PUBLIC COMMENTS ON NON-AGENDA MATTERS - NONE.

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]

19. ADJOURNMENT OF MEETING

Mayor Schwedhelm reminded Council of the City sponsored food drive that will be held at City Hall on Thursday, April 30 between 11:00 am to 4:00 p.m.

Hearing no further business, Mayor Schwedhelm adjourned the meeting at 5:19 p.m.

20. UPCOMING MEETINGS

20.1 UPCOMING MEETINGS LIST

Attachments: [Upcoming Meetings List](#)

Approved on: September 1, 2020
/s/ Stephanie A. Williams, City Clerk