



**City Council
Regular Meeting Minutes - Draft**

Tuesday, September 14, 2021

1:30 PM

1. CALL TO ORDER AND ROLL CALL

Mayor Rogers called the meeting to order at 1:49 p.m.

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

Absent: 2 - Council Member Eddie Alvarez, and Council Member Jack Tibbetts

2. ANNOUNCEMENT OF CLOSED SESSION ITEMS

Duane De Witt spoke asking Council to equally distribute raises across the board to all employees in the organization.

Mayor Rogers recessed the meeting to closed session at 1:51 p.m. to discuss Item 2.1 as listed on the agenda.

Council Member Alvarez joined the meeting at 2:07 p.m.

**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.

Mayor Rogers adjourned closed session at 2:55 p.m. and reconvened to study session at 3:00 p.m.

3. STUDY SESSION

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

Absent: 1 - Council Member Jack Tibbetts

3.1 CALPERS UNFUNDED PENSION LIABILITY STRATEGIES

The City Manager and Finance Department recommend that the City Council hold a Study Session to provide City Council the opportunity to receive information, ask questions, and provide direction to staff related to CalPERS Unfunded Pension Liability Strategies. No action is required.

Jan Mazcyk, Chief Financial Officer, presented and answered questions from Council.

PUBLIC COMMENTS

Duane DeWitt spoke on his concerns on the unfunded pension liability, renegotiations of projects should be undertaken, and taxpayers should not be responsible for pensions.

Council Member Alvarez left the meeting at 4:00 p.m.

This item was received and filed.

4. ANNOUNCEMENT OF ROLL CALL - NONE.

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

City Attorney Sue Gallagher reported Council met in closed session on Item 2.1 regarding labor negotiations and provided direction to the labor negotiators.

No public comments were provided.

6. PROCLAMATIONS/PRESENTATIONS

6.1 PROCLAMATION - POLLUTION PREVENTION WEEK AND CREEK WEEK

Council Member Schwedhelm read the proclamation and presented it to Katie Robinson, Research & Program Coordinator, Santa Rosa Water. Ms. Robinson thanked Council and provided information on Creek Week festivities.

PUBLIC COMMENTS

Duane De Witt spoke in support of the proclamation.

7. STAFF BRIEFINGS

No public comments were made.

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.

Assistant City Manager Jason Nutt reported on President Biden's vaccine mandates.

This item was received and filed.

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.

Magali Telles provide information on the Dia de los Muertos event and the Multi-Cultural Roots Project.

This item was received and filed.

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 August 2021 as well as provide a summary of pending litigation against the City.

City Attorney Gallagher reported the case of Stamey v. Santa Rosa has been settled in the amount of \$105,000, and a settlement with CalOSHA on four citations in the death of Detective Marylou Armer in the amount of \$9,750 in adjusted penalties. City Attorney Gallagher reported ongoing litigation with five receivership cases; thirteen general litigation matters, seven active personal injury cases, and three cases that have arisen out of police action with several trials pending, and noted the list is not comprehensive of the work by the City Attorney's Office.

No public comments were made.

9. STATEMENTS OF ABSTENTION BY COUNCIL MEMBERS

No statements of abstention were made.

10. MAYOR'S/COUNCIL MEMBERS' REPORTS

Council Member Sawyer announced his appointment of Patti Cisco, Scott Bartley, and Evette Minor to the Charter Review Committee and he asked Raissa de la Rosa, Deputy Director Economic Development, to report on the Economic Development Subcommittee Meeting.

Council Member Schwedhelm announced his appointment of Karen Weeks, Abigail Cunningham and Annie Barbour to the Charter Review Committee.

Mayor Rogers reported he attended the graduation ceremony at City Hall for graduates in the REACH Program, a ribbon cutting ceremony for the Roseland Library, and announced his appointment of Logan Pitts and Lisa Badenfort to the Charter Review Committee and his intention to recommend Patti Cisco as Chair to the Committee.

PUBLIC COMMENT

Duane De Witt spoke on his concern that the best real estate in downtown Santa Rosa is being categorized as surplus and thanked the City for the funds for the library.

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

Raissa De La Rosa, Deputy Director Economic Development, provided a brief report on the Economic Development meeting.

Council Member Schwedhelm provided a brief report on a special Waterways Advisory Committee meeting.

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

11. APPROVAL OF MINUTES

11.1 June 29, 2021, Special Meeting.
Approved as submitted.

11.2 June 29, 2021, Regular Meeting.
Approved as submitted.

12. CONSENT ITEMS

No public comments were made.

Approval of the Consent Agenda

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

Yes: 5 - Mayor Rogers, Vice Mayor Rogers, Council Member Fleming, Council Member Sawyer, and Council Member Schwedhelm

Absent: 2 - Council Member Alvarez, and Council Member Tibbetts

12.1 MOTION - AUTHORITY TO ISSUE DESIGN-BUILD REQUEST FOR PROPOSALS FOR SPRING CREEK DR AND UTAH CT ASPHALT DEPRESSION

RECOMMENDATION: It is recommended by the Department of Transportation and Public Works 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 Spring Creek Drive and Utah Court Asphalt Depressions project.

This Consent - Motion was approved.

12.2 RESOLUTION - PURCHASE ORDER 164640 AMENDMENT - INCREASE COMPENSATION FOR PURCHASE OF ADDITIONAL VEHICLES FOR THE INRESPONSE PROGRAM

RECOMMENDATION: It is recommended by the Transportation and Public Works, Police and Finance Departments, that the Council, by resolution, approve an amendment to Purchase Order 164640 to increase compensation for the purchase of two additional Ford Transit Class 3 Mid-Roof Passenger Vans to Hansel Ford, Santa Rosa, California in the amount of \$86,810.14, for a total amount not to exceed

\$173,620.28 for the inRESPONSE program.

This Consent - Resolution was adopted.

RESOLUTION NO. RES-2021-155 ENTITLED: RESOLUTION OF THE COUNCIL OF THE CITY OF SANTA ROSA APPROVING AN AMENDMENT TO PURCHASE ORDER 164640 FOR THE PURCHASE OF TWO ADDITIONAL FORD TRANSIT CLASS 3 MID-ROOF PASSENGER VANS WITH HANSEL FORD, SANTA ROSA, CA IN THE AMOUNT OF \$86,810.14, FOR A TOTAL AMOUNT NOT TO EXCEED \$173,620.28

12.3 RESOLUTION - CITY/COUNTY FUNDING AGREEMENT FOR SAMUEL L. JONES HALL HOMELESS SHELTER

RECOMMENDATION: It is recommended by the City Manager's Office that the Council, by resolution, approve an Agreement between the City of Santa Rosa and the County of Sonoma for the Funding of Operations at the Samuel L. Jones Hall Homeless Shelter for 2021/2022 in the amount of \$255,000.

This Consent - Resolution was adopted.

RESOLUTION NO. RES-2021-156 ENTITLED: RESOLUTION OF THE COUNCIL OF THE CITY OF SANTA ROSA APPROVING AN AGREEMENT BETWEEN THE CITY OF SANTA ROSA AND THE COUNTY OF SONOMA FOR THE FUNDING OF OPERATIONS AT THE SAMUEL L. JONES HALL HOMELESS SHELTER FOR 2021/2022

12.4 RESOLUTION - APPROVAL OF THE FOURTH AMENDMENT TO PROFESSIONAL SERVICES AGREEMENT NUMBER F001748 WITH HROD, INC. DBA MMO PARTNERS

RECOMMENDATION: It is recommended by the City Manager's Office that the Council, by resolution, approve the Fourth Amendment to Professional Services Agreement Number F001748 with HROD, Inc. dba MMO Partners of Washington, DC, increasing time of performance and compensation by \$108,000 for a total amount not to exceed \$468,000 for continued assistance with federal advocacy to secure federal funding for recovery.

This Consent - Resolution was adopted.

RESOLUTION NO. RES-2021-157 ENTITLED: RESOLUTION OF THE COUNCIL OF THE CITY OF SANTA ROSA APPROVING THE FOURTH

**AMENDMENT TO PROFESSIONAL SERVICES AGREEMENT NO. F001748
WITH HROD, INC. DBA MMO PARTNERS**

14. REPORT ITEMS

**14.1 REPORT - 2021 SONOMA COUNTY TRANSPORTATION
AUTHORITY (SCTA) FUNDING PROGRAM CALL FOR PROJECTS
(FY 23 THROUGH FY 27) - PROJECT PRIORITIES LISTS AND
APPLICATION AUTHORIZATION**

BACKGROUND: The SCTA intends to develop a coordinated five-year funding strategy of an estimated \$70.0 million in funding to member agencies over the course of the next year.

On August 9, 2021, the SCTA released a call for projects. Applications are due to the SCTA on September 16, 2021. On October 11, 2021, the SCTA Board will approve the STIP program of projects and receive first draft of member agency priority lists of projects.

SCTA is requesting that project sponsors submit their top five priority projects, with an eye to the STIP programming first (\$5.2 million total available), but with the understanding that priorities will also be considered for the other sources of funding. Transit operators (CityBus) may also submit up to five priorities.

The projects in the draft priority lists were all identified in the Area Specific Plans and other advanced planning documents. These projects were then ranked based on the following criteria:

- Priority Development Areas (PDAs) and Opportunity Zones (OZ)
- Diversity, Equity and Inclusivity
- Housing Strategy/Downtown
- Climate Change
- Financial Stability/Economic Development
- Recovery and Resiliency
- Catalytic

Roadway, bicycle and pedestrian projects were ranked in order based on how well they achieved the ranking criteria listed above and were grouped by the following categories reflecting City Council goals:

- Downtown/Housing
- Climate Change
- Bicycle and Pedestrians/Climate Change
- Resiliency and Economic Recovery - Regional Highway 101
- Southeast Multi Modal Resiliency Corridor

Transit and roadway, bicycle and pedestrian projects were identified based on eligibility for the funding sources included in the Call for Projects and prioritized based on the ranking criteria described above as well as considerations related to the required timing/phasing of implementation.

RECOMMENDATION: It is recommended by the Transportation and Public Works Department that the Council, by resolution, approve the list of project priorities and authorize the Assistant City Manager to submit project applications consistent with that list, including all required documents and agreements (subject to approval as to form by the City Attorney), to the Sonoma County Transportation Authority (SCTA) for consideration in the 2021 SCTA Funding Program Call for Projects (FY 23 through FY 27).

Rachel Ede, Deputy Director - Transit, and Nancy Adams, Transportation Planner, presented and answered questions from the Council.

PUBLIC COMMENTS

Eris Weaver, Executive Director Sonoma County Bicycle Coalition, spoke in support of the Hwy. 101 over-crossing and the Hearn Avenue project.

Duane De Witt spoke on Roseland needing improvements and the need for a Roseland Creek Bikeway Greenway.

Resident spoke on the project prioritization and referenced an article in the Government Finance Officers Association magazine on prioritizing community values, capital budgeting, and on City Charter Section 10 establishing a district commission for public improvements to provide input.

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

RESOLUTION NO. RES-2021-158 ENTITLED: RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SANTA ROSA APPROVING THE LISTS OF PROJECT PRIORITIES AND AUTHORIZING THE ASSISTANT CITY MANAGER TO SUBMIT PROJECT APPLICATIONS AND RELATED DOCUMENTS TO THE SONOMA COUNTY TRANSPORTATION AUTHORITY (SCTA) FOR CONSIDERATION IN THE 2021 SCTA FUNDING PROGRAM CALL FOR PROJECTS (FY 23 THROUGH FY 27)

The motion carried by the following vote:

Yes: 5 - Mayor Rogers, Vice Mayor Rogers, Council Member Fleming, Council Member Sawyer, and Council Member Schwedhelm

Absent: 2 - Council Member Alvarez, and Council Member Tibbetts

Mayor Rogers took Item 13 - Public Comment on Non-Agenda Matters at this time.

13. PUBLIC COMMENT ON NON-AGENDA MATTERS

Duane De Witt spoke on the Colgan Creek Park and Preserve Project, and the need for a nature preserve and nature parks in the Roseland area.

15. PUBLIC HEARINGS

15.1 PUBLIC HEARING - 1225 FULTON ROAD REZONING

BACKGROUND: The project proposes to reclassify a parcel, located at 1225 Fulton Road from PD (Planned Development) Zoning District to the RR (Rural Residential) Zoning District to allow for a permanent child day care facility. On July 22, 2021, the Planning Commission reviewed the project and supported staff's recommendation.

RECOMMENDATION: It is recommended by the Planning and Economic Development Department, the Water Department, and the Planning Commission that Council introduce an ordinance to rezone a property located at 1225 Fulton Rd (Assessor's Parcel No. 034-460-032) from the PD - Planned Development Zoning District to the RR Rural Residential Zoning District.

Kristinae Toomians, Project Planner, presented and answered

questions from Council.

Mayor Rogers opened the public hearing at 5:31 p.m.

Renee spoke in support of rezoning the property.

Duane De Witt spoke on the length of the agreement and the amount of rent that will be paid, how the sewage lift station will be built.

Council Member Alvarez joined the meeting at 5:35 p.m.

A motion was made by Council Member Fleming, seconded by Vice Mayor Rogers, to waive reading of the text and introduce

ORDINANCE OF THE COUNCIL OF THE CITY OF SANTA ROSA AMENDING TITLE 20 OF THE SANTA ROSA CITY CODE BY RECLASSIFYING THE PROPERTY LOCATED AT 1225 FULTON ROAD FROM THE PD (PLANNED DEVELOPMENT) TO THE RR (RURAL RESIDENTIAL) ZONING DISTRICT, FILE NO. REZ20-004

The motion carried by the following vote:

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

Absent: 1 - Council Member Tibbetts

15.2 PUBLIC HEARING - EGGERT REZONING

BACKGROUND: The project proposes to reclassify a parcel. Located at 1434 Peterson Lane from R-1-9 (Single-Family Residential) Zoning District to the R-1-6 (Single-Family Residential) Zoning District to allow for a future subdivision of the 12,858-square-foot lot into two parcels. On July 22, 2021, the Planning Commission reviewed the project and supported staff's recommendation.

RECOMMENDATION: It is recommended by the Planning and Economic Development Department and the Planning Commission that the Council introduce an ordinance to rezone a property located at 1434 Peterson Lane (Assessor's Parcel No. 036-730-023) from the R-1-9 - Single-Family Zoning District to the R-1-6 Single-Family Residential

Zoning District.

Kristinae Toomians, Project Planner, presented and answered questions from Council.

Mayor Rogers opened the public hearing at 5:43 p.m.

No public comments were made.

Mayor Rogers closed the public hearing 5:43 p.m.

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

ORDINANCE OF THE COUNCIL OF THE CITY OF SANTA ROSA AMENDING TITLE 20 OF THE SANTA ROSA CITY CODE BY RECLASSIFYING THE PROPERTY LOCATED AT 1434 PETERSON LANE TO THE R-1-6 (SINGLE-FAMILY RESIDENTIAL) ZONING DISTRICT, FILE NO. REZ21-001

The motion carried by the following vote:

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

Absent: 1 - Council Member Tibbetts

Mayor Rogers recessed the meeting at 5:45 p.m. and reconvened at 6:15 p.m.

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

Absent: 1 - Council Member Jack Tibbetts

14.2 REPORT - COUNCIL DIRECTION TO VOTING DELEGATE FOR LEAGUE OF CALIFORNIA CITIES 2021 ANNUAL CONFERENCE REGARDING COUNCIL POSITION ON THE TWO RESOLUTIONS COMING BEFORE THE LEAGUE GENERAL ASSEMBLY

BACKGROUND: Policy development is a vital and ongoing process within the League of California Cities for determining legislative and program strategies for important issues facing cities throughout California. Policies are submitted for consideration by the General Assembly at the Annual Conference to be voted on by delegates from

the cities. Each member city has one Voting Delegate at the General Assembly, which will be held on September 22-24, 2021. There are two issues that have been submitted by resolution to the General Resolutions Committee for recommendation and voting at the General Assembly. At that meeting, the General Assembly will consider those two resolutions: 1) a resolution calling for a fair and equitable distribution of the Bradley Burns 1% local sales tax from in-state online purchases, and 2) a resolution calling upon the governor and the legislature to provide necessary funding for CPUC to fulfill its obligation to inspect railroad lines.

RECOMMENDATION: It is recommended by the Communications and Intergovernmental Relations Office that the Council, by motion, (a) consider taking a position on the two proposed League of California Cities resolutions - first, a resolution calling for a fair and equitable distribution of the Bradley Burns 1% local sales tax from in-state online purchases; and second, a resolution calling upon the governor and the legislature to provide necessary funding for CUPC to fulfill its obligation to inspect railroad lines; and (b) provide associated direction to its Voting Delegate for the upcoming meeting of the League General Assembly.

Adriane Mertens, Chief Communications & Intergovernmental Relations Officer, presented and answered questions from Council

No public comments were provided.

A motion was made by Council Member Sawyer, seconded by Council Member Schwedhelm, to support

a resolution requesting a yes vote calling for a fair and equitable distribution of the Bradley Burns 1% local sales tax from in-state online purchases, and calling for a yes vote on a resolution calling upon the governor and the legislature to provide necessary funding for CPUC to fulfill its obligation to inspect railroad lines.

The motion carried by the following vote:

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

Absent: 1 - Council Member Tibbetts

14.3 REPORT - RESPONSE TO 2020-2021 GRAND JURY REPORT - EMERGENCY PREPAREDNESS

BACKGROUND: Each year the Grand Jury investigates local government institutions and issues reports containing the results of these investigations. Each of the reports includes formal Findings as well as Recommendations for improvement. Governing bodies and department officials are required to respond to the Findings and Recommendations.

On June 21, 2021, the City received a copy of the 2020-2021 Final Report Sonoma County Civil Grand Jury covering a number of issues outlined within the report. Included is a report on the Grand Jury's investigation into the role and effectiveness of emergency alerts and communications systems throughout the County. The Grand Jury has requested that the City of Santa Rosa prepare a response to certain of the Findings and Recommendations of that report, entitled "Emergency Alerts and Communication - *Toward a Culture of Preparedness*". The City's response is due on September 18, 2021.

The City's Emergency Preparedness Manager prepared a response to the report for Council's approval and to be signed by the Mayor and forwarded to the Presiding Judge of the Superior Court by September 18, 2021.

RECOMMENDATION: It is recommended by the City Manager and the Fire Department that the Council, by motion, authorize the Mayor to execute response to 2020-2021 Grand Jury Report "Emergency Alerts and Communication Toward a Culture of Preparedness."

City Attorney Gallagher made opening comments stating in June 2021 the Grand Jury issued its final report for the year and the report included the Grand Jury's investigation into the role and effectiveness of emergency alert and communications throughout the county. The Grand Jury requested the City respond to that report.

Neil Bregman, Emergency Preparedness Manager, presented and answered questions from Council.

No public comments were made.

A motion was made by Council Member Schwedhelm, seconded by Council Member Sawyer, authorizing the Mayor to provide formal response to Sonoma County 2020-2021 Grand Jury Report “Emergency Alerts and Communication Toward a Culture of Preparedness.”

The motion was approved by the following vote:

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

Absent: 1 - Council Member Tibbetts

16. WRITTEN COMMUNICATIONS - NONE.

17. PUBLIC COMMENTS ON NON-AGENDA MATTERS

No public comments were made.

18. ANNOUNCEMENT OF CONTINUED CLOSED SESSION ITEMS, RECESS TO CLOSED SESSION IN THE MAYOR’S CONFERENCE ROOM, RECONVENE TO OPEN SESSION, AND ANNOUNCEMENTS [IF NEEDED]

19. ADJOURNMENT OF MEETING

Hearing no further business, Mayor Rogers adjourned the meeting at 6:45 p.m. The next regularly scheduled meeting will be held on September 28, 2021, at a time to be set by the Mayor.

20. UPCOMING MEETINGS

20.1 UPCOMING MEETINGS LIST

This item was received and filed.

Approved on:

Stephanie A. Williams
City Clerk