



City of Santa Rosa

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

City Council Regular Meeting Minutes - Draft

Tuesday, November 10, 2020

2:00 PM

1. CALL TO ORDER AND ROLL CALL

Mayor Schwedhelm called the meeting to order at 2:02 p.m.

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

2. ANNOUNCEMENT OF CLOSED SESSION ITEMS

No public comments were made.

Mayor Schwedhelm adjourned to closed session at 2:05 p.m.

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

Property: 3330 Yulupa Avenue, Santa Rosa APN 147-160-001
Agency Negotiator: Jill Scott, Real Property Negotiator and Jen Santos, Deputy Director Parks
Negotiating Parties: Sports Restaurant of Bennett Valley LLC
Under Negotiations: Price and terms of Lease payment.

This item was received and filed.

2.2 CONFERENCE WITH LEGAL COUNSEL - ANTICIPATED LITIGATION

Significant exposure to litigation pursuant to paragraph (2) of subdivision (d) of Government Code Section 54956.9: one potential case.

This item was received and filed.

Mayor Schwedhelm adjourned closed session at 3:06 p.m. and reconvened to study session at 3:07 p.m.

3. STUDY SESSION

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

3.1 SHARED MOBILITY DEVICES

It is recommended by the Transportation and Public Works Department that the Council hold a Study Session to receive information, ask questions, discuss and provide feedback to staff regarding the regulation of Shared Mobility Device (SMDs).

Nancy Adams, Transportation Planner, presented and answered questions from the Council.

PUBLIC COMMENT

Eris Weaver, Executive Director Sonoma County Bicycle Coalition, spoke on Pedigo and Bicycle Partners.net rentals, her concern that Santa Rosa does not have population density to have an effective program, and appreciates Council having a conversation on policies.

Council provided direction to staff.

This item was received and filed.

Mayor Schwedhelm recessed the meeting at 4:22 p.m. and reconvened the meeting at 4:35 p.m.

4. ANNOUNCEMENT OF ROLL CALL

Mayor Schwedhelm thanked the voters who participated in the election and those who supported Measure Q. The Mayor congratulated Council Member Rogers and Council Member Tibbetts on their re-election to the Council and stated he is looking forward to working with the two newly elected Council Members Eddie Alvarez and Natalie Rogers.

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 real property negotiator, and on Item 2.2 that Council received a report from the City Attorney.

6. PROCLAMATIONS/PRESENTATIONS - NONE.

7. STAFF BRIEFINGS

7.1 COVID-19 RESPONSE UPDATE

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

No report was provided.

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.

No report was provided.

7.3 GLASS FIRE UPDATE

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

Kempen Roberts, Assistant Fire Marshal, provided an update on the joint meetings with the County, the Task Force conducted outreach to fire survivors, a town hall meeting hosted by the City and County, information on Phase 1 Household Hazardous Waste removal, and provided update from PG&E.

Paul Lowenthal, Assistant Fire Marshall, answered questions from the Council and outlined the process for participating in the Stage 2 debris removal clean-up.

This item was received and filed.

7.4 TUBBS FIRE RECOVERY UPDATE

Staff will provide an update on the Tubbs Fire Recovery. No action will be taken except for possible direction to staff.

Jason Nutt, Assistant City Manager, thanked staff, Coffey Strong,

Kaiser, local Rotary clubs, and Santa Rosa Parks Foundation and presented a video on the opening of the Coffey Neighborhood Park.

This item was received and filed.

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

No reports were made.

9. STATEMENTS OF ABSTENTION BY COUNCIL MEMBERS

Council Member Tibbetts announced he will be abstaining from Item 12.9 due his work with Saint Vincent de Paul.

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

Council Member Dowd provided a brief report on the Water Advisory Committee/Technical Advisory Committee meeting.

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

Council Member Rogers provided a brief report and thanked Deputy Director Transit Rachel Ede for her work.

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)

Mayor Schwedhelm provided a brief report.

10.1.9 Home Sonoma County (HSC)

10.1.10 Renewal Enterprise District (RED)

10.1.11 Public Safety Subcommittee

10.1.12 Other

11. APPROVAL OF MINUTES

11.1 June 16, 2020, Regular Meeting Minutes

Approved as submitted.

12. CONSENT ITEMS

PUBLIC COMMENT

Colin Metcalf spoke in opposition to Item 12.5, his concern Item 12.6 is for surveillance of people, and in support of Items 12.7, 12.8, and 12.9.

Approval of the Consent Agenda

A motion was made by Vice Mayor Fleming, seconded by Council Member Rogers, to waive reading of the text and adopt Consent Items 12.1 through 12.8. The motion carried by the following vote:

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

12.1 RESOLUTION - ONE SANTA ROSA AVENUE PARKING AGREEMENT

RECOMMENDATION: It is recommended by the Finance Department and the Planning and Economic Development Department that the Council, by resolution, approve a Parking Agreement with 1SRA, LLC, for residents of One Santa Rosa Avenue, Santa Rosa, California to park vehicles at the First Street Garage/Garage 12 located at 555 First Street, Santa Rosa.

This Consent - Resolution was adopted.

RESOLUTION NO. RES-2020-178 ENTITLED: RESOLUTION OF THE COUNCIL OF THE CITY OF SANTA ROSA APPROVING A PARKING AGREEMENT BETWEEN THE CITY OF SANTA ROSA AND 1SRA, LLC FOR USE OF THE FIRST STREET GARAGE

12.2 RESOLUTION - FOURTH AMENDMENT TO GENERAL SERVICES AGREEMENT F001621 WITH CREAM'S DISMANTLING, INC., DBA CREAM'S TOWING

RECOMMENDATION: It is recommended by the Police and Finance Departments that the Council, by resolution, 1) approve a Fourth Amendment to General Services Agreement Number F001621 with Cream's Dismantling, Inc., dba Cream's Towing, Santa Rosa, California, for abandoned vehicle abatement services extending the agreement for an additional one-year term and increasing compensation by \$100,000, for a total not to exceed amount of \$395,000; and 2) ratify the Second Amendment dated March 21, 2019 to Agreement Number F001621, which increased compensation by \$100,000 for a total not-to-exceed amount of \$195,000.

This Consent - Resolution was adopted.

RESOLUTION NO. RES-2020-179 ENTITLED: RESOLUTION OF THE COUNCIL OF THE CITY OF SANTA ROSA APPROVING A FOURTH AMENDMENT AND RATIFYING THE SECOND AMENDMENT TO GENERAL SERVICES AGREEMENT NUMBER F001621 WITH CREAM'S DISMANTLING, INC., DBA CREAM'S TOWING

12.3 RESOLUTION - FOURTH AMENDMENT TO GENERAL SERVICES AGREEMENT NUMBER F000642 WITH PLANETBIDS, INC

RECOMMENDATION: It is recommended by the Finance Department that the Council, by resolution, 1) approve the Fourth Amendment to General Services Agreement Number F000642 to increase compensation and extend the Agreement with PlanetBids, Inc., Woodland Hills, California for online bidding services for an additional one-year term and increase compensation by \$27,337.50, for a total not to exceed \$131,900; and 2) ratify the First, Second and Third Amendments which increased compensation by \$60,125.00 for a total not to exceed \$131,900.

This Consent - Resolution was adopted.

RESOLUTION NO. RES-2020-180 ENTITLED: RESOLUTION OF THE COUNCIL OF THE CITY OF SANTA ROSA APPROVING THE FOURTH AMENDMENT TO GENERAL SERVICES AGREEMENT NUMBER F000642 WITH PLANETBIDS, INC.

12.4 RESOLUTION - BID AWARD - PURCHASE ORDER FOR 2020 CLASS 5 OR NEWER DIESEL CAB AND CHASSIS WITH 9FT UTILITY BODY, LIFTGATE, AND MATERIAL RACK

RECOMMENDATION: It is recommended by the Transportation and Public Works and Finance Departments, that the Council, by resolution, approve a purchase order for the purchase of one 2021 Ford F550 Diesel Cab & Chassis with 9FT Utility Body, liftgate and material rack to Towne Ford, Redwood City, California, in an amount not to exceed \$117,362.65.

This Consent - Resolution was adopted.

RESOLUTION NO. RES-2020-181 ENTITLED: RESOLUTION OF THE COUNCIL OF THE CITY OF SANTA ROSA APPROVING A PURCHASE ORDER FOR ONE (1) 2021 FORD F550 CLASS 5 DIESEL CAB & CHASSIS WITH 9FT UTILITY BODY, LIFTGATE, AND MATERIAL RACK TO TOWNE FORD, REDWOOD CITY, CALIFORNIA IN AN AMOUNT NOT TO EXCEED \$117,362.65

12.5 RESOLUTION - SOLE MANUFACTURER BID AWARD - PURCHASE ORDER FOR 2020 BMW R1250 RT-P MOTORCYCLES

RECOMMENDATION: It is recommended by the Police, Transportation and Public Works and Finance Departments that the Council, by resolution, approve a sole manufacturer bid award and issuance of a purchase order for six 2020 BMW R1250 RT-P Motorcycles to Winner Motorcycles, Windsor, California, in an amount not-to-exceed \$177,953.10. The purchase of these vehicles will replace current City vehicles that have reached the end of their cost-effective life cycle. Funds for this purchase are made out of the City Transportation and Public Works Fleet Vehicle Replacement Program.

This Consent - Resolution was adopted.

RESOLUTION NO. RES-2020-182 ENTITLED: RESOLUTION OF THE COUNCIL OF THE CITY OF SANTA ROSA APPROVING SOLE MANUFACTURER BID AWARD AND A PURCHASE ORDER OF SIX (6) 2020 BMW R1250 RT-P MOTORCYCLES TO WINNER MOTORCYCLES, WINDSOR, CALIFORNIA IN AN AMOUNT NOT TO EXCEED \$177,953.10

12.6 RESOLUTION - AWARD - GENERAL SERVICE AGREEMENT

F002195 - SUMMIT PIPELINES, AUBURN, CA - CCTV SERVICE FOR ROSELAND STORM DRAIN PIPES

RECOMMENDATION: It is recommended by the Water and Finance Departments that the Council, by resolution, approve bid award and General Service Agreement F002195 for CCTV services to the Roseland drain pipe system to Summit Pipelines, Auburn, CA, in the amount not to exceed \$128,200.

This Consent - Resolution was adopted.

RESOLUTION NO. RES-2020-183 ENTITLED: RESOLUTION OF THE COUNCIL OF THE CITY OF SANTA ROSA APPROVING THE GENERAL SERVICES AGREEMENT NUMBER F002195 WITH SUMMIT PIPELINES, AUBURN, CA - FOR CCTV SERVICES FOR ROSELAND STORM DRAIN PIPES IN AN AMOUNT NOT TO EXCEED \$128,200

- 12.7 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-2020-184 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

- 12.8 RESOLUTION - EXTENSION OF PROCLAMATION OF EXISTENCE OF A LOCAL EMERGENCY RELATING TO 2020 GLASS 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 Consent - Resolution was adopted.

RESOLUTION NO. RES-2020-185 ENTITLED: RESOLUTION OF THE

**COUNCIL OF THE CITY OF SANTA ROSA EXTENDING THE
PROCLAMATION OF EXISTENCE OF A LOCAL EMERGENCY DUE TO 2020
GLASS FIRE**

**12.9 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 Rogers, to waive reading of the text and adopt

**RESOLUTION NO. RES-2020-186 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: 6 - Mayor Schwedhelm, Vice Mayor Fleming, Council Member Olivares, Council Member Rogers, Council Member Sawyer, and Council Member Dowd

Recused: 1 - Council Member Tibbetts

13. PUBLIC COMMENT ON NON-AGENDA MATTERS

Emily Ramey, YGreen Energy Fund, spoke about their program.

Deborah Leaf submitted comment regarding Airbnb's posing a danger to Santa Rosa neighborhoods.

14. REPORT ITEMS

**14.1 REPORT - RESOLUTION ADOPTING A COUNTYWIDE GOAL OF
ZERO WASTE BY 2030**

BACKGROUND: Many scientists acknowledge the unsustainable pace at which we are consuming our natural resources and the environmental impacts associated with the ongoing pollution of our water, air and land. Zero Waste strives to reduce the amount of waste sent to the landfill to zero. Zero Waste is defined as the conservation of

all resources by means of responsible production, consumption, reuse, and recovery of products, packaging, and materials without burning and with no discharges to land, water, or air that threaten the environment or human health.

Zero Waste Sonoma's Board of Directors adopted the proposed Sonoma County Zero Waste Resolution and requested Zero Waste Sonoma staff work with member jurisdictions to present the Zero Waste Resolution to member agencies for their consideration.

RECOMMENDATION: It is recommended by the Transportation and Public Works Department that the Council, by resolution, approve the Sonoma County Zero Waste Resolution adopting a countywide goal of zero waste by 2030.

Joey Hejnowicz, Administrative Analyst, presented and answered questions from the Council.

PUBLIC COMMENT

Colin Metcalf spoke in support of this resolution.

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

RESOLUTION NO. RES-2020-187 ENTITLED: RESOLUTION OF THE COUNCIL OF THE CITY OF SANTA ROSA ADOPTING A COUNTYWIDE GOAL OF ZERO WASTE BY 2030

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

14.2 REPORT - SONOMA COUNTY ENERGY INDEPENDENCE PROGRAM AMENDMENT FOR EXPANSION TO INCLUDE SEISMIC STRENGTHENING IMPROVEMENTS AND WILDFIRE SAFETY IMPROVEMENTS

BACKGROUND: The Sonoma County Energy Independence Program (SCEIP) has been in operation since March 2009, providing a Property Assessed Clean Energy (PACE) financing mechanism for local property

owners to make energy efficiency, water conservation, and renewable generation property improvements. SCEIP is administered by the County of Sonoma's Auditor-Controller-Treasurer-Tax Collector and General Services Energy and Sustainability Division. SCEIP has recently been expanded to allow property owners throughout the unincorporated areas of the County to finance seismic strengthening and wildfire safety improvements in addition to energy and water improvements. For these additional improvements to be made available to Santa Rosa residents, the Council needs to adopt a resolution opting-in to the expanded portfolio of seismic and wildfire improvements.

RECOMMENDATION: It is recommended by the Transportation and Public Works Department and the Water Department that Council, by resolution, 1) approve the Eighth Amendment to the Cooperative Agreement with the County of Sonoma to allow property owners within the incorporated area of the City to finance seismic strengthening improvements and wildfire safety improvements through the Sonoma County Energy Independence Program (SCEIP); and 2) delegate authority to the City Manager to extend the term of the Agreement in substantially the same form, provided that any such extension does not go beyond March 31, 2030.

Tasha Wright, Sustainability Coordinator, presented and answered questions from Council.

Jane Elias and BC Capps from Sonoma County Independence Program, were available to answer questions.

No public comments were made.

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

RESOLUTION NO. RES-2020-188 ENTITLED: RESOLUTION OF THE COUNCIL OF THE CITY OF SANTA ROSA APPROVING THE EIGHTH AMENDMENT TO THE COOPERATIVE AGREEMENT TO IMPLEMENT THE ENERGY INDEPENDENCE PROGRAM WITH THE COUNTY OF SONOMA TO ALLOW PROPERTY OWNERS WITHIN THE INCORPORATED AREA OF THE CITY TO FINANCE SEISMIC STRENGTHENING IMPROVEMENTS AND WILDFIRE SAFETY IMPROVEMENTS THROUGH THE SONOMA COUNTY ENERGY INDEPENDENCE PROGRAM AND DELEGATING AUTHORITY TO

THE CITY MANAGER TO EXTEND THE AGREEMENT ON SUBSTANTIALLY THE SAME TERMS FOR UP TO FIVE ADDITIONAL YEARS

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

14.3 REPORT - REFUND OF WATER DEMAND FEE TO IDENTIFIED MULTI-FAMILY PROPERTIES THAT PAID AN ADDITIONAL IRRIGATION DEMAND FEE

BACKGROUND: While calculating demand fee factors for current high-density multi-family development projects to assist with City Council Tier 1 Priority, Housing and Affordable Housing, SRW staff reviewed demand fee factors and discovered an additional water demand fee (also referred to as capacity fee) was paid by some multi-family residential developments since the new demand fee structure was approved in August, 2014 by Santa Rosa City Council. Some multi-family residential customers were charged irrigation demand for a dedicated irrigation meter as well as an incorporated irrigation demand by unit as defined in the Demand Fee Final Report. SRW staff has identified all multi-family properties that paid dedicated irrigation water demand and irrigation water demand incorporated in the per unit fee, and calculated the correct demand requirement and corresponding dollar amount, and is requesting approval to refund the per unit incorporated irrigation water demand fee charges.

RECOMMENDATION: It is recommended by Santa Rosa Water (SRW) and the Board of Public Utilities that the City Council, by resolution, approve a refund in the total amount of \$545,674.80 for water demand fees collected from multi-family units who paid an additional demand fee for separate irrigation demand and authorize the Chief Financial Officer to pay these refunds to individual properties from the Water Demand Fee Fund.

Kimberly Zunino, Deputy Director - Water Administration, presented and answered questions from Council.

No public comments were made.

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

RESOLUTION NO. RES-2020-189 ENTITLED: RESOLUTION OF THE COUNCIL OF THE CITY OF SANTA ROSA APPROVING A REFUND FOR WATER DEMAND FEES FOR MULTI-FAMILY PROPERTIES THAT PAID A SEPARATE IRRIGATION WATER DEMAND FEE

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

15. PUBLIC HEARINGS - NONE.

16. WRITTEN COMMUNICATIONS - NONE.

17. PUBLIC COMMENTS ON NON-AGENDA MATTERS

No public comments were made.

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 6:09 p.m. The next regularly scheduled meeting will be on November 17, 2020, at a time to be set by the Mayor.

20. UPCOMING MEETINGS

20.1 UPCOMING MEETINGS LIST

This item was received and filed.

Approved on:

Stephanie A. Williams
City Clerk

