



**CITY OF PETALUMA, CALIFORNIA
REGULAR MEETING OF THE CITY COUNCIL & PETALUMA COMMUNITY
DEVELOPMENT SUCCESSOR AGENCY (PCDSA)**

City Hall Council Chambers
11 English Street
Petaluma, CA 94952

**MINUTES
Monday, December 19, 2022
REGULAR SESSION - 6:30 P.M.**

CALL TO ORDER

Mayor Barrett called the meeting to order at 6:30 p.m.

- **ROLL CALL**

PRESENT: Mayor Barrett, Councilmember Barnacle, Councilmember Fischer, Councilmember Healy, Councilmember King, Councilmember McDonnell, Vice Mayor Pocekay

ABSENT: None

- **PLEDGE OF ALLEGIANCE**

- **MOMENT OF SILENCE**, held in memory of Fred Schramm

AGENDA CHANGES AND DELETIONS (TO CURRENT AGENDA ONLY)

None.

PROCLAMATIONS

- In Recognition of Councilmember D'Lynda Fischer (November 6, 2018 – December 2022)
- In Recognition of Councilmember Dave King (November 4, 2014 – December 2022)
- In Recognition of Councilmember Kevin McDonnell (November 6, 2018 – December 2022)
- In Recognition of Mayor Teresa Barrett (November 7, 2006 – December 2022)

Congressman Huffman presented proclamations from his office to Mayor Barrett, Councilmember Fischer, Councilmember King, and Councilmember McDonnell.

Logan Pitts on behalf of Senator Dodd presented proclamations from Senator Dodd's Office to Mayor Barrett, Councilmember Fischer, Councilmember King, and Councilmember McDonnell.

County Supervisor David Rabbitt presented proclamations from his office to Mayor Barrett, Councilmember Fischer, Councilmember King, and Councilmember McDonnell.

Councilmember King expressed his appreciation.

Councilmember McDonnell expressed his appreciation.

Councilmember Fischer expressed her appreciation.

GENERAL PUBLIC COMMENT

During General Public Comment, the public is invited to make comments on items of public interest that are within the City Council's subject matter jurisdiction and that are not listed on the current agenda. Public comments are limited up to three minutes per person. Depending on the number of persons wishing to address the Council, time will be allocated in equal shares totaling no more than twenty minutes, subject to the Council's discretion (Cal. Gov't. Code §54954.3(a), Petaluma City Council Rules, Policies and Procedures, III).

Peter Tscherneff

Mayor Barrett opened general public comment.

Katherine Brobowski

Laurie Schroeder

Peter Tscherneff

Bob Hansen

Darren Racusen

Nicole Camarda

Moiria Sullivan

Chad Bolla

Bev Alexander

Diana Kingsbury

Susan Kirks

Mayor Barrett closed general public comment.

COUNCIL COMMENT

Councilmember Fischer

Councilmember Barnacle

Councilmember Healy

Vice Mayor Pocekay

Councilmember McDonnell

Councilmember King

Mayor Barrett

CITY MANAGER COMMENT

City Manager Peggy Flynn

CONSENT CALENDAR

Mayor Barrett invited Assistant City Manager, Brian Cochran, to provide an oral report of the salary and benefits included in the employment agreement for Items 9 and 10 on the Consent Calendar, as required by the Brown Act.

Assistant City Manager, Brian Cochran, provided an oral summary of the salary and benefits included in the employment agreements for the City Attorney and City Manager, as listed in the staff reports for Items 9 and 10 on the Consent Calendar.

Councilmember Healy requested Item 2 be pulled from the Consent Calendar.

Mayor Barrett opened public comment.

Margaret DeMatteo

Mayor Barrett closed public comment.

1. Minutes of the City Council/PCDSA Regular Meetings of November 21, 2022 and December 5, 2022
3. Resolution Making Required Findings and Authorizing the City Manager to Implement Teleconferenced Public Meetings for the City Council and All City Subordinate Bodies Pursuant to Assembly Bill 361 and Finding This Item is Not a "Project" Pursuant to CEQA Guidelines Section 15378(b)(5)
4. Motion to adopt the Consent Calendar made by , seconded by .
5. Resolution Declaring Canvass of Returns and Results of the General Municipal Election Held November 8, 2022 in Consolidation with the Statewide General Election in Accordance with Section 7 of Article III of the Petaluma Charter and Finding This Item is Not a "Project" Pursuant to CEQA Guidelines Section 15378(b)(5)
6. Resolution Approving an Agreement with the County of Sonoma for the Purpose of Conducting Consolidated Municipal Elections for the City of Petaluma, and Authorizing the City Manager to Execute Said Agreement and Finding This Item is Not a "Project" Pursuant to CEQA Guidelines Section 15378(b)(5)
7. Motion to adopt the Consent Calendar made by , seconded by .
8. Resolution Accepting the Completion of the Petaluma Turning Basin Dredging Project and Phase One of the Marina Dredging Project by Lind Marine, Inc., and the Authorizing Release of the 10% Retention and Finding This Action is Not a Project Pursuant to CEQA Guidelines Section 15304
9. Motion to adopt the Consent Calendar made by , seconded by .
10. Resolution Approving the Purchase of Filter Cartridges for the Flushing Truck from NO-DES, Inc., in the Amount of \$114,044.60 and Authorizing the City Manager to Execute all Documents Necessary to Complete the Purchase, and Finding This Action is Not a "Project" Pursuant to CEQA Guidelines Section 15301
11. Resolution Amending the Classification and Compensation Plan by Revising the Classification Specification for Utility System Operator, Authorizing the Position Allocation of One Utility System Operator, and Eliminating the Position Allocation of One Utility Technician
12. Resolution Approving a Second Amended and Restated Employment Agreement for At-Will Employment of the City Manager
13. Resolution Approving a Third Amended and Restated Employment Agreement for At-Will Employment of City Attorney
14. Adoption (Second Reading) of Ordinance No. 2830 N.C.S. Approving a Zoning Text Amendment of Implementing Zoning Ordinance Section 11.040 (Alternatives to On-Site Parking) and Associated References in Section 11.030 (Off-Street Parking – General Regulations) and Section 11.065 (Power of the Zoning Administrator (Director) to Modify Requirements) and Finding that this Action is Exempt from CEQA Pursuant to CEQA Guidelines Sections 15305 and 15601(b)(3)

Motion to adopt the Consent Calendar (approving Resolution Nos. 2022-191 N.C.S. authorizing teleconference meetings; 2022-192 N.C.S. declaring results of election; 2022-193 N.C.S. approving an agreement with County of Sonoma for consolidated elections; 2022-194 N.C.S. accepting completion of the Petaluma Turning Basin Dredging Project; 2022-195 N.C.S. approving the purchase of filter cartridges for the flushing truck; 2022-196 N.C.S. revising the class specification for Utility System Operator; 2022-197 N.C.S. approving a second amended and restated employment agreement for City Manager; 2022-198 N.C.S. approving a third amended and restated employment agreement for City Attorney; and approved Ordinance No. 2830 N.C.S. approving a Zoning Text Amendment of IZO Section 11.040 and 11.065), made by Councilmember Fischer, seconded by Mayor Barrett.

Vote: Carried 7-0
Yes: Mayor Barrett, Councilmember Barnacle, Councilmember Fischer, Councilmember Healy, Councilmember King, Councilmember McDonnell, Vice Mayor Pocekay
No: None
Absent: None
Recused: None

2. Tentative Agenda for City Council/PCDSA Regular Meeting of January 9, 2023
Councilmember Healy provided remarks and requested the tenant protections ordinance come forward with a 30-day extension at the January 9, 2023 meeting.
City Attorney Danly responded.

Motion to approve the Tentative Agenda, made by Mayor Barrett, seconded by Councilmember Fischer.

Vote: Carried 5-1
Yes: Mayor Barrett, Councilmember Barnacle, Councilmember Fischer, Councilmember King, Vice Mayor Pocekay
No: Councilmember Healy
Absent: None
Recused: Councilmember McDonnell

PUBLIC HEARINGS AND MATTERS FOR CONSIDERATION

12. Public Hearing to Levy an Annual Assessment for Fiscal Year 2023 for the Downtown Petaluma Business Improvement District and Resolution Establishing the Levy for the 2023 Annual Assessment for the Downtown Petaluma Business Improvement District and Finding This Action is Not a "Project" Pursuant to CEQA Guidelines Section 15378(b)(5)

Councilmembers King and Healy recused from the item and exited the Council Chamber.

Nancy Sands, Management Analyst II, presented the staff report.
Mayor Barrett opened the public hearing; receiving no comments; she closed the public hearing.

Motion to adopt Resolution No. 2022-199 N.C.S. establishing the levy for the 2023 annual assessment for the Downtown Petaluma Business Improvement District made by Councilmember Barnacle, seconded by Councilmember Fischer.

Vote: Carried 5-0
Yes: Mayor Barrett, Councilmember Barnacle, Councilmember Fischer, Councilmember McDonnell, Vice Mayor Pocekay
No: None
Absent: None
Recused: Councilmember Healy, Councilmember King

13. Public Hearing to Make Findings Pursuant to Government Code Section 4217.12 and Resolution Approving and Certifying an Addendum to the Environmental Impact Report for the Ellis Creek Water Recycling Facility and Making a Finding of Exemption in Accordance with CEQA, Making Energy Savings Findings in Accordance with Government Code Section 4217.12, and Authorizing the City Manager to Execute All Documents Necessary for Entering a Power Purchase Agreement for a Floating Solar Array at the Ellis Creek Water Recycling Facility With Ellis Creek Solar LLC

Diane Ramirez, Project Manager, and Patrick Carter, Assistant to the City Manager, presented the staff report.
Councilmembers asked questions of staff.

Mayor Barrett opened the public hearing.
Ben Peters
Susan Kirks
John Shribbs
Mayor Barrett closed the public hearing.
Councilmembers discussed the item.

Motion to adopt Resolution No. 2022-200 N.C.S. approving and certifying an addendum to the EIR for the Ellis Creek Water Recycling Facility and authorizing the City Manager to execute all documents necessary for entering a Power Purchase Agreement for a floating solar array made by Councilmember King, seconded by Mayor Barrett.

Vote: Carried 7-0
Yes: Mayor Barrett, Councilmember Barnacle, Councilmember Fischer, Councilmember Healy, Councilmember King, Councilmember McDonnell, Vice Mayor Pocekay
No: None
Absent: None
Recused: None

14. Introduction (First Reading) of an Ordinance Amending Chapter 10.56 of the Petaluma Municipal Code, Entitled "Possession or Discharge" Regarding Safe Storage of Firearms in Residences and Requiring Lost or Stolen Firearms be Reported within Forty-Eight Hours and Finding This Action is Exempt From CEQA Pursuant to CEQA Guidelines Sections 15301 (Existing Facilities), 15061(b)(3) (common sense), and 15308 (Protecting Environment)

Brian Miller, Deputy Police Chief, and Dylan Brady, Assistant City Attorney, presented the staff report.
Councilmembers asked questions of staff.
Mayor Barrett opened public comment.
Stefan Perez
Mayor Barrett closed public comment.
Councilmembers discussed the item.

Motion to introduce (first reading) Ordinance No. 2831 N.C.S. amending Chapter 10.56 of the Petaluma Municipal Code made by Councilmember Healy, seconded by Councilmember Barnacle.

Vote: Carried 7-0
Yes: Mayor Barrett, Councilmember Barnacle, Councilmember Fischer, Councilmember Healy, Councilmember King, Councilmember McDonnell, Vice Mayor Pocekay
No: None
Absent: None
Recused: None

15. Adoption of Urgency Ordinance and/or Introduction (First Reading) of Ordinance Adopting the 2022 Edition of the California Building Standards Code, California Code of Regulations Title 24, Parts 1, 2, 2.5, 3, 4, 5, 6, 8, 9, 10, 11, 12, including the Fire Code, Amending Local Amendments Thereto (Sections 17.04.010, 17.040.20, 17.20.010-17.20.070) Based on Local Climatic, Geological and Topographic Conditions, the 2021 International Property Maintenance Code Regarding the Building and Fire Codes and adopting the 2021 International Property Maintenance Code and Finding This Action Categorically Exempt Under CEQA Guidelines Section 15061(b)(3)

Jessica Power, Fire Marshal, and Jerome Hoberg, Chief Building Official, presented the staff report.
Councilmembers asked questions of staff.
Mayor Barrett opened public comment.
John Shribbs

Mayor Barrett closed public comment.
Councilmembers discussed the item.

Motion to adopt Urgency Ordinance No. 2832 N.C.S. regarding the Building Code and Urgency Ordinance No. 2833 N.C.S. regarding the Fire Code, and to introduce (first reading) Ordinance No. 2834 N.C.S. regarding the Building Code and Ordinance No. 2835 N.C.S. regarding the Fire Code, made by Councilmember Healy, seconded by Councilmember King.

Vote: Carried 7-0

Yes: Mayor Barrett, Councilmember Barnacle, Councilmember Fischer, Councilmember Healy, Councilmember King, Councilmember McDonnell, Vice Mayor Pocekay

No: None

Absent: None

Recused: None

ADJOURNMENT

Mayor Barrett adjourned the meeting at 10:00 p.m. in memory of Fred Schramm.