



City of Santa Rosa

City Hall, Council
Chamber
100 Santa Rosa Avenue
Santa Rosa, CA 95404

CITY COUNCIL REGULAR MEETING AGENDA AND SUMMARY REPORT APRIL 12, 2022

******DUE TO TECHNOLOGY UPGRADES TAKING PLACE IN THE COUNCIL CHAMBER, APRIL COUNCIL MEETINGS WILL BE VIA ZOOM.******

**THE RECORDING OF THE MEETING WILL BE AVAILABLE THE FOLLOWING DAY AT
[HTTPS://SANTA-ROSA.LEGISTAR.COM/CALENDAR](https://santa-rosa.legistar.com/calendar).**

2:00 P.M. - CLOSED SESSION (VIA ZOOM)

3:00 P.M. - BOARD INTERVIEWS (VIA ZOOM)

4:00 P.M. - REGULAR SESSION (VIA ZOOM)

PURSUANT TO GOVERNMENT CODE SECTION 54953(e) AND THE RECOMMENDATION OF THE HEALTH OFFICER OF THE COUNTY OF SONOMA, CITY COUNCIL MEMBERS WILL BE PARTICIPATING IN THIS MEETING VIA ZOOM WEBINAR.

MEMBERS OF THE PUBLIC CAN PARTICIPATE IN THE MEETING VIA ZOOM BY VISITING [HTTPS://SRCITY-ORG.ZOOM.US/J/86208178715](https://srcity-org.zoom.us/j/86208178715), BY DIALING 877-853-5257 AND ENTER WEBINAR ID: 862 0817 8715, or to view the meeting at <https://www.youtube.com/CityofSantaRosa>.

Public Comment may be made live during the meeting via Zoom or submitted in advance by 5:00 pm, the Monday before the City Council Meeting via e-mail at cc-comment@srcity.org, or recorded voice message at 707-543-3005.

PLEASE NOTE THAT ALL E-MAILS SENT TO THE CITY COUNCIL ARE CONSIDERED TO BE PUBLIC RECORDS AND SUBJECT TO DISCLOSURE UNDER THE CALIFORNIA PUBLIC RECORDS ACT.

**DEADLINES AND ADDITIONAL INSTRUCTION FOR PUBLIC COMMENT
ARE SET FORTH BELOW.**

**COUNCIL MAY RECESS DURING THE EVENING FOR BREAKS.
PUBLIC HEARING MATTERS WILL BEGIN NO EARLIER THAN 5:00 P.M.**

MATTERS ON THE AGENDA MAY BE TAKEN OUT OF ORDER.

PUBLIC COMMENTS:

Except for public hearing items, comments from the public will be allowed on all agenda items at the time each item is called. Comments on public hearing items may be made when the hearing is opened.

Live Public Comment: Members of the public can provide comment on an Agenda Item by accessing the meeting through the Zoom link, or by dial-in at the time an Agenda Item is discussed during the City Council Meeting. Go to <https://srcity.org/virtualparticipation> for more information.

Advanced Public Comment:

E-mail Public Comment: To submit an e-mailed public comment to the City Council, please send to: cc-comment@srcity.org by 5:00 p.m., Monday, April 11. Identify in the subject line of your e-mail the Agenda Item Number on which you wish to comment, provide your name in the body of the e-mail and your comment. Please limit your e-mail to approximately 400 words (which is a speaking rate of 133 words per minute).

Recorded Voice Message Public Comment: To submit a voice message public comment, please call 707-543-3005 by 5:00 p.m., Monday, April 11. State your name, the Agenda Item Number(s) on which you wish to comment, and your comment. PLEASE DO NOT LEAVE YOUR PHONE NUMBER OR PERSONAL ADDRESS IN THE VOICE MESSAGE AS IT WILL BE PLAYED BACK LIVE DURING THE CITY COUNCIL MEETING.

E-mail public comments received by the deadline will be distributed to City Council members and uploaded to the agenda prior to the start of the City

Council Meeting for public access. Recorded voice message public comments will be played during the meeting at the time the item is heard.

Non-Agenda Items are the time when any person may address the Council on matters not listed on this agenda, but which are within the subject matter jurisdiction of the Council. The first public comment period on non-agenda items (Agenda Item 14) will begin no earlier than 5:00 p.m. and will be limited to twelve speakers selected randomly by the Mayor. Each speaker will be allowed three minutes. Speakers who do not have an opportunity to speak during this time will be allowed to make public comment under Agenda Item 18.

2:00 P.M. (VIA ZOOM)

1. CALL TO ORDER AND ROLL CALL

2. ANNOUNCEMENT OF CLOSED SESSION ITEMS

Following the announcement of Closed Session items and prior to recess into Closed Session, the public may speak up to three minutes on items to be addressed in Closed Session.

2.1 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 (Claim of Gemignani as Conservator for Daryl Titus)

RECESS CLOSED SESSION(S) AND RECONVENE TO OPEN SESSION VIA ZOOM.

3:00 P.M. (VIA ZOOM)

3. INTERVIEWS FOR BOARDS, COMMISSIONS AND COMMITTEES

3.1 INTERVIEWS FOR PERSONNEL BOARD

The Council will interview applicants for the one At-Large and one Labor Representative vacancies on the Personnel Board.

- Attachments:** [Staff Report](#)
[Attachment 1 - Notice of Application Availability](#)
[Attachment 2 - Council Policy 000-06](#)
[Attachment 3 - PB Appointment](#)
[Attachment 4 - Reference](#)
[Attachment 5 - Interview Schedule](#)

4. STUDY SESSION - NONE.

Study Session items are items for in-depth discussion and possible direction to staff. No action will be taken.

4:00 P.M. (VIA ZOOM)

5. ANNOUNCEMENT OF ROLL CALL (IF NEEDED)

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

7. PROCLAMATIONS/PRESENTATIONS - NONE.

8. STAFF BRIEFINGS

This time is reserved for City staff to provide a five-minute briefing to the Council on departmental issues of interest. No action will be taken on these matters except to possibly place a particular item on a future agenda for Council consideration.

8.1 COVID-19 RESPONSE UPDATE

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

8.2 COMMUNITY EMPOWERMENT PLAN UPDATE

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

8.3 2022 EARTH DAY EVENT IN COURTHOUSE SQUARE

Santa Rosa Water staff will provide information on Santa Rosa's annual Earth Day event, which will take place Saturday, April 23, from 11:00 a.m. - 2:00 p.m., in Courthouse Square. Staff will provide a brief

overview of the event and information on the activities that will take place. The Council may discuss this item and give direction to staff.

Attachments: [Presentation](#)

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

9.1 REPORT OF SETTLEMENTS AND ACTIVE LITIGATION

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

Attachments: [Litigation Report](#)

10. STATEMENTS OF ABSTENTION BY COUNCIL MEMBERS

11 MAYOR'S/COUNCIL MEMBERS' REPORTS

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

11.1.1 Council Subcommittee Reports

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

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

11.1.4 Association of Bay Area Governments (ABAG)

11.1.5 Sonoma County Agricultural Preservation and Open Space District Advisory Committee

11.1.6 Sonoma Clean Power Authority (SCPA)

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

11.1.8 Groundwater Sustainability Agency (GSA)

11.1.9 Sonoma County Continuum of Care (CoC)

11.1.10 Renewal Enterprise District (RED)

11.1.11 Public Safety Subcommittee

11.1.12 Other

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

11.2.1 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 City Selection Committee of the Sonoma County Mayors' and Councilmembers' Association at its meeting on April 14, 2022:

1. Airport Land Use Commission, one position, to fill vacated seat of Jack Tibbetts (Santa Rosa), 4 year term.
 - No letters received to date.
2. Local Agency Formation Commission, one position, to fill expiring term of Councilmember Pam Stafford (Rohnert Park), 4 year term.
 - Pam Stafford (Rohnert Park)
3. Remote Access Network (RAN), one position, must be filled by a Mayor.
 - No letters received to date.

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 his/her 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.

Attachments: [Letters of Interest for LAFCO](#)

11.3 BOARD, COMMISSION & COMMITTEE APPOINTMENTS

11.3.1 Council may vote to make appointments to the Personnel Board:

- (1) At-large representative, to complete term ending 12/31/2024; and (1) Labor Representative, to complete term ending 12/31/2022.

Attachments: [Interview Schedule](#)

12. APPROVAL OF MINUTES - NONE.

13. CONSENT ITEMS

13.1 RESOLUTION - PROFESSIONAL SERVICES AGREEMENT APPROVAL - MCK AMERICAS INC., CONSTRUCTION MANAGEMENT AND INSPECTION SERVICES ASSOCIATED WITH SIX FIRE DAMAGED PARKS RECOVERY PROJECT

RECOMMENDATION: It is recommended by the Transportation and Public Works Department that the Council, by resolution, approve a Professional Service Agreement with MCK Americas Inc. of San Francisco, California, for Construction Management and Inspection Services associated with the Six Fire Damaged Parks Recovery project in an amount not to exceed \$184,120.36.

Attachments: [Staff Report](#)
[Attachment 1 - Location Map](#)
[Resolution](#)
[Exhibit A - PSA](#)
[Presentation](#)

13.2 MOTION - PROJECT WORK ORDER APPROVAL - GREEN VALLEY CONSULTING ENGINEERS, INC., CONSTRUCTION MANAGEMENT, AND INSPECTION SERVICES ASSOCIATED WITH FULTON ROAD WIDENING PROJECT BETWEEN GUERNEVILLE ROAD AND PINER ROAD

RECOMMENDATION: It is recommended by the Transportation and Public Works Department that the Council, by motion, approve a Project Work Order with Green Valley Consulting Engineers, Inc. of Santa Rosa, California, for Construction Management and Inspection Services associated with the Fulton Road Widening Project from Guerneville Road to Piner Road in the amount of \$2,251,332.00.

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

13.3 RESOLUTION - PROFESSIONAL SERVICE AGREEMENT APPROVAL
- GREEN VALLEY CONSULTING ENGINEERS, INC.
CONSTRUCTION MANAGEMENT AND INSPECTION SERVICES
ASSOCIATED WITH FIRE DAMAGED ROADWAY LANDSCAPING

RECOMMENDATION: It is recommended by the Transportation and Public Works Department that the Council, by resolution, approve a Professional Service Agreement with Green Valley Consulting Engineers, Inc. of Santa Rosa, California, for Construction Management and Inspection Services associated with Fire Damaged Roadway Landscaping in the amount of \$647,042.00.

Attachments: [Staff Report](#)
[Attachment 1 - Location Map](#)
[Resolution](#)
[Exhibit A - PSA](#)
[Presentation](#)

13.4 RESOLUTION - AUTHORIZATION TO FILE APPLICATIONS FOR
FEDERAL TRANSIT ADMINISTRATION FORMULA PROGRAM AND
SURFACE TRANSPORTATION PROGRAM FUNDS FOR FYS
2022-24

RECOMMENDATION: It is recommended by the Transportation and Public Works Department that the Council, by resolution, authorize the City Manager or designee to execute and file the annual grant applications under the Federal Transit Administration Formula Programs and Surface Transportation Program for fiscal years 2022-2024.

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

13.5 RESOLUTION - APPROVAL OF A BLANKET PURCHASE ORDER

FOR EMERGENCY RESPONSE VEHICLE EQUIPMENT TO
STOMMEL, INC. dba LEHR, USING PRICING FROM PLACER
COUNTY SUPPLIER CONTRACT SCN104242

RECOMMENDATION: It is recommended by the Transportation and Public Works and Finance Departments that the Council, by resolution, approve issuance of a blanket purchase order for the purchase of equipment used to prepare Emergency Response Vehicles and other Public Service Vehicles operated by the City of Santa Rosa, under the pricing model in place provided by the solicitation and award of Placer County Supplier Contract SCN104242 with Stommel, Inc., dba LEHR, Sacramento, CA for a total amount of \$500,000.

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

13.6 RESOLUTION - CERTIFICATION OF "URGENT NEED" NATIONAL
OBJECTIVE FOR THE COMMUNITY DEVELOPMENT BLOCK
GRANT - DISASTER RECOVERY PROGRAM

RECOMMENDATION: It is recommended by the Transportation and Public Works Department that the Council, by resolution, certify that the Fire Damaged Roadway Resiliency Improvements project, funded by the California Department of Housing and Community Development's Community Development Block Grant - Disaster Recovery program, meets the program's "Urgent Need" national objective.

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

13.7 RESOLUTION - APPROVAL OF PURCHASE ORDER UNDER THE
HOUSTON-GALVESTON AREA COUNCIL (H-GAC) COOPERATIVE
AGREEMENT (RA05-21) TO MOTOROLA SOLUTIONS, INC. TO
REPLACE AND MODERNIZE EXISTING MOBILE RADIOS

RECOMMENDATION: It is recommended by the Fire and Finance Departments that the Council, by resolution, approve use of the

Houston-Galveston Area Council (H-GAC) Cooperative Agreement (Contract Number RA05-21) with Motorola Solutions, Inc. to issue a purchase order for Motorola radios, equipment, and installation in an amount not to exceed \$666,000 to modernize and replace aging radio systems used by the Fire Department.

Attachments: [Staff Report](#)
[Attachment 1 - Quote](#)
[Resolution](#)
[Presentation](#)

13.8 RESOLUTION - AMENDMENT TO PROFESSIONAL SERVICE AGREEMENT NUMBER F002302 WITH BUREAU VERITAS NORTH AMERICA, INC. FOR FIRE CODE PLAN REVIEW SERVICES

RECOMMENDATION: It is recommended by the Fire and Finance Departments that the Council, by resolution, approve a First Amendment to Professional Service Agreement Number F002302 with Bureau Veritas North America, Inc., a Delaware Corporation for Fire Code plan review services in an amount of \$100,000, for a total amount not to exceed \$200,000.

Attachments: [Staff Report](#)
[Resolution](#)
[Exhibit A - First Amendment to PSA](#)
[Presentation](#)

13.9 RESOLUTION - WAIVER OF COMPETITIVE BIDDING AND APPROVAL OF PROFESSIONAL SERVICES AGREEMENT NUMBER F002335 WITH HAGERTY CONSULTING, INC. FOR ARPA ADMINISTRATION

RECOMMENDATION: It is recommended by the Finance Department that the Council, by resolution: 1) waive competitive bidding pursuant to Section 3-08.100(D) of the Santa Rosa City Code and Council Policy 600-001; and 2) approve Professional Services Agreement Number F002335 with Hagerty Consulting, Inc. of Evanston, Illinois, for American Rescue Plan Act (ARPA) administration and consulting in an amount not to exceed \$252,870.

Attachments: [Staff Report](#)
[Resolution](#)
[Exhibit A - Professional Services Agreement](#)
[Presentation](#)

13.10 RESOLUTION - SANTA ROSA TOURISM BUSINESS IMPROVEMENT AREA ADVISORY BOARD APPOINTMENTS

RECOMMENDATION: It is recommended by the Planning and Economic Development Department that the Council, by resolution: 1) appoint Tony Pace, General Manager of Hotel E, to the Santa Rosa Business Improvement Area Advisory Board to serve as the representative for full-service hotels; and 2) appoint Charlene Lennon, Director of Sales of Visit Santa Rosa, to the Advisory Board to serve as an alternate representative for the Santa Rosa Chamber of Commerce (aka Santa Rosa Metro Chamber) in the event the Chief Executive Officer of the Santa Rosa Metro Chamber is unavailable to attend a meeting.

Attachments: [Staff Report](#)
[Attachment 1 - Ordinance No. 3946.pdf](#)
[Resolution](#)
[Presentation](#)

13.11 ORDINANCE ADOPTION - ORDINANCE OF THE COUNCIL OF THE CITY OF SANTA ROSA INCREASING THE COMPENSATION OF THE CITY MANAGER TO PROVIDE, EFFECTIVE APRIL 10, 2022, A 2.5% COST OF LIVING SALARY ADJUSTMENT AND \$500 ANNUALLY FOR WELLNESS.

RECOMMENDATION: This ordinance, introduced at the March 29, 2022, Regular Meeting by a 7-0-0 vote, will provide a cost of living adjustment for Executive Management staff, provide a 2.5% cost of living salary adjustment to the City Manager and \$500 annually for wellness.

Attachments: [Ordinance](#)

13.12 ORDINANCE ADOPTION - ORDINANCE OF THE COUNCIL OF THE CITY OF SANTA ROSA AMENDING CHAPTER 1-12 OF THE SANTA

ROSA CITY CODE ADOPTING A FINAL MAP OF DISTRICT BOUNDARIES FOR DISTRICT-BASED ELECTIONS OF COUNCIL MEMBERS IN ACCORDANCE WITH THE REDISTRICTING PROCESS FOR THE FEDERAL 2020 DECENNIAL CENSUS (CALIFORNIA ELECTIONS CODE SECTION 21620-21630) AND THE FAIR MAPS ACT

RECOMMENDATION: This ordinance, introduced at the March 29, 2022, Regular Meeting by a 7-0-0 vote, adopts a new district boundary map for the election of City Council members beginning in 2022.

Attachments: [Ordinance \(as introduced 03-29-2022\)](#)
[Ordinance Revised \(Redline\)](#)
[Ordinance Revised](#)
[Exhibit A - Map A2](#)
[Exhibit B - Figures 1-1 through 1-7](#)
[Attachment 1 - Redline Changes to District Boundary Desc](#)

14. PUBLIC COMMENT ON NON-AGENDA MATTERS

This is the time when any person may address the Council on matters not listed on this agenda, but which are within the subject matter jurisdiction of the Council. This public comment period will begin no earlier than 5:00 p.m. and will be limited to twelve speakers selected randomly by the Mayor. Each speaker will be allowed three minutes. Speakers who do not have an opportunity to speak during this time will be allowed to make public comment under Agenda Item 18.

Voice message public comments received for non-agenda items may be played under Agenda Item 14 or at Item 18. Recorded public comments are limited to 3 minutes to mirror in-person meeting protocols.

Attachments: [Late Correspondence \(Uploaded 4-12-2022\)](#)

15. REPORT ITEMS

- 15.1 REPORT - REQUEST THAT THE CITY COUNCIL DECLARE PURSUANT TO GOVERNMENT CODE SECTION 54221 THAT REAL PROPERTY OWNED BY THE CITY LOCATED AT 625 AND 637 THIRD STREET (PARKING GARAGE 5) IS NON-EXEMPT SURPLUS

LAND SUBJECT TO THE RETENTION OF PUBLIC PARKING

BACKGROUND: This Resolution would declare, pursuant to government code section 54221, that real property owned by the City located at 625 and 637 third street (Parking Garage 5) is non-exempt surplus land subject to the retention of public parking and directs Staff to submit a Notice of Availability to the State Housing and Community Development Department, in furtherance of the City's downtown asset strategy, land use and policy goals and 2016 Housing Action Plan, including encouraging the development of housing and increasing activity in the downtown.

RECOMMENDATION: It is recommended by Real Estate Services and the Planning and Economic Development Department that the Council, by resolution: 1) declare that the City owned property located at 625 and 637 Third Street APN's 009-013-012 and 009-003-011 (Parking Garage 5) is "non-exempt surplus land" as defined by the Surplus Lands Act, provided that Public Parking is retained on the Property as a condition of the sale or long-term lease of the Property; 2) direct City Staff to prepare and submit a Notice of Availability in accordance with the requirements of the Surplus Lands Act; and 3) authorize the City Manager or her designee to take all necessary actions to fully comply with the Surplus Lands Act and carry out the City Council's direction.

Attachments: [Staff Report](#)
[Resolution](#)
[Presentation](#)
[Late Correspondence \(Uploaded 4-12-2022\)](#)

15.2 REPORT - LICENSE AGREEMENT WITH PECOS LEAGUE OF PROFESSIONAL BASEBALL CLUBS, LLC TO USE DOYLE PARK BASEBALL FIELD

BACKGROUND: The baseball field at Doyle Community Park is for the use and benefit of the public; however, the City, through its Recreation Division, has determined that there are certain days and hours which may be made available for organizations to rent the facilities for designated use. Pecos League of Professional Baseball Clubs, LLC requests designated use of the facilities for a professional baseball

team to be named the Santa Rosa Scuba Divers for baseball trainings and league games. The City desires to make the facility available to Pecos League on a license basis for the purpose of providing the program.

RECOMMENDATION: It is recommended by the Recreation Division that the Council, by resolution, approve and authorize the City Manager or designee to negotiate, execute and administer, subject to approval as to form by the City Attorney, a License Agreement with the Pecos League of Professional Baseball Clubs, LLC for the use of the Doyle Park Baseball Field for professional independent league baseball.

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

15.3 REPORT - OPPOSITION TO INITIATIVE 21-0042A1 (Taxpayer Protection and Government Accountability Act)

BACKGROUND: A statewide initiative entitled "Taxpayer Protection and Government Accountability Act" has been proposed for placement on the ballot for the November, 2022 election. The proposed measure would limit the ability of the state and of local governments to impose taxes, fees and other charges and would restrict voter input on how local tax dollars can be spent. If passed, the measure would make it harder to maintain or raise needed revenues and could result in significantly reduced resources for City needs. The League of California Cities (Cal Cities) opposes the measure and is encouraging its members of Cal Cities to oppose the measure as well. City staff concur with the Cal Cities recommendation.

RECOMMENDATION: It is recommended by the Communications & Intergovernmental Relations Office that the Council, by resolution, oppose Initiative 21-0042A1, a proposed statewide ballot measure.

Attachments: [Staff Report](#)
[Attachment 1 - Cal Cities Opposition Fact Sheet](#)
[Attachment 2 – Cal Cities Fiscal Analysis](#)
[Attachment 3 – Cal Cities Legal Analysis](#)
[Attachment 4 – LAO Fiscal Analysis](#)
[Attachment 5 – Att Gen Title and Summary of Initiative](#)
[Attachment 6 – Text of Proposed Ballot Initiative 21-0042A](#)
[Resolution](#)
[Presentation \(Uploaded 4-12-2022\)](#)

16. PUBLIC HEARINGS

Public Hearing matters will begin no earlier than 5:00 p.m. or as soon thereafter as the matters are reached on the agenda.

16.1 PUBLIC HEARING - APPEAL OF ZONING CODE APPEAL DEADLINE DETERMINATION

BACKGROUND: On January 27, 2022, the Planning Commission adopted a Mitigated Negative Declaration and approved a Hillside Development Permit, Conditional Use Permit and Tentative Map for the 59-unit Penstemon Place project located at 2574, 2842 and 2862 Linwood Avenue. Zoning Code Section 20-62.030(B)(1) requires that appeals of a decision by the Planning Commission shall be filed within 10 calendar days after the date of the decision. On February 9, 2022, an appeal of the Planning Commission's January 27, 2022, decision was received by the City Clerk's office, which was two days after the appeal deadline. On February 10, 2022, a letter was sent to the appellant notifying him that the Appeal could not be accepted. On February 17, 2022, an Appeal of the appeal deadline determination was submitted pursuant to Municipal Code Section 1-20.020, which allows appeals of a decision by a City official within 15 days of the date of decision.

RECOMMENDATION: It is recommended by the Planning and Economic Development Department and the City Clerk's Office that the Council, by resolution, uphold the Planning and Economic Development Department and City Clerk's determinations to not accept an untimely Appeal Form and deny an Appeal of the Zoning Code appeal deadline

determination following the Planning Commission's action on the Penstemon Place residential project.

Attachments: [Staff Report](#)
[Attachment 1 - Appeal Form received 2-9-22](#)
[Attachment 2 - Letter Rejecting Appeal Application](#)
[Attachment 3 – Appeal Form, Received 2-17-22](#)
[Attachment 4 - City of SR Appeal Form](#)
[Attachment 5 - ZC Chapter 20-62 APPEALS](#)
[Attachment 6 - PHN Postcard](#)
[Attachment 7 - Muni Code Ch.1-20 APPEALS BEFORE CI](#)
[Resolution](#)
[Presentation](#)
[Appellant Presentation](#)

16.2 PUBLIC HEARING - SHARED SCOOTER SYSTEM PILOT PROGRAM ORDINANCE AMENDMENT

BACKGROUND: In 1996 and 2001, the City Council adopted ordinances 3249 and 3516, respectively prohibiting skating activities and scooters on sidewalks and streets within the specified downtown area, the specified Railroad Square area, in shopping centers and other specified areas of public property.

The project includes an amendment to the Santa Rosa Health and Safety Code Chapter 9-22 to allow for the shared scooter system pilot program approved by the City Council on December 14, 2021. The operations of the shared scooter system pilot program would be consistent with state law.

In summary the revisions to City Code Chapter 9-22 include:

- Adding a sub-section exempting scooters from prohibition during the pilot program to operate on public streets, public alleys, and public gutters - 9-22.020 (D) Prohibition. These devices will still be prohibited on sidewalks per the existing ordinance; and
- Broadening scooter definition to include motorized scooters - 9-22.040(D) Definitions

RECOMMENDATION: It is recommended by the Transportation and Public Works Department that the Council introduce an ordinance to amend City Code Chapter 9-22 -Bicycles, Skateboards, Roller Skates, In-Line Skates, and Similar Devices to allow scooters to operate on public streets, public alleys, and public gutters during the City Council approved shared scooter system pilot program.

Attachments: [Staff Report](#)
[Attachment 1 - Redline Changes to SRCC 9-22 Ordinance](#)
[Public Hearing Notice](#)
[Presentation](#)

17. WRITTEN COMMUNICATIONS - NONE.

18. PUBLIC COMMENTS ON NON-AGENDA MATTERS

This is the time when any person may address the Council on matters not listed on this agenda, but which are within the subject matter jurisdiction of the Council and not able to speak under Agenda Item 14. Each speaker will be allowed three minutes.

19. ANNOUNCEMENT OF CONTINUED CLOSED SESSION ITEMS, RECESS TO CLOSED SESSION IN THE MAYOR'S CONFERENCE ROOM, RECONVENE TO OPEN SESSION, AND ANNOUNCEMENTS [IF NEEDED]

20. ADJOURNMENT OF MEETING

21. UPCOMING MEETINGS

This schedule is tentative and subject to change pending final publication and posting of the City Council Meeting Agenda.

21.1 UPCOMING MEETINGS LIST

Attachments: [Upcoming Meetings List](#)

***Did not appear on the preliminary agenda.**

****Quasi-judicial or adjudicative action.**

City Council

APRIL 12, 2022

The Open Government Ordinance (ORD-2020-018) was adopted by City Council in December 2020. This ordinance, adds Chapter 1-10 to the City Code to codify the City of Santa Rosa's commitment to embrace a culture of open government to ensure public trust, engage the community, and establish a system of transparency, public participation, and collaboration. To view a full version of the Open Government Ordinance go to <http://srcity.org/OpenGovOrdinance>. To request a paper copy of the Open Government Ordinance contact the City Clerk's Office at 707-543-3015 (TTY Relay at 711) or cityclerk@srcity.org.

The City of Santa Rosa does not discriminate against individuals with disabilities in its employment, services, benefits, facilities, programs, or activities. Requests for accommodations, auxiliary aids, or services necessary to participate in a City program, service, or activity, including printed information in alternate formats, are available by contacting the City Clerk's Office at 707-543-3015 (TTY Relay at 711) or cityclerk@srcity.org. If the request is received at least 7 business days prior to the City Council meeting, the copy shall be provided no later than two (2) business days prior to the City Council meeting. Meeting information can also be accessed via the internet at <http://srcity.org>

Any writings or documents provided to a majority of the City Council prior to this meeting regarding any item on this agenda, excluding closed session items, are available for public review in the City Clerk's Office, Room 10, City Hall, 100 Santa Rosa Ave, during normal business hours.