



**City Council
Regular Meeting Minutes - Final**

Tuesday, November 15, 2022

3:00 PM

1. CALL TO ORDER AND ROLL CALL

Vice Mayor Alvarez called the meeting to order at 3:00 p.m.

Present: 6 - Vice Mayor Eddie Alvarez, Council Member Victoria Fleming, Council Member Dianna MacDonald, Council Member Natalie Rogers, Council Member John Sawyer, and Council Member Tom Schwedhelm

Absent: 1 - Mayor Chris Rogers

2. ANNOUNCEMENT OF CLOSED SESSION ITEMS

No public comments were made.

Vice Mayor Alvarez recessed the meeting to closed session 3:01 p.m. to discuss Items 2.1 and 2.2 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: Robin Coser, et al. v. City of Santa Rosa, et al.
United States District Court Northern District of California Case No.
22-cv-04488-SI consolidated with Case No. 22-cv-04753

This item was received and filed.

2.2 CONFERENCE WITH LEGAL COUNSEL - ANTICIPATED LITIGATION

Significant exposure to litigation pursuant to paragraph (2) of subdivision (d) of Government Code Section 54956.9: One potential case

This item was received and filed.

Vice Mayor Alvarez adjourned closed session at 4:22 p.m. and reconvened to regular session at 4:37 p.m.

3. STUDY SESSION - NONE.

4. ANNOUNCEMENT OF ROLL CALL (IF NEEDED) - NONE.

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

City Attorney Sue Gallagher reported Council met in closed session on Items 2.1 and 2.2 and gave direction to staff.

6. PROCLAMATIONS/PRESENTATIONS - NONE.

7. STAFF BRIEFINGS - NONE.

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

City Manager Maraskeshia Smith announced the Santa Rosa Public Art Program, in conjunction with the National Arts Program, announced the 20th Annual National Arts Program Exhibition and Competition in Santa Rosa. The program provides local artists of all ages with a forum to showcase their artistic accomplishments. Entries will be exhibited at the Finley Community Center. Santa Rosa artists are encouraged to apply online at nationalartsprogram.org/santarosa. Registration closes on January 6, 2023.

8.1 REPORT OF SETTLEMENTS AND ACTIVE LITIGATION

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

Attachments: [Litigation Report](#)

City Attorney Gallagher reported there were no settlements over \$50,000 with a total of 31 ongoing cases. Five have been resolved; two receiverships, which included the Simi property that was a notorious drug property, noting both have been cleared and sold; 11 general litigation matters noting the Apogee Gardens case was settled; 11 personal injury cases with three settled, two at no cost and one for \$7,500; four police cases, one resolved with the courts granting the City's motion to dismiss; three Writ of Mandates with one resolved; two new claims; and a number of cases set for trial in the coming months. City Attorney Gallagher noted this is not a complete list of all litigation matters in the City Attorney's Office.

No public comments were made.

9. STATEMENTS OF ABSTENTION BY COUNCIL MEMBERS

No statements of abstention were made.

10. MAYOR'S/COUNCIL MEMBERS' REPORTS

Council Member N. Rogers reported November 14 was Ruby Bridges Walk to School Day to celebrate diversity in schools; attended the Veteran's Day event on November 11-12 and thanked residents in Santa Rosa and surrounding cities for showing up, thanked City staff, Matt Jensen, Aundray Rogers, Katie from Capture It Photography, Caroline and Allie from the Chamber who helped organize the event, Starbucks, Santa Rosa Police Honor Guard, Congressman Mike Thompson's Office, Redwood Empire Food Bank, and all the local veteran's and organizations for participating in the event. Council Member N. Rogers reported on special project at The Palms with a sponsorship from Heart & Armor.

Council Member MacDonald met with the Board of Directors from Save Bennett Valley Golf Course, attended the Los Cien event at Luther Burbank Center celebrating Dia de Los Muertos; attended a mixer at the Railroad Square Businesses, attended the Open Government Implementation Task Force meeting; thanked Council Member N. Rogers for leading the way on the Veteran's Day Event and congratulated Duane De Witt for his acknowledgement of a Congressional Honor. Council MacDonald attended the Park a Month event at Doyle Park, thanked Parks staff and Panda Express for working on the baseball field.

Vice Mayor Alvarez thanked all the candidates who ran in the City Council races for their willingness to serve the community.

PUBLIC COMMENT

Duane De Witt spoke thanking Council Members who attended the Veteran's Day event, 2023 being the 70th year of the Peace Truce

and the Korean War, and gave a special thanks to Council Member N. Rogers and the Police Honor Guard.

Roger Montgomery, advocate for the homeless, spoke thanking Council for implementing the Homeless Solutions Strategic Plan, inResponse street team, and the others programs that are in place to help the homeless population.

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

Council Member N. Rogers provided a brief report on the Waterways Advisory Committee 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 Sonoma County Continuum of Care (CoC)

10.1.10 Renewal Enterprise District (RED)

10.1.11 Public Safety Subcommittee

10.1.12 Other

11. APPROVAL OF MINUTES - NONE.

12. CONSENT ITEMS

Duane De Witt spoke asking that Item 12.1 be continued, glad the City is looking into volunteer programs to help with green space; and to consider using in-house staff and volunteers to help in the community.

Approval of the Consent Agenda

A motion was made by Council Member Schwedhelm, seconded by Council Member N. Rogers, to waive reading of the text and adopt Consent Items 12.1 and 12.2. The motion carried by the following vote:

Yes: 7 - Mayor Rogers, Vice Mayor Alvarez, Council Member Fleming, Council Member MacDonald, Council Member Rogers, Council Member Sawyer, and Council Member Schwedhelm

- 12.1** RESOLUTION - APPROVAL OF THIRD AMENDMENT TO GENERAL SERVICE AGREEMENT NUMBER F002035 - ONE YEAR EXTENSION AND INCREASE IN COMPENSATION WITH BRIGHTVIEW LANDSCAPE SERVICES, INC. DBA SIGNATURE COAST HOLDINGS, LLC

RECOMMENDATION: It is recommended by the Transportation and Public Work and Finance Departments that the Council, by resolution, approve a Third Amendment to General Service Agreement Number F002035 with BrightView Landscape Services, Inc. dba Signature Coast Holdings, LLC, Napa, CA for a one-year extension and increase in compensation to for citywide landscape services in the amount of \$1,179,982.08, for a cumulative not to exceed value of \$4,465,080.08.

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

This Consent - Resolution was adopted.

RESOLUTION NO. RES-2022-221 ENTITLED: RESOLUTION OF THE COUNCIL OF THE CITY OF SANTA ROSA APPROVING THE THIRD AMENDMENT TO GENERAL SERVICES AGREEMENT NUMBER F002035 WITH BRIGHTVIEW LANDSCAPE SERVICES, INC., DBA SIGNATURE COAST HOLDINGS, LLC

- 12.2** RESOLUTION - APPROVAL OF PUBLIC WORKS CONTRACT WITH KONE INC. FOR MODERNIZATION OF THE ELEVATORS IN GARAGE 12 LOCATED AT 555 1ST STREET

RECOMMENDATION: It is recommended by the Finance Department that the Council, by resolution, award Contract Number C02188 to Kone Inc., Moline, Illinois, for the modernization of the elevators in Garage 12 located at 555 1st Street in the amount of \$930,000 with a contingency of \$60,000.

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

This Consent - Resolution was adopted.

RESOLUTION NO. RES-2022-222 ENTITLED: RESOLUTION OF THE COUNCIL OF THE CITY OF SANTA ROSA AWARDED PUBLIC WORKS CONTRACT NUMBER C02188 TO KONE INC. FOR MODERNIZATION OF THE GARAGE 12 ELEVATORS LOCATED AT 555 1ST STREET

13. PUBLIC COMMENT ON NON-AGENDA MATTERS

Duane De Witt spoke thanking Council for the efforts going on in Roseland, the support of Senator McGuire for the Veteran's Grove and Veteran's Healing Garden, and asked that community members be allowed to interact with City staff that take care of the creeks in the creeks stewardship program.

Eric Fraser spoke in support of ranked choice voting, the short-term rental urgency ordinance community meeting, and expressed his concern with the ordinance.

14. REPORT ITEMS

14.1 REPORT - HOMELESSNESS SOLUTIONS STRATEGIC PLAN

BACKGROUND: Following a competitive Request for Proposals (RFP) process, on March 1, 2022, Council approved Focus Strategies to develop a Homelessness Solutions Strategic Plan (Strategic Plan). Since then, staff has worked with Focus Strategies to draft the Strategic Plan, which involved a quantitative and qualitative assessment of the current response to homelessness in Santa Rosa and extensive stakeholder engagement. Staff is seeking Council approval of the Strategic Plan for the five-year period, 2023 through 2027, which provides key strategies and actions for the City to improve its response to homelessness in alignment with the Sonoma County Continuum of

Care (CoC) to achieve “Functional Zero” homelessness. Additionally, staff is seeking the ability to make minor or non-substantive modifications to amend the Strategic Plan to ensure alignment with the CoC regional plan.

RECOMMENDATION: It is recommended by the Housing and Community Services Department that the Council, by resolution: 1) approve the Homelessness Solutions Strategic Plan for the five-year period, 2023 through 2027, which provides key strategies and actions to improve the City’s response to homelessness in alignment with the Sonoma County Continuum of Care (CoC) to achieve “Functional Zero” homelessness; and 2) authorize the City Manager to make minor or non-substantive modifications to amend the Strategic Plan to ensure alignment with the CoC regional plan.

Attachments: [Staff Report](#)
[Resolution](#)
[Exhibit A - Homelessness Solutions Strategic Plan](#)
[Presentation](#)
[Late Correspondence \(Uploaded 11-15-22\)](#)

Kelli Kuykendall, Housing and Community Services Manager, presented and answered questions from Council.

Megan Kurteff-Schatz and Tracy Bennett, Consultants with Focus Strategies, were available to answer questions.

PUBLIC COMMENT

Roger Montgomery asked for a copy of the plan.

Shirley Cheal, Safe Parking Program at Christ Methodist Church, spoke asking Council to consider the unhoused not being able to get medical services due to not having a place to go after treatment, and expressed concern on the gap in provision of services.

Nick Caston spoke on his experience growing up unhoused, the need for continued and sustained community support for success in providing support services, and thanked Council Member Schwedhelm for his leadership on this issue.

Annette Arnold spoke thanking Kelli Kuykendall, staff, and the Police Department with the recent encampment in her neighborhood, and on a document submitted by Denise Hill outlining changes that should be considered in the report and provided feedback on the strategic plan.

Denise Hill spoke on the document she submitted to Council, expressed concern on the absence of addiction and substance abuse treatment in the strategic plan, and the need to acquire data on why people are refusing treatment and incorporate it in year one.

Gerry La Londe-Berg spoke on the comments submitted by Homeless Action in support of the strategic plan, the need for a regional data initiative, for kindness and transparency, and the need to involve neighbors and community members to achieve housing solutions in neighborhoods.

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

RESOLUTION NO. RES-2022-224 ENTITLED: RESOLUTION OF THE COUNCIL OF THE CITY OF SANTA ROSA APPROVING THE HOMELESSNESS SOLUTIONS STRATEGIC PLAN FOR THE FIVE-YEAR PERIOD, 2023 THROUGH 2027 AND AUTHORIZING THE CITY MANAGER TO MAKE MINOR OR NON-SUBSTANTIVE MODIFICATIONS TO AMEND THE STRATEGIC PLAN TO ENSURE ALIGNMENT WITH THE SONOMA COUNTY CONTINUUM OF CARE REGIONAL PLAN

The motion carried by the following vote:

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

Absent: 1 - Mayor Rogers

15. PUBLIC HEARINGS

15.1 PUBLIC HEARING - WALNUT COURT PETITION FOR ADDITION TO THE TALBOT AREA RESIDENTIAL PERMIT PARKING ZONE

BACKGROUND: Santa Rosa City Code 11-44.050 establishes that

neighborhoods impacted by non-resident parking may submit a petition to Council to have their area added to the Residential Permit Parking Program (“Program”). Walnut Court has submitted a petition to be included in the Program. The Program was established to provide on-street parking relief in the form of time limited parking in neighborhoods being impacted by a high volume of non-resident parkers who are attracted to that particular area; such as Santa Rosa Junior College, the Fairgrounds, Memorial Hospital, and the periphery of downtown Santa Rosa. Residential units in the Program are eligible for permits which exempt them from the on-street time limits.

RECOMMENDATION: It is recommended by the Finance Department that Council, by resolution, approve the Walnut Court petition to be included in the Talbot area Residential Permit Parking Program.

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

Chad Hedge, Parking Manager, presented and answered questions from Council.

Vice Mayor Alvarez opened the public hearing at 5:23 p.m.

No public comments were made.

Vice Mayor Alvarez closed the public hearing at 5:24 p.m.

A motion was made by Council Member MacDonald, seconded by Council Member N. Rogers, to waive reading of the text and adopt

RESOLUTION NO. RES-2022-223 ENTITLED: RESOLUTION OF THE COUNCIL OF THE CITY OF SANTA ROSA APPROVING ADDITION OF WALNUT COURT TO THE TALBOT AREA RESIDENTIAL PERMIT PARKING ZONE

The motion carried by the following vote:

Yes: 7 - Mayor Rogers, Vice Mayor Alvarez, Council Member Fleming, Council Member MacDonald, Council Member Rogers, Council Member Sawyer, and Council Member Schwedhelm

15.2 PUBLIC HEARING - CODE ADOPTION AND AMENDMENTS TO THE CALIFORNIA BUILDING AND FIRE CODES, CITY CODE CHAPTER 18

BACKGROUND: Adoption of Ordinances amending and adopting the California Fire and Building Codes; including the International Property Maintenance Code and the National Pollutant Discharge Elimination Permit.

RECOMMENDATION: It is recommended by the Fire Department and the Planning and Economic Development Department that the Council: 1) adopt an ordinance by reference, with local amendments, the 2022 edition of the California Fire Code as adopted and amended by the State of California, for use in Chapter 18-44 of the Santa Rosa City Code, repeal existing sections not applicable to new codes and modify the Santa Rosa City Code to reflect the new model code; and 2) adopt an ordinance by reference, with local amendments, the 2022 California Administrative Code, 2022 California Building Code, 2022 California Residential Code, 2022 California Green Building Standards Code, 2022 California Electrical Code, 2022 California Mechanical Code, 2022 California Plumbing Code, 2022 California Energy Code, 2022 California Historical Building Code, 2022 California Existing Building Code, 2022 California Referenced Standards Code, 2021 International Property Maintenance Code, and the National Pollutant Discharge Elimination Permit and Waste Discharge Requirements.

Attachments: [Staff Report](#)
[Ordinance 1- Fire Code Amendments](#)
[Ordinance 2 - Building Code Amendments](#)
[Ordinance 2 - Building Code Amendments Redline \(Revised 11/15/2022\)](#)
[Ordinance 2 - Building Code Amendments Final \(Revised 11/15/2022\)](#)
[Presentation](#)
[Presentation Revised \(Uploaded 11-15-22\)](#)
[Public Hearing Notice](#)

Jesse Oswald, Chief Building Official, presented and answered questions from Council.

Mike Johnson, Assistant Fire Marshal, Lou Kirk, Assistant Chief Building Official, and Paul Lowenthal, Division Chief Fire Marshal were available to answer questions.

Vice Mayor Alvarez opened the public hearing at 5:44 p.m.

No public comments were made.

Vice Mayor Alvarez closed the public hearing at 5: 44 p.m.

A motion was made by Council Member N. Rogers, seconded by Council Member MacDonald, to waive reading of the text and adopt

ORDINANCE NO. ORD-2022-014 ENTITLED: ORDINANCE OF THE COUNCIL OF THE CITY OF SANTA ROSA REPEALING CHAPTER 18-44 OF THE EXISTING SANTA ROSA CITY CODE AND ADDING A NEW CHAPTER 18-44 ADOPTING BY REFERENCE, WITH LOCAL AMENDMENTS, THE 2022 EDITION OF THE CALIFORNIA FIRE CODE

The motion carried by the following vote:

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

Absent: 1 - Mayor Rogers

A motion was made by Council Member N. Rogers, seconded by Council Member MacDonald, to waive reading of the text and adopt

ORDINANCE NO. ORD-2022-015 ENTITLED: ORDINANCE OF THE COUNCIL OF THE CITY OF SANTA ROSA ADOPTING BY REFERENCE, WITH LOCAL AMENDMENTS, THE 2022 CALIFORNIA ADMINISTRATIVE CODE, 2022 CALIFORNIA BUILDING CODE, 2022 CALIFORNIA RESIDENTIAL CODE, 2022 CALIFORNIA ELECTRICAL CODE, 2022 CALIFORNIA MECHANICAL CODE, 2022 CALIFORNIA PLUMBING CODE, 2022 CALIFORNIA ENERGY CODE, 2022 CALIFORNIA HISTORICAL BUILDING CODE, 2022 CALIFORNIA EXISTING BUILDING CODE, 2022 CALIFORNIA GREEN BUILDING STANDARDS CODE, 2022 CALIFORNIA ENERGY CODE, 2022 CALIFORNIA REFERENCED STANDARDS CODE, 2021 INTERNATIONAL PROPERTY MAINTENANCE CODE, AND THE NATIONAL POLLUTANT DISCHARGE ELIMINATION PERMIT AND WASTE DISCHARGE REQUIREMENTS

The motion carried by the following vote:

Yes: 7 - Mayor Rogers, Vice Mayor Alvarez, Council Member Fleming, Council Member MacDonald, Council Member Rogers, Council Member Sawyer, and Council Member Schwedhelm

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

Vice Mayor Alvarez adjourned the meeting at 7:17 p.m in memory of former Santa Rosa Police Officer Larry Mahre. The next regular meeting will be held on November 29, 2022, at a time to be set by the Mayor.

20. UPCOMING MEETINGS

20.1 UPCOMING MEETINGS LIST

Attachments: [Upcoming Meetings List](#)

This item was received and filed.

Approved on: February 14, 2023

/s/ Stephanie A. Williams

City Clerk