



**City Council
Regular Meeting Minutes - Final**

Tuesday, May 24, 2022

12:00 PM

1. CALL TO ORDER AND ROLL CALL

Mayor C. Rogers called to order the special joint meeting of the City Council and Planning Commission at 12:05 p.m.

Present: 6 - Mayor Chris Rogers, Vice Mayor Eddie Alvarez, Council Member Victoria Fleming, Council Member Dianna MacDonald, Council Member John Sawyer, and Council Member Tom Schwedhelm

Absent: 1 - Council Member Natalie Rogers

Planning Commission Roll Call:

Present: 4 - Chair Karen Weeks, Vice Chair Julian Peterson, Commissioner Patti Cisco, Commissioner Jeff Okrepkie

Absent: 3 - Commissioner Charles Carter, Commissioner Vicki Duggan, Commissioner Jeffrey Holton

2. ANNOUNCEMENT OF CLOSED SESSION ITEMS - NONE.

3. STUDY SESSION

3.1 SANTA ROSA FORWARD LAND USE AND CIRCULATION ALTERNATIVES

It is recommended by the Planning and Economic Development Department that the City Council and Planning Commission review and provide input on the Draft Alternatives, taking into consideration community feedback, to help guide the preparation of the General Plan 2050 Update.

Attachments: [Staff Report](#)
 [Attachment 1 - Land Use and Circulation Alternatives Summary of Comments and Feedback](#)
 [Attachment 2 - Alternatives Workbook Presentation](#)

Amy Lyle, Supervising Planner, presented and answered questions from the Council and Planning Commissioners.

Amy Nicholson, Senior Planner, presented and answered questions from the Council and Planning Commissioners.

Andrea Howard, Placeworks, answered questions from the Council and Planning Commissioners.

Beatriz Guerrero Auna, Equity & Public Health Planner, presented and answered questions from the Council.

PUBLIC COMMENT

Susan Lamont spoke expressing concern on special opportunity zones being exploited by the wealthy, the exploitation of tax payer dollars, and the unintended consequences of rents being raised.

Jay Berger spoke on wanting to be more active in the community and in support of Alternative 1.

Mayor C. Rogers adjourned the special meeting at 1:57 p.m. and reconvened to the Council's regular study sessions.

Present: 5 - Mayor Chris Rogers, Vice Mayor Eddie Alvarez, Council Member Dianna MacDonald, Council Member John Sawyer, and Council Member Tom Schwedhelm

Absent: 2 - Council Member Victoria Fleming, and Council Member Natalie Rogers

3.2 CHARTER REVIEW COMMITTEE FINAL REPORT AND RECOMMENDATIONS

The Charter Review Committee has now completed its Final Report and Recommendations. The Report outlines the Committee's deliberations and states its recommendations on more than ten possible areas for Charter amendment, including Council compensation, directly elected Mayor, ranked choice voting, voting rights for noncitizens, district elections, Charter update and modernization, and others. Staff will present the Report and Recommendations and seek direction from the Council for next steps.

Attachments: [Staff Report](#)
 [Attachment 1 - Draft CRC Final Report to Council](#)
 [Attachment 1 - Draft Revised CRC Final Report to Council \(Uploaded 5/24/2022\)](#)
 [Attachment 2 - Attachments to the CRC Final Report to Council](#)
 [Attachment 3 - Links to Documents Presented to the Charter Review Committee](#)
 [Presentation \(Uploaded 5/24/2022\)](#)
 [Late Correspondence \(Uploaded 5-27-2022\)](#)

Sue Gallagher, City Attorney, presented and answered questions from Council.

Patti Cisco, Chair of the Charter Review Committee, reported on the work of the Committee and was available to answer questions.

PUBLIC COMMENT

Eric Fraser spoke on the current benefits Council Members receive, Council needing staff support, and in support of a directly elected Mayor.

Alan Worstell spoke in support of district elections.

Logan Pitts spoke on the diversity of the Charter Review Committee Members and in support of increasing Council compensation.

Michael Titone spoke in support of district elections.

Alexa Forrester spoke in support of continuing district based elections and increasing Council compensation.

Ernesto Olivares, Vice Chair of the Charter Review Committee, spoke on the process used by the Charter Review Committee and the diversity of the Committee Members.

Mayor C. Rogers recessed the meeting at 3:59 p.m. and reconvened at 4:15 p.m.

Present: 5 - Mayor Chris Rogers, Vice Mayor Eddie Alvarez, Council Member Dianna MacDonald, Council Member John Sawyer, and Council Member Tom Schwedhelm

Absent: 2 - Council Member Victoria Fleming, and Council Member Natalie Rogers

3.3 POLICE OVERSIGHT: INDEPENDENT POLICE AUDITOR AND CIVILIAN REVIEW MODELS

The Police Department will present an overview of police oversight, which will include a review of best practices for law enforcement agencies, a review of the scope of work of the City's independent police auditor, and a look at some models from other agencies.

This study session is provided for the Council's information, and no action will be taken. The Council will have the opportunity to ask questions, discuss, and provide feedback to staff.

Attachments: [Staff Report](#)
 [Presentation](#)
 [Late Correspondence \(Uploaded 5/24/2022\)](#)
 [Late Correspondence \(Uploaded 5-27-2022\)](#)

John Cregan, Interim Chief of Police, and Brian Corr, OIR Equity Group, presented and answered questions from Council.

Teresa Magula, OIR Group, was available to answer questions.

PUBLIC COMMENT

Zoe spoke expressing concern on inequities in the community and her experience of witnessing police destroying property of the shelterless population, stressed the need for civilian oversight, and recited a quote from the Human Rights Commission report.

Susan Lamont spoke on a previous auditor questioning Council policy, and the importance of community involvement.

Michael Titone, Sonoma County Tenants Union, echoed the comments of previous speakers, the need to make police oversight as independent as possible, and on the abusive treatment of the unsheltered.

Eric Fraser spoke suggesting oversight should be extended to code enforcement.

Barbara Grassechi spoke expressing the importance of civilian oversight of the Police Department, building trust in the community, and committee members being appointed by the Council Members for each district.

Andrew spoke in support of defunding the police.

Victoria Yanez, Homeless Action!, spoke expressing concern on the misdemeanors being given to the homeless population, the conduct of police towards people in the encampments, and asked the City to provide a place for people who lived in the encampments that are being removed.

Alcina Horstman spoke echoing previous comments on citizen involvement and the Oversight Committee members being appointed by each Council Member.

The following people spoke in opposition to additional police oversight:

Ken F.
Suzanne
Janet M.
Craig G.
Samantha W.
Matt M.

Mayor C. Rogers recessed the meeting at 6:25 p.m. and reconvened at 7:00 p.m.

4. ANNOUNCEMENT OF ROLL CALL (IF NEEDED)

Present: 5 - Mayor Chris Rogers, Vice Mayor Eddie Alvarez, Council Member Dianna MacDonald, Council Member John Sawyer, and Council Member Tom Schwedhelm

Absent: 2 - Council Member Victoria Fleming, and Council Member Natalie Rogers

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

No reports were provided.

6. PROCLAMATIONS/PRESENTATIONS

No public comments were made.

6.1 PROCLAMATION - AFFORDABLE HOUSING MONTH

Attachments: [Proclamation](#)

Vice Mayor Alvarez read the proclamation. Megan Basinger, Director - Housing and Community Services, accepted the proclamation on behalf of the Housing Authority.

6.2 PROCLAMATION - WILDFIRE AWARENESS MONTH

Attachments: [Proclamation](#)

Council Member MacDonald read the proclamation. Paul Lowenthal, Division Chief Fire Marshall, accepted the proclamation.

15. PUBLIC HEARINGS

Mayor C. Rogers announced Item 15.2 was pulled from the agenda and would be heard at a later date.

15.1 PUBLIC HEARING - A RESOLUTION OF NECESSITY FOR THE ACQUISITION BY EMINENT DOMAIN OF EASEMENT INTERESTS IN PORTIONS OF REAL PROPERTY COMMONLY KNOWN AS 4912 AND 4914 HIGHWAY 12, APNS 031-240-006 AND 031-240-067, FOR THE LOS ALAMOS TRUNK SEWER REPLACEMENT PROJECT

BACKGROUND: In line with the Council's goals to build and maintain sustainable infrastructure, acquisition of the above-described property interests will allow the City to complete construction of Segment 1 of Los Alamos Trunk Sewer Replacement Project, which will provide upgrades to deficient portions of the existing sewer system and provide improved sewer system capabilities to the public.

RECOMMENDATION: It is recommended by the Water and Transportation and Public Works Departments and Real Estate Services that the Council conduct a public hearing and adopt a Resolution of Necessity, by a two-thirds vote, declaring the necessity of acquisition, by eminent domain, of two permanent easement interests and two temporary construction easement interests in portions of certain real property, more particularly described as Assessor Parcel

Nos. 031-240-006 and 031-240-067 (collectively, the “Subject Property”), for the Los Alamos Trunk Sewer Replacement Project in the City of Santa Rosa, Sonoma County, California.

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

Stephanie Williams, City Clerk, noted for the record that she received the Proof of Mailing of the notice of public hearing to the property owner by 1st class mail 15 calendar days prior to the hearing and the property owner would be making a presentation at the meeting.

Jill Scott, Real Property Manager, introduced Mark Easter, Best Best & Krieger Law Firm, the City's outside counsel, who explained the purpose of the public hearing.

Stephanie Valkovic, Associate Real Property Agent, presented and answered questions from Council.

Mayor Rogers opened the public hearing at 7:16 p.m.

Samantha Zapelli, property owner, expressed she was not opposed to the project and expressed concern the addresses were incorrect in the project, asked the parcel numbers be separated, and asked for more clarification on what she is signing.

Mayor Rogers closed the public hearing at 7:18 p.m.

Jill Scott, Real Property Manager, answered questions from Council.

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

**RESOLUTION OF THE COUNCIL OF THE CITY OF SANTA ROSA
ADOPTING A RESOLUTION OF NECESSITY FOR THE ACQUISITION BY
EMINENT DOMAIN OF EASEMENT INTERESTS IN PORTIONS OF CERTAIN
REAL PROPERTY, COMMONLY KNOWN AS 4912 AND 4914 HIGHWAY 12
AND MORE PARTICULARLY DESCRIBED AS ASSESSOR PARCEL**

**NUMBERS 031-240-006 AND 031-240-067, FOR THE LOS ALAMOS TRUNK
SEWER REPLACEMENT PROJECT**

The motion failed to achieve the required 2/3 vote by the following vote:

Yes: 3 - Vice Mayor Alvarez, Council Member Sawyer, and Council Member Schwedhelm

No: 2 - Mayor Rogers, and Council Member MacDonald

Absent: 2 - Council Member Fleming, and Council Member Rogers

Mayor C. Rogers made a motion for reconsideration of this item at the next City Council meeting.

**15.2 PUBLIC HEARING - SPRING 2022 GENERAL PLAN AMENDMENT
PACKAGE - BRUSH CREEK MINOR SUBDIVISION - MITIGATED
NEGATIVE DECLARATION, GENERAL PLAN AMENDMENT, AND
PREZONING FOR ANNEXATION**

BACKGROUND: General Plan Amendments are considered three times per year in accordance with General Plan policy. This General Plan Amendment package includes one project described below and requests action from City Council on one CEQA resolution, one amendment to the General Plan Land Use Diagram, and one Prezoning ordinance.

1. Brush Creek Subdivision. This project includes 1) Adoption of a Mitigated Declaration for the Project; 2) a General Plan Diagram Amendment from Very Low Residential to the Low Residential Land Use Designation; and, 3) Prezoning for Annexation to R-1-6 - Single-Family Residential zoning district. Located at 2210 Brush Creek Rd - Assessor's Parcel Number 182-050-004 - File Number PRJ20-008.

RECOMMENDATION: It is recommended by the Planning Commission and the Planning and Economic Development Department that the Council, by two resolutions and introduction of an ordinance, act on the Spring 2022 General Plan Amendment Package as follows: adopting one CEQA resolution, one General Plan Land Use Diagram Amendment, and introducing a Prezoning Zoning Map Amendment

ordinance.

Attachments: [Staff Report](#)
[Attachment 1 - Disclosure Form](#)
[Attachment 2 - Neighborhood Context Map](#)
[Attachment 3 - Location Map](#)
[Attachment 4 - Annexation Map](#)
[Attachment 5 - General Plan Criteria Narrative](#)
[Attachment 6 - Tentative Map](#)
[Attachment 7 - IS-MND](#)
[Attachment 8 - MMRP](#)
[Attachment 9 - Brush Creek Watershed Map](#)
[Resolution 1 MND](#)
[Attachment 10 - Public Correspondence](#)
[Exhibit A - IS-MND and MMRP](#)
[Resolution 2-GPA](#)
[Ordinance](#)
[Presentation](#)

This item was pulled from the agenda.

7. STAFF BRIEFINGS

No public comments were made.

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.

City Manager Maraskeshia Smith reported the County Public Health reported the Bay Area has California's highest infection rates due to the prevalence of the Omicron subvariants, and they are urging individuals to mask indoors, keep tests handy, and to get booster vaccines when eligible. City Manager Smith reported the White House announced that Americans are now eligible for a third order of free COVID-19 tests from covidtests.gov, and the FDA and CDC approved COVID-19 booster shots for children 5-11 years old.

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

Jason Nutt, Assistant City Manager, congratulated Jessica Jones on her promotion to Deputy Director Community Development - Planning, reported the City of Santa Rosa received an Award of Excellence for a comprehensive plan in the Large Jurisdiction category for the Downtown Station Area Specific Plan.

No public comments were made.

9. STATEMENTS OF ABSTENTION BY COUNCIL MEMBERS

No statements of abstentions were made.

10. MAYOR'S/COUNCIL MEMBERS' REPORTS

Council Member MacDonald attended the Los Cien awards ceremony, reported she met with Creative Sonoma County and Social Advocates for Youth and toured their property, she will be attending the Firefighters 101 training, and announced her appointment of Iris Harrell to the Community Advisory Board.

Council Member Schwedhelm attended the first virtual inResponse Team community meeting.

Mayor C. Rogers congratulated Deputy Director Community Engagement Magali Telles for being chosen LifeWorks Champion for Change this year, congratulated the team working on the Lower Colgan Creek project and reported a ribbon cutting ceremony was held for Phase II of the project, announced the opening of the Wednesday Night Market, and announced the first game of the Santa Rosa Scuba Divers will be on Thursday at Doyle Park.

No public comments were made.

City Attorney Gallagher informed the Council that in order for Council to reconsider the vote taken on Item 15.1, the motion to reconsider the vote must be made by someone that voted in the majority. A motion was made by Council Member Sawyer to reconsider the vote taken on Item 15.1, and it was seconded by Mayor C. Rogers. City Attorney Gallagher noted the item would be placed on the next regular meeting agenda.

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 MacDonald provided a brief report on the Climate Action Subcommittee meeting.

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)

Council Member Schwedhelm provided a brief report.

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

No public comments were made.

11.1 March 15, 2022, Regular Meeting.

Attachments: [Draft Minutes](#)

Approved as submitted.

11.2 March 29, 2022, Regular Meeting.

Attachments: [Draft Minutes](#)

Approved as submitted.

12. CONSENT ITEMS

No public comments were made.

Approval of the Consent Agenda

A motion was made to waive reading of the text and adopt Consent Items 12.1 and 12.7. The motion carried by the following vote:

Yes: 5 - Mayor Rogers, Vice Mayor Alvarez, Council Member MacDonald, Council Member Sawyer, and Council Member Schwedhelm

Absent: 2 - Council Member Fleming, and Council Member Rogers

12.1 RESOLUTION - AWARD - FIVE YEAR EXTENSION TO F001438 GENERAL SERVICE AGREEMENT WITH ADS-MYERS INC FOR CITYWIDE JANITORIAL SERVICES

RECOMMENDATION: It is recommended by the Finance, Transportation and Public Works, Recreation and Parks, and Police Departments that the Council by resolution, approve the Seventh Amendment to General Service Agreement F001438 for a five-year extension with ADS-Myers Inc., Gardnerville, NV for citywide janitorial services in the amount of \$4,149,805.20, for a total amount not to exceed \$6,561,392.15.

Attachments: [Staff Report](#)
[Attachment 1 - Compensation Schedule 5 Yr Extension Resolution](#)
[Exhibit A - Seventh Amendment to GSA Presentation](#)

This Consent - Resolution was adopted.

RESOLUTION NO. RES-2022-094 ENTITLED: RESOLUTION OF THE COUNCIL OF THE CITY OF SANTA ROSA APPROVING A SEVENTH AMENDMENT TO GENERAL SERVICES AGREEMENT NUMBER F001438 WITH ADS-MYERS, INC. FOR CITYWIDE JANITORIAL SERVICES

12.2 RESOLUTION - APPROVAL OF A PURCHASE ORDER FOR TWO CATERPILLAR DIESEL FORKLIFTS TO HOLT OF CALIFORNIA, SACRAMENTO, CA, TO REPLACE EXISTING ASSETS IN SANTA ROSA WATER DEPARTMENT

RECOMMENDATION: It is recommended by the Transportation and Public Works and Finance Departments that the Council, by resolution, approve issuance of a purchase order with Holt of California, Sacramento, California for a total amount not to exceed \$113,084.30 for two (2) DPN30N5 Caterpillar Tier 4 Diesel Forklifts as replacement equipment for existing City assets used in the Santa Rosa Water

Department, under the pricing offered through the Sourcewell Cooperative Agreement number 091520-MCF.

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

This Consent - Resolution was adopted.

RESOLUTION NO. RES-2022-095 ENTITLED: RESOLUTION OF THE COUNCIL OF THE CITY OF SANTA ROSA APPROVING A PURCHASE ORDER FOR TWO CATERPILLAR DP30N5 TIER 4 DIESEL FORKLIFTS WITH HOLT OF CALIFORNIA, SACRAMENTO, CA IN AN AMOUNT NOT TO EXCEED \$113,084.30 UNDER SOURCEWELL COOPERATIVE AGREEMENT NUMBER 091520-MCF

12.3 RESOLUTION - APPROVAL OF ADDITIONAL FUNDS TO CONTINGENCY FOR GENERAL SERVICES AGREEMENT F002071 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 (GSA) F002071 with Matrix HG, Inc., Novato, California for HVAC Maintenance and Repair Services for an increase in in the amount of \$200,000, for a total contingency amount not to exceed \$545,000; 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](#)
[Presentation](#)

This Consent - Resolution was adopted.

RESOLUTION NO. RES-2022-096 ENTITLED: RESOLUTION OF THE COUNCIL OF THE CITY OF SANTA ROSA APPROVING ADDITIONAL FUNDS TO CONTINGENCY FOR GENERAL SERVICES AGREEMENT F002071 WITH MATRIX HG, INC.

12.4 RESOLUTION - PROFESSIONAL SERVICE AGREEMENT APPROVAL - BIGGS CARDOSA ASSOCIATES, INC., ASSOCIATED WITH THE

2021 BRIDGE REPAIR PLANNING PROGRAM

RECOMMENDATION: It is recommended by the Transportation and Public Works Department that the Council, by resolution, approve a Professional Service Agreement with Biggs Cardosa Associates, Inc. of San Jose, California for professional services associated with maintenance planning and design services for City bridges, in the amount of \$279,238.00.

Attachments: [Staff Report](#)
[Attachment 1 - Anticipated Bridge Location List](#)
[Resolution](#)
[Exhibit A - Professional Services Agreement](#)
[Presentation](#)

This Consent - Resolution was adopted.

RESOLUTION NO. RES-2022-097 ENTITLED: RESOLUTION OF THE COUNCIL OF THE CITY OF SANTA ROSA APPROVING A PROFESSIONAL SERVICE AGREEMENT WITH BIGGS CARDOSA ASSOCIATES, INC. FOR PROFESSIONAL SERVICES ASSOCIATED WITH MAINTENANCE PLANNING AND DESIGN SERVICES OF CITY BRIDGES, IN THE AMOUNT NOT-TO-EXCEED OF \$279,238.00

12.5 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.

Attachments: [Resolution](#)

This Consent - Resolution was adopted.

RESOLUTION NO. RES-2022-098 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

12.6 RESOLUTION - EXTENSION OF PROCLAMATION OF LOCAL HOMELESS EMERGENCY

RECOMMENDATION: It is recommended by the Housing and

Community Services Department that the Council, by resolution, approve an extension of Resolution No. 28839 which formally proclaimed a local homeless emergency within Santa Rosa.

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

This Consent - Resolution was adopted.

RESOLUTION NO. RES-2022-099 ENTITLED: RESOLUTION OF THE COUNCIL OF THE CITY OF SANTA ROSA EXTENDING A PROCLAMATION OF LOCAL HOMELESS EMERGENCY (Government Code Sections 8630 et seq.)

- 12.7** RESOLUTION - MAKING REQUIRED MONTHLY FINDINGS AND AUTHORIZING THE CONTINUED USE OF TELECONFERENCING FOR PUBLIC MEETINGS OF THE CITY COUNCIL AND ALL THE CITY'S BOARDS, COMMISSIONS, AND COMMITTEES, PURSUANT TO ASSEMBLY BILL 361

RECOMMENDATION: It is recommended by the City Attorney that the Council, by resolution, make required monthly findings and authorize the continued use of teleconferencing for public meetings of the City Council and all of the City's boards, commissions and committees pursuant to Assembly Bill 361.

Attachments: [Resolution](#)

This Consent - Resolution was adopted.

RESOLUTION NO. RES-2022-100 ENTITLED: RESOLUTION OF THE COUNCIL OF THE CITY OF SANTA ROSA MAKING REQUIRED FINDINGS AND AUTHORIZING THE CONTINUED USE OF TELECONFERENCING FOR PUBLIC MEETINGS OF THE CITY COUNCIL AND ALL THE CITY'S BOARDS, COMMISSIONS AND COMMITTEES PURSUANT TO ASSEMBLY BILL 361

13. PUBLIC COMMENT ON NON-AGENDA MATTERS

No public comments were made.

14. REPORT ITEMS

- 14.1** REPORT - FOURTH AMENDMENT TO SOLID WASTE COLLECTION SERVICES AGREEMENT WITH RECOLOGY SONOMA MARIN, DBA

RECOLOGY SANTA ROSA AND OMNIBUS AMENDMENT TO WASTE DELIVERY AGREEMENT WITH REPUBLIC SERVICES OF SONOMA COUNTY AND FRANCHISED HAULER AGREEMENT BETWEEN REPUBLIC SERVICES OF SONOMA COUNTY AND RECOLOGY SONOMA MARIN

BACKGROUND: In September 2016, Governor Brown set methane emissions reduction targets for California (SB 1383 Lara, Chapter 395, Statutes of 2016) in a statewide effort to reduce emissions of short-lived climate pollutants. The statewide targets enact policies designed to reduce organic waste disposal 75% by 2025 and rescue for people to eat at least 20% of currently disposed edible food by 2025.

The City of Santa Rosa is responsible for implementing SB 1383 Regulations and desires to partner with Recology on certain SB 1383 implementation matters by amending the Solid Waste Collection Services Agreement. In addition, the Omnibus Amendment to the Waste Delivery Agreement and Franchised Hauler Agreement with Republic Services of Sonoma County and Recology Sonoma Marin will allow for more efficient management of Santa Rosa's SB 1383 Regulations compliance requirements.

RECOMMENDATION: It is recommended by the Transportation and Public Works Department that the Council, by two resolutions: 1) approve the Fourth Amendment to Solid Waste Collection Services Agreement between the City of Santa Rosa and Recology Sonoma Marin, dba Recology Santa Rosa, adding Recology's requirements assisting the City comply with SB 1383 Regulations; and 2) approve the Omnibus Amendment to the Waste Delivery Agreement with Republic Services of Sonoma County and Franchised Hauler Agreement between Republic Services of Sonoma County and Recology Sonoma Marin, transferring the fees for the commercial food waste/dry mixed waste program to the Solid Waste Collection Services Agreement in a revenue-neutral manner.

Attachments: [Staff Report](#)
 [Resolution 1 - 4th Amendment](#)
 [Exhibit A - 4th Amendment \(Draft\)](#)
 [Resolution 2 - Omnibus Amendment](#)
 [Exhibit A - Omnibus Amendment \(Draft\)](#)
 [Presentation](#)

Joey Hejnowicz, Zero Waste Coordinator, presented and answered questions from Council.

No public comments were made.

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

RESOLUTION NO. RES-2022-101 ENTITLED: RESOLUTION OF THE COUNCIL OF THE CITY OF SANTA ROSA APPROVING THE FOURTH AMENDMENT TO THE SOLID WASTE COLLECTION SERVICES AGREEMENT BETWEEN THE CITY OF SANTA ROSA AND RECOLOGY SONOMA MARIN, DBA RECOLOGY SANTA ROSA

The motion carried by the following vote:

Yes: 5 - Mayor Rogers, Vice Mayor Alvarez, Council Member MacDonald, Council Member Sawyer, and Council Member Schwedhelm

Absent: 2 - Council Member Fleming, and Council Member Rogers

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

RESOLUTION NO. RES-2022-102 ENTITLED: RESOLUTION OF THE COUNCIL OF THE CITY OF SANTA ROSA APPROVING THE OMNIBUS AMENDMENT TO WASTE DELIVERY AGREEMENT WITH REPUBLIC SERVICES OF SONOMA COUNTY AND FRANCHISED HAULER AGREEMENT BETWEEN RECOLOGY SONOMA MARIN AND REPUBLIC SERVICES OF SONOMA COUNTY

The motion carried by the following vote:

Yes: 5 - Mayor Rogers, Vice Mayor Alvarez, Council Member MacDonald, Council Member Sawyer, and Council Member Schwedhelm

Absent: 2 - Council Member Fleming, and Council Member Rogers

14.2 REPORT - COUNCIL DIRECTION TO SANTA ROSA PLAIN GROUNDWATER SUSTAINABILITY AGENCY BOARD MEMBER REGARDING ADOPTION OF GROUNDWATER SUSTAINABILITY USER FEES

BACKGROUND: The Santa Rosa Plain Groundwater Sustainability Agency (SRP GSA) is a Joint Powers Authority comprised of the Cities of Cotati, Rohnert Park, Santa Rosa, and Sebastopol, the Town of

Windsor, the County of Sonoma, Sonoma Water, and the Gold Ridge and Sonoma Resource Conservation Districts. In addition, a group of mutual water companies and independently owned water systems, via agreement with the SRP GSA, also have a seat on the SRP GSA Board of Directors. The SRP GSA has a Board of Directors comprised of SRP GSA member agency representatives. Council Member Schwedhelm is currently the City's SRP GSA Board member.

The SRP GSA is a self-funding agency, formed by law in 2017 to carry out the mandates of the Sustainable Groundwater Management Act of 2014. In June 2019, the SRP GSA Board of Directors approved an ordinance enacting a groundwater sustainability user fee of \$19.90 per acre foot per year of groundwater extracted within the SRP GSA jurisdictional boundary. This fee was enacted to support a three-year effort to develop a state mandated Groundwater Sustainability Plan (GSP) by January 31, 2022. Now that the GSP has been formally adopted, a five-year rate study has been pursued by the SRP GSA to determine the fee amounts necessary to implement the GSP. A revised groundwater sustainability user fee of \$36-\$44 per acre foot of groundwater extracted annually is proposed for five years. Santa Rosa Water staff and the Board of Public Utilities are recommending the Santa Rosa Plain Groundwater Sustainability Agency's representative support adoption of the revised fee at a Public Hearing on June 9, 2022.

RECOMMENDATION: It is recommended by Santa Rosa Water and the Board of Public Utilities that the Council consider the revised groundwater sustainability user fee for the Santa Rosa Plain Groundwater Sustainability Agency (SRP GSA), and, by motion, recommend the Santa Rosa Plain Groundwater Sustainability Agency Board Member support adoption of the revised fee at the June 9, 2022 Public Hearing.

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

Peter Martin, Deputy Director - Water Resources, presented and answered questions from Council.

No public comments were made.

A motion was made by Mayor C. Rogers, seconded by Vice Mayor Alvarez, to recommend to the Santa Rosa Plain Groundwater Sustainability Agency Board Member to support adoption of the revised fee at the June 9, 2022, Public Hearing.

The motion carried by the following vote:

Yes: 5 - Mayor Rogers, Vice Mayor Alvarez, Council Member MacDonald, Council Member Sawyer, and Council Member Schwedhelm

Absent: 2 - Council Member Fleming, and Council Member Rogers

16. WRITTEN COMMUNICATIONS

No public comments were made.

- 16.1** STATE LEGISLATIVE UPDATE: SUPPORT FOR AB 2247 (BLOOM) - PERFLUOROALKYL AND POLYFLUOROALKYL SUBSTANCES (PFAS) AND PFAS PRODUCTS AND PRODUCT COMPONENTS: PUBLICLY ACCESSIBLE REPORTING PLATFORM - Provided for information.

Attachments: [State Legislative Memo](#)
[Letter of Support](#)
[Bill Text, AB 2247](#)
[Committee Analysis, AB 2247](#)

This item was received and filed.

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] - NONE.

19. ADJOURNMENT OF MEETING

Mayor C. Rogers adjourned the meeting at 8:46 p.m. The next regularly scheduled meeting will be held on Tuesday, June 7, 2022, at a time to be set by the Mayor.

20. UPCOMING MEETINGS

- 20.1** UPCOMING MEETINGS LIST

Attachments: [Upcoming Meetings List](#)

This item was received and filed.

Approved on: September 13, 2022

/s/ Stephanie A. Williams, City Clerk