



# City of Santa Rosa

City Hall, Council  
Chamber  
100 Santa Rosa Avenue  
Santa Rosa, CA 95404

## CITY COUNCIL REGULAR MEETING AGENDA AND SUMMARY REPORT SEPTEMBER 13, 2022

**12:30 P.M. - CLOSED SESSION (HYBRID VIA IN-PERSON AND ZOOM)**

**2:00 P.M. - STUDY SESSION (HYBRID VIA IN-PERSON AND ZOOM)**

**4:00 P.M. - REGULAR SESSION (HYBRID VIA IN-PERSON AND ZOOM)**

**PURSUANT TO GOVERNMENT CODE SECTION 54953(e) AND THE RECOMMENDATION OF THE HEALTH OFFICER OF THE COUNTY OF SONOMA, CITY COUNCIL MEMBERS WILL BE PARTICIPATING IN THIS MEETING EITHER VIA ZOOM WEBINAR OR IN-PERSON, SOCIALLY DISTANCED, IN THE COUNCIL CHAMBER AT 100 SANTA ROSA AVENUE.**

**MEMBERS OF THE PUBLIC CAN PARTICIPATE IN THE MEETING BY ATTENDING IN-PERSON FROM COUNCIL CHAMBER AT 100 SANTA ROSA AVENUE (SOCIAL DISTANCING REQUIREMENTS WILL BE OBSERVED), VISITING [HTTPS://SRCITY-ORG.ZOOM.US/J/86208178715](https://srcity-org.zoom.us/j/86208178715), OR BY DIALING 877-853-5257 AND ENTER WEBINAR ID: 862 0817 8715**

**THE MEETING WILL ALSO BE LIVE STREAMED AT [HTTPS://SANTA-ROSA.LEGISTAR.COM/CALENDAR](https://santa-rosa.legistar.com/calendar). CLICK ON THE "IN PROGRESS" LINK TO VIEW.**

**THE MEETING CAN ALSO BE VIEWED ON COMCAST CHANNEL 28, AT&T U-VERSE CHANNEL 99, AND AT [HTTPS://WWW.YOUTUBE.COM/CITYOFSANTAROSA](https://www.youtube.com/cityofsantarosa)**

**Public Comment may be made live during the meeting via Zoom, In-Person from Council Chamber, or submitted in advance by 5:00 pm, the Monday before the City Council Meeting via e-mail at [cc-comment@srcity.org](mailto:cc-comment@srcity.org), or recorded voice message at 707-543-3005.**

**PLEASE NOTE THAT ALL E-MAILS SENT TO THE CITY COUNCIL ARE CONSIDERED TO BE PUBLIC RECORDS AND SUBJECT TO DISCLOSURE UNDER THE CALIFORNIA PUBLIC RECORDS ACT.**

**DEADLINES AND ADDITIONAL INSTRUCTION FOR PUBLIC COMMENT ARE SET FORTH BELOW.**

**COUNCIL MAY RECESS DURING THE EVENING FOR BREAKS. PUBLIC HEARING MATTERS WILL BEGIN NO EARLIER THAN 5:00 P.M.**

**MATTERS ON THE AGENDA MAY BE TAKEN OUT OF ORDER.**

**PUBLIC COMMENTS:**

Except for public hearing items, comments from the public will be allowed on all agenda items at the time each item is called. Comments on public hearing items may be made when the hearing is opened.

Live Public Comment: Members of the public can provide comment on an Agenda Item In-Person from Council Chamber by signing up with the Administrator in Council Chamber (in lieu of Speaker Card), by accessing the meeting through the Zoom link, or by dial-in at the time an Agenda Item is discussed during the City Council Meeting. Go to <https://srcity.org/virtualparticipation> for more information.

Advanced Public Comment:

E-mail Public Comment: To submit an e-mailed public comment to the City Council, please send to: [cc-comment@srcity.org](mailto:cc-comment@srcity.org) by 5:00 p.m., Monday, September 12. Identify in the subject line of your e-mail the Agenda Item Number on which you wish to comment, provide your name in the body of the e-mail and your comment. Please limit your e-mail to approximately 400 words (which is a speaking rate of 133 words per minute).

Recorded Voice Message Public Comment: To submit a voice message public comment, please call 707-543-3005 by 5:00 p.m., Monday, September

12. State your name, the Agenda Item Number(s) on which you wish to comment, and your comment. PLEASE DO NOT LEAVE YOUR PHONE NUMBER OR PERSONAL ADDRESS IN THE VOICE MESSAGE AS IT WILL BE PLAYED BACK LIVE DURING THE CITY COUNCIL MEETING.

E-mail public comments received by the deadline will be distributed to City Council members and uploaded to the agenda prior to the start of the City Council Meeting for public access. Recorded voice message public comments will be played during the meeting at the time the item is heard.

Non-Agenda Items are the time when any person may address the Council on matters not listed on this agenda, but which are within the subject matter jurisdiction of the Council. The first public comment period on non-agenda items (Agenda Item 13) will begin no earlier than 5:00 p.m. and will be limited to twelve speakers selected randomly by the Mayor. Each speaker will be allowed three minutes. Speakers who do not have an opportunity to speak during this time will be allowed to make public comment under Agenda Item 17.

**12:30 P.M. (HYBRID VIA IN-PERSON AND ZOOM)**

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

**2. ANNOUNCEMENT OF CLOSED SESSION ITEMS**

Following the announcement of Closed Session items and prior to recess into Closed Session, the public may speak up to three minutes on items to be addressed in Closed Session.

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

Name of Case: Apogee Gardens, Inc. and Jason Smith v. City of Santa Rosa, et al.

Sonoma County Superior Court Case No.: SCV-268751

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

Name of Case: Jason H. Smith, Apogee Garden Products Inc. v. Kelly Aboudara City of Santa Rosa Code Enforcement Officer, et al.

USDC - Northern District of California Case No.: SCV-268751

**2.3 CONFERENCE WITH LEGAL COUNSEL - ANTICIPATED LITIGATION**

Initiation of litigation pursuant to paragraph (4) of subdivision (d) of Government Code Section 54956.9: one potential cases

**RECESS CLOSED SESSION(S) AND RECONVENE TO OPEN SESSION IN THE COUNCIL CHAMBER AND VIA ZOOM.**

**2:00 P.M. (HYBRID VIA IN-PERSON AND ZOOM)**

**3. STUDY SESSION**

Study Session items are items for in-depth discussion and possible direction to staff. No action will be taken.

**3.1 SANTA ROSA CIVIC CENTER PROJECT FEASIBILITY ANALYSIS REVIEW**

This presentation is part 2 of 3 of the scheduled Downtown City Asset Study Sessions, covering the 2019 Santa Rosa Civic Center Feasibility Analysis performed in conjunction with Jones, Lang, LaSalle (JLL), and the potential redevelopment opportunities of select City assets.

**Attachments:** [Staff Report](#)  
[Attachment 1 - 2019 JLL SR Civic Center Feasibility Analy:](#)  
[Attachment 2 - City Hall Seismic Hazard Report](#)  
[Presentation](#)  
[Late Correspondence \(Uploaded 9-13-2022\)](#)

**4:00 P.M. (HYBRID VIA IN-PERSON AND ZOOM)**

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

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

**6. PROCLAMATIONS/PRESENTATIONS**

**6.1 PROCLAMATION - POLLUTION PREVENTION AND CREEK WEEK**

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

## 7. STAFF BRIEFINGS

This time is reserved for City staff to provide a five-minute briefing to the Council on departmental issues of interest. No action will be taken on these matters except to possibly place a particular item on a future agenda for Council consideration.

### 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.

### 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.

## 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 2022 as well as provide a summary of pending litigation against the City.

**Attachments:** [Litigation Report](#)

## 9. STATEMENTS OF ABSTENTION BY COUNCIL MEMBERS

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

### 10.1 MAYOR'S/COUNCIL MEMBERS' SUBCOMMITTEE AND LIAISON REPORTS (AND POSSIBLE COUNCIL DIRECTION TO BOARD REPRESENTATIVE ON PENDING ISSUES, IF NEEDED)

#### 10.1.1 Council Subcommittee Reports

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

#### 10.1.3 Sonoma County Water Agency (SCWA) - Water Advisory Committee

#### 10.1.4 Association of Bay Area Governments (ABAG)

**10.1.5 Sonoma County Agricultural Preservation and Open Space District Advisory Committee**

**10.1.6 Sonoma Clean Power Authority (SCPA)**

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

**10.1.8 Groundwater Sustainability Agency (GSA)**

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

**10.1.10 Renewal Enterprise District (RED)**

**10.1.11 Public Safety Subcommittee**

**10.1.12 Other**

**11. APPROVAL OF MINUTES**

11.1 May 24, 2022, Regular Meeting Minutes.

**Attachments:** [Draft Minutes](#)

**12. CONSENT ITEMS**

12.1 MOTION - RESPONSES TO TWO 2021-2022 GRAND JURY REPORTS - AFFORDABLE HOUSING

RECOMMENDATION: It is recommended by the City Manager, Housing and Community Services, and the Planning and Economic Development Department that the Council, by motion, authorize the Mayor to provide formal responses to two Sonoma County 2021-2022 Grand Jury Reports, "Affordable Housing: Past, Present and Future" and "Affordable Housing: Monitoring and Compliance."

**Attachments:** [Staff Report](#)  
[Attachment 1 - 2021-2022 Grand Jury Consolidated Final F](#)  
[Attachment 2 - Response to Affordable Housing: Past Pres](#)  
[Attachment 3 - Response to Affordable Housing: Monitorin](#)  
[Attachment 4 - Letter to Presiding Judge](#)  
[Presentation](#)

**12.2** RESOLUTION - THIRD AMENDMENT TO GENERAL SERVICES AGREEMENT NUMBER F001818 WITH NICK BARBIERI TRUCKING, LLC, DBA REDWOOD COAST FUELS

RECOMMENDATION: It is recommended by the Finance Department that the Council, by resolution, approve the Third Amendment to General Services Agreement Number F001818 with Nick Barbieri Trucking, LLC, dba Redwood Coast Fuels, Ukiah, California, for the delivery of fuels to various locations throughout the City to add funds and increase compensation by \$250,000, for a total amount not to exceed of \$745,000.

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

**12.3** RESOLUTION - PROFESSIONAL SERVICES AGREEMENT WITH FIRST 5 SONOMA COUNTY FOR ADMINISTRATION OF THE CITY OF SANTA ROSA GUARANTEED BASIC INCOME PROGRAM

RECOMMENDATION: It is recommended by the Planning and Economic Development Department that the Council, by resolution, approve a Professional Services Agreement with First 5 Sonoma County for administration of the City of Santa Rosa funded Guaranteed Basic Income Program in an amount not to exceed \$1,008,000.

**Attachments:** [Staff Report](#)  
[Resolution](#)  
[Exhibit A – First 5 Sonoma County PSA](#)  
[Presentation](#)

**12.4** RESOLUTION - MAKING REQUIRED MONTHLY 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

RECOMMENDATION: It is recommended by the City Attorney that the Council, by resolution, make required monthly 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.

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

- 12.5** RESOLUTION - APPROVAL AND ADOPTION OF THE CITY'S SALARY PLAN AND SCHEDULE, CORRECTING AN ADMINISTRATIVE ERROR AND ELIMINATING THE BUS OPERATOR TRAINEE CLASSIFICATION AND COMPENSATION

RECOMMENDATION: It is recommended by the Human Resources Department that Council, by resolution, approve and adopt the City's Salary Plan and Schedule, correcting an administrative error and eliminating the Bus Operator Trainee classification and compensation.

**Attachments:** [Staff Report](#)  
[Attachment 1 - RES-2022-159](#)  
[Attachment 2 - RES-2022-156](#)  
[Attachment 3 - Salary Plan and Schedule corrections highl](#)  
[Resolution](#)  
[Exhibit A - Salary Plan and Schedule](#)  
[Presentation](#)

- 12.6** RESOLUTION - APPROVAL AND ADOPTION OF RESOLUTION ELIMINATING THE BUS OPERATOR TRAINEE CLASSIFICATION AND PAY SCALE

RECOMMENDATION: It is recommended by the Human Resources Department that Council, by resolution: 1) adopt a Side Letter to the Memorandum of Understanding for Unit 8 - Transit; and 2) authorize the City Manager to execute the Side Letter and eliminate the Bus Operator Trainee classification and pay scale, as a recruitment and retention



strategy, retroactive to April 1, 2022.

**Attachments:** [Staff Report](#)  
[Resolution](#)  
[Exhibit A - Side Letter to Memorandum of Understanding.d](#)  
[Presentation](#)

- 12.7** ORDINANCE ADOPTION SECOND READING - ORDINANCE OF THE COUNCIL OF THE CITY OF SANTA ROSA PREZONING THE PROPERTY LOCATED AT 2210 BRUSH CREEK ROAD (BRUSH CREEK ROAD MINOR SUBDIVISION) INTO THE R-1-6 (SINGLE-FAMILY RESIDENTIAL) ZONING DISTRICT, ASSESSOR'S PARCEL NUMBER 182-050-004; AND PREZONING THE PROPERTIES LOCATED AT 2200 BRUSH CREEK ROAD AND 0 BRIDGEWOOD DRIVE INTO THE RR-20 (RURAL RESIDENTIAL) ZONING DISTRICT, ASSESSOR'S PARCEL NUMBERS 182-050-005 & -014; FILE NO. PRJ20-008

RECOMMENDATION: This ordinance, introduced at the August 23, 2022, Regular Meeting by a 6-0-1 vote (MacDonald absent), prezones the property located at 2210 Brush Creek Road into the R-1-6 (Single Family Residential) zoning district and prezones the properties at 2200 Brush Creek Road and 0 Bridgewood Drive into the RR-20 (Rural Residential) zoning district.

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

- 12.8** ORDINANCE ADOPTION SECOND READING - ORDINANCE OF THE COUNCIL OF THE CITY OF SANTA ROSA AMENDING TITLE 20 OF THE SANTA ROSA CITY CODE TO PROHIBIT NEW GAS STATION LAND USES AND TO PROHIBIT EXPANSION OF FOSSIL FUEL INFRASTRUCTURE FOR EXISTING GAS STATION LAND USES, FILE REZ22-001

RECOMMENDATION: This ordinance, introduced at the August 23, 2022, Regular Meeting by a 6-0-1 (MacDonald absent) vote, approves text amendments to Title 20 of the City Code to prohibit new gas station land uses and to prohibit expansion of fossil fuel infrastructure for existing gas station land uses.

**Attachments:** [Ordinance](#)  
[Ordinance Redlined \(Revised\)](#)  
[Ordinance Final](#)

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

This is the time when any person may address the Council on matters not listed on this agenda, but which are within the subject matter jurisdiction of the Council. This public comment period will begin no earlier than 5:00 p.m. and will be limited to twelve speakers selected randomly by the Mayor. Each speaker will be allowed three minutes. Speakers who do not have an opportunity to speak during this time will be allowed to make public comment under Agenda Item 17.

Voice message public comments received for non-agenda items may be played under Agenda Item 13 or at Item 17. Recorded public comments are limited to 3 minutes to mirror in-person meeting protocols.

### **14. REPORT ITEMS - NONE.**

### **15. PUBLIC HEARINGS - NONE.**

Public Hearing matters will begin no earlier than 5:00 p.m. or as soon thereafter as the matters are reached on the agenda.

### **16. WRITTEN COMMUNICATIONS**

#### **16.1 STATE LEGISLATIVE UPDATE:**

- Support for AB 1985 (R. Rivas) -- Organic waste: recovered organic waste product procurement targets. Provided for information.
- Opposition for AB 2953 (Salas) -- Department of Transportation and local agencies: streets and highways: recycled materials. Provided for information.

**Attachments:** [State Legislative Memo](#)  
[AB 1985 Letter of Support](#)  
[Bill Text - AB 1985](#)  
[AB 2953 Letter of Opposition](#)  
[Bill Text - AB 2953](#)

## 17. PUBLIC COMMENTS ON NON-AGENDA MATTERS

This is the time when any person may address the Council on matters not listed on this agenda, but which are within the subject matter jurisdiction of the Council and not able to speak under Agenda Item 13. Each speaker will be allowed three minutes.

## 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

## 20. UPCOMING MEETINGS

This schedule is tentative and subject to change pending final publication and posting of the City Council Meeting Agenda.

### 20.1 UPCOMING MEETINGS LIST

**Attachments:** [Upcoming Meetings List](#)

**\*Did not appear on the preliminary agenda.**

**\*\*Quasi-judicial or adjudicative action.**

The Open Government Ordinance (ORD-2020-018) was adopted by City Council in December 2020. This ordinance, adds Chapter 1-10 to the City Code to codify the City of Santa Rosa's commitment to embrace a culture of open government to ensure public trust, engage the community, and establish a system of transparency, public participation, and collaboration. To view a full version of the Open Government Ordinance go to <http://srcity.org/OpenGovOrdinance>. To request a paper copy of the Open Government Ordinance contact the City Clerk's Office at 707-543-3015 (TTY Relay at 711) or [cityclerk@srcity.org](mailto:cityclerk@srcity.org).

The City of Santa Rosa does not discriminate against individuals with disabilities in its employment, services, benefits, facilities, programs, or activities. Requests for accommodations, auxiliary aids, or services necessary to participate in a City program, service, or activity, including printed information in alternate formats, are available by contacting the City Clerk's Office at 707-543-3015 (TTY Relay at 711) or [cityclerk@srcity.org](mailto:cityclerk@srcity.org). If the request is received at least 7 business days prior to the City Council meeting, the copy shall be provided no later than two (2) business days prior to the City Council meeting. Meeting information can also be accessed via the internet at <http://srcity.org>

**City Council**

**SEPTEMBER 13, 2022**

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*Any writings or documents provided to a majority of the City Council prior to this meeting regarding any item on this agenda, excluding closed session items, are available for public review in the City Clerk's Office, Room 10, City Hall, 100 Santa Rosa Ave, during normal business hours.*