



**City Council
Regular Meeting Minutes - Draft**

Tuesday, July 21, 2020

12:30 PM

1. CALL TO ORDER AND ROLL CALL

Mayor Schwedhelm called the meeting to order at 12:30 p.m.

Present: 6 - Mayor Tom Schwedhelm, Vice Mayor Victoria Fleming, Council Member Ernesto Olivares, Council Member Chris Rogers, Council Member Richard Dowd, and Council Member John Sawyer

Absent: 1 - Council Member Jack Tibbetts

Council Member Tibbetts joined the meeting at 12:39 p.m.

2. ANNOUNCEMENT OF CLOSED SESSION ITEMS

Mayor Schwedhelm recessed the meeting to closed session at 12:30 p.m. to discuss Item 2.1 as listed on the agenda:

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 Argelio Giron)

This item was received and filed.

Mayor Schwedhelm adjourned closed session at 12:56 p.m. and reconvened to the study session at 1:00 p.m.

Present: 7 - Mayor Tom Schwedhelm, Vice Mayor Victoria Fleming, Council Member Ernesto Olivares, Council Member Chris Rogers, Council Member Jack Tibbetts, Council Member Richard Dowd, and Council Member John Sawyer

3. STUDY SESSION

3.1 US HIGHWAY 101 - BICYCLE AND PEDESTRIAN BRIDGE OVERCROSSING

The US Highway 101 - Bicycle and Pedestrian Overcrossing project would construct a 17-foot wide bicycle/pedestrian Americans with Disabilities Act (ADA) compliant Class I shared-use bridge over US Highway 101, south of Steele Lane and north of College Avenue. This

study session is provided for the Council's information and no action will be taken. The Council will have the opportunity to ask questions, discuss, and provide feedback to staff and the City's Environmental Consultant.

Nancy Adams, Transit Planner, and Natalina Bernardi, Consultant BFK Engineers, presented and answered questions from Council.

PUBLIC COMMENT

Steve Birdlebough, Transportation & Land Use Coalition spoke of his concern on the safe use of the bridge for pedestrians and bicyclists.

Willard Richards spoke in support of the Elliot/Edwards alignment.

Eris Weaver, Executive Director - Sonoma County Bicycle Coalition, spoke in support of the Elliot/Edwards site and her concern with the safety of the Bear Cub Way site.

David Harris spoke on the design of the project being a place maker for Santa Rosa.

Susan Shaw, Executive Director North Bay Organizing Project, submitted comment in support of the Elliot/Edwards site and her concern with safety of the Bear Cub Way site.

Jack Swearngen, Chair Friends of SMART, submitted comment in support of the Elliot/Edwards site and his concern the Bear Cub Way site would add an additional half-mile for pedestrians to walk between Santa Rosa Junior College and the SMART station.

Dani Sheehan-Meyer submitted comment in support of the Elliott/Edwards site and concern the Bear Cub Way site would add an additional half-mile for pedestrians to walk between Santa Rosa Junior College and the SMART station.

This item was received and filed.

Mayor Schwedhelm recessed the meeting at 2:10 p.m. and reconvened the meeting at 2:25 p.m.

Present: 7 - Mayor Tom Schwedhelm, Vice Mayor Victoria Fleming, Council Member Ernesto Olivares, Council Member Chris Rogers, Council Member Jack Tibbetts, Council Member Richard Dowd, and Council Member John Sawyer

3.2 WIRELESS SMALL CELL DEPLOYMENT ON CITY OWNED STREET LIGHTS AND JOINT UTILITY POLES

The purpose of this study session is to provide an update regarding the current and future deployment of wireless small cell facilities within the City limits, as well as potential future modifications to cellular facility codes and polices intended to address community concerns.

Gabe Osburn, Deputy Director Development Services, Planning and Economic Development Department presented and answered questions from the Council.

PUBLIC COMMENT

Bob Williams spoke on information provided at previous study sessions, his concern that not enough information is being provided at this study session and the need to pass a comprehensive ordinance.

Theodora Estarado, Executive Director of Environmental Health Trust, submitted comment on the research she provided to Council on information documenting the adverse environmental impact affects of 5G towers.

Kurt Cobb, Program Director for Safe G, submitted comment on wired technology that is safe for the public and directed Council to safe G options at safeg.net.

Cindy Russell submitted comment urging Council to pass a strong urgency ordinance to protect the health and safety of the public by prohibiting small cell towers.

Ruth Ruben submitted comment in support of updating the permitting and telecommunication code and asked Council to adopt a temporary urgency ordinance that protects residential and school zones.

Theresa Roche submitted comment asking for local controls for permitting small cells and urged the City to use wired, not wireless, internet connections.

Mary Dahl submitted comment in opposition of 5G small towers, asked for the removal of the tower near her home stating she did not get a public hearing before it was installed, and for Council to develop a comprehensive telecommunications ordinance that protects the public.

Pauline Goslovich submitted comment regarding updating the permitting and telecommunication code and in support of a temporary urgency ordinance to protect school and residential zones until an updated code is completed.

Ron Redman submitted comment in opposition of small cell towers being placed on the Santa Rosa Junior College campus stating the damages to immune and reproductive systems.

Alex Krohn submitted comment thanking Mr. Osburn for the presentation, noting this was the fourth study session on the topic, and urged Council to create and adopt an urgency telecommunication ordinance.

Sidnee Cox, Safe Technology for Santa Rosa, submitted comment requesting Council update the City Code to include small cell technology that retains local control over placement of the towers and protects the health and safety of the community.

Martha Glaser submitted comment requesting Council adopt an urgency telecommunications ordinance and to update the City Code to include small cell tower technology that restricts the placement of

wireless towers.

Tom LaPorta, Safe Tech for Santa Rosa, submitted comment on the slide presentation and stated he felt it was the duty of the City to notify residents of small cell technology installations.

Jennifer LaPorta, Safe Tech for Santa Rosa, submitted comment on information of tests conducted by RF engineers regarding dropped call data, gaps in wireless services, and the method used to conduct the tests.

Diana Meekay, Safe Tech for Santa Rosa, submitted comment on the slide presentation and requested the City consider fiber optic as an option for large data transfers instead of modulated radio frequency radiation.

Mary Meekay, Safe Tech for Santa Rosa, submitted comment on the slide presentation and cited a clause from the 1996 Telecommunications Act.

Monika Meekay, Safe Tech for Santa Rosa, submitted comment on the slide presentation, residents not having the right to appeal installations, and recommended Chapter 13 of the City Code be updated to include pre-notification of all potentially affected people within a radius surrounding small cell installations.

Joanna Meekay, Safe Tech for Santa Rosa, submitted comment on the slide presentation, the effects of EMF exposure, and in support of City Code amendments related to small cell installations.

Ian Light, Safe Tech for Santa Rosa, submitted comment on the slide presentation, the importance of an urgency ordinance, and urged the Council to develop an updated telecommunication and permitting ordinance that retains and restores local control as much as legally possible, includes public notification by the city for permitting and appeal processes, and includes requiring liability insurance without a pollution exemption.

Debra Krohn submitted comment stating Council may not have been made aware of the scope of the project to install cell towers in residential and school zones when presented at a February 14, 2017, Council meeting.

Katie Jahn submitted comment noting the 1996 Telecommunications Act was not intended to strip local authority on where installation of cell towers can be placed and the ability of providers to make upgrades to 5G technology with software updates without notification to residents once the equipment has been installed on polls.

Phil Krohn submitted comment that neighborhoods had joined forces to resist small cell installations in their neighborhoods and noted cities have the right to set zoning laws to determine which rights-of-way wireless companies can construct industrial equipment needed for Wireless Telecommunications Facilities.

Wendy Vorkoeper submitted comment asking Council to direct staff to update permitting and telecommunications in the City Code to retain local control as much as legally possible and in support of a temporary urgency ordinance to protect residents until the code can be updated.

Sandy Tate submitted comment asking Council to direct staff to update permitting and telecommunications in the City Code to retain local control as much as legally possible, in support of a temporary urgency ordinance to protect residents until the code can be updated, and to prioritize long term investment in wired internet access.

Victoria Sievers submitted comment asking Council to direct staff to update permitting and telecommunications in the City Code to retain local control as legally possible, in support of a temporary urgency ordinance to protect residents until the code can be updated, to prioritize long term investment in wired internet access, and that

telecommunications should be a publicly operated regulated utility that serves all residents equally.

Bianca Canales submitted comment asking Council to direct staff to update permitting and telecommunications in the City Code to retain local control as legally possible, in support of a temporary urgency ordinance to protect residents until the code can be updated, and to prioritize long term investment in wired internet access.

Beth Stansberry submitted comment asking Council to direct staff to update permitting and telecommunications in the City Code to retain local control as legally possible, in support of a temporary urgency ordinance to protect residents until the code can be updated, and to prioritize long term investment in wired internet access.

Joyce Hodgkinson submitted comment on local control of small cell technology and in support of a temporary urgency ordinance that protects schools.

Denis and Raven Fleps submitted comment asking Council to direct staff to update permitting and telecommunications in the City Code to retain local control as legally possible and in support of a temporary urgency ordinance to protect residents until the code can be updated.

Karen Schneider submitted comment asking Council to direct staff to update permitting and telecommunications in the City Code to retain local control as legally possible, in support of a temporary urgency ordinance to protect residents until the code can be updated, and to prioritize long term investment in wired internet access.

Rene Silvestre submitted comment asking Council to direct staff to update permitting and telecommunications in the City Code to retain local control as legally possible, in support of a temporary urgency ordinance to protect residents until the code can be updated, and to prioritize long term investment in wired internet access.

Jacqueline Wagnon submitted comment asking Council to direct staff to update permitting and telecommunications in the City Code to retain local control as legally possible, in support of a temporary urgency ordinance to protect residents until the code can be updated, and to prioritize long term investment in wired internet access.

Megan Jerkovic submitted comment on the intent of the 1996 Telecommunications Act.

Kim Schroeder submitted comment urging Council to hire an attorney with expertise in the telecommunications industry and experience in representing municipalities.

Catherine Dodd submitted comment on information presented and asked Council to not set master license fee agreements for more than five years due to changes in technology, and to retain local control to protect the city and children.

Margaret Skikos submitted comment asking Council to direct staff to update permitting and telecommunications in the City Code to retain local control as legally possible, in support of a temporary urgency ordinance to protect residents until the code can be updated, and to prioritize long term investment in wired internet access.

Jason Kishineff submitted comment asking Council to direct staff to update permitting and telecommunications in the City Code to retain local control as legally possible, in support of a temporary urgency ordinance to protect residents until the code can be updated, and to prioritize long term investment in wired internet access.

This item was received and filed.

Mayor Schwedhelm recessed the meeting at 4:41 p.m. and reconvened the meeting at 5:00 p.m.

4. ANNOUNCEMENT OF ROLL CALL

Present: 7 - Mayor Tom Schwedhelm, Vice Mayor Victoria Fleming, Council Member Ernesto Olivares, Council Member Chris Rogers, Council Member Jack Tibbetts, Council Member Richard Dowd, and Council Member John Sawyer

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

City Attorney Sue Gallagher reported Council met in Closed Session on Item 2.1 and gave direction to legal counsel.

6. PROCLAMATIONS/PRESENTATIONS - NONE.

7. STAFF BRIEFINGS

7.1 FIRE RECOVERY AND REBUILD UPDATE

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

No report was provided.

This item was received and filed.

7.2 COVID-19 RESPONSE UPDATE

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

Raissa De La Rosa, Deputy Director - Economic Development, provided a brief report on the work of Economic Recovery Task Force, the Open and Out Program on 4th Street, on home-based business needs, and outdoor business uses.

This item was received and filed.

7.3 COMMUNITY EMPOWERMENT PLAN UPDATE

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

Raissa De La Rosa, Deputy Director - Economic Development, provided a brief report on community engagement and the Community Empowerment Plan.

PUBLIC COMMENT

Roman Campos spoke on his appreciation for what was being done for businesses downtown and asked the Council for ideas on economic recovery, the need to outreach to people who are struggling, a coordinated evacuation plan between the different agencies, and asked for details on the listening sessions.

Samra spoke on feeling more can be done to strengthen IOLERO and the need for an independent police auditor.

This item was received and filed.

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

No reports were provided.

9. STATEMENTS OF ABSTENTION BY COUNCIL MEMBERS

Council Member Tibbetts announced he will be abstaining from Consent Item 12.13.

10. MAYOR'S/COUNCIL MEMBERS' REPORTS

Council Member Tibbetts shared information on an existing private model on low interest rate microloans and provided information on AB 310 CA Public Bank Act. Council Member Tibbetts asked Council if they were interested in exploring mask mandates, Vice Mayor Rogers seconded the request.

Mayor Schwedhelm provided a brief report on the ITFAS meeting.

PUBLIC COMMENT

Shelly Browning spoke on the AB310 Public Banking Act and asked Council to endorse.

Carla Wiking spoke in support of AB310 Public Banking Act and thanked Council Member Rogers for bringing up the human rights violations in Portland.

Jo Bell spoke on the situation that happened in Portland, ????

Charlotte spoke echoing the sentiments of other speakers, on the situation in Portland and asked the report on the City's options be made available to the public.

Sabel Regalia Nestor spoke asking the Council to endorse public banks.

Deb Hammond spoke in support for AB 310 and in support for the mask mandate resolution by Council Member Tibbetts.

Samra Tekle spoke on statements made by Vice Mayor Rogers, expressed the hope that Council is against what happened in Portland, and in opposition of federal troops entering Santa Rosa.

Emm spoke echoing previous statements, thanks Council Member Rogers for discussing the Portland incident, and implored the Council to stand against federal troops.

Tavy Tornado, Founder of Love & Light, spoke on the situation that happened in Portland and demanded a public statement from Council supporting safety for the community.

Libby spoke on the situation in Portland, asked for a public statement from Council, and for a mask wearing mandate in Sonoma County.

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)

Vice Mayor Rogers provided a brief report.

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 Home Sonoma County (HSC)

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

PUBLIC COMMENT:

Colin Metcalf spoke on in opposition to Item 12.5, thanked Vice Mayor Fleming for voting against adoption of the Police MOU at the July 7 meeting, and his concern a declaration of homeless will increase police funding.

Samra spoke in opposition to Item 12.5 and asked how the Gang Prevention Program is run.

Carla Wiking spoke in opposition to Item 12.5.

Charlotte Borg spoke in opposition to Item 12.5.

Jolie spoke in opposition to Item 12.5 and asked that Police not oversee the Gang Prevention Program.

Sabel Regalia spoke echoing the statements opposing Item 12.5, to defund the Police and asked that the Human Rights Report be

placed on an agenda.

Libby spoke echoing previous comments to defund the Police.

Emma spoke in opposition to Item 12.5.

Rochelle spoke on Item 12.1 and the need for more dumpsters and port-a-lets at Samuel Jones Hall.

Roman spoke on only being allowed 3 minutes to speak on multiple Consent items and provided his opinion for each item.

Daniel Glendenning submitted comment in opposition to Item 12.5.

JoJo Saunders submitted comment in opposition to Items 12.3, 12.5 and 12.8, and in support of Item 12.13.

Bailey Russell submitted comment in opposition of Item 12.5 and Item 12.13 and on the lack of discussion by the Council on the Human Rights report.

Lee submitted comment in opposition to Item 12.5 and Item 12.13, on defunding the police and the need for Council to address the list of human rights violations.

Cassandra Cox submitted comment in opposition to Item 12.3 and Item 12.5.

Sal Alvarez submitted comment in opposition to Item 12.5.

Ellen Alonso Street submitted comment in opposition to Item 12.5.

Koleah Bayen submitted comment in opposition to Item 12.5.

Erick Mendoza submitted comment in opposition to Item 12.5.

Ari submitted comment in opposition to Item 12.5.

Approval of the Consent Agenda

A motion was made by Vice Mayor Fleming, seconded by Council Member Rogers, to waive reading of the text and adopt Consent Items 12.1 through 12.7. The motion carried by the following vote:

Yes: 7 - Mayor Schwedhelm, Vice Mayor Fleming, Council Member Olivares, Council Member Rogers, Council Member Tibbetts, Council Member Dowd, and Council Member Sawyer

12.1 MOTION - AUTHORITY TO ISSUE DESIGN-BUILD REQUEST FOR PROPOSALS FOR SAM JONES HALL, 4020 FINLEY AVENUE

RECOMMENDATION: It is recommended by the Department of Transportation and Public Works that the Council, by motion, pursuant to Section 3-60.130 of the Santa Rosa City Code, approve use of the Design-Build procurement method for an expedited, shelter expansion at Sam Jones Hall, 4020 Finley Avenue as in the best interests of the City.

This Consent - Motion was approved.

12.2 MOTION - RECEIVE GENERAL PLAN ANNUAL REVIEW 2019 REPORT

RECOMMENDATION: It is recommended by the Planning and Economic Development Department and the Planning Commission that the Council, by motion, receive the General Plan Annual Review 2019, Growth Management Program, and Inclusionary Housing Ordinance Report.

This Consent - Motion was approved.

12.3 RESOLUTION - AUTHORIZING THE CHIEF OF POLICE, OR DESIGNEE, TO ACCEPT GRANT FUNDING FROM THE STATE OF CALIFORNIA ALCOHOLIC BEVERAGE CONTROL GRANT ASSISTANCE PROGRAM IN THE AMOUNT OF \$46,722 AND EXECUTE RELATED DOCUMENTS; AND AUTHORIZE THE CHIEF FINANCIAL OFFICER TO ESTABLISH A PROJECT KEY AND APPROPRIATE \$46,722 INTO SUCH ACCOUNT

RECOMMENDATION: It is recommended by the Police Department that the Council, by resolution, authorize the Chief of Police, or designee, to

accept the grant award from the California Department of Alcoholic Beverage Control available annually as part of the Alcohol Policing Partnership in the amount of \$46,722 and approve and execute all related award documents required for receiving such funds pursuant to the terms and conditions of the California Department of Alcoholic Beverage Control.

This Consent - Resolution was adopted.

RESOLUTION NO. RES-2020-110 ENTITLED: RESOLUTION OF THE COUNCIL OF THE CITY OF SANTA ROSA AUTHORIZING THE CHIEF OF POLICE, OR DESIGNEE, TO ACCEPT GRANT FUNDING FROM THE STATE OF CALIFORNIA ALCOHOLIC BEVERAGE CONTROL GRANT ASSISTANCE PROGRAM IN THE AMOUNT OF \$46,722 AND EXECUTE RELATED DOCUMENTS; AND AUTHORIZE THE CHIEF FINANCIAL OFFICER TO ESTABLISH A PROJECT KEY AND APPROPRIATE \$46,722 INTO SUCH ACCOUNT

12.4 RESOLUTION - APPROVAL OF TWO ANTENNA SITE LEASE AGREEMENTS WITH SBA TOWERS V, LLC AND BETHLEHEM TOWER AFFORDABLE LP

RECOMMENDATION: It is recommended by the Police Department that the Council, by two separate resolutions, approve and authorize the City Manager to execute, subject to approval as to form by the City Attorney: 1) an Antenna Site Agreement with SBA Towers V, LLC for a term of five (5) years with the option to automatically renew for four (4) additional terms of five (5) years at two thousand five hundred dollars (\$2,500.00) a month with a five percent (5%) yearly increase; and 2) an Antenna Site Lease Agreement with Bethlehem Towers Affordable LP for a term of sixty (60) calendar months with the option to automatically renew for one (60) calendar month term followed by an automatic month-to-month lease at two thousand five hundred dollars (\$2,500.00) a month with a five percent (5%) yearly increase.

These two Consent - Resolutions were adopted.

RESOLUTION NO. RES-2020-111 ENTITLED: RESOLUTION OF THE COUNCIL OF THE CITY OF SANTA ROSA APPROVING THE ANTENNA SITE AGREEMENT WITH SBA TOWERS V, LLC FOR A RADIO COMMUNICATION TOWERS TO BE LOCATED AT MT. BARHAM AT 2169 CALISTOGA ROAD SANTA ROSA FOR THE SANTA ROSA POLICE DEPARTMENT AND

**AUTHORIZING THE CITY MANAGER TO EXECUTE THE AGREEMENTS
AND THE CHIEF FINANCIAL OFFICER TO PAY ALL PROPER CLAIMS**

**RESOLUTION NO. RES-2020-112 ENTITLED: RESOLUTION OF THE
COUNCIL OF THE CITY OF SANTA ROSA APPROVING THE ANTENNA SITE
LEASE AGREEMENT WITH BETHLEHEM TOWER AFFORDABLE LP FOR A
RADIO COMMUNICATION TOWERS TO BE LOCATED AT 801 TUPPER
STREET IN SANTA ROSA FOR THE SANTA ROSA POLICE DEPARTMENT
AND AUTHORIZING THE CITY MANAGER TO EXECUTE THE
AGREEMENTS AND THE CHIEF FINANCIAL OFFICER TO PAY ALL
PROPER CLAIMS**

- 12.5** RESOLUTION - AWARD OF BLANKET PURCHASE ORDER AND
3-YEAR EQUIPMENT STANDARDIZATION FOR THE PURCHASE OF
EQUIPMENT FOR PREVIOUSLY PURCHASED 2020 FORD POLICE
INTERCEPTOR SUVS

RECOMMENDATION: It is recommended by the Transportation and
Public Works and Finance Departments that the Council, by resolution,
approve 1) an award of a Blanket Purchase Order in an amount not to
exceed \$275,000 to Strommel Inc., dba Lehr Auto Electric, Sacramento,
California to provide equipment to be used in 2020 Ford Police
Interceptor SUVs previously purchased by the City; and 2) a three-year
standardization of such equipment from manufacturers Havis, Setina,
and/or Whelen. No local bidder responded to the Invitation for Bids.

This Consent - Resolution was adopted.

**RESOLUTION NO. RES-2020-113 ENTITLED: RESOLUTION OF THE
COUNCIL OF THE CITY OF SANTA ROSA APPROVING A THREE-YEAR
EQUIPMENT STANDARDIZATION AND A BLANKET PURCHASE ORDER
WITH STROMMEL INC., DBA LEHR AUTO ELECTRIC, SACRAMENTO,
CALIFORNIA IN AN AMOUNT NOT TO EXCEED \$275,000 FOR THE
PURCHASE OF EQUIPMENT FOR PREVIOUSLY PURCHASED 2020 FORD
POLICE INTERCEPTOR SUVS**

- 12.6** RESOLUTION - APPROVING THE PROJECT LIST FOR THE FISCAL
YEAR 2020-21 STATE OF GOOD REPAIR PROGRAM

RECOMMENDATION: It is recommended by the Transportation and
Public Works Department that the Council, by resolution, approve the
SB1 State of Good Repair Project List for Fiscal Year 2020-21 for
preventative maintenance, and authorize the Director of Transportation

and Public Works or his designee to request the City's allocated Fiscal Year 2020-21 State of Good Repair funding in the amount of \$25,473 from the California Department of Transportation.

This Consent - Resolution was adopted.

RESOLUTION NO. RES-2020-114 ENTITLED: RESOLUTION OF THE COUNCIL OF THE CITY OF SANTA ROSA APPROVING THE PROJECT LIST FOR THE FISCAL YEAR 2020-21 STATE OF GOOD REPAIR PROGRAM

- 12.7 RESOLUTION - ADOPTION OF AN EXTENSION AGREEMENT EXTENDING THE MEMORANDUM OF UNDERSTANDING FOR AND ON BEHALF OF THE EMPLOYEES IN THE CITY OF SANTA ROSA'S UNIT 2 - FIREFIGHTING, REPRESENTED BY THE INTERNATIONAL ASSOCIATION OF FIRE FIGHTERS (IAFF), LOCAL 1401 EFFECTIVE JULY 1, 2020 THROUGH DECEMBER 31, 2020

RECOMMENDATION: It is recommended by the Human Resources Department and the City Manager's Office that the Council, by resolution, adopt the Extension Agreement Between the City of Santa Rosa and Santa Rosa Fire Fighters, Local 1401 for and on Behalf of the Employees in the City's Unit #2 - Fire Fighters, extending the Memorandum of Understanding by one year and effective July 1, 2020 through June 30, 2021.

This Consent - Resolution was adopted.

RESOLUTION NO. RES-2020-115 ENTITLED: RESOLUTION OF THE COUNCIL OF THE CITY OF SANTA ROSA ADOPTING AN EXTENSION AGREEMENT EXTENDING THE MEMORANDUM OF UNDERSTANDING FOR AND ON BEHALF OF THE EMPLOYEES IN THE CITY OF SANTA ROSA'S UNIT 2 - FIRE FIGHTERS, REPRESENTED BY THE SANTA ROSA FIRE FIGHTERS LOCAL 1401 EFFECTIVE JULY 1, 2020 THROUGH JUNE 30, 2021

- 12.8 RESOLUTION - ADOPTION OF AN EXTENSION AGREEMENT EXTENDING THE MEMORANDUM OF UNDERSTANDING FOR AND ON BEHALF OF THE EMPLOYEES IN THE CITY OF SANTA ROSA'S UNIT 9 - POLICE SAFETY MANAGEMENT, REPRESENTED BY THE SANTA ROSA POLICE MANAGEMENT ASSOCIATION EFFECTIVE JULY 1, 2020 THROUGH DECEMBER 31, 2020

RECOMMENDATION: It is recommended by the Human Resources

Department and the City Manager's Office that the Council, by resolution, adopt the Extension Agreement Between the City of Santa Rosa and Santa Rosa Police Management Association for and on Behalf of the Employees in the City's Unit #9 - Police Safety Management, extending the Memorandum of Understanding by six months and effective July 1, 2020 through December 31, 2020.

A motion was made by Vice Mayor Fleming, seconded by Council Member Sawyer, to waive reading of the text and adopt Consent Item 12.8:

RESOLUTION NO. RES-2020-116 ENTITLED: RESOLUTION OF THE COUNCIL OF THE CITY OF SANTA ROSA ADOPTING AN EXTENSION AGREEMENT EXTENDING THE MEMORANDUM OF UNDERSTANDING FOR AND ON BEHALF OF THE EMPLOYEES IN THE CITY OF SANTA ROSA'S UNIT 9 - POLICE SAFETY MANAGEMENT, REPRESENTED BY THE SANTA ROSA POLICE MANAGEMENT ASSOCIATION EFFECTIVE JULY 1, 2020 THROUGH DECEMBER 31, 2020

The motion carried by the following vote:

Yes: 6 - Mayor Schwedhelm, Council Member Olivares, Council Member Rogers, Council Member Tibbetts, Council Member Dowd, and Council Member Sawyer

No: 1 - Vice Mayor Fleming

A motion was made to waive reading of the text and adopt Consent Items 12.9 through 12.12. The motion carried by the following vote:

Yes: 7 - Mayor Schwedhelm, Vice Mayor Fleming, Council Member Olivares, Council Member Rogers, Council Member Tibbetts, Council Member Dowd, and Council Member Sawyer

12.9 RESOLUTION - ADOPTION OF AN EXTENSION AGREEMENT EXTENDING THE MEMORANDUM OF UNDERSTANDING FOR AND ON BEHALF OF THE EMPLOYEES IN THE CITY OF SANTA ROSA'S UNIT 9 - FIRE SAFETY MANAGEMENT, REPRESENTED BY THE SANTA ROSA POLICE MANAGEMENT ASSOCIATION EFFECTIVE JULY 1, 2020 THROUGH JUNE 30, 2021

RECOMMENDATION: It is recommended by the Human Resources Department and the City Manager's Office that the Council, by resolution, adopt the Extension Agreement Between the City of Santa

Rosa and Santa Rosa Police Management Association for and on Behalf of the Employees in the City's Unit #9 - Fire Safety Management, extending the Memorandum of Understanding by one year and effective July 1, 2020 through June 30, 2021.

This Consent - Resolution was adopted.

RESOLUTION NO. RES-2020-117 ENTITLED: RESOLUTION OF THE COUNCIL OF THE CITY OF SANTA ROSA ADOPTING AN EXTENSION AGREEMENT EXTENDING THE MEMORANDUM OF UNDERSTANDING FOR AND ON BEHALF OF THE EMPLOYEES IN THE CITY OF SANTA ROSA'S UNIT 9 - FIRE SAFETY MANAGEMENT, REPRESENTED BY THE SANTA ROSA POLICE MANAGEMENT ASSOCIATION EFFECTIVE JULY 1, 2020 THROUGH JUNE 30, 2021

12.10 RESOLUTION - TERMINATION OF PROCLAMATION OF LOCAL EMERGENCY DUE TO THE 2017 TUBBS FIRE

RECOMMENDATION: It is recommended by the City Attorney's Office that the Council, by resolution, terminate the Proclamation of Existence of a Local Emergency, first proclaimed on October 9, 2017 and extended since that time, relating to the 2017 wildfires.

This Consent - Resolution was adopted.

RESOLUTION NO. RES-2020-118 ENTITLED: RESOLUTION OF THE COUNCIL OF THE CITY OF SANTA ROSA TERMINATING THE PROCLAMATION OF EXISTENCE OF A LOCAL EMERGENCY RESULTING FROM THE 2017 WILDFIRES

12.11 RESOLUTION - TERMINATION OF PROCLAMATION OF LOCAL EMERGENCY DUE TO THE 2019 KINCADE FIRE

RECOMMENDATION: It is recommended by the City Attorney's Office that the Council, by resolution, terminate the Proclamation of Existence of a Local Emergency, first proclaimed on October 27, 2019 and extended since that time relating to the 2019 Kincade Fire.

This Consent - Resolution was adopted.

RESOLUTION NO. RES-2020-119 ENTITLED: RESOLUTION OF THE COUNCIL OF THE CITY OF SANTA ROSA TERMINATING THE PROCLAMATION OF EXISTENCE OF A LOCAL EMERGENCY RESULTING FROM THE 2019 KINCADE FIRE WHICH WAS RATIFIED BY COUNCIL ON

NOVEMBER 1, 2019

12.12 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.

This Consent - Resolution was adopted.

RESOLUTION NO. RES-2020-120 ENTITLED: RESOLUTION OF THE COUNCIL OF THE CITY OF SANTA ROSA EXTENDING THE PROCLAMATION OF EXISTENCE OF A LOCAL EMERGENCY DUE TO THE THREAT TO COMMUNITY HEALTH POSED BY COVID-19

12.13 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.

A motion was made by Vice Mayor Fleming, seconded by Council Member Sawyer, to waive reading of the text and adopt Consent Item 12.13.

RESOLUTION NO. RES-2020-121 ENTITLED: RESOLUTION OF THE COUNCIL OF THE CITY OF SANTA ROSA EXTENDING A PROCLAMATION OF LOCAL HOMELESS EMERGENCY (Government Code Sections 8630 et seq.)

The motion carried by the following vote:

Yes: 6 - Mayor Schwedhelm, Vice Mayor Fleming, Council Member Olivares, Council Member Rogers, Council Member Dowd, and Council Member Sawyer

Recused: 1 - Council Member Tibbetts

Mayor Schwedhelm recessed the meeting at 6:54 p.m. and reconvened at 7:10 p.m.

Present: 6 - Mayor Tom Schwedhelm, Vice Mayor Victoria Fleming, Council Member Ernesto Olivares, Council Member Chris Rogers, Council Member Richard Dowd, and Council Member John Sawyer

Absent: 1 - Council Member Jack Tibbetts

13. PUBLIC COMMENT ON NON-AGENDA MATTERS

Angel spoke on feeling the community is not being treated respectfully by the Council.

Kimmie Barbosa spoke on being tear gassed while participating in a protest in Santa Rosa and requested the Human Rights Commission report needing to be put on the agenda.

Emma spoke on human rights violation.

Sean spoke in support to defund the Police and his experience on being tear gassed by the Police during the protest.

Colin Metcalfe spoke on being disappointed that Item 12.5 was passed and not having enough time for speak on each Consent item.

Charlotte Borg spoke asking why Council approved giving more money to the Police Department; for Council to address the Human Rights Commission report at a City Council meeting; and echoed comments by previous speakers on public comment for Consent Items.

Emma spoke urging Council to address the Human Rights Commission report.

Carla Wiking spoke echoing the comments asking Council to read and address the Human Rights Commission report.

Miranda Rush spoke echoing the comments of others, in support to defund the police, the houseless people in Sonoma County not receiving resources they need.

Jolie spoke on being disappointed Council approved Item 12.5 and the need to address the Human Rights Commission report.

14. REPORT ITEMS

14.1 REPORT - FISCAL YEAR-END APPROPRIATION FOR COVID-19 AND PG&E PSPS RELATED EXPENDITURES

BACKGROUND: When emergencies occur, especially those requiring a declaration of local emergency, staff will open certain unique project accounts against which departments charge expenditures related to the emergency. These project accounts do not have appropriations to offset the expenditures, creating a negative balance, and negative balances must be corrected during the fiscal year-end process.

Based on the City's experiences with the Tubbs Fire, staff uses unique project accounts to pay for emergency expenditures. This practice makes it easier to isolate emergency-related expenditures for potential reimbursement documentation. However, due to the unforeseen nature of emergencies, these projects do not have budget appropriations, and the expenditures result in negative balances. These negative balances must be fixed during the year-end close process.

This item requests an appropriation of \$1.885 million from the General Fund reserves to offset unbudgeted emergency costs due to the COVID-19 pandemic and six PG&E PSPS events. The COVID-19 related expenditures, totaling approximately \$1.75 million of these expenditures, are expenditures the City will seek reimbursement for under the FEMA Public Assistance program.

RECOMMENDATION: It is recommended by the Finance Department that the City Council, by resolution, increase appropriations from the General Fund reserves to offset negative account balances related to the City's response to PG&E's Public Safety Power Shutoff (PSPS) events and the COVID-19 pandemic.

Alan Alton, Interim Chief Finance Officer, presented and answered questions from the Council.

PUBLIC COMMENT

Samra spoke urging Council to pay attention to ethnic groups being most affected by COVID and to enforce stricter guidelines for wearing masks.

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

RESOLUTION NO. RES-2020-122 ENTITLED: RESOLUTION OF THE COUNCIL OF THE CITY OF SANTA ROSA AUTHORIZING APPROPRIATIONS FROM THE GENERAL FUND RESERVES TO OFFSET UNBUDGETED PROJECT AND OPERATING BUDGETS FOR RESPONSE TO EMERGENCY EVENTS DURING FISCAL YEAR 2019-20

The motion carried by the following vote:

Yes: 7 - Mayor Schwedhelm, Vice Mayor Fleming, Council Member Olivares, Council Member Rogers, Council Member Sawyer, Council Member Tibbetts, and Council Member Dowd

14.2 REPORT - REVENUE BALLOT MEASURE

BACKGROUND: Over the years the City has asked the voters to approve additional Transaction and Use Taxes to augment City services, or to provide additional revenue in times of financial crisis. General tax measures require approval by a simple majority of voters, and may be used for any service provided by the City through its General Fund. Special taxes require a two-thirds majority approval from the voters, and may only be used for specified purposes. The revenue generated by special taxes go to Special Revenue Funds and are completely separate from the General Fund. Here are the three tax measures approved by voters that are currently in place:

- In 2004, voters approved a special public safety tax to pay for additional Police, Fire, and Violence Prevention (Gang Prevention) services. This tax is scheduled to end in 2025.
- In 2010, during the Great Recession, voters approved a general tax to maintain City services in light of extensive budget reductions. This tax was extended in 2016, and will now expire in 2027.
- After the 2017 Tubbs fire, a general tax was approved by voters in 2018 to help build back reserves and continue services as the City's structural deficit continued to grow. This measure is also set to expire in 2025.

RECOMMENDATION: It is recommended by the Finance Department that the City Council (1) introduce an ordinance to add chapter 3-30 to the Santa Rosa City Code consolidating and extending the City's two general quarter-cent Transaction and Use Taxes into one half cent Transaction and Use Tax, and (2) approve a resolution ordering the submission of a ballot measure to seek voter approval of that ordinance at the November 3, 2020, General Municipal Election and directing related actions.

Alan Alton, Interim Chief Finance Officer, presented and answered questions from the Council.

Brian Godbe, Godbe Research, presented the survey results and answered questions from Council.

Charles Heath, TBW Props and Measures Strategy Communications, presented the 2020 Measure Planning Timeline and answered questions from the council

PUBLIC COMMENT

No public comments were made.

A motion was made by Council Member Rogers, seconded by Council Member Sawyer, to waive reading of the text and adopt as amended

RESOLUTION NO. RES-2020-123 ENTITLED: RESOLUTION OF THE COUNCIL OF THE CITY OF SANTA ROSA CALLING A SPECIAL ELECTION ON NOVEMBER 3, 2020, TO SUBMIT A MEASURE TO THE REGISTERED VOTERS OF THE CITY ON THE IMPOSITION OF A GENERAL TAX AND REQUESTING A CONSOLIDATION OF SUCH ELECTION WITH OTHER ELECTIONS BEING HELD ON THE SAME DATE

The motion carried by the following vote:

Yes: 7 - Mayor Schwedhelm, Vice Mayor Fleming, Council Member Olivares, Council Member Rogers, Council Member Sawyer, Council Member Tibbetts, and Council Member Dowd

Mayor Schwedhelm recessed the meeting at 9:19 p.m. and reconvened the meeting at 9:30 p.m.

Present: 7 - Mayor Tom Schwedhelm, Vice Mayor Victoria Fleming, Council Member Ernesto Olivares, Council Member Chris Rogers, Council Member Jack Tibbetts, Council Member Richard Dowd, and Council Member John Sawyer

15. PUBLIC HEARINGS

15.1 PUBLIC HEARING - SANTA ROSA FIRE DEPARTMENT ANNUAL WEED ABATEMENT PROGRAM REPORT

BACKGROUND: Santa Rosa City Code section, Chapter 9.08 requires a public hearing to hear objections to the cost of weeds and/or rubbish abatement. The City Council grants or overrules such protests.

The City Council, by resolution, may confirm the itemized report of the costs of abatement. The City Council authorizes the Santa Rosa Fire Department, County Auditor and Tax Collector to enact a special assessment as a lien upon respective parcels subject to the Weed and Rubbish Abatement Program.

RECOMMENDATION: It is recommended by the Santa Rosa Fire Department that the Council, by resolution, confirm the itemized report of the Fire Department of the cost of weed and rubbish abatement as provided for in Sections 9-08.020, 9-08.080, and 9-08.090 of the Santa Rosa City Code.

Paul Lowenthal, Assistant Fire Marshal, presented and answered questions from the Council.

Mayor Schwedhelm opened the public hearing at 9:34 p.m.

Seeing no one wishing to speak, Mayor Schwedhelm closed the public hearing at 9:35 p.m.

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

RESOLUTION NO. RES-2020-123-A ENTITLED: RESOLUTION OF THE COUNCIL OF THE CITY OF SANTA ROSA CONFIRMING THE ITEMIZED REPORT OF THE SANTA ROSA FIRE DEPARTMENT OF THE COST OF REMOVING WEEDS AND/OR RUBBISH FROM, UPON, OR IN FRONT OF CERTAIN LOTS OR PARCELS OF LAND WITHIN THE CITY OF SANTA

ROSA

The motion carried by the following vote:

Yes: 7 - Mayor Schwedhelm, Vice Mayor Fleming, Council Member Olivares, Council Member Rogers, Council Member Sawyer, Council Member Tibbetts, and Council Member Dowd

16. WRITTEN COMMUNICATIONS - NONE.

17. PUBLIC COMMENTS ON NON-AGENDA MATTERS

PUBLIC COMMENT

Ari spoke echoing the sentiments about defunding police and the need for Council to address the Human Rights Commission report.

Tara spoke echoing the sentiments about defunding police and the need for Council to address the Human Rights Commission report.

Rex spoke to the community who were listening in to the meeting encouraging them to keep calling to appeal to the human nature of Council, and belief in the people who are calling to defund the police.

Brian Bushon spoke on the \$95 million settlement from PG&E and asked that it be earmarked for survivors and infrastructure needing to be fixed.

Jose Oseguera spoke in support to defund the police and the need for Council to look into the Human Rights violation report.

Dawn spoke on the homeless emergency, being appalled at the language being used to speak to Council members, and her business being affected daily by the homeless at Cancer Survivors Park.

Miranda Rush spoke on the difficulty of being unhoused during a pandemic and suggested various solutions.

Thea Daniels spoke on living and working in the downtown area and witnessing the homeless on the Joe Rodota Trail and Cancer Survivor's Park, the public not being able to use the areas, and her concern that services for the homeless are enabling and co-dependent.

Eris Weaver, Executive Director Sonoma County Bicycle Coalition, submitted comment asking Council to implement the program Slow Streets creating space for people to exercise while maintaining social distancing.

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

Hearing no further business, Mayor Schwedhelm adjourned the meeting at 10:02 p.m.

20. UPCOMING MEETINGS

20.1 UPCOMING MEETINGS LIST

This item was received and filed.

Approved on:

Stephanie A. Williams
City Clerk