



**City Council  
Regular Meeting Minutes - Draft**

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Tuesday, October 12, 2021

12:30 PM

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

Mayor Rogers called the meeting to order at 12:30 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

**2. ANNOUNCEMENT OF CLOSED SESSION ITEMS**

No public comments were made.

Mayor Rogers adjourned the meeting to closed session at 12:33 p.m. to discuss Item 2.1 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.**

**Mayor Rogers adjourned closed session at 2:00 p.m. and reconvened to the study sessions at 2:01 p.m.**

### **3. STUDY SESSION**

**Present:** 6 - Mayor Chris Rogers, Council Member Eddie Alvarez, Council Member Victoria Fleming, Council Member John Sawyer, Council Member Tom Schwedhelm, and Council Member Jack Tibbetts

**Absent:** 1 - Vice Mayor Natalie Rogers

#### **3.1 REDISTRICTING PROCESS: DECENNIAL REVIEW OF COUNCIL MEMBER DISTRICT BOUNDARIES**

The Fair and Inclusive Redistricting for Municipalities and Political Subdivisions (FAIR MAPS) Act, requires cities and counties to engage communities in the redistricting process. Cities with district-based elections are required to update (“redistrict”) the district boundaries every ten years, following the receipt of updated population data from each federal decennial census. Santa Rosa is required to redistrict the Council district boundaries prior to the next City Council election in 2022.

Santa Rosa has contracted with Redistricting Partners, LLC, to assist the City in the redistricting process, including working within existing state and federal voting rights laws, the Fair Maps Act and new California statutes on redistricting for cities, and utilizing traditional redistricting criteria, borne out of state and local laws, caselaw, and best practices. Redistricting Partners will work with the City to facilitate the process in a collaborative, open and transparent manner. In this study session, Redistricting Partners will provide a brief report and timeline on the redistricting process for Santa Rosa.

City Clerk Stephanie Williams introduced Elizabeth Stitt, Redistricting Manager with Redistricting Partners, who presented and answered questions from Council.

City Attorney Sue Gallagher was also available to answer questions.

## PUBLIC COMMENT

Duane De Witt submitted comment on his concern there is not transparency in the redistricting process, and that outreach has been very sparse in the Roseland area.

**This item was received and filed.**

### 3.2 SONOMA COUNTY TRANSIT INTEGRATION AND EFFICIENCY STUDY/FUTURE OF TRANSIT PROCESS

Transit Division staff will provide an overview of recent efforts to improve integration of the local bus systems in Sonoma County (Santa Rosa CityBus, Sonoma County Transit, and Petaluma Transit) in order to improve the customer experience, promote ridership growth, and support recovery from the pandemic. Staff will discuss accomplishments to date as well as planned upcoming integration activities to be conducted under the auspices of the Sonoma County Transportation Authority's Future of Transit Ad Hoc Committee in coordination with regional transit integration efforts led by the Metropolitan Transportation Commission.

Rachel Ede, Deputy Director Transit; Yuri Kolsen, Transit Planner; and Matt Wilscox, Transit Planner, presented and answered questions from Council.

Mayor Rogers recessed the meeting at 2:44 p.m. to address technical difficulties and reconvened at 2:50 p.m.

Rachel Ede continued her presentation and introduced Yuri Koslen, Transit Planner, Matt Wilcox, Transit Planner, Suzanne Smith and Dana Turrey with Sonoma County Transportation Authority, Bryan Albee, Sonoma County Transit, and Jared Hall, Petaluma Transit who were available to answer questions from Council.

No public comments were made.

**The time not yet being 4:00 p.m. to start the regular session, Mayor Rogers recessed the meeting at 3:37 p.m. and reconvened the meeting at 4:00 p.m.**

## 4. ANNOUNCEMENT OF ROLL CALL

**Present:** 6 - Mayor Chris Rogers, Council Member Eddie Alvarez, Council Member Victoria Fleming, Council Member John Sawyer, Council Member Tom Schwedhelm, and Council Member Jack Tibbetts

**Absent:** 1 - Vice Mayor Natalie Rogers

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

City Attorney Gallagher reported Council met in closed session on Item 2.1 regarding labor negotiations, gave direction to negotiators, and no action was taken.

No public comments were made.

## 6. PROCLAMATIONS/PRESENTATIONS

No public comments were made.

### 6.1 PROCLAMATION - DOMESTIC VIOLENCE AWARENESS MONTH

Council Member Sawyer read the Proclamation and presented it to Madeleine Keegan O'Connell from YWCA Sonoma County who made comments of thanks and provided an update on their work.

**This item was presented.**

### 6.2 PROCLAMATION - NATIONAL HISPANIC-LATINO HERITAGE MONTH

Council Member Fleming read the Proclamation and presented it to Stephanie Manieri, Latino Service Providers, who made comments of thanks and introduced Jessica Martinez and Isabelle Virgen, from Youth Promotores.

**This item was presented.**

## 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.

Interim City Manager Jeff Kolin provided information on the criteria that would need to be met to lift the indoor mask mandate in Sonoma County, and provided an update related to COVID-19 in the

organization.

**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, Deputy Director Community Engagement, provided updates on the Mary Lou Lowrider patrol car, the Multi-cultural Roots project Dia De Los Muertos event, the resolution declaring racism as a public health crisis, and provided a schedule for the listening sessions regarding sideshows.

**This item was received and filed.**

**7.3 GLASS FIRE RECOVERY UPDATE**

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

Paul Lowenthal, Assistant Fire Marshall, provided an update on the Glass Recovery Task Force, reported CalOES completed 100% of debris removal within the region, and that staff will be recommending the termination of the local emergency related to the Glass Fire.

**This item has been received and filed.**

**7.4 HOUSING CHOICE VOUCHER PROGRAM WAITING LIST UPDATE**

Staff will provide council with an update on the Section 8 Housing Choice Voucher waiting list. No action will be taken.

Rebecca Lane, Housing & Community Services Manager, provided information on the opening of the Section 8 Housing Choice Voucher wait list.

**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 September 2021 as well as provide a summary of pending litigation

against the City.

City Attorney Gallagher reported the matter of Terracon v. City of Santa Rosa was for \$395,000, in the matter of the Airport Business Center v. City of Santa Rosa regarding a CEQA challenge to the Downtown Station Area Specific Plan, an agreement was reached in the form of a parking agreement to ensure access to two existing parking garages through the issuance of a number of non-reserved parking permits in Garages 5 and 9, upon execution of the parking agreement. City Attorney Gallagher also provided an update on 29 pending litigations, one new claim, and reported the City had received a batch of claims related to the proposed short-term rental urgency ordinance Council will be considering later on the agenda.

No public comments were made.

**This item was received and filed.**

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

Council Member Tibbetts announced he would be abstaining from Items 12.9 and 14.1 due to the homelessness work he does in connection with his employment.

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

Council Member Alvarez reported he participated in the Drought Drop-by event held at Colgan Creek Park.

Council Member Fleming announced she worked with the Metropolitan Transportation Commission to secure \$3.4 million towards the Hwy. 101 pedestrian over-crossing.

Council Member Schwedhelm reported he attended the Drought Drop-by event at Youth Community Park.

Mayor Rogers reported he attended the Remembrance Bell Ringing ceremony in observance of the four year anniversary of the Tubbs Fire.

## **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**

Mayor Rogers provided a brief report on the Long Term Financial Policy & Audit Subcommittee meeting and on the Sonoma County Health Action meeting.

### **10.1.2 Sonoma County Transportation Authority/Regional Climate Protection Authority (SCTA/RCPA)**

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)**

Mayor 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 Home Sonoma County (HSC)**

### **10.1.10 Renewal Enterprise District (RED)**

### **10.1.11 Public Safety Subcommittee**

### **10.1.12 Other**

## **10.2 BOARD, COMMISSION & COMMITTEE APPOINTMENTS**

### Public Comments

Duane De Witt submitted comment on his concern not being informed on the appointments of the Charter Review Committee,

for the Committee to appoint their own Chair and not be appointed by the Mayor, and the need for term limits for Council Members.

**10.2.1 APPOINTMENT OF CITY CHARTER REVIEW COMMITTEE CHAIRPERSON**

It is recommended by the Mayor that Council, by motion, approve his selection of Patti Cisco as Chairperson of the City Charter Review Committee.

**A motion was made by Council Member Tibbetts, seconded by Council Member Fleming, to appoint Patti Cisco as Chair to the Charter Review Committee. The motion carried by the following vote:**

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

**Absent:** 1 - Vice Mayor Rogers

**11. APPROVAL OF MINUTES - NONE.**

**12. CONSENT ITEMS**

City Attorney Gallagher announced the withdrawal of Item 12.7 noting the declaration is no longer necessary and an action to terminate the local emergency will be brought back to Council for action. The City Attorney outlined the process for Council to make findings of good cause to add Item 12.10 to the agenda, which did not appear on the preliminary agenda publication.

**PUBLIC COMMENT**

Gregory Fearon spoke on Item 12.1 commending the efforts of Eric McHenry and Ann Hammond.

Duane De Witt submitted comment on Item 12.6 in support of hybrid meetings.

**A motion was made by Council Member Sawyer, seconded by Council Member Fleming, to make findings of good cause to add Item 12.10 to**



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**the Consent calendar. The motion carried by the following vote:**

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

**Absent:** 1 - Vice Mayor Rogers

### **Approval of the Consent Agenda**

**A motion was made by Council Member Fleming, seconded by Council Member Sawyer, to waive reading of the text and adopt Consent Items 12.1 through 12.6, 12.8 and 12.10. The motion carried by the following vote:**

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

**Absent:** 1 - Vice Mayor Rogers

**12.1 RESOLUTION - AGREEMENT WITH SONOMA COUNTY LIBRARY FOR FUNDING TO ASSIST IN THE CREATION OF VIDEO PUBLIC ACCESS FACILITIES**

RECOMMENDATION: It is recommended by the Information Technology Department that the Council, by resolution, approve an Agreement Between the City of Santa Rosa and the Sonoma County Library, for (5) five years, and public, educational, and government (PEG) funding provided by the City to the Library up to a maximum amount of \$150,000 per fiscal year to assist in the creation of video public access facilities, in a cumulative amount not to exceed \$750,000.

**This Consent - Resolution was adopted.**

**RESOLUTION NO. RES-2021-163 ENTITLED: RESOLUTION OF THE COUNCIL OF THE CITY OF SANTA ROSA APPROVING AN AGREEMENT BETWEEN THE CITY OF SANTA ROSA AND THE SONOMA COUNTY LIBRARY FOR FUNDING TO ASSIST IN THE CREATION OF VIDEO PUBLIC ACCESS FACILITIES**

**12.2 RESOLUTION - ADOPTION OF MEMORANDUM OF UNDERSTANDING, UNIT 2 - FIREFIGHTING, REPRESENTED BY THE INTERNATIONAL ASSOCIATION OF FIRE FIGHTERS (IAFF), LOCAL 1401 EFFECTIVE JULY 1, 2021 THROUGH JUNE 30, 2024**

RECOMMENDATION: It is recommended by the Human Resources

Department and the City Manager's Office that the Council, by resolution, adopt the Memorandum of Understanding for an agreement for, and on behalf of, the employees in the City's Bargaining Unit 2 - Firefighting, represented by the IAFF Local 1401, and effective July 1, 2021 to June 30, 2024.

**This Consent - Resolution was adopted.**

**RESOLUTION NO. RES-2021-164 ENTITLED: RESOLUTION OF THE COUNCIL OF THE CITY OF SANTA ROSA ADOPTING A 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, 2021 THROUGH JUNE 30, 2024**

- 12.3** RESOLUTION - ADMINISTRATIVE COST RECOVERY LIEN AGAINST THE REAL PROPERTY LOCATED AT 4760 GRANADA DRIVE, SANTA ROSA, CA 95409

RECOMMENDATION: It is recommended by the Planning and Economic Development Department that the Council, by resolution, approve the administrative cost recovery lien in the amount of \$2,865.31 against the property located at 4760 Granada Drive, Santa Rosa, CA 95409 for violations of the City Code that remain uncorrected by the responsible party, Clayton Anderson and Epifania Anderson, and authorize recording of an administrative cost recovery lien and placing the assessment on the property tax roll for collection.

**This Consent - Resolution was adopted.**

**RESOLUTION NO. RES-2021-165 ENTITLED: RESOLUTION OF THE COUNCIL OF THE CITY OF SANTA ROSA CONFIRMING THE AMOUNT OF AN ADMINISTRATIVE COST RECOVERY LIEN, CONFIRMING AND ORDERING THE RECOVERY OF THE ADMINISTRATIVE COSTS ASSESSED AND IMPOSED BY THE ADMINISTRATIVE HEARING OFFICER FOR VIOLATIONS OF CITY CODE PROVISIONS OCCURRING ON THE PROPERTY AT 4760 GRANADA DRIVE, SANTA ROSA, CA 95409, SANTA ROSA, A.P.N. 182-200-015, AND ORDERING THE ADMINISTRATIVE COST RECOVERY LIEN BE COLLECTED ON THE TAX ROLL BY THE SONOMA COUNTY TAX COLLECTOR**

- 12.4** RESOLUTION - AUTHORIZATION TO CONTINUE PARTICIPATION IN THE CLIPPER START LOW-INCOME TRANSIT FARE SUBSIDY

## PILOT PROGRAM

**RECOMMENDATION:** It is recommended by the Transportation and Public Works Department that the Council, by resolution, authorize continued participation in the Clipper START Pilot Program, at a 20% discount rate for adult single ride fares, for the duration of the reimbursement of discounted fees by Metropolitan Transportation Commission under the Clipper START program (MTC) which is currently approved through June 2023 or to a maximum reimbursement of \$102,420.

**This Consent - Resolution was adopted.**

**RESOLUTION NO. RES-2021-166 ENTITLED: RESOLUTION OF THE COUNCIL OF THE CITY OF SANTA ROSA AUTHORIZING CONTINUED PARTICIPATION IN THE CLIPPER START PILOT PROGRAM, REQUESTING PROGRAM FUNDS FROM METROPOLITAN TRANSPORTATION COMMISSION, AND AUTHORIZING STAFF TO PROVIDE NECESSARY DOCUMENTATION FOR THE CLIPPER START PROGRAM AS MAY BE APPROPRIATE**

### 12.5 RESOLUTION - FISCAL YEAR-END 2020-21 BUDGET ADJUSTMENT RELATED TO EMERGENCY RESPONSE EXPENDITURES INCURRED DURING FISCAL YEAR 2020-21

**RECOMMENDATION:** It is recommended by the Finance Department that the Council, by resolution, authorize appropriations of \$3,847,358.90 from the General Fund reserves, as a part of the fiscal year-end close, to offset unbudgeted expenditures in the COVID-19 and Glass Fire General Fund project accounts in response to emergency events during Fiscal Year 2020-21.

**This Consent - Resolution was adopted.**

**RESOLUTION NO. RES-2021-167 ENTITLED: RESOLUTION OF THE COUNCIL OF THE CITY OF SANTA ROSA AUTHORIZING APPROPRIATIONS OF \$3,847,358.90 FROM THE GENERAL FUND RESERVES TO OFFSET UNBUDGETED EMERGENCY RESPONSE EXPENDITURES INCURRED DURING FISCAL YEAR 2020-21**

### 12.6 RESOLUTION - MAKING REQUIRED FINDINGS AND AUTHORIZING THE CONTINUED USE OF TELECONFERENCING FOR PUBLIC MEETINGS OF THE CITY COUNCIL AND ALL THE CITY'S BOARDS,

**COMMISSIONS, AND COMMITTEES, PURSUANT TO ASSEMBLY BILL 361 (CONTINUED FROM THE SEPTEMBER 28, 2021 REGULAR MEETING)**

RECOMMENDATION: It is recommended by the City Attorney that the Council, by resolution, make required findings and authorize the continued use of teleconferencing for public meetings of the City Council and all of the City's boards, commissions and committees pursuant to Assembly Bill 361.

**This Consent - Resolution was adopted.**

**RESOLUTION NO. RES-2021-168 ENTITLED: RESOLUTION OF THE COUNCIL OF THE CITY OF SANTA ROSA MAKING REQUIRED FINDINGS AND AUTHORIZING THE CONTINUED USE OF TELECONFERENCING FOR PUBLIC MEETINGS OF THE CITY COUNCIL AND ALL THE CITY'S BOARDS, COMMISSIONS AND COMMITTEES PURSUANT TO ASSEMBLY BILL 361**

**12.7 RESOLUTION - EXTENSION OF PROCLAMATION OF EXISTENCE OF A LOCAL EMERGENCY RELATING TO 2020 GLASS FIRE**

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 item was pulled off the agenda.**

**12.8 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-2021-169 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**

**\*12.10** RESOLUTION - OPPOSITION TO THE APPLICATION OF NORTH COAST RAILROAD COMPANY LLC TO TRANSPORT HIGH VOLUME SHIPMENTS TO THE PORT OF HUMBOLDT BAY THROUGH NORTHERN CALIFORNIA, AND SUPPORT OF THE NORTH COAST RAILROAD AUTHORITY'S REQUEST TO RAILBANK ITS LINE FROM WILLITS TO HUMBOLDT BAY FOR POTENTIAL FUTURE MULTI-USE TRAIL

RECOMMENDATION: At the Mayor's request, the City Attorney brings to Council 1) by motion, find good cause, under the Early Agenda Policy and the Open Government Ordinance, to consider this item, notwithstanding that the item did not appear on the preliminary agenda; and 2) for its consideration a resolution expressing the City's opposition to the application of North Coast Railroad Company LLC to acquire and rehabilitate the North Coast Rail Authority's rail line between Eureka and Willits for the purpose of "high-volume shipments" and expressing the City's support for the North Coast Railroad Authority's request to railbank its line from Willits to Humboldt Bay for a potential future multi-use pathway, the Great Redwood Trail.

**This Consent - Resolution was adopted.**

**RESOLUTION NO. RES-2021-170 ENTITLED: RESOLUTION OF THE COUNCIL OF THE CITY OF SANTA ROSA URGING THE SURFACE TRANSPORTATION BOARD TO: (1) REJECT THE APPLICATION SUBMITTED ON BEHALF OF THE NORTH COAST RAIL COMPANY, LLC TO ACQUIRE AND REHABILITATE THE NORTH COAST RAIL AUTHORITY'S RAIL LINE BETWEEN EUREKA AND WILLITS FOR THE PURPOSES OF "HIGH-VOLUME SHIPMENTS," AND (2) GRANT THE REQUEST OF THE NORTH COAST RAIL AUTHORITY TO RAILBANK ITS RAIL LINE FROM WILLITS TO HUMBOLDT BAY**

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

RECOMMENDATION: It is recommended by the City Manager's Office 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 Council Member Fleming, seconded by Council Member Sawyer, to waive reading of the text and adopt**

**RESOLUTION NO. RES-2021-171 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:** 5 - Mayor Rogers, Council Member Alvarez, Council Member Fleming, Council Member Sawyer, and Council Member Schwedhelm

**Absent:** 1 - Vice Mayor Rogers

**Abstain:** 1 - Council Member Tibbetts

**13. PUBLIC COMMENT ON NON-AGENDA MATTERS - NONE.**

**Mayor Rogers recessed the meeting at 5:02 p.m. for staff to prepare to present Public Hearing Item 15.1 and reconvened at 5:07 p.m.**

**Present:** 5 - Mayor Chris Rogers, Council Member Eddie Alvarez, Council Member Victoria Fleming, Council Member John Sawyer, and Council Member Tom Schwedhelm

**Absent:** 2 - Vice Mayor Natalie Rogers, and Council Member Jack Tibbetts

**15. PUBLIC HEARINGS**

**15.1 PUBLIC HEARING - SHORT-TERM RENTALS URGENCY ORDINANCE**

BACKGROUND: The City does not currently have formally adopted regulations addressing the rental of residential properties for a period of less than 30 calendar days (short-term rentals) as a land use separate and distinct from a residential land use. Unregulated short-term rentals have the potential to pose public safety hazards by impacting the ability of neighborhoods to safely evacuate during emergency events due to excessive parking on narrow streets. There is also a decreased ability to communicate with transient renters who may not be familiar with local warning and alert systems. Unregulated short-term rental activities have also led to increased frequency of complaints related to noise, occupancy, and large events requesting Police, Code Enforcement, and Planning staff response despite a lack of resources or a regulatory framework for enforcement.

The purpose of this ordinance is to provide a regulatory framework for

short-term rentals in order to preserve the public peace, welfare, health, and safety by providing operating standards to address community compatibility, public safety threats due to wildfires and other potential emergencies requiring evacuation, limited housing stock, and the COVID-19 pandemic. The Santa Rosa City Charter authorizes the City Council to adopt an urgency ordinance if necessary to preserve the public peace, health, or safety if the ordinance contains the reasons for its urgency. An urgency ordinance requires a 5/7 Council vote and is effective immediately after adoption.

RECOMMENDATION: The Planning and Economic Development recommends that the Council adopt an urgency ordinance to amend Title 20 of the City Zoning Code to add Chapter 20-48, Short-Term Rentals, to regulate short-term rentals, defined generally as the rental of residential property for a period of less than 30 calendar days.

Clare Hartman, Interim Assistant City Manager, Shari Meads, City Planner, Paul Lowenthal, Assistant Fire Marshall, John Cregan, Police Captain, and Cecilia Muela, Assistant Chief Building Official, presented and answered questions from the Council.

Council Member Tibbetts joined the meeting at 5:16 p.m.

Mayor Rogers opened the public hearing at 6:30 p.m.

Anne Fenlon spoke in support of this ordinance, and her concern with a bed and breakfast five feet within her property line being in violation.

Dan Gudino spoke on being willing to support well thought out regulations and his concerns some of the regulations in the ordinance are over-reaching.

Charles Metz spoke on the good reputation of hosted rentals, to allow a permitting process for hosted rentals for when they are away, asked Council to look at county guidelines for daytime and nighttime visitors for non-hosted rentals.

Yvonne Roza spoke on hosted rentals needing to be treated

differently than un-hosted rentals.

Gordon Scott spoke on owning an air bed and breakfast in Rincon Valley, and his concern that hosted rental problems are being tied to non-hosted rentals.

Carl Jaeger spoke on his experience of sharing his home without any issues or complaints, the difference between what the proposed ordinance would allow and what the state guidelines allow.

Michael Leras spoke on running a hosted air bed and breakfast and reiterated the message about hosted versus non-hosted rentals.

Ed Kinney spoke on his history with short term rentals, emphasized the importance of being good neighbors, government's tendency to over-regulate, and for the City to look at complaints overall.

Gary Lentz spoke on being a hosted property owner, how Airbnb and VRBO saved him financially and saved him from losing his home, wants his guests to have a good experience, and to make complaints evidence based.

Kay Ward spoke on having a property since 2013 and considers herself a hosted bed and breakfast as she lives in the house in back of her property.

Gay Barner spoke on paying Transient Occupancy and BIA taxes for her short term rental, and stated non-hosted rentals should be treated differently than hosted rentals.

Trinidad spoke on starting to provide a short term rental, his concern if Council changes regulations to quiet times and parking standards that are different than the standard, it will confuse renters, and having renters subscribe to local Nixle alerts for emergency notifications.

Cynthia Lozano spoke on receiving only one complaint over the seven years she has been a super host on Airbnb, and does not



support the \$1,200 fee.

Bernadette spoke on living in fear on who will be occupying the house next to her, not being notified that a commercial business is being run next to her, the problems that short term the houses have created, and asked Council to protect the community with a moratorium.

D. Beaver spoke wanting clarification on propane vs. log burning fire pits, and asked what support Airbnb operators will have in regards to taxes and fees.

Chuck spoke on his concerns that hosted properties being grouped with non-hosted properties, as the ordinance is currently written, he will not be able to continue hosting, on not being contacted on when this ordinance was being presented, and feels this ordinance is focused on a complaints of the few.

Chris Butler spoke on being an Airbnb super host and feels it is punishing to pass an umbrella ordinance.

Laura spoke in support of adopting the ordinance and adopting a moratorium.

Leilani Clark spoke on a neighboring house being turned into an Airbnb and the problems it has caused, not having contact with the owner, having to "police" the property when it is rented, and stated she supports hosted rentals.

Eric Fraser spoke in opposition of the urgency ordinance and concerned on how the policy process was conducted.

Erik Diez spoke on his concern that short-term rentals reallocate housing resources faced by the city, and thanked Council for addressing the issue.

Erica Lipanovich spoke on a house in her neighborhood bought by

an investment group, a house across the street from her currently being a short term rental, and her concern the trend will continue unless Council adopts a moratorium.

David Long spoke on short term rentals being disruptive, exploiting and profiting from the transformation of single family homes into quasi small hotels, his concern the ordinance as written will do little to curb disruptions and relies on residents to be investigators, and should be eliminated from residential neighborhoods.

Sharon spoke on living near a seven bedroom party house and supports the passing of the urgency ordinance.

Jan Gilman spoke thanking the Mayor and Council for considering this issue, concern about the unlicensed short-term rentals in the community, and is alarmed about the un-hosted homes in her neighborhood.

Javier spoke on owning a legal hosted rental home, and supports making the rules different for hosted rentals.

Ted Aanestad spoke on running hosted short-term rentals, for Council to look at the difference between hosted vs. non-hosted properties, and stated the City's website needs to be more efficient for people to pay their Transient Occupancy taxes.

Julia Adams spoke on living on a quiet street in Rincon Valley until the house next door became an un-hosted short-term rental, on trying to work with the management company of the property, having to call the police on multiple nights, multiple times, and strongly urged Council to adopt the urgency ordinance with stronger regulations for non-hosted short-term rentals.

Erik spoke on the issue of losing the fabric of communities when short term rentals come into a neighborhood, and that their children cannot afford to live in Santa Rosa due to the increase in housing costs.

Shawn spoke on having a hosted rental, and supports non-hosted rules being different than hosted rentals.

Sheila spoke on the ordinance not going far enough to address non-hosted rentals, the increase competition for housing from fire survivors and the influx of buyers from higher cost housing market, and corporations using short-term rental homes as de facto hotels, contributing to a reduction of housing inventory in the city.

Benjamin Goldstien spoke commending city staff for conducting an open and transparent process with ample opportunity to engage the community, and in support of the ordinance.

Rick spoke thanking staff on their work, short-term rentals remove housing stock from the community, for Council to establish a moratorium, and in support of the ordinance

Dale Sessions spoke on living next to a party house, his concern this is an issue of cashing in, not about being a good neighbor, and in support the ordinance.

Caroline spoke in support of a moratorium until a comprehensive ordinance can be put into place, and concern on using fire and police resources to enforce.

Nancy Wang spoke in support of on-site hosted short-term rentals, residential areas turning into commercial areas by corporations buying homes and disrupting community building in neighborhoods.

Harry Albers spoke on his un-hosted rental, and urged the Council to take their time to draft an ordinance to get the rules right the first time.

TL spoke in support of the ordinance to keep short-term rental owners accountable.

Sara spoke on being a short-term rental owner and being able to provide a space for medical personnel coming in to help during COVID, PG&E workers doing work in the area, and for families who cannot afford a hotel.

Anonymous submitted comment in opposition to short-term rentals in neighborhoods due to the fire hazard, noise, safety, and increased traffic.

Anonymous submitted comment in support of a moratorium.

Robert Wells submitted comment on five short-term rentals in his neighborhood.

Ross Liscum submitted comment in opposition to a ban on short-term rentals and concern the ordinance is an over-reach.

Janae Avilar submitted comment that the ordinance is unfair.

Stacy Dillon submitted comment on short-term rentals create revenue for the city via shopping, restaurant revenue, and transient occupancy taxes that support vital services.

Adam submitted comment in opposition to regulate private property rights.

Avery submitted comment that the regulations are too strict and punish business owners who bring in revenue to the city that support vital services.

Scott Seely submitted comment in support of Airbnb homes continuing to operate in the city.

Karen Grotti, on behalf of North Bay Association of Realtors, submitted comment in opposition to the ordinance, and urged Council to focus on uniform management standards for short-term rentals.

Eddie Stevens submitted comment on short-term rentals bringing tourist, restaurant, shopping revenue into the area, and provided housing for fire affected families and have housed out of the area contractors who were vital to rebuilding housing stock.

Sara Carlson submitted comment in opposition to the adoption of the ordinance.

Ahmondy submitted comment in support of Airbnb rentals, feeling it contributes to the community.

Mike Lynch submitted comment in opposition to adoption of the ordinance.

Seeing no one else wishing to speak, Mayor Rogers closed the public hearing at 8:38 p.m.

Mayor Rogers announced he will move on to Item 14.1 as staff works on amending the ordinance language and will bring Item 15.1 back for a vote.

**Mayor Rogers recessed the meeting at 10:50 p.m. and reconvened at 11:00 p.m.**

**Present:** 6 - Mayor Chris Rogers, Council Member Eddie Alvarez, Council Member Victoria Fleming, Council Member John Sawyer, Council Member Tom Schwedhelm, and Council Member Jack Tibbetts

**Absent:** 1 - Vice Mayor Natalie Rogers

**14. REPORT ITEMS**

**14.1 REPORT - WAIVER OF COMPETITIVE BID AND APPROVAL OF TWO AGREEMENTS FOR THE CITY'S INRESPONSE PROGRAM WITH CATHOLIC CHARITIES AND BUCKELEW PROGRAMS**

BACKGROUND: The Police Department contracted with White Bird Clinic, a non-profit organization that runs the Crisis Assistance Helping out on the Streets (CAHOOTS) program in Eugene, Oregon in 2020. With their expertise the department worked with local stakeholders, community members, and our local non-profits to create this

comprehensive program which will include a mental health clinician, Fire Department paramedic and homeless outreach specialist who will respond to homeless related incidents and non-violent mental health crises to provide resources and support. This upstream approach is geared toward proactive identification of people at risk of crisis and will provide case management and services to prevent life changing/altering situations.

The concept of the inRESPONSE program was first presented to the Public Safety Subcommittee (PSS) in August 2020. The PSS provided support and feedback to the department to move forward with the development of this program for the City of Santa Rosa. During the budget sessions for this fiscal year the City Council supported this program in full and provided one-time funding of \$1.1 million for the first year's pilot program.

**RECOMMENDATION:** It is recommended by the Police Department that the Council, by two resolutions, waive competitive bidding pursuant to Section 3-08.100(D) of the City Code and approve authorization for the City Manager or designee to negotiate and execute two agreements, collectively with a total not-to-exceed amount of \$1,473,749, with Catholic Charities of the Diocese of Santa Rosa and Buckelew Programs, which are local non-profit agencies that will assist the City with INRESPONSE program implementation.

Police Captain John Cregan presented and answered questions from Council.

#### PUBLIC COMMENT

Eric Fraser spoke in support of adopting the resolutions.

Gregory Fearon spoke in support of adopting the resolutions, and provided advice on getting the participation of lived experience in applying for grant monies.

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

**RESOLUTION NO. RES-2021-172 ENTITLED: RESOLUTION OF THE**

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**COUNCIL OF THE CITY OF SANTA ROSA WAIVING COMPETITIVE BIDDING PURSUSANT TO SECTION 3-08.100(D) OF THE SANTA ROSA CITY CODE AND APPROVING THE AGREEMENT WITH BUCKELEW PROGRAMS, A CALIFORNIA NON-PROFIT CORPORATION, TO PROVIDE PROGRAM IMPLEMENTATION SERVICES TO THE CITY FOR THE INRESPONSE PROGRAM**

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

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

**Absent:** 1 - Vice Mayor Rogers

**Recused:** 1 - Council Member Tibbetts

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

**RESOLUTION NO. RES-2021-173 ENTITLED: RESOLUTION OF THE COUNCIL OF THE CITY OF SANTA ROSA WAIVING COMPETITIVE BIDDING PURSUSANT TO SECTION 3-08.100(D) OF THE SANTA ROSA CITY CODE AND APPROVING THE AGREEMENT WITH CATHOLIC CHARITIES OF THE DIOCESE OF SANTA ROSA TO PROVIDE PROGRAM IMPLEMENTATION SERVICES TO THE CITY FOR THE INRESPONSE PROGRAM**

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

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

**Absent:** 1 - Vice Mayor Rogers

**Recused:** 1 - Council Member Tibbetts

**17. PUBLIC COMMENTS ON NON-AGENDA MATTERS**

Eric Fraser, Truthintourism.com, spoke on his concern on the lack of transparency in the recruitment of the new City Manager when submitting a public records request.

Gregory Fearon spoke on Santa Rosa being a pilot of excellence in

the state and provided an example of the Benioff Center on Vulnerable Populations conducting a study where the homeless and recently homeless will be interviewed at the Arlene Frances Center, and invited the Mayor and Vice Mayor to a luncheon to welcome the team from University of California San Francisco.

Ryan spoke on the homeless near his tennis club frightening the children during classes, finding needles near his school, and asked Council for help to fix the problem.

Duane De Witt submitted comment on his concern the Community Engagement Department is being deficient in Roseland and that residents becoming disenfranchised.

**Mayor Rogers returned to Item 15.1 for Council action.**

**15.1 PUBLIC HEARING - SHORT-TERM RENTALS URGENCY ORDINANCE**

BACKGROUND: The City does not currently have formally adopted regulations addressing the rental of residential properties for a period of less than 30 calendar days (short-term rentals) as a land use separate and distinct from a residential land use. Unregulated short-term rentals have the potential to pose public safety hazards by impacting the ability of neighborhoods to safely evacuate during emergency events due to excessive parking on narrow streets. There is also a decreased ability to communicate with transient renters who may not be familiar with local warning and alert systems. Unregulated short-term rental activities have also led to increased frequency of complaints related to noise, occupancy, and large events requesting Police, Code Enforcement, and Planning staff response despite a lack of resources or a regulatory framework for enforcement.

The purpose of this ordinance is to provide a regulatory framework for short-term rentals in order to preserve the public peace, welfare, health, and safety by providing operating standards to address community compatibility, public safety threats due to wildfires and other potential emergencies requiring evacuation, limited housing stock, and the COVID-19 pandemic. The Santa Rosa City Charter authorizes the City



Council to adopt an urgency ordinance if necessary to preserve the public peace, health, or safety if the ordinance contains the reasons for its urgency. An urgency ordinance requires a 5/7 Council vote and is effective immediately after adoption.

RECOMMENDATION: The Planning and Economic Development recommends that the Council adopt an urgency ordinance to amend Title 20 of the City Zoning Code to add Chapter 20-48, Short-Term Rentals, to regulate short-term rentals, defined generally as the rental of residential property for a period of less than 30 calendar days.

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

**ORDINANCE NO. ORD-2021-011 ENTITLED: URGENCY ORDINANCE OF THE COUNCIL OF THE CITY OF SANTA ROSA AMENDING TITLE 20 OF THE SANTA ROSA CITY CODE TO ADD SECTION 20-48, SHORT-TERM RENTALS, TO INCLUDE REGULATIONS AND OPERATIONAL STANDARDS FOR SHORT-TERM RENTALS; FILE NUMBER: REZ21-004**

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

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

**Absent:** 1 - Vice Mayor Rogers

**16. WRITTEN COMMUNICATIONS - 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**

Mayor Rogers adjourned the meeting at 12:33 a.m. The next regularly scheduled meeting will be held on October 26, 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:**

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**Stephanie A. Williams**  
**City Clerk**