



City of Santa Rosa

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

CITY COUNCIL REGULAR MEETING AGENDA AND SUMMARY REPORT - FINAL-REVISED OCTOBER 11, 2022

1:30 P.M. - STUDY SESSION (HYBRID VIA IN-PERSON AND ZOOM)

4:00 P.M. - REGULAR SESSION (HYBRID VIA IN-PERSON AND 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 EITHER VIA ZOOM WEBINAR OR IN-PERSON, SOCIALLY DISTANCED, IN THE COUNCIL CHAMBER AT 100 SANTA ROSA AVENUE.

MEMBERS OF THE PUBLIC CAN PARTICIPATE IN THE MEETING BY ATTENDING IN-PERSON FROM COUNCIL CHAMBER AT 100 SANTA ROSA AVENUE (SOCIAL DISTANCING REQUIREMENTS WILL BE OBSERVED), VISITING [HTTPS://SRCITY-ORG.ZOOM.US/J/83488513627](https://srcity-org.zoom.us/j/83488513627), OR BY DIALING 877-853-5257 AND ENTER WEBINAR ID: 834 8851 3627

THE MEETING WILL ALSO BE LIVE STREAMED AT [HTTPS://SANTA-ROSA.LEGISTAR.COM/CALENDAR](https://santa-rosa.legistar.com/calendar).

CLICK ON THE "IN PROGRESS" LINK TO VIEW.

THE MEETING CAN ALSO BE VIEWED ON COMCAST CHANNEL 28, AT&T U-VERSE CHANNEL 99, AND AT [HTTPS://WWW.YOUTUBE.COM/CITYOFSANTAROSA](https://www.youtube.com/cityofsantarosa)

Public Comment may be made live during the meeting via Zoom, In-Person from Council Chamber, 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 In-Person from Council Chamber by signing up with the Administrator in Council Chamber (in lieu of Speaker Card), 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, October 10. 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, October 10.

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 13) 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 17.

1:30 P.M. (HYBRID VIA IN-PERSON AND ZOOM)

1. CALL TO ORDER AND ROLL CALL

2. ANNOUNCEMENT OF CLOSED SESSION ITEMS - NONE.

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.

3. STUDY SESSION

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

3.1 DOWNTOWN CITY ASSET SURPLUS STRATEGY

This is the third and final study session in the Downtown City Asset Series.

Staff is seeking direction on the surplus of underutilized downtown City Assets (Property), making these Properties available for affordable housing/housing focused development through the Surplus Lands Act

notice of availability.

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

4:00 P.M. (HYBRID VIA IN-PERSON AND ZOOM)

4. ANNOUNCEMENT OF ROLL CALL (IF NEEDED)

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

6. PROCLAMATIONS/PRESENTATIONS

6.1 PROCLAMATION - DOMESTIC VIOLENCE AWARENESS MONTH

Attachments: [Proclamation](#)

7. 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.

7.1 COVID-19 RESPONSE UPDATE

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

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

8.1 REPORT OF SETTLEMENTS AND ACTIVE LITIGATION

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

Attachments: [Litigation Report](#)

9. STATEMENTS OF ABSTENTION BY COUNCIL MEMBERS

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

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

10.2 MATTERS FROM COUNCIL REGARDING FUTURE AGENDA ITEMS

This time is reserved for Council to discuss whether to place matters on a future agenda for further discussion.

10.2.1 REQUEST FOR AGENDA ITEM REGARDING TODD CREEK ANNEXATION

BACKGROUND: At the September 27, 2022, City Council meeting, Council Member Sawyer requested a future agenda item to discuss the Todd Creek Annexation. Vice Mayor Alvarez concurred with the request.

11. APPROVAL OF MINUTES

11.1 June 7, 2022, Regular Meeting.

Attachments: [Draft Minutes](#)

11.2 June 21, 2022, Regular Meeting.

Attachments: [Draft Minutes](#)

12. CONSENT ITEMS

12.1 MOTION - CONTRACT AWARD - SANTA ROSA PAVEMENT REHABILITATION OF VARIOUS STREETS

RECOMMENDATION: It is recommended by the Transportation and Public Works Department that the Council, by motion, award Contract No. C02089, Santa Rosa Pavement Rehabilitation of Various Streets, in the amount of \$2,655,597.99 to the lowest responsible bidder, Ghilotti Constriction Company, Inc. of Santa Rosa, California, approve a 10% contract contingency, and authorize a total contract amount of \$2,921,157.79.

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

12.2 MOTION - REJECT ALL BIDS - SANTA ROSA AVENUE CORRIDOR IMPROVEMENTS

RECOMMENDATION: It is recommended by the Transportation and Public Works Department that the Council, by motion, reject all bids received for Contract No. C01620, Santa Rosa Avenue Corridor Improvements.

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

12.3 RESOLUTION - EXTENSION OF PROCLAMATION OF EXISTENCE OF A LOCAL EMERGENCY RELATING TO THE THREAT TO COMMUNITY HEALTH POSED BY COVID-19

RECOMMENDATION: It is recommended by the City Attorney's Office that the Council, by resolution, declare that the proclamation of a state of local emergency within the City of Santa Rosa has been and remains in full force and effect without interruption.

Attachments: [Resolution](#)

12.4 RESOLUTION - MAKING REQUIRED MONTHLY FINDINGS AND AUTHORIZING THE CONTINUED USE OF TELECONFERENCING FOR PUBLIC MEETINGS OF THE CITY COUNCIL AND ALL THE CITY'S BOARDS, COMMISSIONS, AND COMMITTEES, PURSUANT TO ASSEMBLY BILL 361

RECOMMENDATION: It is recommended by the City Attorney that the Council, by resolution, make required monthly findings and authorize the continued use of teleconferencing for public meetings of the City Council and all of the City's boards, commissions and committees pursuant to Assembly Bill 361.

Attachments: [Resolution](#)

12.5 RESOLUTION - EXTENSION OF PROCLAMATION OF LOCAL HOMELESS EMERGENCY

RECOMMENDATION: It is recommended by the Housing and Community Services Department that the Council, by resolution, approve an extension of Resolution No. 28839 which formally proclaimed a local homeless emergency within Santa Rosa.

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

12.6 RESOLUTION - APPROVAL - WAIVER OF COMPETITIVE BID AND

PURCHASE ORDER FOR MICROCLOR ON-SITE HYPOCHLORITE GENERATOR SYSTEM

RECOMMENDATION: It is recommended by the Recreation and Parks and Finance Departments that the Council, by resolution: 1) waive competitive bidding pursuant to Section 3-08.100(D); 2) approve issuance of a purchase order for the purchase of a new larger Microclor On-Site Hypochlorite Generator to PSI Water Technologies, Inc., Milpitas, California, in a not to exceed amount of \$140,932.50; and 3) delegate authority to the City Manager or designee to execute the Non-Standard Agreement, subject to approval as to form by the City Attorney.

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

- 12.7** ORDINANCE ADOPTION - SECOND READING - 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%

RECOMMENDATION: This ordinance, introduced at the September 27, 2022, Regular Meeting by a 6-0-1 vote (Schwedhelm absent), increases 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%.

Attachments: [Ordinance](#)

13. 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 17.

Voice message public comments received for non-agenda items may be played under Agenda Item 13 or at Item 17. Recorded public comments are limited to 3 minutes to mirror in-person meeting protocols.

14. REPORT ITEMS

14.1 REPORT - INTRODUCTION OF AN ORDINANCE TO THE SANTA ROSA CITY CODE ADDING CHAPTER 10-26 SIDESHOWS

BACKGROUND: Over the last few years, Santa Rosa has experienced an increase in reckless driving exhibitions on City streets. These contests, known as “sideshows” (involving activities such as drifting, burnouts, and donuts) are held throughout the city, several times per month, usually in the late night or early morning hours. Hundreds of illegal street racers and spectators converge on various public streets and off-street parking lots in both commercial and residential neighborhoods. These juveniles and adult participants block the streets with their cars, set up exhibition areas for reckless driving and spectators will act as human guard rails. When patrol cars descend on an illegal sideshow site, spectators jump back into their cars and caravan to other locations, where a new sideshow is started until the police locate and move them along. The sideshow participants, traveling at high speeds from location to location, cause traffic congestion and dangerous conditions for other drivers. The high speeds and reckless driving that characterize sideshows endanger participants, members of the public, and police officers.

In recent months, sideshows have become significantly worse and present much like riotous behavior. With organized sideshows growing to hundreds of cars and becoming more violent, it frequently requires massive police responses that have pulled in officers from all over the city and county. These events have caused an increase in overtime for upstaffing police officers in anticipation of a sideshow event. They have been increasingly violent toward the responding officers as bottles, rocks and other dangerous items are thrown at them and their patrol cars. Fire trucks and ambulances have also been surrounded

and damaged when trying to administer medical aid to persons involved in or around the sideshow events.

Sideshows effect all areas of Santa Rosa. Some of the primary locations for sideshow activities have included:

- Sebastopol Road and West Avenue
- Hoen, Yulupa and Summerfield Avenues
- Corporate Center Parkway near Sebastopol Road
- Wilson and 7th Street
- Dutton Avenue at W. 9th Street
- Hwy 12 and Fulton Road

RECOMMENDATION: It is recommended by the Police Department that the Council introduce an ordinance to the Santa Rosa City Code adding Chapter 10-26 Sideshows for citing Participants, Spectators and Organizers of Sideshow events in Santa Rosa.

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

14.2 REPORT - SONOMA COUNTY TOURISM BUSINESS IMPROVEMENT AREA ASSESSMENT MODIFICATION REMOVING THE \$350,000 REVENUE THRESHOLD FOR COLLECTION

BACKGROUND: To increase assessment revenue generated by the Sonoma County Tourism Business Improvement Area (SCTBIA), as established by Sonoma County Ordinance No. 5525, the Sonoma County Tourism Bureau seeks to remove the current \$350,000 revenue threshold for collections. The current SCTBIA assessment rate of 2% would remain unchanged. The Parking and Business Improvement Area Law of 1989 requires the consent of the Santa Rosa City Council before any changes to assessments collected within Santa Rosa city limits may be considered by the Sonoma County Board of Supervisors.

RECOMMENDATION: It is recommended by the Planning and Economic Development Department that the Council, by resolution, consent to a change to the assessment methodology outlined in

Sonoma County Ordinance No. 5525, removing the \$350,000 revenue threshold for participation of Santa Rosa lodging establishments in the Sonoma County Tourism Business Improvement Area pending the outcome of the Sonoma County Board of Supervisors Public Hearing and subsequent action.

Attachments: [Staff Report](#)
[Attachment 1 - Sonoma County Ordinance No. 5525](#)
[Resolution](#)
[Presentation](#)

15. PUBLIC HEARINGS - NONE.

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. WRITTEN COMMUNICATIONS

16.1 STATE AND FEDERAL LEGISLATIVE UPDATE:

- Veto Request AB 2234 (R. Rivas and Grayson) -- Planning and zoning: housing: postentitlement phase permits. Provided for information.
- Support for S. 4517 (Ossoff and Hawley) and S. 4690 (Van Hollen) -- Fire Station Improvement Act and Fire Station Construction Grants Act. Provided for information.

Attachments: [Legislative Memo](#)
[Bill Text - AB 2234 Planning and zoning: housing: postentit](#)
[Letter of Opposition Veto Request to Governor Newsom](#)
[Bill Text - S. 4517 Fire Station Improvement Act](#)
[Bill Text - S. 4690 Fire Station Construction Grants Act](#)
[Support Request Letter to Senator Feinstein](#)
[Support Request Letter to Senator Padilla](#)

17. 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 13. Each speaker will

be allowed three minutes.

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

20. UPCOMING MEETINGS

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

20.1 UPCOMING MEETINGS LIST

Attachments: [Upcoming Meetings List](#)

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

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

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.