



City of Santa Rosa

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

CITY COUNCIL REGULAR MEETING AGENDA AND SUMMARY REPORT AUGUST 6, 2024

1:30 P.M. - CLOSED SESSION

2:30 P.M. - STUDY SESSION

4:00 P.M. - REGULAR SESSION

MEMBERS OF THE PUBLIC CAN PARTICIPATE IN THE MEETING BY ATTENDING IN-PERSON FROM COUNCIL CHAMBER AT 100 SANTA ROSA AVENUE (IT IS RECOMMENDED THAT SOCIAL DISTANCING BE OBSERVED).

THE PUBLIC CAN ALSO VIEW OR LISTEN TO THE MEETING LIVE AT:

- 1. [HTTPS://SANTA-ROSA.LEGISTAR.COM/CALENDAR](https://santa-rosa.legistar.com/calendar). CLICK ON THE "IN PROGRESS" LINK TO VIEW;**
- 2. VIA ZOOM WEBINAR BY VISITING [HTTPS://SRCITY-ORG.ZOOM.US/J/89643446933](https://srcity-org.zoom.us/j/89643446933), OR BY DIALING 877-853-5257 AND ENTERING WEBINAR ID: 896 4344 6933;**
- 3. COMCAST CHANNEL 28, AT&T U-VERSE CHANNEL 99; AND**
- 4. VIA YOUTUBE AT [HTTPS://WWW.YOUTUBE.COM/CITYOFSANTAROSA](https://www.youtube.com/cityofsantarosa)**

Public Comment may be made live during the meeting In-Person from Council Chamber or submitted in advance via email at cc-comment@srcity.org by 5:00 p.m. the Monday before the City Council Meeting.

IN THE EVENT A COUNCIL MEMBER PARTICIPATES REMOTELY BASED ON JUST CAUSE OR EMERGENCY CIRCUMSTANCES PURSUANT TO AB 2449, THE CITY WILL ALSO ALLOW FOR PUBLIC COMMENT THROUGH THE ZOOM LINK OR DIAL-IN NUMBER ABOVE.

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 completing a Speaker Card or signing up with the Administrator in Council Chamber.

Advanced Public Comment Via E-mail: To submit an e-mailed public comment to the City Council, please send to: cc-comment@srcity.org by 5:00 p.m., the Monday prior to the Council Meeting. Identify in the subject line of your e-mail the Agenda Item Number on which you wish to comment, and provide your name and comment in the body of the e-mail. 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.

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 up to 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.

1:30 P.M.

1. CALL TO ORDER AND ROLL CALL

2. REMOTE PARTICIPATION UNDER AB 2449 (IF NEEDED)

To consider and take action on any request from a Council Member to participate in a meeting remotely due to Just Cause or Emergency Circumstances pursuant to AB 2449 (Government Code Section 549539(f)).

3. 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.

3.1 CONFERENCE WITH LABOR NEGOTIATORS
(Government Code Section 54957.6)

Agency Designated Representatives: Maraskeshia Smith, City Manager; Alan Alton, Chief Financial Officer; Dominique Blanque, Human Resources Director; Siara Goyer, Employee Relations Manager; and Burke Dunphy of Sloan Sakai Yeung & Wong LLP.
Employee Organizations: Santa Rosa Firefighters Association - Local 1401 (representing City Employee Unit 2).
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RECESS CLOSED SESSION(S) AND RECONVENE TO OPEN SESSION IN THE COUNCIL CHAMBER AND VIA ZOOM.

2:30 P.M.

4. STUDY SESSION

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

4.1 DEVELOPMENT SERVICES STRATEGIC BUSINESS PLAN

In late 2022, the City of Santa Rosa's (City) Planning and Economic Development Department initiated the process to develop a Development Services Strategic Business Plan to guide development-related customer service, pre-application, encroachment permit review, entitlement permit review and public review meetings, and building and fire plan check and inspection services related to private land use and development in the City; and to build mission alignment across City Departments and Divisions, including common priorities, performance and reporting measures, and objectives. The study session will provide the City Council with an update about the community, stakeholder, and staff engagement process to gather feedback and insight and will review the proposed recommendations for the Department to focus on over the next three years.

Attachments: [Staff Report](#)
[Attachment 1 - Strategic Business Plan for Development S](#)
[Presentation](#)

4.2 VISION ZERO IMPLEMENTATION PLAN UPDATE

It is recommended by the Transportation and Public Works Department that the Council hold a Study Session on the progress made related to the Sonoma Vision Zero Action Plan, the City of Santa Rosa Vision Zero Implementation Plan, and upcoming grant opportunities. This item is provided for Council's information and no action will be taken except for possible direction to staff.

Attachments: [Staff Report](#)
[Presentation](#)
[Revised Presentation \(Uploaded 08-06-2024\)](#)
[Late Correspondence \(Uploaded 08-06-2024\)](#)

4:00 P.M.

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 COMMUNITY EMPOWERMENT PLAN UPDATE

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

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

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 Homeless Coalition

11.1.10 Renewal Enterprise District (RED)

11.1.11 Public Safety Subcommittee

11.1.12 Other

11.2 DESIGNATION OF VOTING DELEGATE/ALTERNATE TO LEAGUE OF CALIFORNIA CITIES ANNUAL CONFERENCE

- 11.2.1** In order to vote at the Annual Business Meeting at the League of California Cities 2024 Annual Conference, each member City must designate a voting delegate and up to two alternate delegates. This year's conference will be held in Long Beach from Wednesday, October 16 through Friday, October 18. The delegates must be designated by the City Council, and the voting delegate and alternates must be registered to attend the conference.

Attachments: [2024 Letter](#)

11.3 MATTERS FROM COUNCIL REGARDING FUTURE AGENDA ITEM

- 11.3.1** REQUEST FOR AGENDA ITEM REGARDING RECONSIDERATION OF SPECIFIC FEE INCREASES WITHIN THE FEE SCHEDULE ADOPTED ON MARCH 5, 2024

BACKGROUND: At the July 24, 2024, City Council meeting, Council Member MacDonald requested a future agenda item to discuss reconsideration of fees recently adopted related to historic landmark alteration permits, fees for historic districts, and those additional fees identified by Director Osburn, so long as the reconsideration does not negatively impact those currently within the permit process. Mayor N. Rogers concurred with the request.

12. APPROVAL OF MINUTES

- 12.1** July 23, 2024, Regular Meeting Minutes.

Attachments: [Draft Minutes](#)

13. CONSENT ITEMS

13.1 RESOLUTION - ADMINISTRATIVE COST RECOVERY LIEN AGAINST THE REAL PROPERTY LOCATED AT 1597 WEST AVENUE, SANTA ROSA, CALIFORNIA, 95407

RECOMMENDATION: It is recommended by the Planning and Economic Department that the Council, by resolution, approve the administrative cost recovery lien in the amount of \$3,552.40 against the property located at 1597 West Avenue, Santa Rosa, California, 95407 for the violations of the City Code that remain uncorrected by the responsible party, Norma M. Cronin, and authorize recording of an administrative cost recovery lien and placing the assessment on the property tax roll for collection.

Attachments: [Staff Report](#)
[Attachment 1 - Administrative Enforcement Order](#)
[Attachment 2 - Case File Photographs](#)
[Attachment 3 - Vicinity Map](#)
[Resolution](#)
[Presentation](#)

13.2 RESOLUTION - ADMINISTRATIVE COST RECOVERY LIEN AGAINST THE REAL PROPERTY LOCATED AT 616 MENDOCINO AVENUE, SANTA ROSA, CALIFORNIA, 95401

RECOMMENDATION: It is recommended by the Planning and Economic Department that the Council, by resolution, approve the administrative cost recovery lien in the amount of \$34,562.44 against the property located at 616 Mendocino Avenue, Santa Rosa, California, 95401 for the violations of the City Code that remain uncorrected by the responsible party, Sam Ruslender Young, and authorize recording of an administrative cost recovery lien and placing the assessment on the property tax roll for collection.

Attachments: [Staff Report](#)
[Attachment 1 - Administrative Enforcement Order](#)
[Attachment 2 - Case File Photographs](#)
[Attachment 3 - Vicinity Map](#)
[Resolution](#)
[Presentation](#)

- 13.3** RESOLUTION - APPROVAL TO FURTHER EXTEND THE TERM OF THE EXCLUSIVE NEGOTIATION AGREEMENT, AS AMENDED, BETWEEN THE CITY OF SANTA ROSA AND ROGAL PROJECTS FOR THE REAL PROPERTY LOCATED AT 625 AND 637 3RD STREET, SANTA ROSA, CALIFORNIA

RECOMMENDATION: It is recommended by Real Estate Services that the Council, by resolution, approve an amendment extending the term of the Exclusive Negotiation Agreement dated September 14, 2023, as amended, between the City of Santa Rosa and Rogal Projects, a sole proprietorship, for an additional ninety (90) days beyond August 9, 2024, for the potential disposition and development of the real property located at 625 and 637 3rd Street, Santa Rosa, California, also known as Assessor Parcel Numbers 009-013-011 and 009-013-012 or Garage 5 (collectively, the "Property").

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

- 13.4** RESOLUTION - APPROVAL OF SECOND AMENDMENT TO GENERAL SERVICE AGREEMENT F002145 FOR A ONE YEAR EXTENSION AND INCREASE IN COMPENSATION WITH WATERWORKS INDUSTRIES INCORPORATED

RECOMMENDATION: It is recommended by the Recreation and Parks and Finance Departments that the Council, by resolution, approve the Second Amendment to General Services Agreement Number F002145 for aquatic weed control services to extend the term and increase compensation with Waterworks Industries Incorporated, Windsor, California, in the amount of \$26,264.03, for a total cumulative amount not to exceed \$119,189.03.

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

13.5 RESOLUTION - SAFE STREETS AND ROADS FOR ALL GRANT PROGRAM - SONOMA COUNTY TRANSPORTATION AUTHORITY APPLICATION

RECOMMENDATION: It is recommended by the Transportation and Public Works Department that the Council, by resolution, support the City's participation in the Sonoma County Transportation Authority's (SCTA) application to the United States Department of Transportation (USDOT) as part of the Safe Streets and Roads for All (SS4A) grant program.

Attachments: [Staff Report](#)
[Resolution](#)
[Late Correspondence \(Uploaded 08-06-2024\)](#)

13.6 ORDINANCE ADOPTION SECOND READING - ORDINANCE OF THE COUNCIL OF THE CITY OF SANTA ROSA AMENDING CHAPTER 6 OF THE SANTA ROSA MUNICIPAL CODE AND ADDING A NEW CHAPTER 6-20 ENTITLED "REGULATION OF RETAIL TOBACCO SALES"

RECOMMENDATION: This ordinance, introduced at the July 23, 2024, Regular Meeting by a 6-0-0-1 vote (Alvarez recused), adds Chapter 6-20 to the Santa Rosa City Code titled "Regulation of Retail Tobacco Sales."

Attachments: [Ordinance - Redline Changes](#)
[Ordinance](#)
[Late Correspondence \(Uploaded 08-06-2024\)](#)

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 up to 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.

LATE CORRESPONDENCE

Attachments: [Late Correspondence \(Uploaded 08-08-2024\)](#)

15. REPORT ITEMS

15.1 REPORT - TRANSIENT OCCUPANCY TAX BALLOT MEASURE (THIS ITEM WAS CONTINUED FROM THE JULY 23, 2024, REGULAR MEETING.)

BACKGROUND: Santa Rosa City Code 3-28.020 imposes a tax on anyone who lodges within the City for 30 days or less. The current TOT rate is 9% of the room rate charged by a lodging operator. The tax is collected by the operator, along with the payment for renting the room, and remitted to the City. The 9% TOT was last updated in 1993. This is a general tax, that currently generates an estimated \$6 million to the General Fund budget annually.

RECOMMENDATION: It is recommended by the Finance Department that the Council (1) introduce an ordinance to amend Chapter 3-28 of the Santa Rosa City Code to increase the Transient Occupancy Tax (TOT), paid by guests at hotels, motels, and other lodging establishments by two percent (2%), and (2) approve a resolution ordering the submission of a ballot measure to seek voter approval of this ordinance at the November 5, 2024, General Municipal Election, directing related actions, and designating an individual to submit, on behalf of the City Council, an argument in favor of the measure and a rebuttal argument.

Attachments: [Staff Report](#)
[Resolution](#)
[Exhibit A - Ordinance \(Clean\)](#)
[Exhibit B - Ordinance \(Redline\)](#)
[Correspondence](#)
[Presentation](#)
[REVISED Resolution Redline \(Uploaded 08-06-2024\)](#)
[CLEAN FINAL Resolution \(Uploaded 08-06-2024\)](#)

15.2 REPORT - GENERAL BUSINESS TAX BALLOT MEASURE (THIS ITEM WAS CONTINUED FROM THE JULY 23, 2024, REGULAR MEETING)

BACKGROUND: Santa Rosa charges a General Business Tax under Chapter 6-04 of the City Code to any business operating within city limits, subject to narrow exceptions. This tax was enacted in 1990, and until now, has not gone through a thorough review. There are different types of business taxes adopted by cities, including taxes based on employee head count; a flat business tax; taxes based on gross receipts with a maximum tax cap; and, taxes based on gross receipts without a maximum tax cap. Santa Rosa's Business Tax is based on gross receipts, with different tax rates for different business categories. There is currently a minimum tax of \$25 for businesses with annual gross receipts of less than \$25,000. The amount of tax a business will pay is currently capped at \$3,000 annually. The current rate structure has not been changed or updated since 1990.

The City's General Business Tax is a general tax, currently generating funding in the amount of approximately \$4.7 million annually to pay for general City services. In 2018, following legalization of the cannabis industry in California, the City adopted an entirely separate business tax structure for businesses in the cannabis industry under Section 6-10 of the City Code. That cannabis industry tax does not fall into the scope of the proposed changes to the City's General Business Tax.

RECOMMENDATION: It is recommended by the Finance Department that the Council (1) introduce an ordinance to amend chapter 6-04 of the Santa Rosa City Code, entitled "General Business Tax" to increase

the maximum tax to \$10,000 annually, adjust business tax rates, and tax Short-Term Rental businesses, and (2) approve a resolution ordering the submission of a ballot measure to seek voter approval of that ordinance at the November 5, 2024, General Municipal Election, directing related actions, and designating an individual to submit, on behalf of the City Council, an argument in favor of the measure and a rebuttal argument.

Attachments: [Staff Report](#)
[Resolution](#)
[Exhibit A - Ordinance \(Clean\)](#)
[Exhibit B - Ordinance \(Redline\)](#)
[Correspondence](#)
[Presentation](#)
[Late Correspondence \(Uploaded 08-06-2024\)](#)
[Late Correspondence \(Uploaded 08-07-2024\)](#)

16. 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.

17. WRITTEN COMMUNICATIONS

- 17.1 NOTICE OF FINAL MAP - CERTIFICATE OF COMPLIANCE 22-003 -
Provided for information.

Attachments: [Notice of Submittal](#)
[Location Map](#)

18. 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 and not able to speak under Agenda Item 14. Each speaker will be allowed up to 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, ex-parte communication disclosure is required.**

The Open Government Ordinance was adopted by City Council in December 2020 (ORD-2020-018) and amended in July 2021 (ORD-2021-007). These ordinances added and amended 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 versions of the Open Government Ordinances go to <http://srcity.org/OpenGovOrdinance> and <http://srcity.org/OpenGovOrdinanceAmend>. To request paper copies of the Open Government Ordinances 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.