



# City of Santa Rosa

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

## CITY COUNCIL REGULAR MEETING AGENDA AND SUMMARY REPORT OCTOBER 22, 2024

**12:00 P.M. - CLOSED SESSION**

**2:00 P.M. - STUDY SESSION**

**4:00 P.M. - REGULAR SESSION**

**MEMBERS OF THE PUBLIC CAN PARTICIPATE IN THE MEETING BY ATTENDING IN-PERSON FROM COUNCIL CHAMBER AT 100 SANTA ROSA AVENUE (IT IS RECOMMENDED THAT SOCIAL DISTANCING BE OBSERVED).**

**THE PUBLIC CAN ALSO VIEW OR LISTEN TO THE MEETING LIVE AT:**

- 1. [HTTPS://SANTA-ROSA.LEGISTAR.COM/CALENDAR](https://santa-rosa.legistar.com/calendar). CLICK ON THE "IN PROGRESS" LINK TO VIEW;**
- 2. VIA ZOOM WEBINAR BY VISITING [HTTPS://SRCITY-ORG.ZOOM.US/J/89643446933](https://srcity-org.zoom.us/j/89643446933), OR BY DIALING 877-853-5257 AND ENTERING WEBINAR ID: 896 4344 6933;**
- 3. COMCAST CHANNEL 28, AT&T U-VERSE CHANNEL 99; AND**
- 4. VIA YOUTUBE AT [HTTPS://WWW.YOUTUBE.COM/CITYOFSANTAROSA](https://www.youtube.com/cityofsantarosa)**

**Public Comment may be made live during the meeting In-Person from Council Chamber or submitted in advance via email at [cc-comment@srcity.org](mailto:cc-comment@srcity.org) by 5:00 p.m. the Monday before the City Council Meeting.**

**IN THE EVENT A COUNCIL MEMBER PARTICIPATES REMOTELY BASED ON JUST CAUSE OR EMERGENCY CIRCUMSTANCES PURSUANT TO AB 2449, THE CITY WILL ALSO ALLOW FOR PUBLIC COMMENT THROUGH THE ZOOM LINK OR DIAL-IN NUMBER ABOVE.**

**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 completing a Speaker Card or signing up with the Administrator in Council Chamber.

Advanced Public Comment Via E-mail: 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., the Monday prior to the Council Meeting. Identify in the subject line of your e-mail the Agenda Item Number on which you wish to comment, and provide your name and comment in the body of the e-mail. 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.

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 14) 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 up to three minutes. Speakers who do not have an opportunity to

Speak during this time will be allowed to make public comment under Agenda Item 18.

**12:00 P.M.**

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

**2. REMOTE PARTICIPATION UNDER AB 2449 (IF NEEDED)**

To consider and take action on any request from a Council Member to participate in a meeting remotely due to Just Cause or Emergency Circumstances pursuant to AB 2449 (Government Code Section 549539(f)).

**3. 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.

**3.1 CONFERENCE WITH LEGAL COUNSEL - ANTICIPATED LITIGATION (THIS ITEM WAS CONTINUED FROM THE OCTOBER 8, 2024, REGULAR MEETING.)**

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

Potential litigation against Tyco Fire Products LP and BASF Corporation Related to PFAS contamination.

**3.2 CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION (Paragraph (1) of subdivision (d) of Government Code Section 54956.9) (THIS ITEM WAS CONTINUED FROM THE OCTOBER 8, 2024, REGULAR MEETING.)**

*In Re Aqueous Film-Forming Foams Products Liability Litigation (City of Camden, et al., v. BASF Corporation)*

United States District Court for the District of South Carolina, Charleston Division, MDL No.: 2:18-mn-2873 and Case No. 2:24-cv-03174-RMG

**3.3 CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION (Paragraph (1) of subdivision (d) of Government Code Section 54956.9) (THIS ITEM WAS CONTINUED FROM THE OCTOBER 8, 2024,**

**REGULAR MEETING.)**

*In Re Aqueous Film-Forming Foams Products Liability Litigation (City of Camden, et al., v. Tyco Fire Products LP, et al.)*

United States District Court for the District of South Carolina,  
Charleston Division, MDL No.: 2:18-mn-2873 and Case No.  
2:24-cv-02321-RMG

**3.4 CONFERENCE WITH LABOR NEGOTIATORS**  
(Government Code Section 54957.6)

Agency Designated Representatives: Maraskeshia Smith, City Manager; Alan Alton, Chief Financial Officer; Dominique Blanquie, Human Resources Director; Siara Goyer, Employee Relations Manager; and Burke Dunphy of Sloan Sakai Yeung & Wong LLP. Employee Organizations: Santa Rosa Firefighters Association - Local 1401 (representing City Employees in Unit 2).

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

Title: City Attorney

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

**2:00 P.M.**

**4. STUDY SESSION**

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

**4.1 GENERAL FUND BUDGET REDUCTIONS**

It is recommended by the Finance Department that the Council hold a Study Session regarding budget reductions in the General Fund. This item is presented for the Council's information and no action is required except for possible direction to staff.

**Attachments:** [Staff Report Presentation](#)  
[Attachment 1 - GF Status FY 2023-24 \(Uploaded 10-22-20](#)  
[Late Correspondence \(Uploaded 10-22-2024\)](#)

**4:00 P.M.**

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

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

**7. PROCLAMATIONS/PRESENTATIONS**

7.1 PROCLAMATION - ANNUAL POMO AND WAPPO PEOPLE HONORING MONTH

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

7.2 PROCLAMATION - WORLD POLIO DAY

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

**8. STAFF BRIEFINGS - NONE.**

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.

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

9.1 REPORT OF SETTLEMENTS AND ACTIVE LITIGATION

The City Attorney will report on all settlements authorized by Council in closed session that were finalized in September 2024, which includes but may not be limited to all settlements requiring the City to pay more than \$50,000. The City Attorney will also provide a summary of pending litigation against the City.

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

**10. STATEMENTS OF ABSTENTION BY COUNCIL MEMBERS**

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

### **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 Homeless Coalition**

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

#### **11.1.11 Public Safety Subcommittee**

#### **11.1.12 Other**

### **11.2 MATTERS FROM COUNCIL REGARDING FUTURE AGENDA ITEMS**

#### **11.2.1 REQUEST FOR AGENDA ITEM REGARDING THE TEN PERCENT (10%) IN-PLACE TRANSFER RENT INCREASES IN CITY CODE 6-66.050(B)**

BACKGROUND: At the October 8, 2024, City Council meeting, Council Member MacDonald requested a future agenda item to

discuss the ten percent (10%) in-place transfer rent increases in City Code 6-66.050(B). Council Member Alvarez concurred with the request.

## 12. APPROVAL OF MINUTES

12.1 October 8, 2024, Regular Meeting Minutes.

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

## 13. CONSENT ITEMS

13.1 MOTION - REJECT ALL BIDS - LOW IMPACT DEVELOPMENT AT MUNICIPAL SERVICES CENTER NORTH

RECOMMENDATION: It is recommended by the Transportation and Public Works Department that the Council, by motion, reject all bids received for Contract No. C02391, Low Impact Development at Municipal Services Center North (MSCN).

**Attachments:** [Staff Report](#)  
[Attachment 1 - Location Map](#)  
[Attachment 2 - Summary of Bids](#)

13.2 MOTION - TRANSIT MALL ROADBED REHABILITATION - CONTINGENCY ACTION

RECOMMENDATION: It is recommended by the Transportation and Public Works Department that Council, by motion, approve construction contingency funds for the Transit Mall Roadbed Rehabilitation Project, Contract No. C02395, in the amount of \$150,000, increasing the total contract amount to \$1,356,160.25.

**Attachments:** [Staff Report](#)  
[Attachment 1 - Location Map](#)  
[Attachment 2 - Summary of Bids](#)

13.3 RESOLUTION - ADOPTION OF MITIGATED NEGATIVE DECLARATION AND MITIGATION MONITORING AND REPORTING PROGRAM FOR THE SAMUEL L. JONES HALL HOMELESS SHELTER PHASE 2 IMPROVEMENTS

RECOMMENDATION: It is recommended by the Transportation and Public Works Department and the Housing and Community Services Department that the Council, by resolution, adopt the Mitigated Negative Declaration and Mitigation Monitoring and Reporting Program for the Samuel L. Jones Hall Homeless Shelter Phase 2 Improvements project.

**Attachments:** [Staff Report](#)  
[Attachment 1 - Initial Study-Proposed MND-MMRP](#)  
[Attachment 2 - Response to Comments & Errata](#)  
[Attachment 3 - Final Initial Study-MND-MMRP](#)  
[Resolution](#)

**13.4** RESOLUTION - APPROVAL OF ONE ADDITIONAL TOW VENDOR TO THE TOW VENDOR FRANCHISEE LIST FOR POLICE-GENERATED OPERATIONS

RECOMMENDATION: It is recommended by the Police Department that the Council, by resolution: 1) grant a police generated vehicle tow franchise to tow operator Cream's Towing, Inc. dba Cream's Heavy Duty Towing & Storage of Santa Rosa, California pursuant to Chapter 6-84 of the Santa Rosa City Code for police-generated tow operations; 2) authorize a tow agreement with the franchisee in substantially the form of Exhibit A to the resolution; and 3) authorize the Chief of Police or designee to execute the tow agreement.

**Attachments:** [Staff Report](#)  
[Attachment 1 - Tow Vendor List](#)  
[Resolution](#)  
[Exhibit A](#)

**13.5** RESOLUTION - APPROVAL AND ISSUANCE OF A PURCHASE ORDER FOR THE PURCHASE OF TWO RESCUE AMBULANCES UTILIZING THE PRICING FROM THE HOUSTON GALVESTON AREA COUNCIL (HGAC) COOPERATIVE AGREEMENT AM10-23 WITH REPUBLIC EVS CONTRACT

RECOMMENDATION: It is recommended by the Fire Department that the Council, by resolution, 1) approves and delegates authority to the Purchasing Agent to issue a Purchase Order to purchase two (2) Medix



Specialty Vehicles Type I ME 153” on 2024 Ford F-350 4 x 4 Diesel Powered Chassis, Two-Door Standard Cab to utilize to the extent possible, cooperative purchasing through the Houston-Galveston Area Council (H-GAC) Republic EVS Contract AM10-23 Huntington Beach, California for a total not to exceed amount of \$491,728.07 and 2) delegate authority to negotiate and execute any other documents, agreements or amendments related to the purchase that are in a form approved by the City Attorney.

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

**13.6 RESOLUTION - APPROVAL OF SIXTH AMENDMENT TO GENERAL SERVICES AGREEMENT FOR CITYWIDE SECURITY GUARD**

RECOMMENDATION: It is recommended by the Finance Department that the Council, by resolution, approve the Sixth Amendment to General Service Agreement Number F001847A with Universal Protection Service, LP dba Allied Universal Security Services, Irvine, California to add additional parking garage security in the amount of \$430,002.22, for a total contract not to exceed \$3,712,452.13.

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

**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](#)

**14. 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 up to three minutes. Speakers who do not have an opportunity to speak during this time will be allowed to make public comment under Agenda Item 18.

## 15. REPORT ITEMS

### 15.1 REPORT - AMENDMENT TO COUNCIL MANUAL OF PROCEDURES AND PROTOCOLS REGARDING ABSENCES FROM MEETINGS

BACKGROUND: Rule I.F. of the City Council Manual of Procedures and Protocols provides that “[i]f a Councilmember is absent without Council permission from all regular City Council meetings for thirty (30) days consecutively from the last regular meeting he/she attends, his/her office becomes vacant and shall be filled as any other vacancy.”

When that rule was adopted in 1999, the City Council routinely held three regular Council meetings per month. Since mid-2022, however, City Council has generally held two regular meetings per month. As a result, there are times that if a Councilmember is absent from a single regular Council meeting, the Councilmember could be in violation of the 30-day rule in Rule I.F (“30-day meeting absence rule”) unless Council permission can be obtained before the 30th day.

Automatic forfeiture of an elected official’s office because of a single meeting absence is an extremely harsh consequence that may frustrate the will of the voters. There is no indication that the City Council intended that result when it adopted the rule.

Additionally, the 30-day meeting absence rule was adopted by resolution and not by ordinance as required by the City Charter when it comes to penalties City Council creates to compel Councilmember attendance at meetings. For that reason, the rule is not enforceable.

In the absence of an ordinance, the 60-day rule in Government Code section 36513(a), which is otherwise identical to the 30-day meeting absence rule in Rule I.F, governs Santa Rosa City Councilmember

meeting absences. The City Attorney recommends that the City Council amend Rule I.F to reflect the 60-day rule in Government Code section 36513(a).

RECOMMENDATION: It is recommended by the City Attorney that the Council, by resolution, amend the Council Manual of Procedures and Protocol to modify Rule I.F regarding Councilmember absences from regular council meetings to reflect the requirements of Government Code section 36513(a).

**Attachments:** [Staff Report](#)  
[Attachment 1 - Manual of Procedures and Protocols](#)  
[Resolution](#)  
[Exhibit A](#)  
[Presentation](#)

**15.2** REPORT - HEARN COMMUNITY HUB PHASE 1 CONTRACT AWARD, BUDGET AMENDMENTS, CEQA FINDINGS AND ADOPTION, DELEGATIONS OF AUTHORITY

BACKGROUND: The Hearn Community Hub Phase 1 Project (Project) is an investment in the Roseland area in collaboration with the Sonoma County Library to develop a fire station and library. Using community input gathered in three separate community outreach events, the City has developed the “Hub” at Hearn Avenue. This resolution will award the Design-Build Contract with contingency, appropriate funds, make CEQA findings, and approve the cooperative funding agreement with Sonoma County Library. The Project furthers Council Goal #3 and Council Goal #5.

RECOMMENDATION: It is recommended by the Fire Department, Finance Department, and Transportation and Public Works Department that Council, by resolution: 1) find pursuant to California Environmental Quality Act (CEQA) Guidelines Section 15168 and 15162 that the Hearn Community Hub Project is within the scope of the previously certified 2016 Program Environmental Impact Report for the Roseland Area/Sebastopol Road and Roseland Area Annexation Projects Specific Plan and that no further environmental review is required as documented in the CEQA checklist prepared for the Hearn Community

Hub Project; 2) award Design-Build Contract No. C02412, Hearn Community Hub Phase 1, in the amount of \$31,000,000 to the best value Design-Build entity, Swinerton Incorporated of Sacramento, California, approve a 6.4% contingency in the amount of \$2,000,000 for a total contract amount of \$33,000,000, and authorize the City Manager or designee to negotiate and execute the Design-Build Contract with Swinerton Incorporated and any amendments thereto and any related agreements pertaining to Additive Enhancements, Voluntary Enhancements and Additive Alternates; 3) amend the Fiscal Year 2024-25 budget to increase appropriations in the amount of \$3,000,000, from the Public Safety and Prevention fire fund reserves; and 4) approve the Agreement for Development and Construction of a Regional Library Branch in Southwest Santa Rosa with the Sonoma County Library and authorize the City Manager or designee to execute such agreement and to negotiate, appropriate and execute all related agreements, documents and any amendments thereto with the Sonoma County Library required to receive any additional funding from the Sonoma County Library, including increasing appropriations for revenue, transfers and expenditures.

**Attachments:** [Staff Report](#)  
[Attachment 1 - CEQA Checklist](#)  
[Attachment 2 - MMRP](#)  
[Resolution](#)  
[Exhibit A - Cooperative Funding Agreement with Library Presentation](#)

## 16. PUBLIC HEARINGS

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

### 16.1 PUBLIC HEARING - AMEND THE SANTA ROSA FEE SCHEDULE TO ADD AN ANNUAL TOBACCO RETAIL LICENSE FEE (**THIS ITEM HAS BEEN CONTINUED TO THE NOVEMBER 12, 2024, REGULAR MEETING**)

BACKGROUND: The City Council will hold a public hearing to consider adding an annual Tobacco Retail License Fee to the Fee Schedule to

cover costs associated with compliance monitoring of Chapter 6-20 of the Santa Rosa City Code titled "Regulation of Retail Tobacco Sales", adopted by Council on August 6, 2024, and in effect on September 7, 2024. Council will be provided with a presentation describing how the proposed fee was developed in compliance with Government Code Section 50076 to ensure it does not exceed the estimated reasonable cost of providing the compliance monitoring activities. The public hearing will provide the public with an opportunity to provide feedback relating to the proposed fee.

RECOMMENDATION: It is recommended by the City Manager's Office that the Council: 1) hold a public hearing to discuss adding an annual Tobacco Retail License Fee; and 2) by resolution add an annual Tobacco Retail License Fee associated with one compliance visit per fiscal year to the Santa Rosa Fee Schedule as Section 7.07, effective January 1, 2025.

**17. WRITTEN COMMUNICATIONS - NONE.**

**18. 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 and not able to speak under Agenda Item 14. Each speaker will be allowed up to three minutes.

**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]**

**20. ADJOURNMENT OF MEETING**

**21. UPCOMING MEETINGS**

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

**21.1 UPCOMING MEETINGS LIST**

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

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

**\*\*Quasi-judicial or adjudicative action, ex-parte communication disclosure is required.**

The Open Government Ordinance was adopted by City Council in December 2020 (ORD-2020-018) and amended in July 2021 (ORD-2021-007). These ordinances added and amended 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 versions of the Open Government Ordinances go to <http://srcity.org/OpenGovOrdinance> and <http://srcity.org/OpenGovOrdinanceAmend>. To request paper copies of the Open Government Ordinances 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>

*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.*