



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

City Hall Council Chamber
11 English Street
Petaluma, CA 94952

**DRAFT MINUTES
Monday, March 06, 2023
REGULAR SESSION - 6:30 P.M.**

CALL TO ORDER

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

- **ROLL CALL**

PRESENT: Mayor McDonnell, Councilmember Barnacle, Councilmember Cader Thompson,
Councilmember Healy, Councilmember Nau, Councilmember Pocekay,
Councilmember Shribbs

ABSENT: None

- **PLEDGE OF ALLEGIANCE**
- **MOMENT OF SILENCE**

AGENDA CHANGES AND DELETIONS (TO CURRENT AGENDA ONLY)

At the request of Mayor McDonnell, and without objection, Item 9 was moved on the agenda to be considered before Item 8.

PROCLAMATIONS

- American Red Cross Month – March
- National Surveyor's Week – March 19-25, 2023

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).

Calandria Atkinson
Erin Axelrod
Heather Gallagher
Jennifer Ostermann
Lendri Purcell
Maia Hirschbein
Susan Kirks
Suzanne Clarke
Taryn Obaid
Tiffany Thomas

Mayor McDonnell opened General Public Comment.
Lendri Purcell

Taryn Obaid
Chantal Rogers
Rollin Bruce
Zahyra Garcia
Erik Allen
Susan Kirks
Mayor McDonnell closed General Public Comment.

COUNCIL COMMENT

Councilmember Shribbs
Councilmember Pocekay
Councilmember Nau
Councilmember Healy
Councilmember Barnacle
Mayor McDonnell

CITY MANAGER COMMENT

City Manager Peggy Flynn

CONSENT CALENDAR

Mayor McDonnell announced Item 3 would be pulled from the Consent Calendar, at the request of Councilmember Healy, and Item 4 would be pulled from the Consent Calendar, at the request of Vice Mayor Cader Thompson. Mayor McDonnell requested Item 3 be discussed first, then Item 4, followed by the Consent Calendar.

3. Resolution Authorizing the City Manager to Execute a Professional Services Agreement with Sage Energy Consulting for the EV Charging Infrastructure Master Plan and Finding This Item is Not a "Project" Pursuant to CEQA Guidelines Section 15378(b)(5) and if This Item Was a Project it is Exempt Pursuant to CEQA Guidelines Section 15061

Councilmembers asked questions of staff.

Rhianna Frank, Climate Action Manager, responded to Council questions.

Mayor McDonnell opened public comment; receiving none, he closed public comment.

Motion to adopt Resolution No. 2023-026 N.C.S. made by Councilmember Barnacle, seconded by Councilmember Pocekay.

Vote:	Carried 6-1
Yes:	Mayor McDonnell, Councilmember Barnacle, Councilmember Cader Thompson, Councilmember Nau, Councilmember Pocekay, Councilmember Shribbs
No:	Councilmember Healy
Absent:	None
Recused:	None

4. Resolution Rescinding Resolutions No. 2021-014 and No. 2023-017 N.C.S. Appointing Members to the General Plan Advisory Committee to Allow Members to Volunteer to Continue Serving and Permit Continued Virtual GPAC Meetings Following Rescission of the COVID-19 State of Emergency which Will End the More Permissive AB 361 Teleconference Rules and Finding that this Action is not a "Project" Pursuant to CEQA Guidelines Section 15378(b)(5)

Councilmembers asked questions of staff.

City Manager Peggy Flynn, City Attorney Eric Danly, and Community Development Director Brian Oh, responded to Council questions.

Mayor McDonnell opened public comment.

Dave Alden

Kris Rebillot

Veronica O.

Mayor McDonnell closed public comment.

Motion to adopt Resolution No. 2023-027 N.C.S. made by Councilmember Healy, seconded by Vice Mayor Cader Thompson.

Vote: Carried 7-0

Yes: Mayor McDonnell, Councilmember Barnacle, Councilmember Cader Thompson, Councilmember Healy, Councilmember Nau, Councilmember Pocekay, Councilmember Shribbs

No: None

Absent: None

Recused: None

1. Minutes of the City Council/PCDSA Regular Meeting of February 27, 2023
2. Tentative Agendas for the City Council/PCDSA Special Meeting of March 13, 2023 and the City Council/PCDSA Regular Meeting of March 20, 2023
5. Resolution Ratifying Award of Contract, Accepting Completion of the Emergency Restoration of the Ellis Creek Water Recycling Facility Outfall Relocation Project as Performed by Coastside Concrete & Construction, Inc., Authorizing Release of the 10% Retention and Finding This Item Has Been Addressed in a Previously Certified Environmental Impact Report and No Separate, Subsequent, or Supplemental Review is Warranted.
6. Resolutions (1) Authorizing the City Manager to Submit an Application for Prohousing Designation to the California Department of Housing and Community Development and (2) Authorizing the City Manager to Submit a Prohousing Incentive Pilot Program Application and to Execute Any Related Funding Agreements if Awarded and Finding This Action is Not a Project Pursuant to CEQA Guidelines Section 15378
7. Resolution Approving the Annual Housing Successor Agency Report July 1, 2021 – June 30, 2022, pursuant to Health and Safety Code §34176.1 and Directing Staff to Submit the Annual Successor Agency Report to the State Department of Housing and Community Development (“HCD”) as an attachment to the Housing Element Annual Progress Report and to the Governor’s Office of Planning and Research (“OPR”) and Finding This Item is Exempt from CEQA Pursuant to CEQA Guidelines Section 15387(b)(5)

Mayor McDonnell opened public comment.

Diana Kingsbury

Margaret DeMatteo

Kendall Jarvis

Maddy Hirshfield

Mayor McDonnell closed public comment.

Motion to adopt the Consent Calendar (Resolution Nos. 2023-028 N.C.S. accepting completion of the emergency restoration of the Ellis Creek Water Recycling Facility Outfall Relocation Project; 2023-029 N.C.S. authorizing an application for Prohousing Designation; 2023-030 N.C.S. authorizing an application for Prohousing Incentive Pilot Program; and 2023-031 N.C.S. approving the Annual Housing Successor Agency Report) with an amendment to the Tentative Agenda for March 20, 2023, to remove the Tenant Protection Ordinance first reading, made by Councilmember Healy, seconded by Councilmember Pocekay.

Councilmember Healy further requested staff agendaize the Tenant Protection Ordinance first reading for the first meeting in April and the second reading of the ordinance for the second meeting in April.

Vote: Carried 7-0
Yes: Mayor McDonnell, Councilmember Barnacle, Councilmember Cader Thompson, Councilmember Healy, Councilmember Nau, Councilmember Pocekay, Councilmember Shribbs
No: None
Absent: None
Recused: None

PUBLIC HEARINGS AND MATTERS FOR CONSIDERATION

9. Resolution Accepting the Annual Housing Element Progress Report for the 2022 Calendar Year and Authorizing Staff to Submit the Report to the California Department of Housing and Community Development and the Governor's Office of Planning and Research and Finding This Item is Not a "Project" Pursuant to CEQA Guidelines Section 15378(b)(5)

Housing Manager, Karen Shimizu, presented the staff report.

Mayor McDonnell opened public comment; receiving none, he closed public comment.

Councilmembers discussed the item.

Motion to adopt Resolution No. 2023-032 N.C.S. made by Councilmember Healy, seconded by Vice Mayor Cader Thompson.

Vote: Carried 7-0
Yes: Mayor McDonnell, Councilmember Barnacle, Councilmember Cader Thompson, Councilmember Healy, Councilmember Nau, Councilmember Pocekay, Councilmember Shribbs
No: None
Absent: None
Recused: None

Mayor McDonnell announced he would be recusing from Item 8 due to a conflict of interest and left the Council Chamber.

Vice Mayor Cader Thompson called for a break at 8:05 p.m. and thereafter reconvened the meeting at 8:13 p.m.

WORKSHOP

8. Workshop to Receive Stakeholder Input and Public Comment, and for Council Deliberation and Direction on Potential Amendments to Chapter 6.60 Entitled "Residential Tenancy Protections" of the Petaluma Municipal Code and Finding This Item is Exempt from CEQA pursuant to CEQA Guidelines Section 15387(b)(5)

City Attorney, Eric Danly, presented the staff report along with Director of Economic Development and Open Government, Ingrid Alverde, and Assistant City Attorney, Dylan Brady.

Councilmembers asked questions of staff.

Vice Mayor Cader Thompson opened public comment.

Daniel Raff

Arthur Newberry ceded time to Margaret DeMatteo

Andrea Pompei ceded time to Margaret DeMatteo

Margaret DeMatteo

Rollin Bruce

Carolyn Gavriloff

David Jimenez

Kerry Davison

Tom Maunder
Jennifer Rihl
Korin Robles
Sunny Noh
Joe Ansel
Steven Curtis
Michael Titone
Mary Reynolds
Pat McDonnell
Laura Tallent
Rachel Marcus
Jojo Oliver
Blake Hooper
Corrie Johnson
Helaine B Dorenfeld
Cynthia George
Larry Pullin
Todd Mendoza
Jonah Kanug ceded time to Diana Kingsbury
Diana Kingsbury
Joe Schneider
Scott Shelley
Keith T Becker
Jeanette Breauz
Twila Sanfilippo
Lori Alden
Justin Milligan
Pamela Phimister
Esaia Gonzalez
Clayton Engstrom
Dana Breaux
Smith
Angelina Soldatos
Jesse Goldstein ceded time to Paige D.
Paige D.
Sara Sass
Zahyra Garcia
Pam Daniels
Diana Mariscal
Kendall Jarvis
Ronit Rubinoff
Joshua Pinault
Vice Mayor Cader Thompson closed public comment.

Councilmember Barnacle moved, and Councilmember Pocekay seconded, a motion to continue the meeting past 11:00 p.m.; the motion passed unanimously.

Councilmembers provided direction to staff on the following discussion prompts:

- Single family units should be exempt
- Units subsidized by govt. should not be exempt
- Exempt “temporary tenancies” (sabbatical)
- Tenants protected day 1 of tenancy
- Mirror the TPA’s just causes – “waste” & “subletting”
- Remove “threat of violent crime” just cause
- Add additional just causes for “Tenant at sufferance” & “Sale of Property”

- Breach of Lease should exempt subletting when # of occupants not in violation of lease, family, or State law
- Eliminate “unsanitary conditions” as a just cause
- Strengthen the Owner Move In Just Cause by only allowing one unit per property
- Strengthen “substantial rehab” just cause by allowing tenant to enter agreement at similar unit if available
- Eliminate the Ellis Act and reduce the length of owner right of first refusal but maybe increase relocation
- Increase the relocation costs for no-fault
- Decrease the relocation costs for no-fault
- Eliminate the option of crediting rent in lieu of relocation payment
- Remove the Educators and Student year protections for OMI/Ellis Act
- Eliminate tenant’s ability to recover attorney’s fees if prevail
- Eliminate the City’s authority to enforce violations of the ordinance

ADJOURNMENT

Vice Mayor Cader Thompson adjourned the meeting at 12:40 a.m.