



City of Santa Rosa

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

City Council Regular Meeting Minutes - Final

Tuesday, June 6, 2023

3:00 PM

1. CALL TO ORDER AND ROLL CALL

Vice Mayor MacDonald called the meeting to order at 3:01 p.m.

Present: 6 - Mayor Natalie Rogers, Vice Mayor Dianna MacDonald, Council Member Victoria Fleming, Council Member Jeff Okrepkie, Council Member Chris Rogers, and Council Member Mark Stapp

Absent: 1 - Council Member Eddie Alvarez

2. ANNOUNCEMENT OF CLOSED SESSION ITEMS - NONE.

3. INTERVIEWS FOR BOARDS, COMMISSIONS AND COMMITTEES

3.1 INTERVIEWS FOR THE PUBLIC FINANCING AUTHORITY

The Council will interview applicants to fill the following vacancies:

One position - City of Santa Rosa Representative.

One position - Joint City of Santa Rosa/Sonoma County Representative.

Attachments: [Staff Report](#)
 [Attachment 1 - Resolution forming the PFA](#)
 [Attachment 2 - Appointment Policy](#)
 [Attachment 3 - Applications on File](#)
 [Resolution](#)

City Council interviewed applicants for the possible appointment to the Public Financing Authority in the following order:

Farbod Assefnia
Hugh Futrell
Peter Stanley
Don Tomasi

4. STUDY SESSION - NONE.

Vice Mayor MacDonald adjourned the meeting at 3:22 p.m. and reconvened to the regular session at 4:00 p.m.

5. ANNOUNCEMENT OF ROLL CALL (IF NEEDED)

Council Member Alvarez joined the meeting at 4:04 p.m.

Present: 7 - Mayor Natalie Rogers, Vice Mayor Dianna MacDonald, Council Member Eddie Alvarez, Council Member Victoria Fleming, Council Member Jeff Okrepkie, Council Member Chris Rogers, and Council Member Mark Stapp

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

None.

7. PROCLAMATIONS/PRESENTATIONS

7.1 PROCLAMATION - WOMEN VETERANS DAY

Attachments: [Proclamation](#)

Council Member Fleming read and presented the proclamation to Rose Nowak, Vice President - Redwood Empire Unit 77 of the Military Women Across the Nation (MWAN) and Kate O'Hare Palmer, member - MWAN. Rose Nowak provided a brief comment on the history of women in military service and expressed 75th anniversary to women in service.

No public comments were made.

7.2 PROCLAMATION - JUNETEENTH

Attachments: [Proclamation](#)

Council Member Alvarez read and presented the proclamation to Nancy Rogers, President-CEO - North Bay Black Chamber of Commerce. Nancy Rogers provided a brief comment on the history of the Juneteenth nationwide and within the local community. Celeste Austin provided a brief comment on the history of Juneteenth and the importance of continued efforts for freedoms in the United States and in Sonoma County.

No public comments were made.

8. STAFF BRIEFINGS

8.1 SAFE PARKING PROGRAM UPDATE

Housing and Community Services Department staff will provide an update on the Safe Parking Program, which opened in March 2022. No action will be taken except for possible direction to staff.

Attachments: [Presentation](#)

Kelli Kuykendall, Housing and Community Services Manager, and Sasha Cohen, Program Specialist I, presented and answered questions from Council.

This item was received and filed.

8.2 COMMUNITY EMPOWERMENT PLAN UPDATE

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

Lon Peterson, Chief Communications and Intergovernmental Relations Officer, provided a brief report on the new co-hort for the Chief's Community Ambassador Team (C-CAT), announced that the independent police auditor report will be presented to the Public Safety Subcommittee on June 14 at 9:00 a.m., at the June 20 City Council meeting, and on June 21 with the auditors at the Finley Community Center, that the Santa Rosa Police Department is hosting a community police experience and accepting applications for the youth community police experience, and that applications are still being accepted for the Diversity, Equity, Inclusion, and Belonging Spaces Mini-Grant program.

PUBLIC COMMENT:

Ms. Gray spoke on Item 8.2 related to the multi-cultural roots program being pulled and requested reinstating the program.

Evette Minor spoke on Item 8.2 and in support of reinstating the multi-cultural roots program.

Duane DeWitt spoke on Item 8.2 and in support of reinstating the multi-cultural roots program, diversity in Santa Rosa and America, and reflected on the history of D-Day.

This item was received and filed.

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

No reports provided.

10. STATEMENTS OF ABSTENTION BY COUNCIL MEMBERS

None.

11. MAYOR'S/COUNCIL MEMBERS' REPORTS

Council Member Stapp provided a brief report regarding recent events attended.

Council Member C. Rogers provided a brief report on recent events attended.

Council Member Okrepkie provided a brief report on recent community events attended.

Council Member Alvarez provided a brief report on recent events attended.

Mayor N. Rogers provided a brief report on recent events attended.

Vice Mayor MacDonald provided a brief report on events recently attended.

Council Member Okrepkie recognized Maraskeshia Smith as the recipient of the 2023 Influential Woman Award from the North Bay Business Journal.

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)

Council Member Rogers provided a brief report.

**11.1.7 Zero Waste Sonoma (formerly known as Sonoma County Waste
Management Agency (SCWMA))**

Vice Mayor MacDonald provided a brief report.

11.1.8 Groundwater Sustainability Agency (GSA)

11.1.9 Sonoma County Continuum of Care (CoC)

Mayor N. Rogers provided a brief report.

11.1.10 Renewal Enterprise District (RED)

11.1.11 Public Safety Subcommittee

11.1.12 Other

11.2 BOARD, COMMISSION & COMMITTEE APPOINTMENTS

11.2.1 PUBLIC FINANCING AUTHORITY APPOINTMENTS

It is recommended by the Planning and Economic Development Department and the City Clerk's Office, that the Council, by three separate motions: 1) waive Sections B1 and B2 of Council Policy 000-06 to allow for property owners within the Enhanced Infrastructure District (EIFD) who may not be residents of/registered voters in the City of Santa Rosa, but reside and are registered voters in Sonoma County, to be considered for appointment to the Public Financing Authority (PFA); 2) make appointment to the (1) City of Santa Rosa representative on the PFA; and 3) nominate first and second choices for the (1) Joint City of Santa Rosa/Sonoma County representative on the PFA to refer to the Board of Supervisors.

PUBLIC COMMENT:

Duane DeWitt spoke in opposition to waiving these portions of the policy.

A motion was made by Council Member Okrepkie, seconded by Council C. Member Rogers, to approve the waiver of Sections B1 and B2 of Council Policy 000-06 to allow for property owners within the Enhanced Infrastructure District (EIFD) who may not be residents of/registered voters in the City of Santa, but reside and are registered voters in Sonoma County, to be considered for appointment to the Public Financing Authority (PFA).

The motion carried by the following vote:

Yes: 7 - Mayor Rogers, Vice Mayor MacDonald, Council Member Alvarez, Council Member Fleming, Council Member Okrepkie, Council Member Rogers, and Council Member Stapp

A motion was made by Council Member Okrepkie to appoint Hugh Futrell to the (1) City of Santa Rosa representative on the PFA, seconded by Council Member Stapp. Council Member Rogers proposed making an alternative motion. Council Member Okrepkie withdrew original motion.

A motion was made by Council Member Okrepkie, seconded by Council Member Stapp, to approve Mayor N. Rogers to appoint at her discretion Hugh Futrell or Peter Stanley to the City of Santa Rosa representative on the PFA.

The motion carried by the following vote:

Yes: 7 - Mayor Rogers, Vice Mayor MacDonald, Council Member Alvarez, Council Member Fleming, Council Member Okrepkie, Council Member Rogers, and Council Member Stapp

A motion was made by Council Member Okrepkie, seconded by Mayor N. Rogers, to nominate Don Tomasi as alternate option for the City of Santa Rosa appointee on the PFA.

The motion carried by the following vote:

Yes: 7 - Mayor Rogers, Vice Mayor MacDonald, Council Member Alvarez, Council Member Fleming, Council Member Okrepkie, Council Member Rogers, and Council Member Stapp

A motion was made by Council Member C. Rogers, seconded by Council Member Fleming, to clarify previous action to allow Mayor N. Roger's discretion to appoint Hugh Futrell or Peter Stanley to either the

City of Santa Rosa representative or the Joint City of Santa Rosa /Sonoma County representative on the PFA, and in the event the County selects one of those two, a third approved appointee would be Don Tomasi.

The motion carried by the following vote:

Yes: 7 - Mayor Rogers, Vice Mayor MacDonald, Council Member Alvarez, Council Member Fleming, Council Member Okrepkie, Council Member Rogers, and Council Member Stapp

12. APPROVAL OF MINUTES

12.1 April 25, 2023, Regular Meeting.

Attachments: [Draft Minutes](#)

Approved as submitted.

12.2 May 9, 2023, Regular Meeting.

Attachments: [Draft Minutes](#)

Approved as submitted.

12.3 May 10, 2023, Regular Meeting.

Attachments: [Draft Minutes](#)

Approved as submitted.

13. CONSENT ITEMS

Council Member Alvarez requested Item 13.9 be pulled from the consent calendar and heard separately.

PUBLIC COMMENT:

Chris Guenther spoke in support of Items 13.5 and 13.7.

Duane DeWitt spoke in support on Item 13.1.

Eric Fraser spoke in support of Item 13.5.

Approval of the Consent Agenda

A motion was made by Council Member Alvarez, seconded by Council

Member Okrepkie, to waive reading of the text and adopt Consent Items 13.1 through 13.7 and 13.10 through 13.11.

The motion carried by the following vote:

Yes: 7 - Mayor Rogers, Vice Mayor MacDonald, Council Member Alvarez, Council Member Fleming, Council Member Okrepkie, Council Member Rogers, and Council Member Stapp

13.1 RESOLUTION - SUPPORT FOR ASSEMBLY BILL 436 (ALVAREZ)

RECOMMENDATION: It is recommended by the Communications & Intergovernmental Relations Office that the Council, by resolution, support Assembly Bill 436 (Alvarez), which repeals the authority of local authorities to adopt rules and regulations by ordinance or resolution regulating cruising and repeals the prohibition on operating a passenger vehicle, or commercial vehicle under 6,000 pounds, that has been lowered below a certain point.

Attachments: [Staff Report](#)
 [Attachment 1 - Assembly Bill 436 Fact Sheet](#)
 [Attachment 2 - Assembly Local Government Committee Analysis](#)
 [Attachment 3 - Text of Assembly Bill 436](#)
 [Resolution](#)

This Consent - Resolution was adopted.

RESOLUTION NO. RES-2023-088 ENTITLED: RESOLUTION OF THE COUNCIL OF THE CITY OF SANTA ROSA SUPPORTING ASSEMBLY BILL 436 (ALVAREZ)

13.2 RESOLUTION - APPROVAL OF (1) THE ACQUISITION OF 470 SEBASTOPOL ROAD FOR FUTURE CONVERSION TO A POLICE SUBSTATION, (2) ASSUMPTION OF LEASE WITH THE SONOMA COUNTY LIBRARY FOR CONTINUED INTERIM LIBRARY USE, AND (3) DELEGATION OF AUTHORITY TO CITY MANAGER TO EXECUTE ALL NECESSARY DOCUMENTS TO COMPLETE THE TRANSACTION

RECOMMENDATION: It is recommended by the Police Department and Real Estate Services that the Council, by resolution: (1) approve the acquisition of 470 Sebastopol Road, Assessor's Parcel Number 125-162-031 ("Property") for continued temporary operation by the Sonoma County Library as the Roseland Regional Library and future

conversion to a police substation ("Project") and approve the associated Purchase and Sale Agreement and Joint Escrow Instructions for the Property with Guillermo Sanchez dated April 13, 2023; (2) approve assumption of the existing Lease with the Sonoma County Library for continued temporary operation of the Roseland Regional Library; and (3) delegate authority to the City Manager to negotiate and execute any necessary agreements, amendments and/or related documents to complete the transaction, subject to approval as to form by the City Attorney.

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

This Consent - Resolution was adopted.

RESOLUTION NO. RES-2023-089 ENTITLED: RESOLUTION OF THE COUNCIL OF THE CITY OF SANTA ROSA APPROVING THE ACQUISITION OF 470 SEBASTOPOL ROAD, SANTA ROSA AND RELATED PURCHASE AND SALE AGREEMENT AND JOINT ESCROW INSTRUCTIONS WITH GUILLERMO SANCHEZ, APPROVING ASSUMPTION OF LEASE AGREEMENT WITH THE SONOMA COUNTY LIBRARY, AND DELEGATING AUTHORITY TO THE CITY MANAGER TO EXECUTE ALL NECESSARY DOCUMENTS TO COMPLETE THE TRANSACTION

13.3 RESOLUTION - APPROVAL - INTERGOVERNMENTAL AGREEMENT NUMBER F002610 WITH THE RECORDS MANAGEMENT DIVISION OF THE INFORMATION SYSTEMS DEPARTMENT OF THE COUNTY OF SONOMA, CALIFORNIA

RECOMMENDATION: It is recommended by the Finance Department that the Council, by resolution, approve Intergovernmental Agreement F002610, for a three-year term with two (2) one-year renewal options to the County of Sonoma, CA, to provide mail metering, package processing, barcoding, and delivery of all U.S. mail for a total amount not to exceed \$500,000.

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

This Consent - Resolution was adopted.

RESOLUTION NO. RES-2023-090 ENTITLED: RESOLUTION OF THE

**COUNCIL OF THE CITY OF SANTA ROSA APPROVING AN
INTERGOVERNMENTAL AGREEMENT NUMBER F002610 WITH THE
COUNTY OF SONOMA THROUGH ITS RECORDS MANAGEMENT DIVISION
OF THE INFORMATION SYSTEMS DEPARTMENT**

**13.4 RESOLUTION - BLANKET PURCHASE ORDER 164204A ONE YEAR
EXTENSION WITH GEOTAB USA, INC**

RECOMMENDATION: It is recommended by the Transportation and Public Works and Finance Departments that the Council, by resolution, increase compensation for Blanket Purchase Order 164204A with Geotab USA, Inc., Las Vegas, Nevada for vehicle telematic equipment and data support services under the DGS Cooperative Contract 1-19-58-69 by \$175,000, for a total amount not to exceed \$425,000.

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

This Consent - Resolution was adopted.

**RESOLUTION NO. RES-2023-091 ENTITLED: RESOLUTION OF THE
COUNCIL OF THE CITY OF SANTA ROSA INCREASING COMPENSATION
FOR BLANKET PURCHASE ORDER 164204A WITH GEOTAB USA, INC. IN
THE AMOUNT OF \$175,000, FOR A TOTAL AMOUNT NOT TO EXCEED
\$425,000**

**13.5 RESOLUTION - SPEED LIMITS IN THE CENTRAL BUSINESS
DISTRICT**

RECOMMENDATION: It is recommended by the Transportation and Public Works Department that the Council, by resolution, in accordance with Assembly Bill 43, establish the following speed limits in the City's Central Business District: 1) a speed limit of 20 miles per hour on First Street between A Street and D Street, Second Street between D Street and E Street, Fourth Street between B Street and E Street, Fourth Street between Wilson Street and Morgan Street, Fifth Street between B Street and Brookwood Avenue, Fifth Street between Wilson Street and Morgan Street, Sixth Street between Wilson Street and Morgan Street, Seventh Street between A Street and E Street, Beaver Street between Fifth Street and Seventh Street, D Street between Sonoma Avenue and Fifth Street, Humboldt Street between Fifth Street and Seventh Street, Mendocino Avenue between Fourth Street and Tenth Street, Orchard Street between Fifth Street and Seventh Street, and

Wilson Street between Third Street and Sixth Street, and 2) a speed limit of 25 miles per hour on the following street segments - Fourth Street between E Street and Brookwood Avenue, B Street between Healdsburg Avenue and First Street, and Santa Rosa Avenue between First Street and Third Street.

Attachments: [Staff Report](#)
 [Attachment 1 - Vicinity Map](#)
 [Resolution](#)

This Consent - Resolution was adopted.

RESOLUTION NO. RES-2023-092 ENTITLED: RESOLUTION OF THE COUNCIL OF THE CITY OF SANTA ROSA ESTABLISHING SPEED LIMITS IN THE CENTRAL BUSINESS DISTRICT

13.6 RESOLUTION - SECOND AMENDMENT TO PSA WITH MV TRANSPORTATION TO PROVIDE ADA PARATRANSIT SERVICES AND DEVIATED FIXED-ROUTE SERVICE

RECOMMENDATION: It is recommended by the Transportation and Public Works Department that the Council, by resolution, approve the Second Amendment to Professional Services Agreement Number F002252 with MV Transportation, Inc. with offices located in Fairfield, California, to extend the contract for delivery of ADA paratransit services and a deviated fixed-route service through June 30, 2024 and increase the compensation payable to the contractor under the Agreement by \$1,850,000 for a total contract amount not to exceed amount of \$5,885,331.

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

This Consent - Resolution was adopted.

RESOLUTION NO. RES-2023-093 ENTITLED: RESOLUTION OF THE COUNCIL OF THE CITY OF SANTA ROSA APPROVING A SECOND AMENDMENT TO PROFESSIONAL SERVICES AGREEMENT NUMBER F002252 WITH MV TRANSPORTATION, INC. TO PROVIDE ADA PARATRANSIT SERVICES AND DEVIATED FIXED ROUTE SERVICES

13.7 RESOLUTION - MEMORANDUM OF UNDERSTANDING WITH THE SONOMA COUNTY JUNIOR COLLEGE DISTRICT AND SCJCD ASSOCIATED STUDENTS FOR CITYBUS UNLIMITED RIDES

PROGRAM FOR COLLEGE STUDENTS

RECOMMENDATION: It is recommended by the Transportation and Public Works Department that the Council, by resolution, 1) approve a new Memorandum of Understanding (MOU) with the Sonoma County Junior College District (SCJCD) and the SCJCD Associated Students, for CityBus unlimited rides program for College students through June 30, 2028 with the option to renew the MOU through 2033, and 2) delegate authority to the City Manager or designee to execute the MOU, any amendments thereto, and/or any other documents necessary to facilitate the CityBus unlimited rides program for college students.

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

This Consent - Resolution was adopted.

RESOLUTION NO. RES-2023-094 ENTITLED: RESOLUTION OF THE COUNCIL OF THE CITY OF SANTA ROSA APPROVING A MEMORANDUM OF UNDERSTANDING WITH SONOMA COUNTY JUNIOR COLLEGE DISTRICT AND SCJCD ASSOCIATED STUDENTS FOR CITYBUS UNLIMITED RIDES PROGRAM FOR COLLEGE STUDENTS THROUGH JUNE 30, 2028

13.8 RESOLUTION - DECLARATION OF LASERFICHE AS A TRUSTED SYSTEM

RECOMMENDATION: It is recommended by the City Clerk's Office and the Information Technology Department that the Council, by resolution, declare Laserfiche as a Trusted System for the management of official City records and the automation of record retention requirements.

Attachments: [Staff Report](#)
 [Attachment 1 - Trustworthy Electronic Document SOS](#)
 [Resolution](#)
 [Exhibit A - RIM Policy](#)
 [Exhibit B- Procedures for Laserfiche](#)
 [Exhibit C - Procedures for Deletion Laserfiche](#)
 [Exhibit D - Retention Schedule](#)

This Consent - Resolution was adopted.

RESOLUTION NO. RES-2023-095 ENTITLED: RESOLUTION OF THE COUNCIL OF THE CITY OF SANTA ROSA DECLARING LASERFICHE A TRUSTED SYSTEM FOR THE MANAGEMENT OF RECORDS AND THE

AUTOMATION OF RECORDS RETENTION REQUIREMENTS

- 13.10** **ORDINANCE ADOPTION - SECOND READING - ORDINANCE OF THE COUNCIL OF THE CITY OF SANTA ROSA INCREASING THE COMPENSATION OF THE CITY MANAGER TO PROVIDE (1) A 5% MERIT INCREASE IN SALARY EFFECTIVE JANUARY 1, 2023, (2) A 2.5% COST OF LIVING SALARY ADJUSTMENT EFFECTIVE JULY 2, 2023, (3) A MERIT INCREASE EQUAL TO 5% OF \$276,750 EFFECTIVE DECEMBER 3, 2023, (4) A MERIT INCREASE EQUAL TO 6% OF \$276,750 EFFECTIVE AT THE BEGINNING OF THE FIRST PAY PERIOD IN JUNE, 2024, (5) AN ADDITIONAL MERIT INCREASE IN JUNE 2025 IF AND AS NEEDED TO ALIGN THE CITY MANAGER'S SALARY WITH THE THEN-AVERAGE CITY MANAGER SALARY IN COMPARABLE JURISDICTIONS, AND (6) AN ENHANCED WELLNESS BENEFIT OF \$4,800 YEARLY EFFECTIVE JANUARY 1, 2023**

RECOMMENDATION: This ordinance, introduced at the May 23, 2023, Regular Meeting by a 5-0-2 vote (Vice Mayor Dianna MacDonald and Council Member Chris Rogers absent), increases the compensation of the City Manager.

Attachments: [Ordinance](#)

This Consent - Ordinance was adopted on second reading.

ORDINANCE NO. ORD-2023-005 ENTITLED: ORDINANCE OF THE COUNCIL OF THE CITY OF SANTA ROSA INCREASING THE COMPENSATION OF THE CITY MANAGER TO PROVIDE (1) A 5% MERIT INCREASE IN SALARY EFFECTIVE JANUARY 1, 2023, (2) A 2.5% COST OF LIVING SALARY ADJUSTMENT EFFECTIVE JULY 2, 2023, (3) A MERIT INCREASE EQUAL TO 5% OF \$276,750 EFFECTIVE DECEMBER 3, 2023, (4) A MERIT INCREASE EQUAL TO 6% OF \$276,750 EFFECTIVE AT THE BEGINNING OF THE FIRST PAY PERIOD IN JUNE, 2024, (5) AN ADDITIONAL MERIT INCREASE IN JUNE 2025 IF AND AS NEEDED TO ALIGN THE CITY MANAGER'S SALARY WITH THE THEN-AVERAGE CITY MANAGER SALARY IN COMPARABLE JURISDICTIONS, AND (6) AN ENHANCED WELLNESS BENEFIT OF \$4,800 YEARLY EFFECTIVE JANUARY 1, 2023

- 13.11** **ORDINANCE ADOPTION - SECOND READING - ORDINANCE OF THE COUNCIL OF THE CITY OF SANTA ROSA AMENDING TITLE 20**

OF THE SANTA ROSA CITY CODE BY MODIFYING ZONING CODE CHAPTER 20-31 AND SECTIONS 20-36.040, 20-50.020, AND 20-70.020, AND ADDING CHAPTER 20-33, TO BRING THE ZONING CODE INTO COMPLIANCE WITH STATE LEGISLATION, AS REQUIRED BY LAW

RECOMMENDATION: This ordinance, introduced at the May 23, 2023, Regular Meeting by a 5-0-2 vote (Vice Mayor Dianna MacDonald and Council Member Chris Rogers absent), amends Title 20 of the Santa Rosa City Code by modifying Zoning Code Chapter 20-31, and Sections 20-36.040, 20-50.020, and 20-70.020, and adding Chapter 20-33, to bring the Zoning Code into compliance with State Legislation, as required by law.

Attachments: [Ordinance](#)

This Consent - Ordinance was adopted on second reading.

ORDINANCE NO. ORD-2023-006 ENTITLED: ORDINANCE OF THE COUNCIL OF THE CITY OF SANTA ROSA AMENDING TITLE 20 OF THE SANTA ROSA CITY CODE BY MODIFYING ZONING CODE CHAPTER 20-31 AND SECTIONS 20-36.040, 20-50.020, AND 20-70.020, AND ADDING CHAPTER 20-33, TO BRING THE ZONING CODE INTO COMPLIANCE WITH STATE LEGISLATION, AS REQUIRED BY LAW

13.9 ORDINANCE ADOPTION - SECOND READING - ORDINANCE OF THE COUNCIL OF THE CITY OF SANTA ROSA REPEALING CHAPTER 11-16 - CRUISING PROHIBITED WITHIN THE CORE AREA OF THE CITY OF THE SANTA ROSA CITY CODE, REMOVING THE CRUISING PROHIBITION

RECOMMENDATION: This ordinance, introduced at the May 23, 2023, Regular Meeting by a 5-0-2 vote (Vice Mayor Dianna MacDonald and Council Member Chris Rogers absent), repeals Chapter 11-16 - Cruising Prohibited Within the Core Area of the City of Title 11 - Vehicle and Traffic Code of the Santa Rosa City Code.

Attachments: [Ordinance](#)

PUBLIC COMMENT:

David Escobar spoke in support of Item 13.9.

Maggie Parr spoke in support of Item 13.9.

Juan Roman spoke in support of Item 13.9.

Oscar Via Lobos Cantos spoke in support of Item 13.9.

Teresa Medina, Maria Carrillo High School, spoke in support of Item 13.9.

A motion was made by Council Member Alvarez, seconded by Council Member Fleming, to waive reading of the text and adopt on second reading

ORDINANCE NO. ORD-2023-007 ENTITLED: ORDINANCE OF THE COUNCIL OF THE CITY OF SANTA ROSA REPEALING CHAPTER 11-16 - CRUISING PROHIBITED WITHIN THE CORE AREA OF THE CITY OF THE SANTA ROSA CITY CODE, REMOVING THE CRUISING PROHIBITION

The motion carried by the following vote:

Yes: 7 - Mayor Rogers, Vice Mayor MacDonald, Council Member Alvarez, Council Member Fleming, Council Member Okrepkie, Council Member Rogers, and Council Member Stapp

14. PUBLIC COMMENT ON NON-AGENDA MATTERS

None.

Vice Mayor MacDonald recessed at 6:15 p.m. for a dinner break and reconvened the meeting at 6:45 p.m.

15. REPORT ITEMS

Present: 7 - Mayor Natalie Rogers, Vice Mayor Dianna MacDonald, Council Member Eddie Alvarez, Council Member Victoria Fleming, Council Member Jeff Okrepkie, Council Member Chris Rogers, and Council Member Mark Stapp

15.1 REPORT - ZERO EMISSION BUS ROLLOUT PLAN

BACKGROUND: The Transit Division has developed the Zero-Emission Bus (ZEB) Rollout Plan to meet both the California Air Resources Board (CARB) mandated Innovative Clean Transit (ICT) regulation (13 CCR § 2023.1) and the Federal Transit Administration's (FTA) amended requirement for agencies seeking federal grants. Santa Rosa CityBus' Rollout Plan achieves a zero-emission fleet in 2037, ahead of the ICT's

2040 target for all 41 vehicles (fixed route and cutaway paratransit vehicles).

RECOMMENDATION: It is recommended by the Transportation and Public Works Department that the Council, by resolution, approve the CityBus Zero Emission Bus (ZEB) Rollout Plan.

Attachments: [Staff Report](#)
 [Attachment 1 - Zero Emission Bus Rollout](#)
 [Resolution](#)
 [Presentation](#)

Rachel Ede, Deputy Director - City Bus, and Yuri Koslen, Transit Planner, presented.

No public comments were made.

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

RESOLUTION NO. RES-2023-096 ENTITLED: RESOLUTION OF THE COUNCIL OF THE CITY OF SANTA ROSA APPROVING THE CITYBUS ZERO EMISSION BUS ROLLOUT PLAN

The motion carried by the following vote:

Yes: 7 - Mayor Rogers, Vice Mayor MacDonald, Council Member Alvarez, Council Member Fleming, Council Member Okrepkie, Council Member Rogers, and Council Member Stapp

16. PUBLIC HEARINGS

16.1 PUBLIC HEARING - SHORT-TERM RENTALS ORDINANCE AMENDMENTS

BACKGROUND: The City's Short-Term Rentals (STR) Ordinance was adopted by the City Council on October 13, 2021. On August 9, 2022, the Council adopted minor amendments to the Ordinance limiting the number of non-hosted STRs within the City and providing code enforcement regulations. City staff and the public who have utilized, implemented, or enforced the Ordinance since its adoption have identified sections that would benefit from technical changes to assist in implementation and enforcement. The proposed Zoning Code text amendments include these technical changes, as well as the addition of new and revised definitions and policies that have been informed by

prior City Council discussion, public engagement, and Planning Commission direction. New policies include: adding unit type restrictions, establishing a maximum number of STR Permits allowed per owner, prohibiting outdoor burning, adding outdoor lighting standards, trash and recycling facilities restrictions, and water conservation signage requirements. Revisions are also proposed for accessory dwelling unit (ADU) and code enforcement policies. On April 27, 2023, the Planning Commission held a public hearing to consider the proposed STR Ordinance amendments and voted 4-2 (with one Commissioner absent) to recommend City Council adoption of the proposed amendments with the addition of a prohibition on outdoor burning at STRs.

RECOMMENDATION: It is recommended by the Planning Commission and the Planning and Economic Development Department that the Council introduce an ordinance amending the text of Title 20 of the Santa Rosa City Code, Chapter 20-48, Short-Term Rentals, to revise and add new definitions and policies, and to incorporate technical changes including reorganization and clarifying language to improve functionality and aid in implementation and enforcement.

Attachments: [Staff Report](#)
 [Attachment 1 - City Council Ordinance No. ORD-2021-011](#)
 [Attachment 2 - October 12, 2021 City Council Staff Report](#)
 [Attachment 3 - City Council Ordinance No. ORD-2022-008](#)
 [Attachment 4 - City Council Resolution No. RES-2022-177](#)
 [Attachment 5 - August 9, 2022 City Council Staff Report](#)
 [Attachment 6 - Proposed Zoning Code Text Amendments - Redline](#)
 [Attachment 7 - August 2021 STR Survey Results Report](#)
 [Attachment 8 - September 23 to December 19, 2022 STR Survey Results Report](#)
 [Attachment 9 - Draft Minutes of 4-27-23 Planning Commission Meeting](#)
 [Attachment 10 - Planning Commission Resolution No. PC-2023-013](#)
 [Attachment 11 - Public Correspondence](#)
 [Ordinance](#)
 [Presentation](#)
 [Public Hearing Notice](#)
 [Late Correspondence \(Uploaded 06-06-2023\)](#)
 [Late Correspondence \(Uploaded 06-07-2023\)](#)

Shari Meads, Senior Planner, and Jessica Jones, Deputy Director Community Development - Planning and Economic Development, Lou Kirk, Assistant Chief Building Official, Jesse Oswald, Chief Building Inspector, Paul Lowenthal, Fire Marshal, and Alan Alton, Chief Financial Officer, presented and answered questions from

Council.

Vice Mayor MacDonald opened the public hearing at 8:40 p.m.

Cornelius Silva provided a speaker card indicating opposition to Item 16.1 but was not present in Chamber for public comment period.

Liza Henty-Clark spoke in opposition to Item 16.1. Comment provided on speaker card: Oppose limiting number of non-hosted permits per owner with permits in good standing.

Sara Ratekin spoke in support of Item 16.1 with recommendations on ordinance improvements.

Eric Linder spoke in opposition to Item 16.1 and requested the removal of non-hosted rentals from residential zones.

Gary Lentz spoke in support of Item 16.1.

Amanda Hagar spoke in support Item 16.1.

Priscilla Bale spoke in opposition of Item 16.1.

Jose A. Ibarra spoke in opposition to Item 16.1, specifically non-hosted short-term rentals.

Alan Thomas spoke in support of Item 16.1.

Monica Jacobson spoke in opposition to Item 16.1.

Marsha Shotwell spoke in opposition to Item 16.1, specifically outdoor fire devices.

Bernadette Burrell spoke in opposition to Item 16.1. Comment provided on speaker card: Remove STR from residential zoning.

Nancy Wang spoke in opposition to Item 16.1.

Laura Holliday spoke on Item 16.1. Comment provided on speaker card: Please allow those with expired STR permits to renew/reapply due to process confusion and first-time nature of process.

Charles spoke in support of Item 16.1 with recommendations on the transfers of permits.

Larry Lapeere spoke in support of Item 16.1 with consideration of renewal process improvements. Comment provided from speaker card: The permit renewal process seems biased against STR owners.

Joe Schneider, North Bay Association of Realtors, spoke in support of common-sense regulations on short-term rentals.

Kay Ward spoke in support of Item 16.1.

Tim Ward spoke in support of Item 16.1 with consideration to renewal process improvements.

Vladman Temer spoke in support of Item 16.1 with recommendations on ordinance improvements including on-site supervision, requiring a minor conditional use permit, and allowed uses documented in zoning code.

Russell Dieter spoke in opposition to Item 16.1, specifically non-hosted short-term rentals.

Cynthia Lozano spoke in support of Item 16.1.

Shawn Hermosillo spoke in support of Item 16.1, and extending the renewal period.

Dan Gudino spoke in support of a sensible and fair short-term rental ordinance.

Anonymous speaker spoke in opposition to Item 16.1.

Jonathan S spoke in support of Item 16.1 with considerations related to density and enforcement.

Rumesha Whitefield spoke in support of Item 16.1 with consideration to address enforcement issues.

Eric Fraser spoke in support of Item 16.1.

Alex C spoke in support of Item 16.1.

Maria spoke in support of Item 16.1.

Jessica spoke in support of Item 16.1.

Jamie spoke in support of Item 16.1 with no additional restrictions related to density considerations.

Ted Aanestad spoke in support of Item 16.1.

Charles Carter spoke in support of Item 16.1 and provided suggestions for improvements to the ordinance.

Lauren Requarth spoke in support of Item 16.1 with recommendations for ordinance improvements.

Carl Jaeger spoke in support of Item 16.1 with recommendations for ordinance improvements.

Dan Sullivan, Standoutstays.com, spoke in support of Item 16.1 with recommendations for ordinance improvements.

Herbert Terreri spoke in support of Item 16.1 with consideration of continuing the item for further development.

Lindsay Darrimon spoke in support of Item 16.1 with recommendations on ordinance improvements.

J storie spoke in support of Item 16.1.

David Long spoke in support of Item 16.1 with recommendations on ordinance improvements.

Camile spoke in support of Item 16.1 with recommendations for ordinance improvements.

Dale Sessions spoke in support of Item 16.1 if eliminating non-hosted option.

Vice Mayor MacDonald closed the public hearing at 10:12 p.m.

A motion was made by Council C. Member Rogers, seconded by Council Member Alvarez to introduce the ordinance as amended to include:

Part 1 - provide a one-time 30-day grace period for Permit holders whose Permits were issued within the first year of the Ordinance and expired without a Renewal application being timely submitted to be brought to Council at the June 20, 2023 regular meeting for second reading and adoption.

Part 2 - amend ordinance as follows:

- (a) provide a permanent 30-day grace period for submitting renewal applications,**
- (b) clarify that allowed outdoor burning at non-hosted STRs only includes natural gas and propane appliances,**
- (c) clarify that outdoor burning limitations do not apply to hosted STRs,**
- (d) provide for transfer of STRs to family members under certain circumstances,**
- (e) allow Owners with multiple STR Permits to retain those permits,**
- (f) require hosted STR Permit applicants to file an affidavit that they will live on site,**
- (g) provide a tiered violation penalty schedule,**
- (h) require a fine for first violations of TOT/BIA and operating without a Permit,**
- (i) clarify that after a third violation a Permit is revoked permanently,**

(j) keep a cap on non-hosted STRs, starting with current level and reduced over time through natural attrition, prohibit new non-hosted STR Permit applications, and provide for reconsideration of the cap by Council in two years, and

(k) require the City to send renewal reminder notifications to Permit holders, to be brought back for second reading and adoption at a future Council meeting.

A substitute motion was made by Council Member Fleming, seconded by Mayor N. Rogers, to eliminate all non-hosted rentals in residential zoning areas, allow non-hosted rentals in commercial zones, and maintain consistency with the General Plan.

The substitute motion failed by the following vote:

Yes: 1 - Council Member Fleming

No: 6 - Mayor N. Rogers, Vice Mayor MacDonald, Council Member Alvarez, Council Member Okrepkie, Council Member C. Rogers, Council Member Stapp

A friendly amendment was made by Council Member Fleming, to the original motion by Council Member C. Rogers, requesting staff to prepare a study session for Council to consider placing on the March or November 2024 ballot a question to the voters regarding the elimination of short-term rental uses in residential areas. Council Member C. Rogers and Council Member Alvarez accepted the friendly amendment.

ORDINANCE ENTITLED: ORDINANCE OF THE COUNCIL OF THE CITY OF SANTA ROSA ADOPTING ZONING CODE TEXT AMENDMENTS TO TITLE 20 OF THE SANTA ROSA CITY CODE, CHAPTER 20-48, SHORT-TERM RENTALS, TO REVISE AND ADD NEW DEFINITIONS AND POLICIES, AND TO INCORPORATE TECHNICAL CHANGES TO IMPROVE FUNCTIONALITY AND AID IN IMPLEMENTATION AND ENFORCEMENT; FILE NUMBER REZ23-001

The motion to introduce the ordinance as amended carried by the following vote:

Yes: 6 - Mayor Rogers, Vice Mayor MacDonald, Council Member Alvarez, Council Member Okrepkie, Council Member Rogers, and Council Member Stapp

No: 1 - Council Member Fleming

17. WRITTEN COMMUNICATIONS

17.1 STATE LEGISLATIVE UPDATE:

- Support for SB 370 (McGuire) -- Personal Income Tax Law: Corporation Tax Law: wildfires: exclusions. Provided for information.
- Opposition for AB 1637 (Irwin) -- Local government: internet websites and email addresses. Provided for information.
- Support for AB 1168 (Bennett) -- Emergency medical services (EMS): prehospital EMS. Provided for information
- Support for SB 55 (Umberg) -- Vehicles: catalytic converters. Provided for information.

Attachments: [State Legislative Memo](#)
[Bill Text - SB-370 Personal Income Tax Law](#)
[SB 370 Letter of Support](#)
[Bill Text - AB-1637 Local government](#)
[AB 1637 Opposition Letter](#)
[Bill Text - AB-1168 Emergency medical services \(EMS\)](#)
[AB 1168 Letter of Support](#)
[Bill Text - SB-55 Vehicles](#)
[SB 55 Letter of Support](#)

This item was received and filed.

18. PUBLIC COMMENTS ON NON-AGENDA MATTERS

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

Vice Mayor MacDonald adjourned the meeting at 11:42 p.m.

21. UPCOMING MEETINGS

21.1 UPCOMING MEETINGS LIST

Attachments: [Upcoming Meetings List](#)

This item was received and filed.

Approved on: July 11, 2023

/s/ Dina Manis, City Clerk

