



City of Santa Rosa

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

City Council Regular Meeting Minutes - Final

Tuesday, September 27, 2022

4:00 PM

1. CALL TO ORDER AND ROLL CALL

Mayor C. Rogers called the meeting to order at 4:02 p.m.

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

Absent: 1 - Council Member Tom Schwedhelm

2. ANNOUNCEMENT OF CLOSED SESSION ITEMS - NONE.

3. STUDY SESSION - NONE.

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

5. REPORT, IF ANY, ON STUDY AND CLOSED SESSIONS - NONE.

6. PROCLAMATIONS/PRESENTATIONS

No public comments were made.

6.1 PROCLAMATION - WATER PROFESSIONALS APPRECIATION WEEK (Continued from the September 20, 2022, Regular Meeting)

Attachments: [Proclamation](#)

Council Member Sawyer read the proclamation and presented it to Jennifer Burke, Director Santa Rosa Water.

6.2 PROCLAMATION - NATIONAL SERVICE DOG MONTH (Continued from the September 20, 2022, Regular Meeting)

Attachments: [Proclamation](#)

Council Member N. Rogers read the proclamation and presented it to Kristen Dambrowski, Executive Director of Canine Companions, and Wallis Brozman, Communications Coordinator and graduate of Canine Companions with her service dog Renata. They made comments of thanks and on the services Canine Companions provide.

7. STAFF BRIEFINGS

No public comments were made.

7.1 COVID-19 RESPONSE UPDATE (Continued from the September 20, 2022, Regular Meeting)

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

Daryl Dunston, Assistant City Manager, reported Sonoma County has an overall case rate of 8.7 per 100,000 thousand residents, an overall testing positivity rate of 5.8%, and that vaccinations remain the most effective means to protect yourself from getting seriously ill and being hospitalized due to COVID-19. For more information on the status of COVID-19 in the community go to socoemergency.org.

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

Sue Gallagher, City Attorney, announced the settlements of Apogee Garden v. Santa Rosa and Apogee v. Jason Smith & Aboudara cases and thanked Adam Abel, Assistant City Attorney, for his work.

Maraskeshia Smith, City Manager, thanked City employees for their quick response to the 4.4 earthquake that occurred on September 13, 2022.

Jason Nutt, Assistant City Manager, reported the first battery-electric transit buses arrived on-site in the City, and provided an update on the Guaranteed Basic Income: Pathway to Income Equity program noting the deadline to submit an application is October 31, 2022.

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 Sawyer requested that a Todd Creek Annexation

be placed on a future agenda, Vice Mayor Alvarez seconded.

Council Member N. Rogers attended the Merit Awards Ceremony, announced October 1 is the first day financial aid opens online at studentaid.gov, she is working on a Veteran's Day event for November 11-12, attended a food distribution event at Bayside Church, toured the Prince Memorial Greenway with Vice Mayor Alvarez and thanked Thea for coordinating the tour.

Vice Mayor Alvarez attended a tour on the Prince Memorial Greenway, participated in the National Voter Registration Day, and attended a golf event hosted by the Hispanic Chamber of Commerce.

Mayor C. Rogers thanked Assistant City Manager Dunston and the City team for their quick response to the earthquake that happened on September 13.

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

Council Member N. Roger provided a brief report on the Violence Prevention Policy Team meeting.

11. APPROVAL OF MINUTES - NONE.

12. CONSENT ITEMS

PUBLIC COMMENT

Due to technical difficulties, Jack Osborn's submitted comment on Item 12.3 was unable to be played.

Approval of the Consent Agenda

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

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

Absent: 1 - Council Member Schwedhelm

12.1 RESOLUTION - THIRD AMENDMENT TO GENERAL SERVICES AGREEMENT F001842 WITH YARBROUGH BROS. TOWING, INC. (Continued from the September 20, 2022, Regular Meeting)

RECOMMENDATION: It is recommended by the Police and Finance Departments that the Council, by resolution, approve the Third Amendment to General Services Agreement Number (GSA) F001842 with Yarbrough Bros. Towing, Inc., Santa Rosa, California, for vehicle impound services for an additional one-year term and increase compensation in the amount of \$100,000, for a total amount not to exceed \$440,000.

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

This Consent - Resolution was adopted.

RESOLUTION NO. RES-2022-195 ENTITLED: RESOLUTION OF THE COUNCIL OF THE CITY OF SANTA ROSA APPROVING THE THIRD AMENDMENT TO THE GENERAL SERVICES AGREEMENT NUMBER F001842 WITH YARBROUGH BROS. TOWING, INC.

12.2 RESOLUTION - ADOPTING AMENDED CONFLICT OF INTEREST CODE (Continued from the September 20, 2022, Regular Meeting)

RECOMMENDATION: It is recommended by the City Clerk that the Council, by resolution, adopt an amended Conflict of Interest Code for designated positions in the City of Santa Rosa as required by the Political Reform Act to be done biennially in even-numbered years.

Attachments: [Staff Report](#)
[Attachment 1 - Redline Conflict of Interest Code](#)
[Attachment 2 - FPPC Regulation 18730](#)
[Resolution](#)
[Exhibit A](#)
[Presentation](#)

This Consent - Resolution was adopted.

RESOLUTION NO. RES-2022-196 ENTITLED: RESOLUTION OF THE COUNCIL OF THE CITY OF SANTA ROSA ADOPTING AN AMENDED CONFLICT OF INTEREST CODE FOR THE CITY OF SANTA ROSA

12.3 RESOLUTION - AMENDMENT TO THE CITY CLASSIFICATION AND SALARY PLAN TO MODIFY THE SALARY RANGE OF THE CITY ATTORNEY CLASSIFICATION AND ADOPTION OF THE CITY'S SALARY PLAN AND SCHEDULE (Continued from the September 20, 2022, Regular Meeting)

RECOMMENDATION: It is recommended by the Human Resources Department that the Council, by two resolutions: 1) amend the City Classification and Salary Plan to modify the salary range of the City Attorney classification by increasing the range to \$34,485 - \$257,908 retroactive to May 8, 2022; and 2) approve and adopt the City's Salary Plan and Schedule as required by California Code Regulations Title 2, section 570.5 - Requirement for a Publicly Available Pay Schedule.

Attachments: [Staff Report](#)
[Resolution 1 - Amending CA Salary Range](#)
[Resolution 2 - Adopt Salary Plan and Schedule](#)
[Exhibit A - Salary Plan and Schedule](#)

These Consent - Resolutions were adopted.

RESOLUTION NO. RES-2022-197 ENTITLED: RESOLUTION OF THE COUNCIL OF THE CITY OF SANTA ROSA AMENDING THE CITY CLASSIFICATION AND SALARY PLAN TO MODIFY THE SALARY RANGE FOR CITY ATTORNEY CLASSIFICATION AND AUTHORIZING THE CITY MANAGER TO IMPLEMENT THESE CHANGES

RESOLUTION NO. RES-2022-198 ENTITLED: RESOLUTION OF THE COUNCIL OF THE CITY OF SANTA ROSA APPROVING AND ADOPTING THE CITY'S SALARY PLAN AND SCHEDULE, INCLUDING THE CITY ATTORNEY'S SALARY RANGE INCREASE EFFECTIVE MAY 8, 2022

12.4 RESOLUTION - APPROVAL OF AMENDMENT NO. 4 TO CITY ATTORNEY'S EMPLOYMENT AGREEMENT AND INTRODUCE AN ORDINANCE TO INCREASE THE COMPENSATION OF THE CITY ATTORNEY (Continued from the September 20, 2022, Regular Meeting)

RECOMMENDATION: It is recommended by the Human Resources Department that the Council, by resolution, approve Amendment No. 4 to the Employment Agreement of the City Attorney and introduce an Ordinance to increase the compensation of the City Attorney by providing, effective May 8, 2022, 1) a 5% merit increase in salary, and 2) a 3% increase in deferred compensation for a total City contribution of 8%.

Attachments: [Staff Report](#)
[Resolution](#)
[Exhibit A - Amendment No. 4 to City Attorney Employment Agreement](#)
[Exhibit A - Amendment No. 4 - Revised \(Redlined\) \(Uploaded 9-21-2022\)](#)
[Exhibit A - Amendment No. 4 - Revised \(Final\) \(Uploaded 9-21-2022\)](#)
[Exhibit A - Amendment No. 4 - Revised \(Final Approved\) \(Uploaded 9-28-2022\)](#)
[Ordinance](#)

This Consent - Resolution was adopted.

RESOLUTION NO. RES-2022-199 ENTITLED: RESOLUTION OF THE COUNCIL OF THE CITY OF SANTA ROSA APPROVING AMENDMENT NO. 4 TO THE CITY'S EMPLOYMENT AGREEMENT WITH CITY ATTORNEY TO PROVIDE (1) A 5% MERIT INCREASE IN SALARY, AND (2) A 3% INCREASE

IN DEFERRED COMPENSATION FOR A TOTAL CITY CONTRIBUTION OF 8%, EFFECTIVE AND RETROACTIVE TO MAY 8, 2022

This Consent - Ordinance was introduced.

ORDINANCE OF THE COUNCIL OF THE CITY OF SANTA ROSA INCREASING THE COMPENSATION OF THE CITY ATTORNEY TO PROVIDE, EFFECTIVE MAY 8, 2022, (1) A 5% MERIT INCREASE IN SALARY, AND (2) A 3% INCREASE IN DEFERRED COMPENSATION FOR A TOTAL CITY CONTRIBUTION AMOUNT OF 8%

13. PUBLIC COMMENT ON NON-AGENDA MATTERS

Tom La Penna, President Santa Rosa Manufactured Home Association, thanked the City Manager and ladies of the council for attending their BBQ, urged the Council to adopt a rent control ordinance this year due to rent increases going into effect on January 1, 2023.

Jo Anne Jones, Vice President Mobile Home Association, spoke asking Council to amend the ordinance and model it after the City of Oakland's ordinance.

Duane De Witt spoke on the cost of homes in Santa Rosa, the Southwest Area Plan, asked Council to build housing on city owned property in the downtown area due to Roseland's infrastructure being overloaded.

Margaret DeMatteo, Housing Policy Attorney with Legal Aide Sonoma County, spoke in support of mobile home park residents, encouraged Council to amend the mobile home rent stabilization ordinance in a timely manner to prevent displacement of residents living in mobile home parks.

Eric Fraser, Truth in Tourism, spoke in support of the mobile home rent stabilization ordinance update, the political will and imbalance of power, and the short-term rental urgency ordinance.

Jack Osborn spoke on COVID-19 being over and the city needing to get back to normal operations.

14. REPORT ITEMS - NONE.

15. PUBLIC HEARINGS - NONE.

16. WRITTEN COMMUNICATIONS

No public comments were made.

16.1 STATE LEGISLATIVE UPDATE & PUBLIC UTILITIES COMMISSION UPDATE (Continued from the September 20, 2022, Regular Meeting):

- Signature Request - AB 2622 Sales and use taxes: exemptions: California Hybrid and Zero-Emission Truck and Bus Voucher Incentive Project: transit buses. Provided for information.
- Signature Request - SB 922 California Environmental Quality Act: exemptions: transportation-related projects. Provided for information.
- Signature Request - SB 942 Low Carbon Transit Operations Program: free or reduced fare transit program. Provided for information.

- Veto Request - AB 1951 Sales and use tax: exemptions: manufacturing. Provided for information.

- Public Utilities Commission Comment Letter -- Net Energy Metering Proceeding 20-08-020. Provided for information.

Attachments: [State Legislation & Public Utilities Commission Comment Letter](#)
[Bill Text - AB-2622 Sales and use taxes: exemptions](#)
[AB 2622-Signature Request Support](#)
[Bill Text - SB-922 California Environmental Quality Act](#)
[SB 922-Letter of Support Signature Request](#)
[Bill Text - SB-942 Low Carbon Transit Operations Program](#)
[SB 942-Signature Request Support](#)
[Bill Text - AB-1951 Sales and use tax:exemptions](#)
[AB 1951-Veto Request](#)
[\(R.\) 20-08-020-Net Energy Metering Ruling Fact Sheet](#)
[\(R.\) 20-08-020-Net Energy Metering comment letter](#)

This item was received and filed.

Mayor C. Rogers recessed the meeting at 4:29 p.m. and reconvened at 5:00 p.m.

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

Absent: 1 - Council Member Tom Schwedhelm

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 C. Rogers adjourned the meeting at 5:18 p.m. The next regular meeting will be held on Tuesday, October 11, 2022, at a time to be set by the Mayor.

20. UPCOMING MEETINGS

20.1 UPCOMING MEETINGS LIST (Continued from the September 20, 2022, Regular Meeting)

Attachments: [Upcoming Meetings List](#)

This item was received and filed.

Approved on: November 29, 2022

/s/ Stephanie A. Williams, City Clerk