



# City of Santa Rosa

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

## CITY COUNCIL REGULAR MEETING AGENDA AND SUMMARY REPORT MARCH 14, 2023

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

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

**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), OR VIA ZOOM WEBINAR BY VISITING [HTTPS://SRCITY-ORG.ZOOM.US/J/86876779687](https://srcity-org.zoom.us/j/86876779687), OR BY DIALING 877-853-5257 AND ENTERING WEBINAR ID: 868 7677 9687**

**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, March 13. 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.

Recorded Voice Message Public Comment: To submit a voice message public comment, please call 707-543-3005 by 5:00 p.m., Monday, March 13. 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.

**2:00 P.M. (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 PUBLIC EMPLOYEE - EVALUATION OF PERFORMANCE**  
(Government Code Section 54957(b))

Title: City Manager

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

Agency Designated Representatives: Mayor Natalie Rogers  
Unrepresented Employee: City Manager

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

Name of Case: Bay Cities Paving & Grading, Inc. v. City of Santa Rosa  
Court Case No. Sonoma County Superior Court Case No. SCV-265333

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

**3. STUDY SESSION - NONE.**

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

**4:00 P.M. (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 - AMERICORPS WEEK

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

**6.2** PROCLAMATION - ARBOR WEEK IN SANTA ROSA

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

**6.3** PROCLAMATION - NATIONAL SURVEYORS 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** 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 February 2023 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 - NONE.**

**12. CONSENT ITEMS**

- 12.1** RESOLUTION - SECOND AMENDMENT TO PROFESSIONAL SERVICES AGREEMENT NUMBER F002506 WITH TERI BLACK & COMPANY, LLC FOR EXECUTIVE AND SENIOR MANAGEMENT RECRUITMENTS

RECOMMENDATION: It is recommended by the Human Resources

Department that the Council, by resolution, approve a Second Amendment to Professional Services Agreement Number F002506 with Teri Black & Company, LLC in the amount of \$150,001 for a total contract amount not to exceed \$250,000 to provide recruitment services for various executive and senior management level positions.

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

**12.2** RESOLUTION - APPROVAL OF A DESIGN FUNDING AGREEMENT WITH SMART FOR THE DESIGN OF WEST THIRD STREET SIGNAL AT SMART MULTIUSE PATH CROSSING - CEQA EXEMPT

RECOMMENDATION: It is recommended by the Transportation and Public Works Department that the Council, by resolution, approve and delegate authority to the City Manager to negotiate and execute a Design Funding Agreement in the amount of \$153,854.80 between the Sonoma-Marín Area Rail Transit (SMART) and the City of Santa Rosa authorizing the design of the West Third Street signal at the SMART Multiuse Path Crossing.

**Attachments:** [Staff Report](#)  
[Resolution](#)  
[Exhibit A - Design Funding Agreement](#)

**12.3** RESOLUTION - AUTHORIZATION FOR REQUEST OF LOW CARBON TRANSIT OPERATIONS PROGRAM FUNDING FOR FY 2022-2023 FOR PURCHASE OF BATTERY ELECTRIC BUS

RECOMMENDATION: It is recommended by the Transportation and Public Works Department that the Council, by resolution, approve and authorize: 1) the Deputy Director - Transit to request \$507,036 in Low Carbon Transit Operations Program (LCTOP) formula funds to assist in purchasing a battery electric bus; 2) the Deputy Director - Transit to execute the Certifications and Assurances and related documents for the LCTOP grant; 3) the delegation of authority to the Director of Transportation and Public Works to execute an Authorized Agent Form for the LCTOP designating the Deputy Director - Transit as the City's Authorized Agent; 4) the Chief Financial Officer to increase

appropriations in revenue and expenditures by the approved grant award; and 5) the submittal of the City's project nomination and allocation request to the Department of Transportation for FY 2022/23 LCTOP funds.

**Attachments:** [Staff Report](#)  
[Resolution](#)  
[Exhibit A - LCTOP Authorized Agent Form](#)

**12.4** RESOLUTION - RESOLUTION AUTHORIZING THE FILING AND EXECUTION OF AN APPLICATION FOR FUNDING FROM THE FEDERAL TRANSIT ADMINISTRATION BUSES AND BUS FACILITIES AND LOW OR NO EMISSION PROGRAMS FOR FEDERAL FY 2023 AND COMMITTING ANY NECESSARY MATCHING FUNDS

RECOMMENDATION: It is recommended by the Transportation and Public Works Department that the Council, by resolution: 1) authorize the Director of Transportation and Public Works or designee to file and execute two grant application(s) and related documents for the Federal Transit Administration's Buses and Bus Facilities Program and the Federal Transit Administration's Low or No Emission Program requesting a combined total of \$9,899,120 in grant funds for battery electric buses and electric bus charging infrastructure; and 2) appropriate necessary matching funds.

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

**12.5** RESOLUTION - APPROVAL OF SECOND AMENDMENT TO PROFESSIONAL SERVICES AGREEMENT NUMBER F002284 WITH RENNE PUBLIC LAW GROUP LLP

RECOMMENDATION: It is recommended by the Human Resources Department and City Attorney's Office that the Council, by resolution, approve a Second Amendment to Professional Services Agreement Number F002284 with Renne Public Law Group LLP for specialized labor relations and employment law services increasing the not-to-exceed amount by \$250,000, for a total contract not-to-exceed amount of \$500,000.

**Attachments:** [Staff Report](#)  
[Resolution](#)  
[Exhibit A - Second Amendment to Professional Services A](#)

**12.6** RESOLUTION - TERMINATION 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, terminate the proclamation of a state of local emergency within the City of Santa Rosa relating to the threat to community health posed by COVID-19, first proclaimed on March 2, 2020 and extended since that time.

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

**12.7** 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](#)

**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 three minutes to mirror in-person meeting protocols.



## 14. REPORT ITEMS

- 14.1** REPORT - RECOMMENDATION TO RESCIND JUNE 29, 2021 DROUGHT EMERGENCY DECLARATION, RESCIND STAGE 3 OF THE CITY OF SANTA ROSA'S WATER SHORTAGE CONTINGENCY PLAN, REMOVE AUTHORIZATION TO UTILIZE WATER ENTERPRISE FUND CATASTROPHIC RESERVES, AND IMPLEMENT DEMAND REDUCTION ACTIONS CONSISTENT WITH THE REQUIREMENTS OF TITLE 23, SECTION 996(c)(1) OF THE CALIFORNIA CODE OF REGULATIONS FOR THE DURATION THIS EMERGENCY REGULATION IS IN EFFECT

**BACKGROUND:** In response to drought conditions, on June 29, 2021, the City Council declared a water shortage emergency and adopted Stage 3 of the City of Santa Rosa's Water Shortage Contingency Plan imposing mandatory restrictions and requiring customers to reduce community-wide water use by 20%. Beginning late December 2022, the region experienced a series of atmospheric rivers filling our region's water supply reservoirs, Lake Sonoma and Lake Mendocino. Lake Sonoma now holds sufficient storage to provide more than three years of water supply. Therefore, required reductions in water use are no longer necessary. However, compliance with the State Water Resources Control Board (State Water Board) adopted emergency water conservation regulations is still required. The City of Santa Rosa can rescind the water shortage emergency and implementation of Stage 3 of the Water Shortage Contingency Plan while retaining measures for compliance with State Water Board emergency regulations.

**RECOMMENDATION:** It is recommended by the Board of Public Utilities and Santa Rosa Water that the City Council, by resolution, 1) rescind the June 29, 2021 drought emergency declaration, 2) rescind the implementation of Stage 3 of the City of Santa Rosa Water Shortage Contingency Plan, 3) remove authorization for the Water Department to utilize the Water Enterprise Fund Catastrophic Reserves, and 4) direct staff to implement demand reduction actions consistent with Title 23, Section 996(c)(1) of the California Code of Regulations for the duration this emergency regulation is in effect.

**Attachments:** [Staff Report](#)  
[Attachment 1 - Board of Public Utilities Resolution No. 125](#)  
[Attachment 2 - City Council Resolution No. RES-2021-125](#)  
[Attachment 3 – Board of Public Utilities Resolution No. 131](#)  
[Resolution](#)  
[Exhibit A](#)  
[Presentation](#)

## 15. 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.

### 15.1 PUBLIC HEARING - ACCESSORY DWELLING UNIT URGENCY ORDINANCE

BACKGROUND: The proposed Zoning Code text amendment is proposed by way of Urgency ordinance, amending Title 20 of the Santa Rosa City Code - modifying Section 20-42.130, Accessory Dwelling Units, to remain consistent with State law and to include local allowances and protections. This urgency ordinance would be effective upon adoption. Under the City Charter, five affirmative votes are necessary to adopt an urgency ordinance.

RECOMMENDATION: It is recommended by the Planning and Economic Development Department that the Council adopt an urgency ordinance amending City Code Section 20-42.130 to allow Accessory Dwelling Units and Junior Accessory Dwelling Units in compliance with State law.

**Attachments:** [Staff Report](#)  
[Attachment 1 - Redline Changes to Zoning Code](#)  
[Attachment 2 - Assembly Bill 2221](#)  
[Attachment 3 - Senate Bill 897](#)  
[Ordinance](#)  
[Public Hearing Notice](#)  
[Presentation](#)

## 16. WRITTEN COMMUNICATIONS

**16.1 STATE LEGISLATIVE UPDATE:**

- Support for AB 30 (Ward) -- Atmospheric Rivers: Research, Mitigation, and Climate Forecasting Program. Provided for information.

**Attachments:** [State Legislative Memo AB 30-Atmospheric Rivers](#)  
[AB 30 Letter of Support](#)  
[Bill Text - AB 30 Atmospheric Rivers, Research, Mitigation.](#)

**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).

## City Council

**MARCH 14, 2023**

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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.*