



**City Council
Regular Meeting Minutes - Final**

Tuesday, July 12, 2022

12:00 PM

1. CALL TO ORDER AND ROLL CALL

Mayor C. Rogers called the meeting to order at 12:00 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 12:05 p.m. to discuss Item 2.1 as listed on the agenda.

**2.1 CONFERENCE WITH REAL PROPERTY NEGOTIATOR
(Government Code Section 54956.8)**

Property: 3012 Dutton Meadow, Santa Rosa APN: 043-122-007
Agency Negotiators: Jill Scott, Real Property Negotiator
Negotiating Parties: Marcus R. Bell and Kathy A. Bell, Co-Trustees of the Marcus R. Bell and Kathy A. Bell Trust,
and Shawn Ratto, Trustee of The Shawn M. Ratto 2005 Trust
Under Negotiations: Price and terms of payment.

This item was received and filed.

Mayor C. Rogers adjourned closed session at 12:38 p.m. and reconvened the regular meeting at 1:00 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

3. INTERVIEWS FOR BOARDS, COMMISSIONS AND COMMITTEES

3.1 INTERVIEWS FOR SONOMA COUNTY LIBRARY COMMISSION REPRESENTATIVES

The Council will interview applicants to fill vacancies on the following:

Sonoma County Library Commission - 1 position - Joint City of Santa Rosa/Sonoma County Representative for a four-year term to expire on August 1, 2026.

Sonoma County Library Commission - 1 position - City of Santa Rosa representative for a four-year term to expire on August 1, 2026.

Attachments: [Staff Report](#)
 [Attachment 1 - Library Commission Letter](#)
 [Notice of Application Availability](#)

Council conducted interviews of the following persons interested in serving as the City representative and as the Joint City/County representative on the Sonoma County Library Commission:

David Cahill
Venkates Swaminathan
Linda Schiligen
Sara Laggos

Mayor C. Rogers recessed the meeting at 1:26 p.m. and reconvened to the Study Session at 2:00 p.m.

4. STUDY SESSION

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

4.1 PROJECT LABOR AGREEMENT POLICY INFORMATIONAL SESSION

Council has routinely requested that staff evaluate and implement both policies and strategies to increase local investment, whether monetarily by hiring local contractors or professionally by increasing opportunity to develop a strong and knowledgeable local workforce. One tool used by other government agencies around the state and country is Project Labor Agreements. Staff will use this study session to clarify Council's interest in developing a stronger local investment policy, define typical Project Labor Agreements (PLA), describe local labor demographics, understand the City's capital improvement program aimed at

determining if a potential policy will apply to some or all projects and present alternative local labor focused policies.

The City Manager's Office and Economic Development Division will provide Council with an overview of Project Labor Agreements, local construction labor demographics, city capital improvement program statistics and various policy language for consideration and further direction.

Attachments: [Staff Report](#)
[Presentation \(Uploaded 7-12-2022\)](#)
[Late Correspondence \(Uploaded 7-12-2022\)](#)

Jason Nutt, Assistant City Manager, and Raissa de la Rosa, Deputy Director Economic Development, presented and answered questions from Council.

PUBLIC COMMENT

Eric Christen, Executive Director Coalition for Fair Employment & Construction, spoke in opposition to project labor agreements stating they are costly and discriminatory.

Joe Lubas, Policy Analyst Associated Builders & Contractors Northern California Chapter, spoke in opposition to project labor agreements stating they are costly and discriminatory.

Richard Markuson, Western Electrical Contractors Association, spoke stating project labor agreements reduce competition and made suggestions on what the City should incorporate in project labor agreements should the Council move forward with implementation.

Rob Barsi, Training Director and Administrator of Local 551 Electrical Union Apprenticeship Program, spoke in support of project labor agreements.

Peter Rumble, Executive Director Santa Rosa Metro Chamber of Commerce, spoke thanking staff for their work, and encouraged Council to prioritize and invest in the entire local workforce.

Jolene Kramer, Attorney North Bay Building Trades Council, spoke in support and on the benefits of project labor agreements.

Jared Mumm, IBEW Local 551 Member, spoke in support of project labor agreements.

Mike Cook spoke in opposition to project labor agreements.

Sergio Cortez spoke in opposition to project labor agreements.

John McEntagart, IBEW Local 551, spoke in support and the benefits of project labor agreements.

John Medina, Local 403 Business Agent and President of Building and Construction Trades Council of the North Bay, spoke thanking Assistant City Manager Jason Nutt and Deputy Director Economic Development Raissa De La Rosa and in support and benefits of project labor agreements.

Rick Cross, VSS International, spoke in opposition to project labor agreements.

Maddy Hirshfield spoke in support of project labor agreements.

Michael Allen spoke on the need to work cooperatively to create good policies for project labor agreements.

Frank Cuneo, Director of North Bay Trades Introduction Program, spoke in support of project labor agreements.

Frank Reardon, Business Agent Plumbers Union Local 38, spoke in support of project labor agreements, asked Council to not adopt the staff recommendations as written and to sit down with building trade representatives to negotiate an agreement policy that will achieve the goals the labor community was looking for.

Sam Crump, spoke on completing the apprenticeship program in Local 38, the positive impacts it has had for him, asked Council to not adopt the staff recommendations as written and to sit down with labor to produce a final draft that will support local skilled labor and apprenticeships.

Jack Buckhorn, Executive Director North Bay Labor Council, spoke on creating successful union apprenticeship programs that benefit diversity, equity, and broader inclusion in the workforce, and in support of project labor agreements.

Nicole Goehring, Associated Builders and Contractors Northern California Chapter, spoke in opposition to project labor agreements, in support of creating a workforce development program, and supports the goals of city staff.

Council provided feedback and directed staff to return with a draft policy at a future meeting.

Mayor C. Rogers recessed the meeting at 4:05 p.m. and reconvened at 4:15 p.m.

5. ANNOUNCEMENT OF ROLL CALL (IF NEEDED)

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

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

City Attorney Sue Gallagher reported Council met in closed session on Item 2.1 to discuss price and terms on the purchase of property on Bellevue Avenue, gave direction to real property negotiator and no final action was taken.

7. PROCLAMATIONS/PRESENTATIONS

Thomas Els spoke on Item 7.2 acknowledging the work of Mr. Borowicz and the extent of use the golf course gets.

Gregory Fearon spoke on item 7.2 acknowledging the work of Mr.

Borowicz and wished him well.

7.1 PROCLAMATION - ZERO WASTE WEEK

Attachments: [Proclamation](#)

Council Member MacDonald read the proclamation and presented it to Sloane Pagal, Zero Waste Sonoma. Joey Hejnowicz, Zero Waste Coordinator, provided information on Zero Waste Week events in Santa Rosa.

This item was presented.

7.2 PROCLAMATION - BOB BOROWICZ

Attachments: [Proclamation](#)
[Proclamation \(Uploaded 7-12-2022\)](#)

Council Member Schwedhelm read the proclamation and presented it to Bob Borowicz. Mr. Borowicz thanked the Council for the recognition and acknowledged the people who helped him throughout his career.

This item was presented.

16. PUBLIC HEARINGS

16.1 PUBLIC HEARING - A RESOLUTION OF NECESSITY FOR THE ACQUISITION BY EMINENT DOMAIN OF EASEMENT INTERESTS IN PORTIONS OF REAL PROPERTY COMMONLY KNOWN AS 4912 AND 4914 HIGHWAY 12, APNS 031-240-006 AND 031-240-067, FOR THE LOS ALAMOS TRUNK SEWER REPLACEMENT PROJECT

BACKGROUND: In line with the Council's goals to build and maintain sustainable infrastructure, acquisition of the above-described property interests will allow the City to complete construction of Segment 1 of Los Alamos Trunk Sewer Replacement Project, which will provide upgrades to deficient portions of the existing sewer system and provide improved sewer system capabilities to the public.

RECOMMENDATION: It is recommended by the Water and Transportation and Public Works Departments and Real Estate Services that the Council conduct a public hearing and adopt a Resolution of Necessity, by a two-thirds vote, declaring the necessity of acquisition, by eminent domain, of two permanent easement interests

and two temporary construction easement interests in portions of certain real property, more particularly described as Assessor Parcel Nos. 031-240-006 and 031-240-067 (collectively, the "Subject Property"), for the Los Alamos Trunk Sewer Replacement Project ("Project") in the City of Santa Rosa, Sonoma County, California.

Attachments: [Staff Report](#)
 [Resolution](#)
 [Exhibit A - Legal Definitions](#)
 [Presentation](#)

Stephanie Valkovic, Associate Real Property Agent, presented and answered questions from Council.

Mark Easter, legal counsel from Best, Best and Krieger, explained the purpose of the hearing and noted the approval of the resolution required a two-thirds vote, five (5) affirmative votes to pass.

Stephanie Williams, City Clerk, reported a proof of mailing of the Notice of Hearing to the property owner was received, the hearing notice was provided to the property owner by first class mail 15 calendar days before the hearing in accordance with the statute.

Mayor Rogers opened the public hearing at 5:45 p.m.

Samantha Zappelli, Property Owner, presented her concerns the impact will be more than just the sewer project on Los Alamos Road and requested the logistics be worked out.

Mayor Rogers closed the public hearing at 5:48 p.m.

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

RESOLUTION NO. RES-2022-145 ENTITLED: RESOLUTION OF THE COUNCIL OF THE CITY OF SANTA ROSA ADOPTING A RESOLUTION OF NECESSITY FOR THE ACQUISITION BY EMINENT DOMAIN OF EASEMENT INTERESTS IN PORTIONS OF CERTAIN REAL PROPERTY, COMMONLY KNOWN AS 4912 AND 4914 HIGHWAY 12 AND MORE PARTICULARLY DESCRIBED AS ASSESSOR PARCEL NUMBERS 031-240-006 AND 031-240-067, FOR THE LOS ALAMOS TRUNK SEWER REPLACEMENT PROJECT

The motion carried by the following vote:

Yes: 7 - Mayor Rogers, Vice Mayor Alvarez, Council Member Fleming, Council Member MacDonald, Council Member Rogers, Council Member Sawyer, and Council Member Schwedhelm

16.2 PUBLIC HEARING - URGENCY ORDINANCE AMENDING CITY CODE CHAPTER 18-52 FLOOD DAMAGE PROTECTION AMENDMENTS TO COMPLY WITH MINIMUM REQUIREMENTS OF THE NATIONAL FLOOD DISASTER PROTECTION ACT AND THE NATIONAL FLOOD INSURANCE PROGRAM (NFIP) AND SETTING A PUBLIC HEARING FOR ADOPTION

BACKGROUND: The proposed ordinance amends sections of the City Code as required to maintain compliance with FEMA's National Flood Insurance Program (NFIP) minimum regulatory standards set forth in the Code of Federal Regulations and to enable the City to continue participating in the NFIP and ensure continued compliance with the California Department of Water Resources requirements embedded in California Building Standards Code (CCR Title 24). 44 Code of Federal Regulations 60.3 requires that local jurisdictions administer minimum requirements when development is proposed and constructed in flood-prone areas. The action supports the Council goal of ensuring a healthy and safe community by protecting development in flood prone areas.

RECOMMENDATION: It is recommended by the Planning and Economic Development Department that the Council adopt an urgency ordinance amending City Code Chapter 18-52, Flood Damage Protection, to comply with regulatory requirements that the City of Santa Rosa's City Code coincide with 44 Code of Federal Regulations 60.3.

Attachments: [Staff Report](#)
[Staff Report \(Uploaded 7-12-2022\)](#)
[Attachment 1 - Redlined Changes to Ch 18-52 Ordinance Presentation](#)

Jesse Oswald, Chief Building Official, presented and answered questions from Council.

Mayor Rogers opened the public hearing at 5:58 p.m.

Gregory Fearon asked if there was an estimate on the number of recreational vehicles in the flood prone areas that would be out of compliance.

Mr. Oswald answered the question from Mr. Fearon.

Mayor Rogers closed the hearing at 5:59 p.m.

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

ORDINANCE NO. ORD-2022-006 ENTITLED: URGENCY ORDINANCE OF THE COUNCIL OF THE CITY OF SANTA ROSA ADOPTING AMENDMENTS TO CITY CODE CHAPTER 18-52, FLOOD DAMAGE PROTECTION, TO COMPLY WITH REGULATORY REQUIREMENTS THAT THE CITY OF SANTA ROSA'S CITY CODE COINCIDE WITH 44 CODE OF FEDERAL REGULATIONS 60.3

The motion carried by the following vote:

Yes: 7 - Mayor Rogers, Vice Mayor Alvarez, Council Member Fleming, Council Member MacDonald, Council Member Rogers, Council Member Sawyer, and Council Member Schwedhelm

Mayor C. Rogers recessed the meeting at 6:03 p.m. and reconvened at 6:35 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

14. PUBLIC COMMENT ON NON-AGENDA MATTERS

No public comments were made.

15. REPORT ITEMS

15.1 REPORT - RENEWING SALES TAX MEASURE, FUNDING FOR PUBLIC SAFETY AND VIOLENCE PREVENTION

BACKGROUND: In 2004, Santa Rosa voters enacted a 20-year dedicated sales tax to fund public safety and violence prevention programs. The measure, known as Measure O, expires on March 31,

2025. The Council is considering placing a renewal measure on the ballot before the expiration of the tax to ensure no pause in funding. The renewal measure would extend the ¼ cent tax for an additional 20 years. This renewal measure would continue the funding allocation as currently outlined in Measure O for police, fire, and violence prevention programs. Further, the proposed measure would update permissible uses for the extension of the sales tax, including mental health support teams and new geographic areas for enhanced police services.

RECOMMENDATION: It is recommended by the City Manager's Office, Finance Department and Communications & Intergovernmental Relations Office that the City Council, (1) introduce an ordinance to amend chapter 3.26 of the Santa Rosa City Code to extend a quarter-cent Transaction and Use Tax to fund public safety and violence prevention programs and to update permissible uses of the tax revenues, and (2) approve a resolution directing the submission of a ballot measure to seek voter approval of that ordinance at the November 8, 2022, General Municipal Election and approving related actions.

Attachments: [Staff Report](#)
[Attachment 1 - Redlined Changes to SRCC](#)
[Attachment 2 - Topline Report from Godbe Research](#)
[Attachment 3 - Let's Connect Survey Summary Report](#)
[Resolution](#)
[Ordinance](#)
[Consultant Presentation](#)
[Staff Presentation](#)

Scott Alonso, Intergovernmental Relations & Legislative Officer, presented and answered questions from Council.

Brian Godbe, Godbe Research, presented the consultant presentation and answered questions from Council.

Magali Telles, Deputy Director Community Engagement, answered questions from Council.

PUBLIC COMMENTS

Calum Weeks spoke in support of Measure O and encouraged the community to support the ballot measure.

Gregory Fearon spoke in support of the measure.

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

ORDINANCE OF THE CITY OF SANTA ROSA AMENDING CHAPTER 3.26 OF THE SANTA ROSA CITY CODE TO EXTEND EXISTING ¼ CENT SALES TAX (ADOPTED BY CITY VOTERS AS MEASURE O AT THE NOVEMBER 2004 ELECTION) FOR AN ADDITIONAL TWENTY YEARS AND EXPANDING ALLOWABLE USES OF FUNDING

Mayor C. Rogers made a friendly amendment asking Council to give him the authority to author and sign the argument in support of the Measure.

City Attorney Gallagher informed the Council that the ordinance being introduced is the attachment to the resolution and suggested the resolution be adopted with the ordinance at the next Council meeting held on July 26, 2022.

The motion carried by the following vote:

Yes: 7 - Mayor Rogers, Vice Mayor Alvarez, Council Member Fleming, Council Member MacDonald, Council Member Rogers, Council Member Sawyer, and Council Member Schwedhelm

Mayor C. Rogers took the Consent Calendar prior to continuing on to the other items on the agenda.

13. CONSENT ITEMS

PUBLIC COMMENT

Erika Thibault, Interim Director of Sonoma County Library, spoke in support of Item 13.5.

Approval of the Consent Agenda

A motion was made by Vice Mayor Alvarez, seconded by Council Member Schwedhelm, to waive reading of the text and adopt Consent Items 13.1 through 13.8. The motion carried by the following vote:

Yes: 7 - Mayor Rogers, Vice Mayor Alvarez, Council Member Fleming, Council Member MacDonald, Council Member Rogers, Council Member Sawyer, and Council Member Schwedhelm

13.1 RESOLUTION - THIRD AMENDMENT TO PROFESSIONAL SERVICES AGREEMENT F002029 WITH JESSICA RASMUSSEN OF SANTA ROSA, CALIFORNIA

RECOMMENDATION: It is recommended by the Planning and Economic Development Department that the Council, by resolution, approve the Third Amendment to Professional Services Agreement Number F002029 with Jessica Rasmussen, a sole proprietor, Santa Rosa, CA, to extend art programming and project management services for the Public Art Program and Economic Development Division through June 30, 2023, and increase compensation in the amount of \$106,080 for a total amount not to exceed \$206,080.

Attachments: [Staff Report](#)
 [Resolution](#)
 [Exhibit A - Third Amendment to PSA F002029](#)
 [Presentation](#)

This Consent - Resolution was adopted.

RESOLUTION NO. RES-2022-146 ENTITLED: RESOLUTION OF THE COUNCIL OF THE CITY OF SANTA ROSA APPROVING THE THIRD AMENDMENT TO PROFESSIONAL SERVICES AGREEMENT NUMBER F002029 WITH JESSICA RASMUSSEN, SANTA ROSA, CA IN THE AMOUNT OF \$106,080

13.2 RESOLUTION - FIRST AMENDMENT TO PROFESSIONAL SERVICES AGREEMENT NUMBER F001345 WITH PERFECTMIND INC.

RECOMMENDATION: It is recommended by the Recreation and Parks Department that the Council, by resolution, approve a First Amendment to Professional Services Agreement Number F001345 with Perfectmind Inc., British Columbia, for recreation management software to extend the contract for an additional five (5) years and increasing compensation by \$341,000, for a total contract amount not to exceed \$711,340.

Attachments: [Staff Report](#)
 [Resolution](#)
 [Exhibit A - First Amendment to PSA Number F001345](#)
 [Presentation](#)

This Consent - Resolution was adopted.

RESOLUTION NO. RES-2022-147 ENTITLED: RESOLUTION OF THE COUNCIL OF THE CITY OF SANTA ROSA APPROVING A FIRST AMENDMENT TO PROFESSIONAL SERVICES AGREEMENT NUMBER F001345 WITH PERFECTMIND INC., BRITISH COLUMBIA, FOR A HOSTED RECREATION MANAGEMENT SYSTEM

13.3 RESOLUTION - 2022 SHORT RANGE TRANSIT PLAN PUBLIC INVOLVEMENT PLAN

RECOMMENDATION: It is recommended by the Transportation and Public Works Department that the Council, by resolution, approve and adopt the Public Involvement Plan for the Transit Division's Short Range Transit Plan 2022 update.

Attachments: [Staff Report](#)
[Resolution](#)
[Exhibit A - SRTP Public Involvement Plan Presentation](#)

This Consent - Resolution was adopted.

RESOLUTION NO. RES-2022-148 ENTITLED: RESOLUTION OF THE COUNCIL OF THE CITY OF SANTA ROSA APPROVING AND ADOPTING A PUBLIC INVOLVEMENT PLAN FOR SANTA ROSA CITYBUS'S 2022 SHORT RANGE TRANSIT PLAN UPDATE

13.4 RESOLUTION - FOURTH AMENDMENT TO AGREEMENT NUMBER F000424 FOR THE CAMPAIGN AND LOBBYIST DISCLOSURE SYSTEM AGREEMENT WITH NETFILE, INC. FORMERLY KNOWN AS WEST COAST ONLINE INFORMATION SYSTEMS, INC. DBA NETFILE

RECOMMENDATION: It is recommended by the City Clerk's Office that the Council, by resolution, approve a Fourth Amendment to Professional Services Agreement Number F000424, with Netfile, Inc., Mariposa, CA, (formerly known as West Coast Online Information Systems, Inc. dba Netfile) for the campaign and Form 700 disclosure system, extending the contract for an additional five (5) years to June 30, 2027, with no increase to annual fees, and increasing compensation under the Agreement by \$67,500 for a cumulative contract amount not to exceed \$200,250.

Attachments: [Staff Report](#)
[Resolution](#)
[Exhibit A - 4th Amendment to PSA](#)

This Consent - Resolution was adopted.

RESOLUTION NO. RES-2022-149 ENTITLED: RESOLUTION OF THE COUNCIL OF THE CITY OF SANTA ROSA APPROVING THE FOURTH AMENDMENT TO PROFESSIONAL SERVICES AGREEMENT NUMBER F000424 WITH NETFILE, INC. FOR THE CAMPAIGN AND FORM 700 DISCLOSURE SYSTEM

13.5 RESOLUTION - APPROPRIATION OF FUNDS FOR ROSELAND LIBRARY PROJECT

RECOMMENDATION: It is recommended by the City Manager's Office and Transportation and Public Works Department that the Council, by resolution, increase appropriations by \$10,000,000, using PG&E settlement funds assigned in the General Fund reserves, for the Roseland Library project.

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

This Consent - Resolution was adopted.

RESOLUTION NO. RES-2022-150 ENTITLED: RESOLUTION OF THE COUNCIL OF THE CITY OF SANTA ROSA AUTHORIZING APPROPRIATION OF \$10,000,000 FOR THE ROSELAND LIBRARY PROJECT WITH THE SOURCE OF THE FUNDS BEING THE PG&E SETTLEMENT FUNDS ASSIGNED IN THE GENERAL FUND RESERVES

13.6 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-2022-151 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

13.7 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](#)
[Presentation](#)

This Consent - Resolution was adopted.

RESOLUTION NO. RES-2022-152 ENTITLED: RESOLUTION OF THE COUNCIL OF THE CITY OF SANTA ROSA EXTENDING A PROCLAMATION OF LOCAL HOMELESS EMERGENCY (Government Code Sections 8630 et seq.)

13.8 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](#)

This Consent - Resolution was adopted.

RESOLUTION NO. RES-2022-153 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

REPORT ITEMS

15.2 REPORT - PROPOSED CITY CHARTER AMENDMENTS - 2022

BACKGROUND: Section 12 of the City Charter requires a review of the Charter not less than every ten years, with the review to be conducted by a committee to be appointed by the City Council. The last Charter review began in 2011 and resulted in proposed revisions placed on the November 2012 ballot. Ten years have now passed and, last August, 2021, the Council directed the establishment of a new Charter Review Committee and the initiation of a new review.

The Charter Review Committee met for more than six months and issued its final report on May 24, 2022. The Committee recommended that three ballot measures be placed on the ballot for the voters' consideration in November 2022: (1) a ballot measure to amend the City Charter to increase Council compensation, tying Mayor and Council compensation to a percentage of the County's Area Median Income; (2) a ballot measure to amend Charter Section 4 to reflect the City's district-based election of Council members; and (3) a ballot measure to update and modernize the language of the Charter.

The Council met and considered the Committee's recommendations at its June 21st meeting. The Council directed staff to return with the three proposed ballot measures, but to allow for flexibility for the Council to determine the specifics for increased Council compensation.

Staff will also present to the Council a draft resolution calling an election for the purpose of submitting to the voters the three proposed ballot measures, all three measures to be placed on the ballot at the consolidated election to be held on November 8, 2022.

RECOMMENDATION: It is recommended by the Charter Review Committee that the Council, by resolution, place three measures on the November 8, 2022 ballot for the voters' consideration: (1) a ballot measure to amend the City Charter to increase Council compensation, tying Mayor and Council compensation to a percentage of the County's Area Median Income; (2) a ballot measure to amend Charter Section 4 to reflect the City's district-based election of Council members; and (3) a ballot measure to update and modernize the language of the Charter, including provisions to remove ambiguities, to provide additional flexibility in City operations, and to ensure gender and citizenship

neutrality.

Attachments: [Staff Report](#)
[Attachment 1 - CRC Final Report to Council](#)
[Attachment 2 - Attachments to the CRC Final Report to Council](#)
[Attachment 3 - Links to Documents Presented to the Charter Review Committee](#)
[Attachment 4 - Berkeley Measure JJ \(November 2020\)](#)
[Attachment 5 – AMI Chart](#)
[Attachment 6 - Charter of the City of Santa Rosa \(rev. 2012\) Resolution](#)
[Exhibit A - Ballot Measure No. 1 \(Council Compensation\)](#)
[Exhibit B - Ballot Measure No. 2 \(District Elections\)](#)
[Exhibit C - Ballot Measure No. 3 \(Charter Update and Modernization\) Presentation](#)
[Presentation \(Uploaded 7-12-2022\)](#)
[Correspondence](#)
[Late Correspondence \(Uploaded 7-12-2022\)](#)

City Attorney Gallagher presented and answered questions from Council.

No public comments were made.

A motion was made by Council Member Fleming, seconded by Council Member Sawyer, to approve placing on the November ballot City of Santa Rosa Measure 3 - City of Santa Rosa City Charter Update and Modernization and waive further reading of the text.

Council Member MacDonald requested that each measure be voted upon separately with its own resolution for the record. City Attorney Gallagher informed Council she would bring back to the next meeting a resolution for each of the Measures to be voted on separately to be placed on the ballot for the November 2022 General Municipal Election.

Mayor C. Rogers suggested Council conduct a straw poll for each of the Measures.

City Clerk Williams conducted a straw poll of the Council to approve placing on the November 2022 ballot City of Santa Rosa Measure 3 - City of Santa Rosa City Charter Update and Modernization. The straw poll is as follows:

Yes: 7 - Mayor Rogers, Vice Mayor Alvarez, Council Member Fleming, Council Member MacDonald, Council Member Rogers, Council Member Sawyer, and Council Member Schwedhelm

A motion was made by Council Member Fleming, seconded by Council Member Sawyer, to approve placing on the November ballot City of Santa

Rosa Measure 2 - City of Santa Rosa City Charter Amendment - District-Based Election of Council Members and waive further reading of the text.

City Clerk Williams conducted a straw poll of the Council to approve placing on the November 2022 ballot City of Santa Rosa Measure 2 - City of Santa Rosa City Charter Amendment - District-Based Election of Council Members. The straw poll is as follows:

Yes: 7 - Mayor Rogers, Vice Mayor Alvarez, Council Member Fleming, Council Member MacDonald, Council Member Rogers, Council Member Sawyer, and Council Member Schwedhelm

A motion was made by Council Member Fleming, seconded by Council Member N. Rogers, to accept the Charter Committee's recommendation of City of Santa Rosa Measure 1 - City of Santa Rosa City Charter Amendment - Increasing Compensation with the amendment to apply the new compensation to elected Council Members effective with Council Members elected in 2022 and waive further reading of the text.

City Clerk Williams conducted a straw poll of the Council. The straw poll is as follows:

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

No: 2 - Council Member MacDonald, and Council Member Sawyer

A motion was made by Council Member Fleming, seconded by Council Member N. Rogers, to accept the Charter Committee's recommendation of setting Council compensation at Area Median Income for a family of three at 100% for the Mayor and at two-thirds of that amount for Council Members.

City Clerk Williams conducted a straw poll of the Council to accept the Charter Committee's recommendation of setting Council compensation at Area Median Income for a family of three at 100% for the Mayor and at two-thirds of that amount for Council Members. The straw poll is as follows:

Yes: 4 - Vice Mayor Alvarez, Council Member Fleming, Council Member Rogers, and Council Member Schwedhelm

No: 3 - Mayor Rogers, Council Member MacDonald, and Council Member Sawyer

A motion was made by Council Member MacDonald, seconded by Mayor C. Rogers, to accept the Charter Committee's recommendation, with an amendment that Council Members would have to be elected or re-elected to be eligible for the new compensation.

City Clerk Williams conducted a straw poll of the Council to accept the Charter Committee's recommendation, with an amendment that Council Members would have to be elected or re-elected to be eligible for the new compensation. The straw poll is as follows:

Yes: 3 - Mayor Rogers, Council Member Fleming, and Council Member Schwedhelm

No: 4 - Vice Mayor Alvarez, Council Member MacDonald, Council Member Rogers, and Council Member Sawyer

A motion was made by Vice Mayor Alvarez that should a Council Member be elected as Mayor, they should receive the updated compensation. The motion failed without a second.

A motion was made by Council Member MacDonald, seconded by Council Member Sawyer, should the voters approve an increase to Council Compensation, all Council Members will receive the new compensation upon certification of the election.

Vice Mayor Alvarez made a substitute motion, seconded by Council Member N. Rogers, that Council Members will receive the new compensation in 2024.

Mayor C. Rogers recessed the meeting at 8:34 p.m. and reconvened at 8:45 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

Mayor C. Rogers restated Vice Mayor Alvarez's motion to defer Council compensation to 2024 and for all Council Members to receive the new compensation at the same time.

Mayor C. Rogers made a friendly amendment to defer the compensation to become effective on January 1, 2025. Vice Mayor Alvarez and Council Member N. Rogers accepted the friendly amendment.

City Clerk Williams conducted a straw poll of the Council for all Council Members to receive the new compensation at the same time and to defer

the compensation to become effective on January 1, 2025. The straw poll is as follows:

Yes: 7 - Mayor Rogers, Vice Mayor Alvarez, Council Member Fleming, Council Member MacDonald, Council Member Rogers, Council Member Sawyer, and Council Member Schwedhelm

Mayor C. Rogers asked for a straw poll of the Council to accept the Charter Review Committee's recommendation for the compensation to be set for the Mayor at the Area Median Income for a three person household, and 2/3 of that income to be set for the Council Members, and defer effective date of the compensation to start January 1, 2025.

City Clerk Williams conducted a straw poll of the Council. The straw poll is as follows:

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

No: 2 - Council Member MacDonald, and Council Member Sawyer

8. STAFF BRIEFINGS

No public comments were made.

8.1 COVID-19 RESPONSE UPDATE

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

City Manager Smith reported the rapidly spreading Omicron subvariant BA.5 has become dominant among new Coronavirus cases, is highly contagious and can evade antibodies in people who are vaccinated or were recently infected by COVID, including other subvariants of Omicron. Public Health officials continue to encourage people to get vaccinated, mask when possible, monitor their health for signs of COVID, and continue to be vigilant in the fight to prevent the spread of the disease. For more information about the status of COVID in the community, testing locations, obtaining at-home tests, and vaccine information for all ages, go to socoemergency.org.

8.2 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, reported that between March and June 2022, the community outreach and engagement the team engaged with 3,403 members in the community, noting the team participated in the field day at Cesar Chavez Language Academy, the Pride Parade, the Peggy Sue Car Show and Cruise, the Juneteenth Community Festival, and many other events; the Multicultural Roots Project was invited by the Arts in Public Places Program to exhibit at the Finley Community Center in August; and assisting with outreach to the community on the Police oversight community meeting series; and provided an update on the Hearn Community Hub.

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

No public comments were made.

9.1 REPORT OF SETTLEMENTS AND ACTIVE LITIGATION

The City Attorney will report on settlements over \$50,000 through June 2022 as well as provide a summary of pending litigation against the City.

Attachments: [Litigation Report](#)

City Attorney Gallagher reported there were no settlements made over \$50,000 in the last month; there are 30 cases pending, including five receiverships, general litigation, personal injury, four police actions, four writs of mandate, eight trials set for the fall, the Vanucci case trial is set for Fall in 2023, and announced Nathan Putney, the new litigator, has joined the legal team.

City Manager Smith did not provide a report.

10. STATEMENTS OF ABSTENTION BY COUNCIL MEMBERS

No statements of abstention were made.

11. MAYOR'S/COUNCIL MEMBERS' REPORTS

Vice Mayor Alvarez invited the community to the Mitote food park

grand opening on July 14, 2022.

Council Member MacDonald thanked Council Member Schwedhelm and Council Member Sawyer for presenting the Measure O presentation with her, announced the upcoming Climate Action meeting; met with Jen Santos, Deputy Director Parks, regarding the plans for Fremont Park and the downtown area, attended Bocce for Books fundraiser event, attended the Opioid Summit at the Finley Center, met with Water Department and toured the Laguna Treatment Plant, attended the Water Expo at the Wednesday Night Market; participated in the Park a Month at Galvin Park, and thanked staff for their commitment to the city and community.

Mayor C. Rogers thanked the team for submitting the application for California State Transportation funds, Sonoma County was awarded \$29 million for three specific projects, one being the new SMART Station in Petaluma, and for 30 new electric buses and charging infrastructure for Santa Rosa CityBus, Sonoma County Transportation, and Petaluma Transit.

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

11.1.1 Council Subcommittee Reports

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

11.1.3 Sonoma County Water Agency (SCWA) - Water Advisory Committee

11.1.4 Association of Bay Area Governments (ABAG)

11.1.5 Sonoma County Agricultural Preservation and Open Space District Advisory Committee

11.1.6 Sonoma Clean Power Authority (SCPA)

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

11.1.8 Groundwater Sustainability Agency (GSA)

11.1.9 Sonoma County Continuum of Care (CoC)

11.1.10 Renewal Enterprise District (RED)

11.1.11 Public Safety Subcommittee

11.1.12 Other

11.2 BOARD, COMMISSION AND COMMITTEE APPOINTMENTS

No public comments were made.

11.2.1 The Council may vote to make appointments to the Sonoma County Library Commission:

- (1) Joint City of Santa Rosa/Sonoma County Representative for a four-year term to expire on August 1, 2026.
- (1) City of Santa Rosa representative for a four-year term to expire on August 1, 2026.

A motion was made by Council Member Schwedhelm, seconded by Vice Mayor Alvarez, appointing David Cahill as the Santa Rosa representative to the Sonoma County Library Commission:

The motion carried by the following vote:

Yes: 7 - Mayor Rogers, Vice Mayor Alvarez, Council Member Fleming, Council Member MacDonald, Council Member Rogers, Council Member Sawyer, and Council Member Schwedhelm

A motion was made by Council Member N. Rogers, seconded by Council Member Schwedhelm, nominating Sarah Laggos as the first choice for the joint City/County representative to the Sonoma County Library Commission.

The motion carried by the following vote:

Yes: 7 - Mayor Rogers, Vice Mayor Alvarez, Council Member Fleming, Council Member MacDonald, Council Member Rogers, Council Member Sawyer, and Council Member Schwedhelm

A motion was made by Council Member Fleming, seconded by Council Member N. Rogers, nominating Venkates Swaminathan as the second choice for the joint City/County representative to the Sonoma County Library Commission.

The motion carried by the following vote:

Yes: 7 - Mayor Rogers, Vice Mayor Alvarez, Council Member Fleming, Council Member MacDonald, Council Member Rogers, Council Member Sawyer, and Council Member Schwedhelm

12. APPROVAL OF MINUTES

No public comments were made.

12.1 April 26, 2022, Regular Meeting.

Attachments: [Draft Minutes](#)

Approved as submitted.

17. WRITTEN COMMUNICATIONS

No public comments were made.

17.1 STATE AND FEDERAL LEGISLATIVE UPDATE:

- Opposition for AB 2011 (Wicks) -- Affordable Housing and High Road Jobs Act of 2022. Provided for information.
- Support for SB 379 (Wiener) -- Residential solar energy systems: permitting. Provided for information.
- Support for SB 833 (Dodd) -- Community Energy Resilience Act of 2022. Provided for information.
- Support for S. 3788 (Padilla) -- To address the homelessness and housing crises, to move toward the goal of providing for a home for all Americans, and for other purposes. Provided for information.

Attachments: [State & Federal Legislative Memo](#)
[AB-2011 Affordable Housing and High Road Jobs Act of 2022](#)
[AB-2011 Assembly Floor Analysis](#)
[AB-2011 Letter of Opposition](#)
[SB-379 Residential solar energy systems: permitting](#)
[SB-379 Assembly Local Government](#)
[SB-379 Letter of Support](#)
[SB-833 Community Energy Resilience Act of 2022](#)
[SB-833 Senate Floor Analyses](#)
[SB-833 Letter of Support](#)
[Bill S.3788 Homelessness and housing crises](#)
[Housing for All Act of 2022 Fact Sheet](#)
[Housing for All Support Letter](#)

This item was received and filed.

18. PUBLIC COMMENTS ON NON-AGENDA MATTERS

No public comments were made.

19. 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.

20. ADJOURNMENT OF MEETING

Mayor C. Rogers adjourned the meeting at 10:11 p.m. The next regularly scheduled meeting will be held on July 26, 2022, at a time to be determined by the Mayor.

21. UPCOMING MEETINGS

21.1 UPCOMING MEETINGS LIST

Attachments: [Upcoming Meetings List](#)

This item was received and filed.

Approved on: October 25, 2022

/s/ Stephanie A. Williams, City Clerk