



**City Council
Regular Meeting Minutes - Final**

Tuesday, August 31, 2021

12:00 PM

1. CALL TO ORDER AND ROLL CALL

Mayor Rogers called the meeting to order at 12:00 p.m.

Present: 5 - Mayor Chris Rogers, Vice Mayor Natalie Rogers, Council Member Eddie Alvarez, Council Member Victoria Fleming, and Council Member Tom Schwedhelm

Absent: 2 - Council Member John Sawyer, and Council Member Jack Tibbetts

2. ANNOUNCEMENT OF CLOSED SESSION ITEMS

PUBLIC COMMENT

Carl Carr spoke on Item 2.1 stating City workers are the greatest asset in the organization.

Mayor Rogers recessed the meeting to closed session at 12:02 p.m. to discuss Items 2.1 and 2.2 as listed on the agenda.

**2.1 CONFERENCE WITH LABOR NEGOTIATORS
(Government Code Section 54957.6)**

Agency Designated Representatives: Jan Mazyck, Chief Financial Officer, Amy Reeve, Human Resources Director, Jeremia Mills, Employee Relations Manager and Jeff Berk, Chief Assistant City Attorney.

Employee Organizations: Santa Rosa Firefighters Association - Local 1401 (representing City Employee Unit 2); Operating Engineers Local 3, Maintenance and Utility System Operators (Employee Units 3 and 16); Santa Rosa City Employees Association (Employee Units 4, 6, 7); Santa Rosa Police Officers Association, (Employee Unit 5); Service Employees International Union Local 1021, (Employee Units 8 and 14); Public Safety Management Association (Employee Unit 9); Executive Management (Employee Unit 10); Middle Management (Employee Unit 11); Confidential (Employee Unit 12); Mechanics (Employee Unit 13);

City Attorney (Employee Unit 15); Santa Rosa City Attorneys' Association (Employee Unit 17), Santa Rosa Management Association (Employee Unit 18).

This item was received and filed.

2.2 CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION
(Paragraph (1) of subdivision (d) of Government Code Section 54956.9)

Name of Case: In Re Matter of the Appeal of Santa Rosa Police Department
Court Case No.: Department of Industrial Relations Occupational Safety and Health Appeals Board, Inspection No. 1472724

This item was received and filed.

Mayor Rogers adjourned closed session at 1:07 p.m. and reconvened the meeting to open session at 2:00 p.m.

3. STUDY SESSION

3.1 HARASSMENT PREVENTION POLICY REVIEW (**CONTINUED FROM JULY 13, 2021 REGULAR MEETING**)

Staff will present a review of the City's Harassment, Discrimination and Retaliation Prohibition and Prevention Policy.

Attachments: [Staff Report](#)
[Attachment 1 - Policy 700-03](#)
[Attachment 2 - Code of Conduct Policy 000-51 Presentation](#)

Amy Reeve, Human Resources Director, presented the Harassment & Discrimination Prevention policy and answered questions from Council.

Jeff Berk, Assistant City Attorney, presented information regarding when allegations of misconduct are made against a Council Member, the actions Council can take, and answered questions from Council

Paul Anjeski, Interim Professional, presented information on accountability and training conducted in the organization.

No public comments were made.

This item was received and filed.

3.2 WATER SUPPLY UPDATE AND DROUGHT RESPONSE

Santa Rosa Water staff will provide an update on water supply conditions and ongoing drought response program efforts. The Council may ask questions, discuss this item and provide feedback to staff.

Attachments: [Staff Report](#)
[Presentation \(Uploaded 8-31-2021\)](#)
[Late Correspondence \(Uploaded 9-2-2021\)](#)

Jennifer Burke, Water Director, and Peter Martin, Deputy Director - Water Resources, presented and answered questions from Council.

PUBLIC COMMENT

Jen Klose, Executive Director Generation Housing, spoke on a white paper written that she submitted to Council regarding droughts.

This item was received and filed.

The time not yet being 4:00 p.m., Mayor Rogers recessed the meeting at 3:25 p.m. and reconvened at 4:00 p.m.

4. ANNOUNCEMENT OF ROLL CALL

Present: 6 - Mayor Chris Rogers, Vice Mayor Natalie Rogers, Council Member Eddie Alvarez, Council Member Victoria Fleming, Council Member Tom Schwedhelm, and Council Member Jack Tibbetts

Absent: 1 - Council Member John Sawyer

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

City Attorney Sue Gallagher reported the Council met in closed session on Item 2.1 - Conference with Labor Negotiators and provided direction to negotiators; and on Item 2.2 - Existing Litigation regarding a Cal-Osha matter and the Santa Rosa Police Department and Council provided direction to staff on that matter.

Mayor Rogers announced he will be re-ordering the agenda to take Item 10 as the last item on the agenda.

6. PROCLAMATIONS/PRESENTATIONS - NONE.

7. STAFF BRIEFINGS

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.

No report was provided.

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

Interim City Manager Jeff Kolin announced the opening of the Portland Loo for public use in downtown Santa Rosa.

City Attorney Gallagher noted Item 12.6 did not on preliminary agenda and the Council would need to make findings of good cause to add it to the agenda.

No public comments were made.

9. STATEMENTS OF ABSTENTION BY COUNCIL MEMBERS

Vice Mayor Rogers and Council Member Alvarez announced they would be abstaining from approving the November 10 and November 17, 2020, minutes due to not serving on the Council at that time.

11. APPROVAL OF MINUTES

Approved as submitted with Vice Mayor Rogers and Council Member Alvarez abstaining from Items 11.1 and 11.2.

11.1 November 10, 2020, Regular Meeting.

Attachments: [Draft Minutes](#)

This item was approved as submitted with Vice Mayor Rogers and Council Member Alvarez abstaining.

11.2 November 17, 2020, Regular Meeting.

Attachments: [Draft Minutes](#)

This item was approved as submitted with Vice Mayor Rogers and Council

Member Alvarez abstaining.

11.3 June 22, 2021, Special Meeting.

Attachments: [Draft Minutes](#)

Approved as submitted.

11.4 June 22, 2021, Regular Meeting.

Attachments: [Draft Minutes](#)

Approved as submitted.

12. CONSENT ITEMS

No public comments were made.

City Clerk Stephanie Williams informed Council that Agenda Item 12.6 did publish on the preliminary agenda and that there was no need to make findings of good cause to take action on the item.

Approval of the Consent Agenda

A motion was made by Vice Mayor Rogers, seconded by Council Member Alvarez, to waive reading of the text and adopt Consent Items 12.1 through 12.6. The motion carried by the following vote:

Yes: 6 - Mayor Rogers, Vice Mayor Rogers, Council Member Alvarez, Council Member Fleming, Council Member Schwedhelm, and Council Member Tibbetts

Absent: 1 - Council Member Sawyer

12.1 MOTION - AUTHORITY TO ISSUE DESIGN-BUILD REQUEST FOR PROPOSALS FOR FIRE STATION NO. 5

RECOMMENDATION: It is recommended by the Department of Transportation and Public Works and the Fire Department that the Council, by motion, approve the use of the Design-Build procurement method as in the best interest of the City and authorize issuance of a Request for Proposals for the Permanent Fire Station No. 5 Rebuild project.

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

This Consent - Motion was approved.

12.2 RESOLUTION - FIFTH AMENDMENT TO PROFESSIONAL SERVICES AGREEMENT NUMBER F001410 WITH FCS INTERNATIONAL, INC. DBA FIRSTCARBON SOLUTIONS

RECOMMENDATION: It is recommended by the Planning and Economic Development Department that the Council, by resolution, approve the Fifth Amendment to Professional Services Agreement Number F001410 with FCS International, Inc. dba FirstCarbon Solutions, for preparation of an Environmental Impact Report for the Elnoka Continuing Care Retirement Community, adding additional services, increasing compensation by \$93,385, for a total contracted amount not to exceed \$674,379, and extending the time of performance to June 30, 2022.

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

This Consent - Resolution was adopted.

RESOLUTION NO. RES-2021-148 ENTITLED: RESOLUTION OF THE COUNCIL OF THE CITY OF SANTA ROSA APPROVING A FIFTH AMENDMENT TO PROFESSIONAL SERVICES AGREEMENT NUMBER F001410 WITH FCS INTERNATIONAL, INC. DBA FIRSTCARBON SOLUTIONS, FOR PREPARATION OF THE ELNOKA CONTINUING CARE RETIREMENT COMMUNITY ENVIRONMENTAL IMPACT REPORT, FILE NO. ST17-003

12.3 RESOLUTION - BID AWARD - PURCHASE ORDER WITH UNIVERSAL SITE SERVICES, INC. FOR SWEEPING SERVICES

RECOMMENDATION: It is recommended by the Parking division of the Finance Department and the Transit Department that the Council, by resolution, approve the bid award of a two-year Purchase Order with three (3) one-year extension options to Universal Site Services, Inc., Milpitas, California, for sweeping services at City parking lots, garages, and transit hubs in an amount of \$130,268.64 plus a \$2,000 contingency for a total not to exceed amount of \$132,268.64.

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

This Consent - Resolution was adopted.

RESOLUTION NO. RES-2021-149 ENTITLED: RESOLUTION OF THE COUNCIL OF THE CITY OF SANTA ROSA APPROVING A TWO-YEAR PURCHASE ORDER WITH THREE (3) ONE-YEAR EXTENSION OPTIONS TO UNIVERSAL SITE SERVICES, INC., MILPITAS, CALIFORNIA, IN AN AMOUNT NOT TO EXCEED \$130,268.64 PLUS A \$2,000 CONTINGENCY FOR A TOTAL NOT TO EXCEED AMOUNT OF \$132,268.64

12.4 RESOLUTION - APPROVAL OF BATTERY LEASE AGREEMENT WITH PROTERRA INC FOR HIGH VOLTAGE BATTERIES FOR USE IN THE TRANSIT DIVISION'S BATTERY ELECTRIC BUSES

RECOMMENDATION: It is recommended by the Transportation and Public Works Department that the Council, by resolution, approve authorization for the City Manager or designee to negotiate and execute a Battery Lease Agreement between the City and Proterra Inc, subject to approval as to form by the City Attorney.

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

This Consent - Resolution was adopted.

RESOLUTION NO. RES-2021-150 ENTITLED: RESOLUTION OF THE COUNCIL OF THE CITY OF SANTA ROSA AUTHORIZING A BATTERY LEASE AGREEMENT WITH PROTERRA INC FOR THE LEASE OF HIGH VOLTAGE BATTERY PACKS FOR USE IN THE TRANSIT DIVISION'S FOUR PURCHASED PROTERRA ZX5 TRANSIT BUSES

12.5 RESOLUTION - APPROVAL OF THE ISSUANCE OF REVENUE BONDS BY CALIFORNIA STATEWIDE COMMUNITY DEVELOPMENT AUTHORITY COMMUNITY IMPROVEMENT AUTHORITY AND AUTHORIZATION TO ENTER INTO A PUBLIC BENEFIT AGREEMENT FOR THE ACQUISITION OF 220-240 BURT STREET - VINEYARD GARDEN APARTMENTS

RECOMMENDATION: It is recommended by the Housing & Community Services Department that the Council, by resolution: 1) approve the issuance of revenue bonds by California Statewide Community Development Authority (CSCDA) Community Improvement Authority for

the purpose of financing the acquisition of the Vineyard Garden Apartments located at 220-240 Burt Street, Santa Rosa; and 2) authorize the Director of Housing and Community Services to execute the Public Benefit Agreement between the City of Santa Rosa and CSCDA Community Improvement Authority.

Attachments: [Staff Report](#)
 [Resolution](#)
 [Exhibit A - CSCDA CIA 4134-7659-4982](#)
 [Presentation](#)

This Consent - Resolution was adopted.

RESOLUTION NO. RES-2021-151 ENTITLED: RESOLUTION OF THE COUNCIL OF THE CITY OF SANTA ROSA APPROVING THE ISSUANCE OF REVENUE BONDS BY THE CSCDA COMMUNITY IMPROVEMENT AUTHORITY FOR THE ACQUISITION OF 220-240 BURT STREET, SANTA ROSA, KNOWN AS VINEYARD GARDEN APARTMENTS, AND AUTHORIZING THE DIRECTOR OF HOUSING AND COMMUNITY SERVICES TO ENTER INTO A PUBLIC BENEFIT AGREEMENT WITH CSCDA COMMUNITY IMPROVEMENT AUTHORITY

12.6 RESOLUTION - WAIVER OF CERTAIN PROVISIONS OF COUNCIL POLICY NO. 000-06 (APPOINTMENTS TO BOARDS/COMMISSIONS/ COMMITTEES) FOR APPOINTMENTS TO THE 2022 CHARTER REVIEW COMMITTEE

RECOMMENDATION: It is recommended by the City Attorney's Office that the Council, by two separate resolutions: (1) amend Council Policy No. 000-06 to allow for waiver of requirements as deemed appropriate to enhance the diversity, inclusivity or expertise of a Charter Review Committee; and (2) provide for waiver of three provisions of Council Policy No. 000-06 with respect to the appointment of the 2022 Charter Review Committee.

Attachments: [Staff Report](#)
 [Attachment 1 - Council Policy 000-06 - Appointments to Boards, Commissions, Committees](#)
 [Resolution 1 - Amending Council Policy No. 000-06](#)
 [Attachment 2 - Redlined Amendments to Council Policy 000-06](#)
 [Exhibit A - Council Policy 000-06](#)
 [Resolution 2 - Waiving Certain Provisions of Council Policy No. 000-06](#)
 [Presentation \(Uploaded 8-31-2021\)](#)

These two Consent - Resolutions were adopted.

RESOLUTION NO. RES-2021-152 ENTITLED: RESOLUTION OF THE COUNCIL OF THE CITY OF SANTA ROSA AMENDING COUNCIL POLICY NO. 000-06 (APPOINTMENTS TO BOARDS/COMMISSIONS/COMMITTEES) TO ALLOW COUNCIL TO WAIVE CERTAIN PROVISIONS OF THAT POLICY FOR APPOINTMENTS TO A CHARTER REVIEW COMMITTEE

RESOLUTION NO. RES-2021-153 ENTITLED: RESOLUTION OF THE COUNCIL OF THE CITY OF SANTA ROSA WAIVING CERTAIN PROVISIONS OF COUNCIL POLICY NO. 000-06 (APPOINTMENTS TO BOARDS/COMMISSIONS/COMMITTEES) FOR APPOINTMENTS TO THE 2022 CHARTER REVIEW COMMITTEE

13. PUBLIC COMMENT ON NON-AGENDA MATTERS

14. REPORT ITEMS

14.1 REPORT - NAME CHANGE OF CREEKSIDE OPEN SPACE TO MARY TRAVERSO OPEN SPACE

BACKGROUND: Creekside Open Space is a 3.63-acre park site located on Creekside Road in Southeast Santa Rosa. The Traverso Family requests changing the name of the park site to Mary Traverso Open Space in honor of Mary Traverso's contributions to the park and the Santa Rosa community.

RECOMMENDATION: It is recommended by the Transportation & Public Works Department that Council, by resolution, change the name of an open space park, APN 049-497-005, located at 0 Creekside Road from Creekside Open Space to Mary Traverso Open Space in accordance with the provisions of Council Policy 000-25 - Park Naming Policy and Procedure.

Attachments: [Staff Report](#)
[Attachment 1- Creekside Open Space Proposed Renaming Report](#)
[Attachment 2- City Council Policy 000-25](#)
[Attachment 3 - Location Map](#)
[Resolution](#)
[Presentation](#)
[Late Correspondence \(Uploaded 8-31-2021\)](#)
[Late Correspondence \(Uploaded 9-2-2021\)](#)

Emily Ander, Park Planner Assistant, presented and answered questions from Council.

PUBLIC COMMENT

Travis Berndji spoke on renaming of the park being special to the family, the community, and noted Mary Traverso's contributions.

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

RESOLUTION NO. RES-2021-154 ENTITLED: RESOLUTION OF THE COUNCIL OF THE CITY OF SANTA ROSA CHANGING THE NAME OF AN OPEN SPACE PARK, APN 049-497-005, LOCATED AT 0 CREEKSIDE ROAD FROM CREEKSIDE OPEN SPACE TO MARY TRAVERSO OPEN SPACE IN ACCORDANCE WITH THE PROVISIONS OF COUNCIL POLICY 000-25 - PARK NAMING POLICY AND PROCEDURE

The motion carried by the following vote:

Yes: 6 - Mayor Rogers, Vice Mayor Rogers, Council Member Alvarez, Council Member Fleming, Council Member Schwedhelm, and Council Member Tibbetts

Absent: 1 - Council Member Sawyer

14.2 REPORT - COVID-19 VACCINATION VERIFICATION AND TESTING POLICY

BACKGROUND: On August 4, 2021, the Sonoma County Health Officer issued an order calling for all fire, law enforcement and emergency medical service workers and staff at disaster shelters to show proof of vaccination. If proof of vaccination is not available, those workers would be required to undergo weekly COVID-19 testing. This new mandate takes effect on September 1, 2021.

For informational purposes, the Human Resources Department is advising the Council that the City will be complying with and implementing the Health Officer's order requiring that law enforcement, emergency medical service workers and staff at disaster shelters provide proof of vaccination, or undergo weekly, COVID-19 testing effective September 1, 2021.

To protect public health and safety, the Health Officer also strongly recommended that all employers implement the same requirements for the entire workforce and all employees. Consistent with that recommendation, on August 17, 2021, the County of Sonoma adopted

policies for all its employees to show proof of vaccination or submit to weekly testing.

The Human Resources Department is bringing forward this item to ask Council to direct the City Manager to adopt a policy that would apply to all City employees, consistent with the recommendation of the Health Officer's recommendation. This policy would require proof of vaccination or weekly testing for all City employees.

RECOMMENDATION: It is recommended by the Human Resources Department and the City Manager that the Council, by motion, due to the urgent and significant impacts of the delta variant, and to follow the County Health Officer's strong recommendation to help further reduce the spread of the COVID-19 virus, direct the City Manager to adopt a policy requiring all City employees to provide proof of vaccination or submit to weekly testing by October 1, 2021.

Attachments: [Staff Report](#)
 [Attachment 1](#)
 [Presentation](#)
 [Late Correspondence \(Uploaded 8-31-2021\)](#)
 [County Presentation \(Uploaded 9-2-2021\)](#)
 [LateCorrespondence \(Uploaded 9-2-2021\)](#)

Amy Reeve, Director of Human Resources, presented and answered questions from Council.

Dr. Sundari Mase, Sonoma County Health Officer, presented overall countywide trends, vaccination status, trends she is seeing in the County and answered questions from Council.

Paul Gullixson, Sonoma County Public Information Officer, was available to answer questions from Council.

PUBLIC COMMENTS

Rigel spoke in support of this ordinance.

A motion was made by Council Member Schwedhelm, seconded by Vice Mayor Rogers, to direct the City Manager to adopt a policy requiring all City employees to provide proof of vaccination unless they have a health or religious exemption, or submit to weekly testing starting October 1, 2021,

and to provide the City Manager the flexibility to implement a mandate if the state or the County's health orders change.

The motion carried by the following vote:

Yes: 6 - Mayor Rogers, Vice Mayor Rogers, Council Member Alvarez, Council Member Fleming, Council Member Schwedhelm, and Council Member Tibbetts

Absent: 1 - Council Member Sawyer

15. PUBLIC HEARINGS - NONE.

16. WRITTEN COMMUNICATIONS - NONE.

10. MAYOR'S/COUNCIL MEMBERS' REPORTS

Council Member Fleming announced her appointments of Jen Klose, Chris Mazzia, and Jazmin Gudino to the Charter Review Committee.

Council Member Alvarez announced his appointment of Danny Martinez to the Charter Review Committee.

Council Member Tibbetts announced his appointment of Adriana Arrizon to the Charter Review Committee.

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 Home Sonoma County (HSC)

10.1.10 Renewal Enterprise District (RED)

10.1.11 Public Safety Subcommittee

10.1.12 Other

17. PUBLIC COMMENTS ON NON-AGENDA MATTERS

None.

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 Rogers adjourned the meeting at 5:57 p.m. The next regularly scheduled meeting will be held on September 14, 2021, at a time to be set by the Mayor.

20. UPCOMING MEETINGS

20.1 UPCOMING MEETINGS LIST

Attachments: [Upcoming Meetings List](#)

This item was received and filed.

Approved on: November 9, 2021

/s/ Stephanie A. Williams, City Clerk