



**City Council
Regular Meeting Minutes - Draft**

Tuesday, June 2, 2020

3:45 PM

1. CALL TO ORDER AND ROLL CALL

Mayor Schwedhelm called the meeting to order at 3:51 p.m.

Present: 5 - Mayor Tom Schwedhelm, Vice Mayor Victoria Fleming, Council Member Chris Rogers, Council Member John Sawyer, and Council Member Jack Tibbetts

Absent: 2 - Council Member Ernesto Olivares, and Council Member Richard Dowd

2. ANNOUNCEMENT OF CLOSED SESSION ITEMS

Mayor Schwedhelm recessed the meeting to closed session at 3:51 p.m. to discuss Item 2.1 as listed on the agenda:

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

Name of Case: State of California et al. ex rel. OnTheGo Wireless, LLC v. Cellco Partnership, dba Verizon Wireless, et al.

Court Case No.: Sacramento County Superior Court 34-2012-00127517

Mayor Schwedhelm adjourned the closed session at 4:00 p.m. and reconvened to regular session at 4:00 p.m.

3. STUDY SESSION - NONE.

4. ANNOUNCEMENT OF ROLL CALL

Present: 7 - Mayor Tom Schwedhelm, Vice Mayor Victoria Fleming, Council Member Ernesto Olivares, Council Member Chris Rogers, Council Member John Sawyer, Council Member Jack Tibbetts, and Council Member Richard Dowd

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

City Attorney Sue Gallagher reported Council met in closed session on Item 2.1 and gave direction to legal counsel.

6. PROCLAMATIONS/PRESENTATIONS - NONE.

7. STAFF BRIEFINGS

PUBLIC COMMENT

Duane De Witt spoke on Item 7.2 regarding his concern that the public is not being included to participate in the decision making process with the use of virtual meetings during the pandemic.

7.1 FIRE RECOVERY AND REBUILD UPDATE

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

No report was given.

This item was received and filed

7.2 COVID-19 RESPONSE UPDATE

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

Raissa De La Rosa, Economic Development Manager, provided a brief update on the work of the Economic Recovery Task Force and answered questions from the Council.

David Gouin, Director of Housing & Community Services provided a brief update on the Safe Social Distancing Program at Finley Center and answered questions from the Council.

Megan Basinger, Housing & Community Services Manager, provided a brief update on the rental assistance program and amendments to the federal funding plan and answered questions from the Council.

This item was received and filed.

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

City Manager Sean McGlynn stated he supports the community voice, shared their outrage and grief, is committed to broadening a safe space to express themselves, and reported that due to the violence, property destruction, and looting that happened after the

peaceful protests, he declared a local state of emergency in the city and issued a curfew from 8:00 p.m to 5:00 a.m. for all residents.

City Attorney Sue Gallagher provided a brief update on Governor Newsom's Executive Order on COVID-19 noting the order extends protections against residential evictions for another 60 days under the States price gouging statute and extends the allowance for local eviction regulations for 60 day, that the Board of Supervisors will be revisiting their ordinance at end of month. The City Attorney noted the Executive Order allows flexibility for teaching credentials; directs housing and community development to implement financial and regulatory accommodations for housing projects that have been adversely affected by the pandemic, and adds measures to facilitate provision of child care for essential service workers.

9. STATEMENTS OF ABSTENTION BY COUNCIL MEMBERS

Council Member Tibbetts announced he would be abstaining from Consent Item 12.7.

10. MAYOR'S/COUNCIL MEMBERS' REPORTS

Council Member Dowd thanked the City Manager and Mayor for implementing the curfew and stated he felt it supports the right to protest but not the right to vandalize and loot.

Council Member Olivares reported he supports the Mayor's comments regarding the issues going on in the Country and the need to look for a way to facilitate a community dialogue. He also stated he appreciates the Police Chief and staff for their work.

Council Member Sawyer stated he hopes tonight's demonstrations will be peaceful and respectful.

Council Member Rogers thanked the City Manager and Mayor for previous comments, and reported he will be joining the vigil for Andy Lopez later in the evening. Council Member Rogers noted the Council needs to make sure people get a platform to voice their concerns on what they would like to see in a dialogue, that he would

like a study session on a future agenda to get ideas on how to bridge the divide, and to have a public conversation on how City police officers have responded to the protests in Santa Rosa.

Vice Mayor Fleming echoed the sentiments of the Council Members, and stated she heard the public's frustration when they hear that the City supports their right to protest but condemns violence and that while she does not condone lawless behavior, that the point being is the history of violence against the African Americans, specifically African American men, and stated she felt there is a significant problem with diversity within the organization due to unconscious bias and there needs to be a plan on how to get people of color represented on both the staff and the council.

Mayor Schwedhelm echoed many of the comments, that he continues to have talks with community members asking how to have the conversation. The Mayor stated the Council is interested in having the conversation and actively exploring options.

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 Home Sonoma County (HSC)

10.1.10 Renewal Enterprise District (RED)

10.1.11 Other

10.2 MATTERS FROM COUNCIL REGARDING FUTURE AGENDA ITEMS

10.2.1 REQUEST FOR AGENDA ITEM TO CONSIDER A COUNCIL DISCUSSION ON A WORKING CAPITAL FOR SMALL BUSINESSES MICRO-LOAN PROGRAM

BACKGROUND: At the May 19, 2020 City Council Meeting, Council Member Tibbetts requested a future agenda item to consider a Council discussion on a working capital for small businesses micro-loan program. Council Member Rogers concurred with the request.

Council Member Tibbetts reported that as a result of his role on the community input engagement ad hoc committee, he found that local businesses needed access to working capital, many have not been able to access the payroll protection loan, especially those by minority owned businesses. Council Member Tibbetts provided information on a micro loan program and asked Council to consider investing in a program.

A motion was made by Council Member Tibbetts, seconded by Council Member Rogers, to direct staff to place this item on a future agenda. The motion failed by the following vote:

Yes: 2 - Council Member Rogers, and Council Member Tibbetts

No: 5 - Mayor Schwedhelm, Vice Mayor Fleming, Council Member Olivares, Council Member Sawyer, and Council Member Dowd

A motion was made by Council Member Dowd, seconded by Vice Mayor Fleming, to assign this item to the Economic Development Ad Hoc Subcommittee to do research and bring back to Council on a future agenda. The motion carried by the following vote:

Yes: 7 - Mayor Schwedhelm, Vice Mayor Fleming, Council Member Olivares, Council Member Rogers, Council Member Sawyer, Council Member Tibbetts, and Council Member Dowd

10.2.2 REQUEST FOR AGENDA ITEM TO CONSIDER A COUNCIL DISCUSSION ON POLICY DEVELOPMENT RELATED TO COVID-19

BACKGROUND: At the May 19, 2020 City Council Meeting, Council Member Tibbetts requested a future agenda item to consider a Council discussion on policy development related to COVID-19. Council Member Rogers concurred with the request.

Council Member Tibbetts reported he felt a public forum was needed for residents to contribute their ideas about economic development to the ad hoc process and for Council to have a discussion to determine priorities in an open session.

PUBLIC COMMENT

Eric Fraser spoke regarding the issue being on how the public feels if they are being engaged in the public process.

A motion was made by Council Member Tibbetts, seconded by Council Member Rogers, to direct staff to identify a community listening session study session on items before the Economic Development Subcommittee. The motion carried by the following vote:

Yes: 7 - Mayor Schwedhelm, Vice Mayor Fleming, Council Member Olivares, Council Member Rogers, Council Member Sawyer, Council Member Tibbetts, and Council Member Dowd

Mayor Schwedhelm recessed the meeting at 5:46 p.m. and reconvened the meeting at 6:00 p.m.

Council Member Rogers left the meeting at 5:54 p.m.

Rollcall

Present: 6 - Mayor Tom Schwedhelm, Vice Mayor Victoria Fleming, Council Member Ernesto Olivares, Council Member John Sawyer, Council Member Jack Tibbetts, and Council Member Richard Dowd

Absent: 1 - Council Member Chris Rogers

11. APPROVAL OF MINUTES

11.1 March 3, 2020, Regular Meeting Minutes.

Approved as submitted.

12. CONSENT ITEMS

PUBLIC COMMENT

Duane De Witt provided comment in opposition to Consent Item 12.2 and in support of Consent Items 12.3 - 12.7.

Approval of the Consent Agenda

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

Yes: 6 - Mayor Schwedhelm, Vice Mayor Fleming, Council Member Olivares, Council Member Sawyer, Council Member Tibbetts, and Council Member Dowd

Absent: 1 - Council Member Rogers

12.1 RESOLUTION - THIRD AMENDMENT TO GENERAL SERVICE AGREEMENT WITH KNORR SYSTEMS, INC. FOR A ONE-YEAR EXTENSION FOR CARBON DIOXIDE AND CHLORINE TANK FILL SERVICES AT CITY POOLS

RECOMMENDATION: It is recommended by the Recreation division of the Community Development and Engagement Department and the Finance Department that the Council, by resolution, approve a Third Amendment to the General Services Agreement Number F001674 with Knorr Systems, Inc., Santa Ana, California, for a one year extension and to increase compensation by \$40,000 for a total amount not to exceed \$113,000.

This Consent - Resolution was adopted.

RESOLUTION NO. RES-2020-080 ENTITLED: RESOLUTION OF THE COUNCIL OF THE CITY APPROVING THE THIRD AMENDMENT TO GENERAL SERVICES AGREEMENT NUMBER F001674 FOR A ONE YEAR EXTENSION AND INCREASE IN COMPENSATION WITH KNORR SYSTEMS, INC.

12.2 RESOLUTION - BID AWARD - PURCHASE ORDER FOR 2020 FORD F-350 EXTENDED CABS AND CHASSIS WITH 9FT UTILITY BODY

RECOMMENDATION: It is recommended by the Transportation and Public Works and Finance Departments, that the Council, by resolution, approve a purchase order for three (3) 2020 Ford F-350 Extended Cabs & Chassis with 9FT Utility Body (for Water Department) to Napa Ford-Lincoln, Napa, California, in an amount not to exceed \$137,830.46.

This Consent - Resolution was adopted.

RESOLUTION NO. RES-2020-081 ENTITLED: RESOLUTION OF THE COUNCIL OF THE CITY OF SANTA ROSA APPROVING A PURCHASE ORDER FOR THREE (3) 2020 FORD F350 EXTENDED CABS AND CHASSIS WITH 9FT UTILITY BODY (FOR WATER DEPARTMENT) TO NAPA FORD-LINCOLN, NAPA, CALIFORNIA IN AN AMOUNT NOT TO EXCEED \$137,830.46

12.3 RESOLUTION - PERMANENT LOCAL HOUSING ALLOCATION APPLICATION

RECOMMENDATION: It is recommended by the Department of Housing and Community Services that the Council, by resolution: 1) approve the submittal of a grant application to the State of California Department of Housing and Community Development's Permanent Local Housing Allocation Program for an entitlement grant of \$694,325 annually generated from California Senate Bill 2, for up to five years; 2) approve a Standard Agreement; and 3) authorize the Director of the Housing and Community Services Department to execute the necessary Permanent Local Housing Allocation Program documents and Standard Agreement for the program to be administered by the Housing Authority.

This Consent - Resolution was adopted.

RESOLUTION NO. RES-2020-082 ENTITLED: RESOLUTION OF THE COUNCIL OF THE CITY OF SANTA ROSA AUTHORIZING THE SUBMITTAL OF AN APPLICATION TO THE CALIFORNIA STATE DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT FOR UP TO \$694,325 ANNUALLY FOR UP TO FIVE YEARS FROM THE PERMANENT LOCAL HOUSING ALLOCATION PROGRAM, APPROVING A STANDARD AGREEMENT AND AUTHORIZING THE DIRECTOR OF HOUSING AND COMMUNITY SERVICES TO EXECUTE THE NECESSARY DOCUMENTS AND STANDARD AGREEMENT

12.4 RESOLUTION - EXTENSION OF PROCLAMATION OF EXISTENCE

OF LOCAL EMERGENCY DUE TO 2019 KINCADE FIRE

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.

This CC- Consent - Resolution was adopted.

RESOLUTION NO. RES-2020-083 ENTITLED: RESOLUTION OF THE COUNCIL OF THE CITY OF SANTA ROSA EXTENDING THE PROCLAMATION OF EXISTENCE OF A LOCAL EMERGENCY DUE TO 2019 KINCADE FIRE

12.5 RESOLUTION - EXTENSION OF PROCLAMATION OF EXISTENCE OF LOCAL EMERGENCY DUE TO 2017 FIRES

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.

This Consent - Resolution was adopted.

RESOLUTION NO. RES-2020-084 ENTITLED: RESOLUTION OF THE COUNCIL OF THE CITY OF SANTA ROSA EXTENDING THE PROCLAMATION OF EXISTENCE OF A LOCAL EMERGENCY DUE TO 2017 FIRES

12.6 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.

This Consent - Resolution was adopted.

RESOLUTION NO. RES-2020-085 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

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.

A motion was made by Vice Mayor Fleming, seconded by Council Member Sawyer, to waive reading of the text and adopt Consent Item 12.7 .

RESOLUTION NO. RES-2020-086 ENTITLED: RESOLUTION OF THE COUNCIL OF THE CITY OF SANTA ROSA EXTENDING A PROCLAMATION OF LOCAL HOMELESS EMERGENCY (Government Code Sections 8630 et seq.)

The motion carried by the following vote:

Yes: 5 - Mayor Schwedhelm, Vice Mayor Fleming, Council Member Olivares, Council Member Sawyer, and Council Member Dowd

Absent: 1 - Council Member Rogers

Abstain: 1 - Council Member Tibbetts

13. PUBLIC COMMENT ON NON-AGENDA MATTERS

Eric Fraser, Greater Cherry Street Neighborhood Association, spoke on wishing to see the Council when addressing them during comment and his concerns about what is going on in the downtown core area and the impact it will have on his neighborhood with people parking in their neighborhood. If your activities contributed to that, then we will hold you responsible.

Gabriel Sanders spoke on what is currently happening in the country and Santa Rosa, excessive use of force by Santa Rosa Police Officers, and shared information on ways to reduce violence.

Martha Glaser spoke on to develop save ordinances on small cell antennas, and information she received from Verizon.

Jenisse spoke on her concern the curfew putting marginalized

communities in danger, stated the looters are not part of the Black Lives Matter protest, and her opposition to budgeted money going to Police and not housing.

Sean spoke on being white and advocating for people of color and the curfew being a form of racism.

Sidnee Cox submitted comment thanking Council for their efforts during this difficult time, and in opposition of small towers.

Jeremiah Thomison submitted comment on his concern of 5G cell towers going up near schools and neighborhoods, and a moratorium on the deployment of the towers.

Janice Bradshaw submitted comment in opposition of 5G cell towers and a moratorium on the installations and an ordinance on where they can be located.

Jennifer Laporta spoke in opposition of 5G cell towers, her concern on the undemocratic process because they were not given a vote for them to be installed.

Resident submitted comment on not having internet access and asked that the meetings be postponed until they can be held in person.

Keely Tomison submitted comment in opposition to small cell towers being installed near residences, schools and playgrounds and asked Council to create an ordinance to control the placement of small cell towers.

Alex Krohn submitted comment asking Council to create an emergency ordinance to control the placement of small cell towers.

Cesar Valencia submitted comment on the Burbank Avenue project and that he has not been able to participate in the meetings due to lack of internet access.

Katya Miller submitted comment on her concern on the impact on the city's budget when property values go down due to cell towers installed in front of homes, the major cause contributing to fires, and spoke on information from a Verizon stockholders report.

Resident in Roseland submitted comment on not having internet access and asked that the meetings be postponed until they can be held in person.

Mick Lineberg, Roseland resident, submitted comment in objection of hearings taking place, violation of brown act, for purposes of public participation and comment. the public being able to call in to the meetings. Postpone the Burbank Ave. item.

Erica Galindo submitted comment thanking the Council for standing up for residents by putting a pause on Verizon small cell roll out and to create an emergency ordinance to put protections in place and where they can be placed.

Erin Rhineberg submitted comment on her concern of meeting format and lack of public participation in particular to the Burbank Avenue project, majority of residents do not have access to internet and cannot participate in meetings and concern on the lack of preparation for the meeting.

Duane De Witt submitted comment asking the Design Review Board meeting on Thursday be cancelled and the Planning Commission meeting the following week be cancelled due to members of the public will not be able to participate due to lack of access.

Colleen Fernald submitted comment on various topics.

Kim Shroeder submitted comment in opposition of small cell towers installed near her workplace, children's school or her home. emergency ordinance to protect neighborhoods.

Kathryn Dodd submitted comment in opposition of small cell towers and the decrease in property values with the installation of them near residences.

14. REPORT ITEMS - NONE.

15. PUBLIC HEARINGS - NONE.

16. WRITTEN COMMUNICATIONS

- 16.1 SUPPORT OF SB 1189 (MCGUIRE): Contracting business: home improvement: residential property. Provided for information.

This item was received and filed.

- 16.2 FINAL MAP - Stony Village North - Provided for information.

This item was received and filed.

17. PUBLIC COMMENTS ON NON-AGENDA MATTERS

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

Hearing no further business, Mayor Schwedhelm adjourned the meeting at 7:03 p.m.

20. UPCOMING MEETINGS

- 20.1 UPCOMING MEETINGS LIST

This item was received and filed.

Approved on:

Stephanie A. Williams
City Clerk