



**City Council  
Regular Meeting Minutes - Final**

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Tuesday, December 6, 2022

2:00 PM

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**1. CALL TO ORDER AND ROLL CALL**

Mayor C. Rogers called the meeting to order at 2:00 p.m.

**Present:** 7 - Mayor Chris Rogers, Vice Mayor Eddie Alvarez, Council Member Victoria Fleming, Council Member Dianna MacDonald, Council Member Natalie Rogers, Council Member John Sawyer, and Council Member Tom Schwedhelm

**2. ANNOUNCEMENT OF CLOSED SESSION ITEMS**

No public comments were made.

Mayor C. Rogers recessed the meeting to closed session at 2:02 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: Mayor Chris Rogers  
Unrepresented Employee: City Manager

**This item was received and filed.**

**2.2 PUBLIC EMPLOYEE - EVALUATION OF PERFORMANCE  
(Government Code Section 54957(b))**

Title: City Manager

**This item was received and filed.**

**Mayor C. Rogers adjourned closed session at 4:06 p.m. and reconvened to study session at 4:07 p.m.**

**Present:** 6 - Mayor Chris Rogers, Council Member Victoria Fleming, Council Member Dianna MacDonald, Council Member Natalie Rogers, Council Member John Sawyer, and Council Member Tom Schwedhelm

**Absent:** 1 - Vice Mayor Eddie Alvarez

**3. STUDY SESSION**

### 3.1 BENNETT VALLEY GOLF COURSE ENTERPRISE UPDATE

It is recommended by the Transportation and Public Works Department that the Council hold a Study Session to receive information, ask questions, discuss, provide feedback, and give direction to staff regarding the Bennett Valley Golf Course Enterprise.

**Attachments:**    [Staff Report](#)  
[Attachment 1](#)  
[Attachment 2](#)  
[Attachment 3](#)  
[Attachment 4](#)  
[Presentation](#)  
[Late Correspondence \(Uploaded 12-6-22\)](#)

Jen Santos, Deputy Director - Parks, presented and answered questions from Council.

Mark Luthman, President; Steve Harker CEO; and Ashley Van Dissel, Vice President Sales & Marketing, from Touchstone Golf also presented and answered questions from Council.

#### PUBLIC COMMENT

Duane De Witt spoke on visiting the golf course and expressed concern on how the golf course helps the greater community, asked for a market rate analysis to be done, and for Council to keep the public informed.

Gregory Fearon, Bennett Valley Golf Club Board Member, spoke expressing concern on the mistakes that were made when the golf course was built and the debt service it carries.

James, Member of Bennett Valley Advisory Committee, spoke on being impressed with the improvements made at the golf course and grill, and supports the recommended changes in fees.

Mayor C. Rogers reordered the agenda to take the Consent Calendar next, to be followed by Item 15.1.

## 12. CONSENT ITEMS

## PUBLIC COMMENT

Duane De Witt spoke on Item 12.3 and asked that all public meetings be held in person.

Roger McConnell spoke on Item 12.5 and the negative impact of the ordinance language referencing the 10% increase on the sale of a home, and he thanked the Council for their time.

Dean Moser, Executive Director of HCA Family Fund, spoke on HCA providing funds for rents, mortgage payments, and deposits to help families stay in their homes, contested several items in the ordinance language, and requested Item 12.5 be pulled from the agenda.

Trey Pinner spoke on Item 12.5 expressing concern two factors in the ordinance that would have unintended consequences.

Ken Kravenas spoke asking Item 12.5 be postponed until further adjustments can be made to the ordinance.

Doug Hood, CEO of HCA Property Management, spoke expressing concern with the mobilehome rent control ordinance and the unintended consequences of what was adopted, and asked the item be pulled from the agenda until adjustments can be made.

## Approval of the Consent Agenda

**A motion was made by Council Member Fleming, seconded by Council Member N. Rogers, to waive reading of the text and adopt Consent Items 12.1 through 12.5. The motion carried by the following vote:**

**Yes:** 6 - Mayor Rogers, Council Member Fleming, Council Member MacDonald, Council Member Rogers, Council Member Sawyer, and Council Member Schwedhelm

**Absent:** 1 - Vice Mayor Alvarez

**12.1 RESOLUTION - APPROVING FORGIVENESS OF DEFERRED RENT AMOUNTS FOR CITY TENANTS IMPACTED BY COVID-19 ORDERS**

RECOMMENDATION: It is recommended by the Water and Finance Departments and Real Estate Services that the Council, by resolution: 1) approve the forgiveness of the various outstanding back rent amounts previously deferred during the COVID-19 Pandemic; and 2) authorize the City Manager or the City Manager's designee to execute any amendments, as necessary, to implement the back rent forgiveness in an amount not to exceed \$22,324 for the Water Enterprise Fund and \$29,916.48 for the Parking Enterprise Fund.

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

**This Consent - Resolution was adopted.**

**RESOLUTION NO. RES-2022-229 ENTITLED: RESOLUTION OF THE COUNCIL OF THE CITY OF SANTA ROSA APPROVING FORGIVENESS OF DEFERRED RENT AMOUNTS FOR CITY TENANTS IMPACTED BY COVID-19 ORDERS**

**12.2**        RESOLUTION - SOLE MANUFACTURER BID AWARD AND PURCHASE ORDER OF FOUR (4) NEW CUMMINS ISB6.7 DIESEL ENGINES TO CUMMINS INC. DBA CUMMINS SALES AND SERVICE

RECOMMENDATION: It is recommended by the Transportation and Public Works and Finance Departments that the Council, by resolution, approve a sole manufacturer bid award under Invitation for Bid (IFB) 22-42, and issuance of purchase order for four (4) Cummins ISB6.7 Diesel Engines to Cummins Inc. dba Cummins Sales and Service, San Leandro, California in an amount not to exceed \$149,748.36.

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

**This Consent - Resolution was adopted.**

**RESOLUTION NO. RES-2022-230 ENTITLED: RESOLUTION OF THE COUNCIL OF THE CITY OF SANTA ROSA APPROVING A SOLE MANUFACTURER BID AWARD AND PURCHASE ORDER FOR FOUR (4) CUMMINS ISB6.7 DIESEL ENGINES TO CUMMINS INC. DBA CUMMINS SALES AND SERVICE, SAN LEANDRO, CALIFORNIA**

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

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

**Attachments:** [Resolution](#)

**This Consent - Resolution was adopted.**

**RESOLUTION NO. RES-2022-231 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**

**12.4 RESOLUTION - EXTENSION OF PROCLAMATION OF LOCAL HOMELESS EMERGENCY**

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

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

**This Consent - Resolution was adopted.**

**RESOLUTION NO. RES-2022-232 ENTITLED: RESOLUTION OF THE COUNCIL OF THE CITY OF SANTA ROSA EXTENDING A PROCLAMATION OF LOCAL HOMELESS EMERGENCY (Government Code Sections 8630 et seq.)**

**12.5 ORDINANCE ADOPTION - SECOND READING - ORDINANCE OF THE COUNCIL OF THE CITY OF SANTA ROSA AMENDING TITLE 6 OF THE SANTA ROSA CITY CODE CHAPTER 6-66 - RENT CONTROL - MOBILEHOMES**

**RECOMMENDATION:** This ordinance, introduced at the November 29, 2022, Regular Meeting by a 5-2 vote (Sawyer, Schwedhelm no), amends Chapter 6-66 of the Santa Rosa City Code to: (1) reduce the allowable annual rent increases from 100% of CPI with a 6% cap to 70% of CPI with a 4% cap; (2) allow for a 10% increase in space rent following in-place transfers; and (3) make other minor amendments to conform to changes in State law.

**Attachments:** [Ordinance](#)  
[Ordinance Redlined \(Revised 11.29.2022\)](#)  
[Ordinance Final \(Revised 11.29.2022\)](#)  
[Late Correspondence \(Uploaded 12-12-2022\)](#)  
[Late Correspondence \(Uploaded 12-14-2022\)](#)

**This Consent - Ordinance was adopted.**

**ORDINANCE NO. RES-2022-017 ENTITLED: ORDINANCE OF THE COUNCIL OF THE CITY OF SANTA ROSA AMENDING TITLE 6 OF THE SANTA ROSA CITY CODE CHAPTER 6-66 - RENT CONTROL - MOBILEHOMES**

## **15. PUBLIC HEARINGS**

### **15.1 PUBLIC HEARING - JANE DISPENSARY APPEAL**

**BACKGROUND:** On September 22, 2022, the Planning Commission unanimously approved a Conditional Use Permit for Jane Dispensary, a 1,997-sqaure-foot space within an existing 4,776-square-foot multi-tenant commercial building located at 4040 Highway 12, Assessor's Parcel No. 032-500-040. On October 3, 2022, the City Clerk's Office received an Appeal application, prepared by Peter Spoerl, appealing the Commission's decision.

**RECOMMENDATION:** It is recommended by the Planning Commission and the Planning and Economic Development Department that the Council, by resolution, deny the appeal and uphold the Planning Commission decision to approve a Conditional Use Permit for Jane Dispensary, a Cannabis Retail Facility (Dispensary) with Delivery, at 4040 Highway 12.

**Attachments:** [Staff Report](#)  
[Attachment 1 - Disclosure Form](#)  
[Attachment 2 - Location Map](#)  
[Attachment 3 - Project Description](#)  
[Attachment 4 - Focused Transportation Study](#)  
[Attachment 5 - Project Plans](#)  
[Attachment 6 - Security Plan](#)  
[Attachment 7 - Odor Mitigation Plan](#)  
[Attachment 8 - Appeal Application](#)  
[Attachment 9 - Planning Commission Resolution No. PC-2022-029  
Resolution](#)  
[Exhibit A](#)  
[Exhibit B](#)  
[Presentation](#)  
[Public Hearing Notice](#)

Suzanne Hartman, City Planner, presented and answered questions from Council.

Jessica Jones, Deputy Director Planning & Economic Development, answered questions from Council.

The following ex parte communications were disclosed:

Council Member Sawyer disclosed he communicated with Planning Commission Chair Weeks.

Council Member Schwedhelm disclosed he communicated with Planning Commission Chair Weeks and the information obtained was in the public documents.

Council Member Fleming disclosed she received the emails directed to all Council Members and the information was contained in the Council packet.

Council Member MacDonald had nothing to disclose.

Council Member N. Rogers disclosed she communicated with her appointee to the Planning Commission.

Mayor C. Rogers had nothing to disclose.

Planning Commission Chair Weeks provided an overview of the Planning Commission's actions when reviewing the application during their meeting.

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

**RESOLUTION NO. RES-2022-233 ENTITLED: A RESOLUTION OF THE COUNCIL OF THE CITY OF SANTA ROSA DENYING AN APPEAL AND UPHOLDING THE DECISION OF THE PLANNING COMMISSION APPROVING A CONDITIONAL USE PERMIT FOR JANE DISPENSARY TO ALLOW 1,997-SQUARE-FEET OF CANNABIS RETAIL FACILITY (DISPENSARY) WITH DELIVERY - LOCATED AT 4040 HIGHWAY 12 (SONOMA HIGHWAY) - FILE NO. CUP21-071**

**The motion carried by the following vote:**

**Yes:** 4 - Council Member Fleming, Council Member Rogers, Council Member Sawyer, and Council Member Schwedhelm

**No:** 2 - Mayor Rogers, and Council Member MacDonald

**Absent:** 1 - Vice Mayor Alvarez

Mayor C. Rogers recessed the meeting at 6:10 p.m. and reconvened Public Hearing Item 15.1 at 6:24 p.m.

**Present:** 6 - Mayor Chris Rogers, Council Member Victoria Fleming, Council Member Dianna MacDonald, Council Member Natalie Rogers, Council Member John Sawyer, and Council Member Tom Schwedhelm

**Absent:** 1 - Vice Mayor Eddie Alvarez

Applicant Mario Tamo disputed the Appellants claims of onsite consumption and answered questions from Council.

Peter M. Spoerl, attorney with Ragghianti Freitas, spoke on behalf of an interested member of the city's retail cannabis industry, presented information for the grounds of the appeal and asked Council to grant the appeal and deny the issuance of a conditional use permit.



Applicant Mario Tamo and Leigh Anne Baker addressed the concerns of Mr. Spoerl and rebutted his statements.

Mayor C. Rogers opened the public hearing at 6:41 p.m.

Duane De Witt spoke on comments made by Planning Commission Chair Weeks on the number of applications reviewed by the Planning Commission and asked how many dispensaries are in the city.

Jonna spoke inviting the Council to her neighborhood, the need for more discernment before approving the use permit due to a playground and elderly care facility being near the proposed site.

Paul spoke suggesting the use permit be delayed until more clarification can be provided.

Bill spoke echoing the concerns made by previous speakers.

Parker Stagnoli spoke expressing his opinion that the business does not benefit the community, asked Council to follow-up with the dispensary in six months to see if they are complying with the conditions of their permit.

Mayor C. Rogers closed the public hearing at 6:53 p.m.

**Mayor C. Rogers recessed the meeting at 6:58 p.m. and reconvened at 7:30 p.m.**

#### **4. ANNOUNCEMENT OF ROLL CALL (IF NEEDED)**

**Present:** 6 - Mayor Chris Rogers, Council Member Victoria Fleming, Council Member Dianna MacDonald, Council Member Natalie Rogers, Council Member John Sawyer, and Council Member Tom Schwedhelm

**Absent:** 1 - Vice Mayor Eddie Alvarez

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

Mayor C. Rogers reported the Council met in closed session conducting a performance review discussion for the City Manager

position and no action was taken.

## 6. PROCLAMATIONS/PRESENTATIONS - NONE.

## 7. STAFF BRIEFINGS

### PUBLIC COMMENT

Duane De Witt spoke on Item 7.1 expressing his concern that engagement is not empowering members of the community, on Item 7.2 expressed concern the Hearn Community Hub project is a Bellevue build-out, and that Southwest Community Park is dangerous with problems that are not being overseen by police.

#### 7.1 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, Deputy Director Community Engagement, invited the community to attend an event on January 19 at Elsie Allen High School to learn more about the inReponse Team.

#### 7.2 HEARN COMMUNITY HUB UPDATE

The Office of Community Engagement and RCD Architecture, Inc. will provide a brief presentation on the outcomes of the Hearn Community Hub Needs Assessment and Collaboration Project.

Attachments: [Presentation](#)

Magali Telles, Deputy Director Community Engagement, provided an update on the Hearn Community Hub Needs Assessment and Collaboration Project.

#### 7.3 SHARED SCOOTER SYSTEM PILOT PROGRAM

Staff will provide a six-month update on the Council approved Shared Scooter System Pilot Program. No action will be taken except for possible direction to staff.

Attachments: [Presentation](#)

Nancy Adams, Transportation Planner, presented an update on the pilot scooter program.

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

No reports were given.

## **9. STATEMENTS OF ABSTENTION BY COUNCIL MEMBERS**

Council Member Schwedhelm announced he would be abstaining from Item 11.1 due to not being in attendance at the meeting.

## **10. MAYOR'S/COUNCIL MEMBERS' REPORTS**

Council Member Fleming attended a State Route 37 planning meeting as a member on the Metropolitan Transportation Commission (MTC), and attended a storm drain tour of her neighborhood.

Council Member N. Rogers attended a tree planting in Southwest Community Park, met with students from Roseland University Prep, Piner Key Club, and Sonoma State University to discuss what they would like to see in the community, and gave a special thank you to Parks staff Ellio Torrano, Dylan Lester, Patrick Schiller, James Castro, and Moses Ramirez who helped with the event.

Mayor C. Rogers thanked Senator Alex Padilla and his Northern California District Representative who met with the team and toured the projects the City is working on and for the progression of the Fire Act. Mayor C. Rogers attended the swearing of the new Legislature in Sacramento and welcomed new representative Damon Connelly.

No public comments were made.

### **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)**

Mayor C. Rogers provided a brief report.

**10.1.7 Zero Waste Sonoma (formerly known as Sonoma County Waste Management Agency (SCWMA))**

**10.1.8 Groundwater Sustainability Agency (GSA)**

**10.1.9 Sonoma County Continuum of Care (CoC)**

Council Member Schwedhelm provided a brief report.

**10.1.10 Renewal Enterprise District (RED)**

**10.1.11 Public Safety Subcommittee**

**10.1.12 Other**

**11. APPROVAL OF MINUTES**

Approved as submitted with Council Member Schwedhelm abstaining due to not being in attendance at the meeting.

11.1 October 11, 2022, Regular Meeting.

Attachments: [Draft Minutes](#)

**13. PUBLIC COMMENT ON NON-AGENDA MATTERS**

Duane De Witt spoke on December 7 being the Day of Infamy, the veterans in Roseland and getting recognition from City staff, thanked Council Member N. Rogers for her help with the Veteran's Day and the tree planting in Southwest Community Park, the White House site being considered for building, and on Council compensation.

**14. REPORT ITEMS**

14.1 REPORT - FY 2021-22 MEASURE O ANNUAL REPORT

BACKGROUND: Ordinance 3680 added Chapter 3-26 to the Santa

Rosa City Code establishing a special transaction and use tax. The special tax measure, known as Measure O, increased sales tax by a quarter percent to fund specific Police, Fire, and Gang Prevention and Youth Programs, as set forth in the Ordinance.

The Ordinance also established a seven-member Citizen Oversight Committee, with members appointed by the City Council, to annually review expenditures and appropriations of the tax revenues to ensure that all such revenues are spent or appropriated for the purposes and uses set forth in the Ordinance. Each year, an Annual Report is prepared by City staff, reviewed by the Citizen Oversight Committee, and presented to the City Council reporting on expenditures and activities during the past fiscal year.

The tax revenues generated by Measure O are split between Fire (40%), Police (40%), and Gang Prevention and Youth Programs (20%), with these revenues, spent in accordance with an Implementation Plan which was adopted by the City Council.

RECOMMENDATION: It is recommended by the Finance, Fire, and Police departments, the Violence Prevention Partnership Program, and the Measure O Citizens' Oversight Committee that the Council, by motion accept the Measure O Annual Report for Fiscal Year 2021-22.

Attachments:    [Staff Report](#)  
                          [Attachment 1 - Measure O Annual Report](#)  
                          [Presentation](#)

Jason Parrish, Administrative Services Officer, presented information on Violence Prevention.

Jeff Tibbetts, Deputy Director Recreation, presented information on Neighborhood Services.

Magali Telles, Deputy Director Community Engagement, presented information on Violence Prevention Partnership.

Scott Westrope, Fire Chief, presented information on the Fire Department's Measure O funds.

John Cregan, Police Chief, Pam Lorence, Administrative Services

Officer, presented information on the Police Department's Measure O funds.

No public comments were made.

**A motion was made by Council Member Schwedhelm, seconded by Council Member N. Rogers, accept the Measure O Annual Report for Fiscal Year 2021-22.**

**The motion carried by the following vote:**

**Yes:** 6 - Mayor Rogers, Council Member Fleming, Council Member MacDonald, Council Member Rogers, Council Member Sawyer, and Council Member Schwedhelm

**Absent:** 1 - Vice Mayor Alvarez

#### **14.2 REPORT - DECLARATION OF CITY OWNED PARCELS IN THE DOWNTOWN AS NON-EXEMPT SURPLUS LAND**

**BACKGROUND:** Staff recently completed a three-part Council study session series and received feedback and direction from Council on a surplus strategy for its Downtown City assets. As a result of Council direction to Staff, the following City owned parcels: (a) the two parcels comprising Garage 5; (b) Lot 11; and (c) the Whitehouse Site are being brought forward for Council to declare "non-exempt surplus land". Additionally, Staff is requesting Council approval to prepare and submit a Notice of Availability for each parcel and to authorize the City Manager to take all necessary actions to comply with the Surplus Lands Act (SLA) and carry out Council's direction in the disposition of the Surplus Lands.

**RECOMMENDATION:** It is recommended by the Finance, Planning and Economic Development and Transportation and Public Works Departments that the Council, by three separate resolutions, pursuant to Government Code Section 54221: 1) declare that each of the following City owned properties located at (a) 625 and 637 3rd Street, APNs 009-013-011 and 009-013-012 ("Garage 5"), (b) 500 5th Street, APN 010-053-028 ("Lot 11"), and (c) 730 3rd Street, APN 009-072-044 ("Lot 7", aka "Whitehouse Site", together with Garage 5 and Lot 11, collectively "Surplus Lands") are "non-exempt surplus land"; 2) direct Staff to prepare and submit Notices of Availability for the Surplus Lands;

and 3) authorize the City Manager to take all necessary actions to comply with the Surplus Lands Act and carry out Council's direction in the disposition of the Surplus Lands.

**Attachments:**    [Staff Report](#)  
[Attachment 1 - Downtown Map](#)  
[Attachment 2 - Walker Consultants Memo](#)  
[Resolution 1 - Garage 5](#)  
[Resolution 2 - Lot 7 / White House](#)  
[Resolution 3 - Lot 11](#)  
[Presentation](#)  
[Late Correspondence \(Uploaded 12-6-2022\)](#)  
[Late Correspondence \(Uploaded 12-12-2022\)](#)  
[Late Correspondence \(Uploaded 12-14-22\)](#)  
[Late Correspondence \(Uploaded 12-15-2022\)](#)

Jill Scott, Real Property Manager, presented and answered questions from Council.

Alan Alton, Chief Financial Officer, and Chrissy Mancini Nicols and Tania Schleck, Walker Consultants, presented information on the parking study.

#### PUBLIC COMMENT

Natalie Balfour, Airport Business Center, spoke requesting Council postpone the surplus of Garage 5.

Joshua Shipper, Director of Special Initiatives Generation Housing, expressed concern by giving more parking allowances in Garage 5 could interfere with future development for affordable housing.

Cliff Whigham spoke asking where residents of the new affordable housing would park if parking is removed from the development.

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

**RESOLUTION NO. RES-2022-234 ENTITLED: RESOLUTION OF THE COUNCIL OF THE CITY OF SANTA ROSA DECLARING PURSUANT TO GOVERNMENT CODE SECTION 54221 THAT REAL PROPERTY OWNED BY THE CITY LOCATED AT 625 AND 637 THIRD STREET (PARKING GARAGE 5) IS NON-EXEMPT SURPLUS LAND, DIRECTING STAFF TO PREPARE**

**AND SUBMIT A NOTICE OF AVAILABILITY THEREFOR, AND AUTHORIZING THE CITY MANAGER TO COMPLY WITH THE SURPLUS LAND ACT, SUBJECT TO THE CONDITION THAT NOT LESS THAN 75 PUBLIC PARKING STALLS WILL BE RETAINED ON THE SURPLUS LAND**

**The motion carried by the following vote:**

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

**No:** 1 - Council Member MacDonald

**Absent:** 1 - Vice Mayor Alvarez

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

**RESOLUTION NO. RES-2022-235 ENTITLED: RESOLUTION OF THE COUNCIL OF THE CITY OF SANTA ROSA DECLARING PURSUANT TO GOVERNMENT CODE SECTION 54221 THAT REAL PROPERTY OWNED BY THE CITY LOCATED AT 730 THIRD STREET (LOT 7) IS NON-EXEMPT SURPLUS LAND, DIRECTING STAFF TO PREPARE AND SUBMIT A NOTICE OF AVAILABILITY THEREFOR, AND AUTHORIZING THE CITY MANAGER TO COMPLY WITH THE SURPLUS LAND ACT**

**The motion carried by the following vote:**

**Yes:** 6 - Mayor Rogers, Council Member Fleming, Council Member MacDonald, Council Member Rogers, Council Member Sawyer, and Council Member Schwedhelm

**Absent:** 1 - Vice Mayor Alvarez

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

**RESOLUTION NO. RES-2022-236 ENTITLED: RESOLUTION OF THE COUNCIL OF THE CITY OF SANTA ROSA DECLARING PURSUANT TO GOVERNMENT CODE SECTION 54221 THAT REAL PROPERTY OWNED BY THE CITY LOCATED AT 500 FIFTH STREET (LOT 11) IS NON-EXEMPT SURPLUS LAND, DIRECTING STAFF TO PREPARE AND SUBMIT A NOTICE OF AVAILABILITY THEREFOR, AND AUTHORIZING THE CITY MANAGER TO COMPLY WITH THE SURPLUS LAND ACT**

**The motion carried by the following vote:**



**Yes:** 6 - Mayor Rogers, Council Member Fleming, Council Member MacDonald, Council Member Rogers, Council Member Sawyer, and Council Member Schwedhelm

**Absent:** 1 - Vice Mayor Alvarez

**14.3** REPORT - ORDINANCE INTRODUCTION INCREASING COUNCIL COMPENSATION IN ACCORDANCE WITH THE PROVISIONS OF SECTION 4 OF THE SANTA ROSA CITY CHARTER

BACKGROUND: Section 4 of the City Charter provides that the Council may, by ordinance, provide for compensation of its members in accordance with standards set forth in state law. State law, in turn, sets forth a schedule of Council compensation based on city population. For a city the size of Santa Rosa, state law allows for an initial Council member salary of up to \$800 per month. State law further provides that Council member salaries may be increased up to 5% each calendar year. The 5% increase is a flat rate, not compounded. For purposes of our Council members, the 5% increase equals an additional \$40 per month.

Although state law allows for periodic increases in salary, the Council has not taken advantage of that statutory allowance, and Council member salary has remained at \$800 per month since 2005. The permitted 5% annual increase has thus accumulated for seventeen years. Based on that accumulation, the Council may now increase Council member compensation by up to \$680 per month (\$40 x 17 years). The resulting monthly salary equals \$1480, for an annual salary of \$17,760.

Section 4 of the City Charter provides that the Mayor shall receive 150% of Council member salary. Pursuant to that provision, the Mayor currently receives \$1,200 per month. With the increase to Council member salaries, the Mayor's monthly salary would correspondingly increase to \$2,220, for an annual salary of \$26,640.

Under state law, adjustments to Council compensation can be made effective only upon one or more members beginning a new term of office. The proposed ordinance therefore provides that the new salaries will become effective upon installation of the new Council members in

December 2022.

RECOMMENDATION: It is recommended that the Council consider introduction of an ordinance to increase Council compensation in accordance with the provisions of Section 4 of the Santa Rosa City Charter, providing for an increase in the salary of Council members from \$800 per month to \$1480 per month (resulting in an annual salary of \$17,760) and an increase in the salary of the Mayor from \$1200 per month to \$2,220 per month (resulting in an annual salary of \$26,640) effective December 14, 2022.

**Attachments:** [Staff Report](#)  
[Ordinance](#)  
[Presentation \(Uploaded 12-06-2022\)](#)

Sue Gallagher, City Attorney, presented and answered questions from Council.

No public comments were made.

**A motion was made by Council Member MacDonald, seconded by Council Member N. Rogers, to waive reading of the text and introduce**

**ORDINANCE OF THE COUNCIL OF THE CITY OF SANTA ROSA  
INCREASING COUNCIL COMPENSATION IN ACCORDANCE WITH THE  
PROVISIONS OF SECTION 4 OF THE SANTA ROSA CITY CHARTER**

**The motion carried by the following vote:**

**Yes:** 6 - Mayor Rogers, Council Member Fleming, Council Member MacDonald, Council Member Rogers, Council Member Sawyer, and Council Member Schwedhelm

**Absent:** 1 - Vice Mayor Alvarez

**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] - NONE.**

**19. ADJOURNMENT OF MEETING**

Mayor C. Rogers adjourned the meeting at 10:31 p.m. The next regular meeting will be held on December 13, 2022, 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: February 14, 2023**  
**/s/ Stephanie A. Williams, City Clerk**