



City of Santa Rosa

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

CITY COUNCIL REGULAR MEETING AGENDA AND SUMMARY REPORT SEPTEMBER 12, 2023

1:30 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, 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 completing a Speaker Card or signing up with the Administrator in Council Chamber, 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 by 5:00 p.m., Monday, September 11. 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, September 11. 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

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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.

1:30 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 THREAT TO PUBLIC SERVICE OR FACILITIES
(Government Code Section 54957)

Consultation with Chief Information Officer related to cybersecurity.

2.2 CONFERENCE WITH REAL PROPERTY NEGOTIATOR
(Government Code Section 54956.8)

Property: 625 and 637 3rd Street, APNs 009-013-011 and 009-013-012 ("Garage 5"), 500 5th Street, APN 010-053-028 ("Lot 11"), and 730 3rd Street, APN 009-072-044 ("Lot 7")

Agency Negotiator: Jill Scott, Real Property Negotiator; Stephanie Valkovic, Associate Real Property Negotiator

Negotiating Parties: Retirement Housing Foundation; Freebird Development Company, LLC; Rogal Projects; Burbank Housing Development Corporation; 10 E Street, LLC

Under Negotiations: Price and terms

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

4:00 P.M. (VIA IN-PERSON AND 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. ANNOUNCEMENT OF ROLL CALL (IF NEEDED)

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

6. PROCLAMATIONS/PRESENTATIONS

6.1 PROCLAMATION - CREEK WEEK AND POLLUTION PREVENTION
WEEK 2023

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 CITY THREAD GRANT UPDATE

Staff will provide an update on the completed City Thread grant in partnership with Bikeable Santa Rosa. No action will be taken except for possible direction to staff.

7.2 COMMUNITY EMPOWERMENT PLAN UPDATE

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

7.3 SPRING/SUMMER PROGRAMS RECAP

Recreation and Parks Department staff will present a brief update on the conclusion of the Spring/Summer programs and highlight the start of the Fall/Winter season. No action will be taken except for possible direction to staff.

Attachments: [Presentation](#)

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

8.1 REPORT OF SETTLEMENTS AND ACTIVE LITIGATION

The City Attorney will report on settlements over \$50,000 through August 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

11.1 August 22, 2023, Regular Meeting Minutes.

Attachments: [Draft Minutes](#)

12. CONSENT ITEMS

12.1 MOTION - CONTRACT AWARD - SONOMA AVE PAVEMENT
REHABILITATION - E ST TO BOBELAINE DR

RECOMMENDATION: It is recommended by the Transportation and Public Works Department that the Council, by motion, award Contract No. C02262, Sonoma Ave Pavement Rehabilitation - E St To Bobelaine Dr, in the amount of \$4,348,477 to the lowest responsible bidder, Ghilotti Bros., Inc. of San Rafael, California, approve a 15% contract contingency, and authorize a total contract amount of \$5,000,748.55. No City General Fund money is included in this project.

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

12.2 MOTION - CONTRACT AWARD FOR THE FINLEY AQUATIC
CENTER SPRAY GROUND AND RENOVATION PROJECT 2023

RECOMMENDATION: It is recommended by the Transportation and Public Works Department that the Council, by motion, award Contract No.C02336, Finley Aquatic Center Spray Ground and Renovation Project 2023, in the amount of \$4,836,801 to the lowest responsible bidder, Waterworks Industries, Inc of Windsor, California, approve a 10% contract contingency, and authorize a total contract amount of \$5,320,481.10.

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

12.3 MOTION - APPROVAL OF AMENDMENT NO. 2 TO PROJECT WORK
ORDER WITH AECOM FOR ADDITIONAL DESIGN SERVICES
ASSOCIATED WITH THE HEARN AVENUE INTERCHANGE
PROJECT AT HIGHWAY 101

RECOMMENDATION: It is recommended by the Transportation and Public Works Department that the Council, by motion, approve and authorize the Mayor to execute Amendment No. 2 #A010136-2016-02B to Project Work Order #A010136-2016-02 with AECOM Technical Services, Inc. (AECOM) substantially in the form of Attachment 2, subject to approval as to form by the City Attorney, to update the construction documents and finalize the process for advertisement for the Hearn Avenue Interchange Project at US Highway 101 increasing the contract amount by \$692,400 for a total amount not to exceed \$5,271,948.

Attachments: [Staff Report](#)
 [Attachment 1 - Location Map](#)
 [Attachment 2 - PWO](#)

12.4 RESOLUTION - AUTHORIZATION TO CONTINUE PARTICIPATION AND INCREASE DISCOUNT IN THE CLIPPER START LOW-INCOME TRANSIT FARE SUBSIDY PILOT PROGRAM

RECOMMENDATION: It is recommended by the Transportation and Public Works Department that the Council, by resolution, authorize 1) continued participation in the Clipper START Pilot Program; 2) an increase in the discount rate to 50% for adult single ride fares for eligible low-income adults; 3) requesting program funds from Metropolitan Transportation Commission; and 4) staff to provide necessary documentation for the Clipper START program as may be appropriate.

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

12.5 RESOLUTION - APPROVAL OF ADDITIONAL FUNDS TO CONTINGENCY FOR GENERAL SERVICES AGREEMENT F002071 WITH MATRIX HG, INC. FOR HVAC MAINTENANCE AND REPAIR SERVICES

RECOMMENDATION: It is recommended by the Transportation and Public Works and Finance Departments, that the Council, by resolution: 1) approve the addition of contingency funding for General Services Agreement Number F002071 with Matrix HG, Inc., Novato, California for

HVAC Maintenance and Repair Services for an increase in the amount of \$100,000, for a total contingency amount not to exceed \$740,000; and 2) delegate authority to the City Manager or designee to negotiate and execute any necessary amendments to GSA F002071 and/or related documents to utilize the additional contingency, subject to approval as to form by the City Attorney.

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

12.6 RESOLUTION - AMENDMENT APPROVAL - NINTH AMENDMENT TO F001438 ADS-MYERS JANITORIAL SERVICES

RECOMMENDATION: It is recommended by the Finance and Transportation and Public Works Departments that the Council, by resolution, approve the Ninth Amendment to General Service Agreement Number F001438 with ADS-Myers, Inc., Gardnerville, Nevada, to add janitorial services for the new inRESPONSE Team Building located at 983 Sonoma Avenue in the amount of \$192,161.32 for services through June 30, 2027, for a total contract amount not to exceed \$ 6,765,346.03, plus the pre-existing \$100,000 contingency.

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

12.7 RESOLUTION - ADOPTION OF CONTINUITY OF OPERATIONS PLAN

RECOMMENDATION: It is recommended by the Fire Department that the Council, by resolution, adopt the City of Santa Rosa Continuity of Operations Plan (COOP).

Attachments: [Staff Report](#)
[Attachment 1 - City of Santa Rosa COOP-COG Basic Plan](#)
[Resolution](#)

12.8 RESOLUTION - PROFESSIONAL SERVICE AGREEMENT NUMBER F002624 WITH ODP BUSINESS SOLUTIONS FOR A STORAGE AREA NETWORK (SAN) UPDATE AND ONGOING MAINTENANCE

RECOMMENDATION: It is recommended by the Information

Technology Department that the Council, by resolution, approve and delegate authority to the City Manager to negotiate and execute a 5-year Professional Services Agreement F002624 with one three-year renewal option, with ODP Business Solutions, LLC, Boca Raton, Florida, for the replacement of the City's Storage Area Network (SAN), and associated ongoing maintenance, in the total amount not to exceed \$160,500.33.

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

- 12.9** RESOLUTION - RESOLUTION OF THE COUNCIL OF THE CITY OF SANTA ROSA TO APPROPRIATE TO THE WATER ENTERPRISE FUND \$1,500,000 THAT WAS AUTHORIZED IN THE 2022 STATE OF CALIFORNIA BUDGET ACT FOR THE IMPLEMENTATION OF SANTA ROSA WATER'S DIRECT INSTALL WATER USE EFFICIENCY PROJECT

RECOMMENDATION: It is recommended by Santa Rosa Water that the Council, by resolution, authorize the Chief Financial Officer to appropriate \$1,500,000 to the Water Enterprise Fund that was authorized under the 2022 State of California Budget Act for the implementation of Santa Rosa Water's Direct Install Water Use Efficiency Project.

Attachments: [Staff Report](#)
 [Attachment 1 - Funding Agreement](#)
 [Resolution](#)

- 12.10** RESOLUTION - APPROVAL TO ENTER INTO AN EXCLUSIVE NEGOTIATION AGREEMENT BETWEEN THE CITY OF SANTA ROSA AND ROGAL PROJECTS FOR THE REAL PROPERTY LOCATED AT 625 AND 637 3RD STREET, SANTA ROSA, CA, ALSO KNOWN AS ASSESSOR PARCEL NUMBERS 009-013-011 AND 009-013-012 OR GARAGE 5

RECOMMENDATION: It is recommended by Real Estate Services that the Council, by resolution: 1) approve entering into an Exclusive Negotiation Agreement with Rogal Projects, a sole proprietorship, for

the potential disposition and development of the real property located at 625 and 637 3rd Street, Santa Rosa, CA, also known as Assessor Parcel Numbers 009-013-011 and 009-013-012 or Garage 5 (collectively, the "Property"), declared surplus by Council in December 2022; 2) authorize the City Manager to execute an Exclusive Negotiation Agreement and any amendments thereto, subject to approval as to form by the City Attorney's Office; and 3) direct staff to initiate negotiations to enter into a Disposition and Development Agreement for the Property.

Attachments: [Staff Report](#)
 [Resolution](#)
 [Late Correspondence \(Uploaded 09-12-2023\)](#)

- 12.11** RESOLUTION - APPROVAL TO ENTER INTO AN EXCLUSIVE NEGOTIATION AGREEMENT AMONG THE CITY OF SANTA ROSA, BURBANK HOUSING DEVELOPMENT CORPORATION, AND 10 E STREET, LLC, FOR THE REAL PROPERTY LOCATED AT 730 3RD STREET, SANTA ROSA, CA, ALSO KNOWN AS ASSESSOR PARCEL NUMBER 009-072-044 OR WHITE HOUSE SITE

RECOMMENDATION: It is recommended by Real Estate Services that the Council, by resolution: 1) approve entering into an Exclusive Negotiation Agreement with Burbank Housing Development Corporation, a California nonprofit corporation, and 10 E Street, LLC, a California limited liability company, for the potential disposition and development of the real property located at 730 3rd Street, Santa Rosa, CA, also known as Assessor Parcel Number 009-072-044 or White House Site (the "Property"), declared surplus by Council in December 2022; 2) authorize the City Manager to execute an Exclusive Negotiation Agreement and any amendments thereto, subject to approval as to form by the City Attorney's Office; and 3) direct staff to initiate negotiations to enter into a Disposition and Development Agreement for the Property.

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

- 12.12** RESOLUTION - GOLF CART LEASE AGREEMENT APPROVAL FOR BENNETT VALLEY GOLF COURSE THROUGH SOURCEWELL

COOPERATIVE AGREEMENT 122220-CCR

RECOMMENDATION: It is recommended by the Recreation and Parks and Finance Departments that the Council, by resolution: 1) approve and authorize the City Manager to negotiate and execute a Lease Agreement utilizing a Sourcewell Cooperative Agreement 122220-CCR with VGM Financial Services, Minnetonka, Minnesota, for the operational lease of 72 Club Cars through VGM Financial Services, for the period of five years, and subject to approval by the City Attorney, with a total not-to-exceed amount of \$531,360, which is divided into 60 monthly payments of \$8,856; and 2) authorize the Chief Financial Officer to increase revenue and expenditure appropriations in the Bennett Valley Golf Course Enterprise under the new Lease Agreement.

Attachments: [Staff Report](#)
 [Resolution](#)
 [Exhibit A - Lease Agreement](#)

12.13 ORDINANCE ADOPTION - ORDINANCE OF THE COUNCIL OF THE CITY OF SANTA ROSA ESTABLISHING MONTHLY SALARY OF \$24,500 AND OTHER COMPENSATION AND BENEFITS FOR THE CITY ATTORNEY

RECOMMENDATION: This ordinance, introduced at the August 22, 2023, Regular Meeting by a 7-0-0 vote, establishes salary compensation to be paid to the City Attorney at the rate of \$24,500 per month commencing with the pay period beginning November 6, 2023, and establishes benefits to the City Attorney as provided in the Employment Agreement - City Attorney between the City of Santa Rosa and Teresa Stricker effective November 6, 2023.

Attachments: [Ordinance](#)

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.

13.1 Late Correspondence/Public Comment on Non-Agenda Matters.

Attachments: [Late Correspondence \(Uploaded on 9-12-2023\)](#)

14. REPORT ITEMS - NONE.

15. PUBLIC HEARINGS - NONE.

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

16. WRITTEN COMMUNICATIONS

16.1 FEDERAL LEGISLATIVE UPDATE

- Support for H.R. 4970 (LaMalfa and Thompson): To provide an exclusion from gross income for compensation for expenses and losses resulting from certain wildfires. The bill is known as the Protect Innocent Victims Of Taxation After Fire Act. Provided for information.
- Support for S. 479 (Padilla): Would modify the fire management assistance cost share. Provided for information.
- Support for S. 485 (Padilla): Authorize the President to provide hazard mitigation assistance for mitigating and preventing post-wildfire flooding and debris flow. Provided for information.

Attachments: [Written Communications Legislative Memo August 21](#)
[S 479 S 485 Letter of Support City of Santa Rosa](#)
[S 485 Bill Text](#)
[HR 4970 Bill Text](#)
[HR 4970 Letter of Support City of Santa Rosa](#)
[S 479 Bill Text](#)

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, ex-parte communication disclosure is required.**

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.

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. 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.