



City of Santa Rosa

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

City Council Regular Meeting Minutes - Draft

Tuesday, November 1, 2022

3:00 PM

1. CALL TO ORDER AND ROLL CALL

Mayor C. Rogers called the meeting to order at 3:00 p.m.

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

Absent: 1 - Council Member John Sawyer

2. ANNOUNCEMENT OF CLOSED SESSION ITEMS - NONE.

3. STUDY SESSION

3.1 UPDATE ON PG&E'S POTTER VALLEY PROJECT

In July 2022, the Federal Energy Regulatory Commission (FERC) accepted Pacific Gas and Electric Company's (PG&E) proposed 30-month schedule to prepare and submit a license surrender application and decommissioning plan for the Potter Valley Hydroelectric Project (Project), which is located along the Eel River and diverts water into the East Fork Russian River providing water supply to Sonoma Water. PG&E will continue operating the Project under annual FERC licenses in the interim, but it remains unclear whether diversions from the Eel River to Russian River will continue after decommissioning of the Project. Sonoma Water and a collection of regional partners are initiating a collaborative process - the Russian River Water Forum - that aims to preserve the flow of water from the Project into the Russian River while also fostering collaboration to support water supply resiliency in the Russian River watershed. Santa Rosa's Water Advisory Committee (WAC) member, Councilmember Rogers, and Technical Advisory Committee (TAC) member, Water Director Jennifer Burke, have been invited to provide input on Santa Rosa's perspective on the future of the Project. Santa Rosa Water staff will provide an update on the Project and next steps. The Council may receive information, ask questions, discuss and provide direction regarding the future of the Potter Valley Project to inform Santa Rosa's WAC and TAC member for participation in the Russian River Water Forum.

Jennifer Burke, Director Santa Rosa Water; Peter Martin, Deputy Director Water Resources; and Morgan Biggerstaff, Assistant City Attorney, presented and answered questions from Council.

No public comments were made.

Mayor C. Rogers recessed the meeting at 3:45 p.m. and reconvened at 4:00 p.m.

4. ANNOUNCEMENT OF ROLL CALL (IF NEEDED)

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

Absent: 1 - Council Member John Sawyer

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

No reports were provided.

6. PROCLAMATIONS/PRESENTATIONS - NONE.

7. STAFF BRIEFINGS

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, reported the Gun Buy Back Program was a huge success, thanked the Santa Rosa Police Foundation for their efforts and time, thanked Congressman Mike Thompson, Senator Mike McGuire, Providence Health, and various donors for their generosity, with a special thank you to Ken Cooker for being a champion volunteer, partner, donor and main driver for the event and to Police Chief Cregan and Police Lieutenant Isachsen for their partnership. Deputy Director Telles reported that the Marylou Lowrider was present at the Trunk or Treat events that took place at the Veteran's Memorial Building and at the Finley Community Center. Deputy Director Telles invited the community to the Hearn Community Hub event on November 16 at the Utilities Field Operation facility on Stony Point Road to participate in a summary presentation, and introduced the new

Community Engagement Coordinator Daniel Chaparro to the team.

Deputy Director Telles answered questions from Council.

No public comments were made.

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

No reports were provided.

9. STATEMENTS OF ABSTENTION BY COUNCIL MEMBERS

No statements of abstention were made.

10. MAYOR'S/COUNCIL MEMBERS' REPORTS

Council Member MacDonald attended the NAACP Youth Meet & Greet at the Santa Rosa Fire Department, attended the groundbreaking ceremony at the Water Treatment Plant, congratulated the Northwest area on the newly renovated Brendon Park, reminded the community about the Park a Month events, and thanked City staff for their work at the event in Howarth Park.

Council Member N. Rogers welcomed the new hires in the Santa Rosa Police Department, visited Redwood Empire Food Bank distribution center, participated in the Empowering Neighborhoods meeting hosted by Santa Rosa Together; attended the Former Santa Rosa Mayors luncheon, attended the Why I Run YWCA event, participated in the park clean up at A Place to Play, attended a UV Disinfection Project groundbreaking at the Laguna Treatment Plant and thanked Santa Rosa Water and regional partners, engineers and construction team for their work. Council Member Rogers announced the Veteran's Day event at City Hall on November 11 at 10:30; a food drive on 11/12 in partnership with Redwood Empire Food Bank at Bridge Church at 301 Fulton Road, and congratulated the new City Manager of Rohnert Park and asked that Council look at Santa Rosa's City Manager's compensation package.

Mayor C. Rogers asked City Manager Smith about the fences up in Courthouse Square. City Manager Smith reported the installation of

the Unum Art Sculpture to be completed in early December. Mayor C. Rogers announced the Dia De Los Muertos event currently happening in Courthouse Square.

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

Mayor C. Rogers provided a brief report on the Long Term Financial Policy and Audit Subcommittee 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 Sonoma County Continuum of Care (CoC)

Council Member Schwedhelm provided a brief report on the Board meeting, announced the opening of Board elections recruitment from November 1 through November 22. Council Member Schwedhelm provided an update on the Board's Strategic Plan and the work on capital projects.

10.1.10 Renewal Enterprise District (RED)

10.1.11 Public Safety Subcommittee

10.1.12 Other

11. APPROVAL OF MINUTES - NONE.

12. CONSENT ITEMS

No public comments were made.

Approval of the Consent Agenda

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

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

Absent: 1 - Council Member Sawyer

12.1 RESOLUTION - FOURTH AMENDMENT TO AGREEMENT NUMBER 08-8901 WITH CENTRALSQUARE TECHNOLOGIES, LLC AS SUCCESSOR IN INTEREST TO SUPERION, LLC

RECOMMENDATION: It is recommended by the Finance and Information Technology Departments that the Council, by resolution, approve a Fourth Amendment to Agreement Number 08-8901 with CentralSquare Technologies, LLC, as successor in interest to Superion, LLC, Lake Mary, Florida, to extend the term for maintenance and support of the ONESolution Finance/HR/Payroll software suite, for an additional five (5) years in the amount of \$753,638.21, for a total not to exceed contract amount of \$4,657,989.61.

This Consent - Resolution was adopted.

RESOLUTION NO. RES-2022-215 ENTITLED: RESOLUTION OF THE COUNCIL OF THE CITY OF SANTA ROSA APPROVING A FOURTH AMENDMENT TO AGREEMENT NUMBER 08-8901 WITH CENTRALSQUARE, LLC, AS SUCCESSOR IN INTEREST TO SUPERION, LLC

12.2 RESOLUTION - APPROVAL OF USE OF CALIFORNIA DEPARTMENT OF GENERAL SERVICES CONTRACT AND ISSUANCE OF PURCHASE ORDER FOR SIX 2023 TOYOTA SIENNA HYBRID MINIVANS TO FREEWAY TOYOTA, HANFORD, CA

RECOMMENDATION: It is recommended by the Transportation and Public Works and Finance Departments that the Council, by resolution: 1) approve a cooperative procurement purchase utilizing the California Department of General Service's Statewide Contract for Fleet Vehicles Contract 1-22-23-23A-1; and 2) authorize the Purchasing Agent to issue a purchase order for six 2023 Toyota Sienna Hybrid Minivans for \$37,625.60 each, to Freeway Toyota, Hanford, California, for a total not exceed amount of \$225,753.61. These vehicles are all allocated as replacements for existing Police Patrol vehicles.

This Consent - Resolution was adopted.

RESOLUTION NO. RES-2022-216 ENTITLED: RESOLUTION OF THE COUNCIL OF THE CITY OF SANTA ROSA APPROVING A COOPERATIVE PROCUREMENT PURCHASE WITH CALIFORNIA DEPARTMENT OF GENERAL SERVICES STATEWIDE CONTRACT FOR FLEET VEHICLES AND APPROVING A PURCHASE ORDER FOR SIX 2023 TOYOTA SIENNA HYBRID MINIVANS TO FREEWAY TOYOTA, HANFORD, CALIFORNIA IN AN AMOUNT NOT TO EXCEED \$225,753.61

- 12.3** RESOLUTION - ACCEPTANCE AND APPROPRIATION OF \$5,000,000 FROM THE STATE OF CALIFORNIA HOUSING AND COMMUNITY DEVELOPMENT DEPARTMENT FOR CARITAS CENTER

RECOMMENDATION: It is recommended by the Housing and Community Services Department that the Council, by resolution: 1) accept and appropriate \$5,000,000 in funding from the State of California for Caritas Center; 2) authorize payment of the \$5,000,000 to Caritas Center; and 3) authorize the City Manager or designee to sign all related documents.

This Consent - Resolution was adopted.

RESOLUTION NO. RES-2022-217 ENTITLED: RESOLUTION OF THE COUNCIL OF THE CITY OF SANTA ROSA ACCEPTING AND APPROPRIATING \$5,000,000 AWARD FOR CARITAS CENTER FROM THE STATE OF CALIFORNIA'S 2022 BUDGET THROUGH ITS HOUSING AND COMMUNITY DEVELOPMENT DEPARTMENT, AUTHORIZING PAYMENT OF \$5,000,000 TO CARITAS CENTER, AND AUTHORIZING THE CITY MANAGER OR DESIGNEE TO SIGN ALL RELATED DOCUMENTS

- 12.4** RESOLUTION - WAIVER OF COMPETITIVE BID AND APPROVAL OF

**PURCHASE ORDER TO ILLINOIS TOOL WORKS INC FOR AN
INSTRON DX300 COMPRESSION MACHINE**

RECOMMENDATION: It is recommended by the Transportation and Public Works Department that the Council, by resolution: 1) waive competitive bidding pursuant to City Code Section 3 08.100(D); and 2) approve issuance of a purchase order to Illinois Tool Works, Inc. for an Instron DX300 Compression Testing Machine for the Materials Engineering Laboratory in an amount not to exceed \$112,831.

This Consent - Resolution was adopted.

**RESOLUTION NO. RES-2022-218 ENTITLED: RESOLUTION OF THE
COUNCIL OF THE CITY OF SANTA ROSA WAIVING COMPETITIVE
BIDDING, APPROVING PURCHASE OF AN INSTRON DX300
COMPRESSION MACHINE FROM ILLINOIS TOOL WORKS INC**

- 12.5** 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 the required monthly findings and authorize 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.

This Consent - Resolution was adopted.

**RESOLUTION NO. RES-2022-219 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**

- 12.6** ORDINANCE ADOPTION - SECOND READING - ORDINANCE OF THE COUNCIL OF THE CITY OF SANTA ROSA AMENDING SANTA ROSA CITY CODE TITLE 7 - ANIMALS, CHAPTER 7-04 TO GIVE CITY ATTORNEY DISCRETION TO SEEK A VICIOUS DESIGNATION ON AN ANIMAL THAT, WHEN UNPROVOKED, KILLS ANOTHER

DOMESTIC ANIMAL

RECOMMENDATION: This ordinance, introduced at the October 25, 2022, Regular Meeting by a 7-0 unanimous vote, amends Title 7, City Code Chapter 7-04, to give City Attorney discretion to seek a vicious designation on an animal that, when unprovoked, kills another domestic animal and broadens the definition of a secure enclosure to protect the public health, safety and welfare.

This Consent - Ordinance was adopted.

ORDINANCE NO. ORD-2022-013 ENTITLED: ORDINANCE OF THE COUNCIL OF THE CITY OF SANTA ROSA AMENDING SANTA ROSA CITY CODE TITLE 7 - ANIMALS, CHAPTER 7-04 TO GIVE CITY ATTORNEY DISCRETION TO SEEK A VICIOUS DESIGNATION ON AN ANIMAL THAT, WHEN UNPROVOKED, KILLS ANOTHER DOMESTIC ANIMAL

14. REPORT ITEMS

14.1 REPORT - INTRODUCTION OF AN ORDINANCE TO THE SANTA ROSA CITY CODE ADDING CHAPTER 10-22 LOST PROPERTY

BACKGROUND: The Santa Rosa Police Department does not currently have a method by which it can dispose of lost or abandoned property valued in excess of \$250.00. While City Code 11-42 allows the Department to dispose of toys, sporting equipment, and bicycles, the Department is routinely forced to store other items which do not fall under the categories set forth in City Code 11-42.

Civil Code 2080.4 allows municipalities to create an ordinance that would legally empower a City to dispose of items valued in excess of \$250.00.

RECOMMENDATION: It is recommended by the Police Department that the Council introduce an ordinance to amend Title 10 of the Santa Rosa City Code by adding Chapter 10-22 Lost Property for the disposition of unclaimed lost property.

Gina Giomi, Technical Services Division Manager, presented and answered questions from Council.

PUBLIC COMMENT

Duane De Witt spoke on informing the community on lost property by noticing in it the newspaper and radio so community members can see the information if there is property of theirs that is up for auction.

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

ORDINANCE OF THE COUNCIL OF THE CITY OF SANTA ROSA AMENDING TITLE 10, AND ADDING CHAPTER 10-22 TO THE SANTA ROSA CITY CODE REGARDING THE DISPOSITION OF UNCLAIMED LOST PROPERTY

The motion carried by the following vote:

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

Absent: 1 - Council Member Sawyer

Mayor C. Rogers recessed the meeting at 4:43 p.m. and reconvened at 5:00 p.m.

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

Absent: 1 - Council Member John Sawyer

13. PUBLIC COMMENT ON NON-AGENDA MATTERS

Duane De Witt spoke on the first scenic road in Roseland, Burbank Avenue having a tree canopy, and expressed concern the trees are being neglected and need to be cut down.

15. PUBLIC HEARINGS

- 15.1 PUBLIC HEARING - CODE ADOPTION AND AMENDMENTS TO THE CALIFORNIA BUILDING AND FIRE CODES, TITLE 18 OF THE SANTA ROSA CITY CODE (This item was continued from the October 25, 2022, Regular Meeting)**

BACKGROUND: Every three years the State of California updates the California Code of Regulations, Title 24 (CCR-T24) including its twelve-component building and safety codes (collectively, the California

Building Standards Code). Through the State code adoption cycle, the State of California adopts and publishes amendments to national model codes and updates codes specific to California. Such model codes with State amendments and California specific codes go into effect in every city and county in the State of California 180 days after publication. The new California Building Standards (CCR-T24) was published on July 1, 2022 and will take effect on January 1, 2023.

Similarly, every three years the International Code Council updates the International Property Maintenance Code with the most recent update occurring in 2021. Adoption of the International Property Maintenance Code is at the discretion of the local agency. In addition, the California Regional Water Quality Control Board North Coast Region recently issued the National Pollutant Discharge Elimination (NPDES) Permit and Waste Discharge Requirements for Discharges from the Municipal Separate Storm Sewer Systems, NPDES No. CA0025054, which staff will be recommending be incorporated into the Santa Rosa City Code by reference.

RECOMMENDATION: It is recommended by the Fire Department and the Planning and Economic Development Department that the Council: 1) introduce an ordinance adopting by reference the 2022 edition of the California Fire Code as adopted and amended by the State of California, and further amended based on local conditions, for use in Chapter 18-44 of the Santa Rosa City Code, repeal existing sections not applicable to new codes and modify the Santa Rosa City Code to reflect the new model code; 2) introduce an ordinance adopting by reference, with local amendments, the 2022 California Administrative Code, 2022 California Building Code, 2022 California Residential Code, 2022 California Green Building Standards Code, 2022 California Electrical Code, 2022 California Mechanical Code, 2022 California Plumbing Code, 2022 California Energy Code, 2022 California Historical Building Code, 2022 California Existing Building Code, 2022 California Referenced Standards Code, 2021 International Property Maintenance Code, and the National Pollutant Discharge Elimination Permit and Waste Discharge Requirements; and 3) adopt a resolution setting a public hearing on November 15, 2022, for adoption of the ordinances.

Jesse Oswald, Chief Building Official, presented and answered

questions from Council.

Lou Kirk, Assistant Chief Building Official, Paul Lowenthal, Division Chief Fire Marshal, and Mike Johnson, Assistant Fire Marshall, were available to answer questions.

Mayor C. Rogers opened the public hearing at 5:28 p.m.

No public comments were made.

Mayor C. Rogers closed the public hearing at 5:28 p.m.

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

RESOLUTION NO. RES-2022-220 ENTITLED: RESOLUTION OF THE COUNCIL OF THE CITY OF SANTA ROSA SETTING A TIME AND PLACE FOR A PUBLIC HEARING FOR THE PROPOSED ADOPTION, BY REFERENCE, OF PORTIONS OF THE 2022 CALIFORNIA FIRE CODE, 2022 CALIFORNIA BUILDING STANDARDS CODE (CALIFORNIA CODE OF REGULATIONS, TITLE 24) AND THE 2021 INTERNATIONAL PROPERTY MAINTENANCE CODE, EACH WITH LOCAL AMENDMENTS; THE PROPOSED ADOPTION OF THE NATIONAL POLLUTANT DISCHARGE ELIMINATION (NPDES) PERMIT AND WASTE DISCHARGE REQUIREMENTS; AND THE RELATED REPEAL OF SELECTED SECTIONS OF THE SANTA ROSA CITY CODE THAT ARE OBSOLETE OR NO LONGER RELEVANT

The motion carried by the following vote:

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

Absent: 1 - Council Member Sawyer

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

ORDINANCE OF THE COUNCIL OF THE CITY OF SANTA ROSA REPEALING CHAPTER 18-44 OF THE EXISTING SANTA ROSA CITY CODE AND ADDING A NEW CHAPTER 18-44 ADOPTING BY REFERENCE, WITH LOCAL AMENDMENTS, THE 2022 EDITION OF THE CALIFORNIA FIRE CODE

The motion carried by the following vote:

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

Absent: 1 - Council Member Sawyer

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

ORDINANCE OF THE COUNCIL OF THE CITY OF SANTA ROSA ADOPTING BY REFERENCE, WITH LOCAL AMENDMENTS, THE 2022 CALIFORNIA ADMINISTRATIVE CODE, 2022 CALIFORNIA BUILDING CODE, 2022 CALIFORNIA RESIDENTIAL CODE, 2022 CALIFORNIA ELECTRICAL CODE, 2022 CALIFORNIA MECHANICAL CODE, 2022 CALIFORNIA PLUMBING CODE, 2022 CALIFORNIA ENERGY CODE, 2022 CALIFORNIA HISTORICAL BUILDING CODE, 2022 CALIFORNIA EXISTING BUILDING CODE, 2022 CALIFORNIA GREEN BUILDING STANDARDS CODE, 2022 CALIFORNIA ENERGY CODE, 2022 CALIFORNIA REFERENCED STANDARDS CODE, 2021 INTERNATIONAL PROPERTY MAINTENANCE CODE, AND THE NATIONAL POLLUTANT DISCHARGE ELIMINATION PERMIT AND WASTE DISCHARGE REQUIREMENTS

The motion carried by the following vote:

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

Absent: 1 - Council Member Sawyer

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 5:33 p.m. The next regular meeting will be held on November 15, 2022, 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