



**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, April 17, 2023
CLOSED SESSION - 5:00 PM / REGULAR SESSION - 6:30 PM**

CALL TO ORDER – CLOSED SESSION

Mayor McDonnell called the meeting to order at 5:00 p.m.

• **ROLL CALL**

PRESENT: Mayor McDonnell, Councilmember Barnacle, Vice Mayor Cader Thompson,
Councilmember Healy, Councilmember Nau, Councilmember Pocekay,
Councilmember Shribbs (joined at 5:04 p.m.)
ABSENT: None

CLOSED SESSION

• **CONFERENCE WITH LABOR NEGOTIATORS**

Pursuant to California Government Code Section 54957.6

Agency Designated Representatives: Peggy Flynn, City Manager; Brian Cochran, Assistant City Manager; Charla Freckmann, Director of Human Resources; and Charles Sakai, Labor Negotiator, Sloan Sakai Yeung & Wong LLP

Negotiating Parties: International Association of Firefighters (IAFF), Unit 7 and Petaluma Professional and Mid-Managers Association (PPMMA) Units 4, 9, and 11

• **CONFERENCE WITH REAL PROPERTY NEGOTIATORS**

Pursuant to California Government Code Section 54956.8

Property: City-Owned Fairgrounds Property (APN 007-031-004, 175 Fairgrounds Drive; and 007-031-005, 866 E Washington)

Agency Negotiator: Peggy Flynn, City Manager

Negotiating Parties: Fourth District Agricultural Association

Under Negotiation: Price and terms of payment and other terms of use of portions of City-owned Fairgrounds property for presentation of Sonoma Marin Fair

City Attorney Eric Danly announced the Closed Session items.

PUBLIC COMMENT ON CLOSED SESSION ITEMS

Prior to adjournment into Closed Session, the public may speak up to three minutes on items to be addressed in Closed Session.

Mayor McDonnell opened public comment.

Darren Racusen provided comment on the Conference with Real Property Negotiators item.

Mayor McDonnell closed public comment.

ADJOURN TO CLOSED SESSION

Mayor McDonnell adjourned the meeting to Closed Session at 5:05 p.m.

CALL TO ORDER - REGULAR SESSION

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

- **ROLL CALL**

PRESENT: Mayor McDonnell, Councilmember Barnacle, Vice Mayor 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)

None.

REPORT OUT OF CLOSED SESSION

City Attorney Eric Danly confirmed there was no reportable action taken during Closed Session.

PROCLAMATIONS

- **Arbor Day (April 29, 2023)**
- **Sexual Assault Awareness Month (April)**

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).

Beverly Voloshin
Matt Hinds

Mayor McDonnell opened general public comment.

Elizabeth Clary
Katharine Bobrowski
Steve DeLue
Betty Hautzenrader
Margaret DeMatteo
Darren Racusen

Mayor McDonnell closed general public comment.

COUNCIL COMMENT

Councilmember Healy
Vice Mayor Cader Thompson
Councilmember Nau
Councilmember Pocekay
Councilmember Shribbs
Mayor McDonnell

CITY MANAGER COMMENT

City Manager Peggy Flynn

CONSENT CALENDAR

- 1. Minutes of the City Council/PCDSA Regular Meeting of April 3, 2023**
- 2. Tentative Agenda for the City Council/PCDSA Regular Meeting of May 1, 2023**
- 3. Resolution Ratifying Award of Contract, Accepting the Completion of, and Authorizing Release of the 10% Retention for the Emergency Repair to the Ellis Creek Water Recycling Facility Oxidation Pond Levee and Transfer Structure by Team Ghilotti, Inc.**
- 4. Resolution Approving a Request to the Metropolitan Transportation Commission for the Allocation of Fiscal Year 23/24 Transportation Development Act Article 3 Pedestrian/Bicycle Project Funding**
- 5. Resolution Authorizing the City Manager to Enter into a Landscaping Maintenance Agreement with the California Department of Transportation for Maintenance of the Landscaping Planting and Irrigation Systems between Highway 101 and Sapphire Street as Part of the Sterling Hills at Quarry Heights Subdivision**
- 6. Adoption (Second Reading) of Ordinance Nos. 2841, 2842, 2843, 2844, 2845, and 2846 N.C.S. Amending Ordinances 2826, 2827, 2814, 2815, 2828, 2829 N.C.S. to Change Certain Appropriations for the Operations of the City of Petaluma from July 1, 2022, to June 30, 2023**
- 7. Adoption (Second Reading) of Ordinance No. 2847 N.C.S. Approving Purchase and Sale Agreements of Right of Ways of Real Properties, commonly known as 1390 N. McDowell Blvd. (APN 137-011-063/064), 1301 Redwood Way (APN 137-011-013), and 1360 N. McDowell (APN 137-011-017), 1372 N. McDowell Blvd.(APN 137-011-014), and Any Additional Right of Ways for the North McDowell Complete Streets Project and Authorizing the City Manager to Execute the Agreement and All Other Documents Necessary to Complete the Purchase and Sale, and Finding This Action is Exempt from CEQA Pursuant to CEQA Guidelines Section 15301 (Existing Facilities)**
- 8. Resolution Adopting the Summary Vacation of Public Utility Easements (PUE), Located at Assessor Parcel Numbers 006-163-040 and 006-163-041, and Finding This Action is Consistent with a Certified Mitigated Negative Declaration – CONTINUED FROM THE CITY COUNCIL/PCDSA REGULAR MEETING OF APRIL 7, 2023**
- 9. Resolution Repealing Resolutions No. 2022-130 N.C.S. (Implementation of Stage 4 of the City's Water Shortage Contingency Plan) and No. 2021-150 N.C.S. (Local Drought Emergency Proclamation) and Authorizing the City Manager to Adhere to the Implementation of the Requirements of the Governor's Executive Order N-5-23 (Drought Update Executive Order) and all Subsequent Amendments**

Councilmember Healy asked clarifying questions of staff on Item 9.

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

Motion to adopt the Consent Calendar (Resolution Nos. 2023-045 N.C.S. accepting completion of the emergency repair to the Ellis Creek Water Recycling Oxidation Pond Levee and Transfer Structure; 2023-046 N.C.S. approving a request to MTC for allocation of FY 23/24 TDA funds; 2023-047 N.C.S. authorizing the City

Manager to enter into a Landscaping Maintenance Agreement with the California Department of Transportation; 2023-048 N.C.S. adopting the summary vacation of public utility easements; 2023-049 N.C.S. repealing resolution nos. 2022-130 N.C.S. and 2021-150 N.C.S.; and adopting (second reading) Ordinance Nos. 2841, 2842, 2843, 2844, 2845, and 2846 N.C.S. to change certain appropriations for the operations of the City; and adopting (second reading) Ordinance No. 2847 N.C.S. approving purchase and sale agreements of right of ways) made by Councilmember Healy, seconded by Councilmember Pocekay.

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

PUBLIC HEARINGS AND MATTERS FOR CONSIDERATION

10. Introduction (First Reading) of Ordinance Amending 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)

Mayor McDonnell announced he would recuse from the item due to a conflict of interest and left the Chamber.

Eric Danly, City Attorney, presented the staff report.
Councilmembers asked questions of staff.
Vice Mayor Cader Thompson opened public comment.
David Marshall
Jesse Goldstein ceded time to Esaia Gonzalez
Esaia Gonzalez
Carol West
Lina Blanco
Angelina Soldatos
Kerry Davison
Jonah Knuth ceded time to Diana Kingsbury
Diana Kingsbury
Blake Hooper
Sunny Noh
Joe Schneider
Carolyn Gavriloff
Rev. Dara Olandt
Clayton Engstrom
Scott Shelley
Thomas Maunder
Helaine B Dorenfeld ceded time to Margaret DeMatteo
Corrie Johnson ceded time to Margaret DeMatteo
Margaret DeMatteo
Jojo Oliver
Michael Titone
Peter Vorrises
Laura Tallent
Jennifer Rihl
Pat McDonell
Davin Cardenas
Chuck Hildebrand
Max Bell Alper
Aiden Smith

Daniel Raff
Marty Bennett
Lee
Keith Becker
Korin Robles
Jack Buckhorn
Karym Sanchez
Bill Abbey

Vice Mayor Cader Thompson closed public comment.

Vice Mayor Cader Thompson called for a five-minute recess at 9:43 p.m. and thereafter reconvened the meeting at 9:50 p.m.

Councilmembers discussed the item.

Motion to introduce (first reading) Ordinance No. 2848 N.C.S. with amendments (exempting units of owners of three or fewer residential units; six-month right of return applies for tenants displaced for all three “no-fault” just cause reasons; relocation assistance to tenants displaced for a “no-fault” just cause of up to 250% of the last month’s rent or \$9,000, whichever is less; and direction to staff to report back to Council within two years, when there is data to show the impacts of the Ordinance on Petaluma landlords and tenants) made by Councilmember Barnacle, seconded by Councilmember Pocekay.

Vote: Carried 4-2
Yes: Councilmember Barnacle, Vice Mayor Cader Thompson, Councilmember Pocekay, Councilmember Shribbs
No: Councilmember Healy, Councilmember Nau
Absent: None
Recused: Mayor McDonnell

11. Resolution Approving a Professional Services Agreement with IntegrAssure, Inc. to Serve as the City of Petaluma Independent Police Auditor and Authorizing the City Manager to Execute the Agreement

Councilmember Barnacle moved, and Vice Mayor Cader Thompson seconded, a motion to continue the meeting past 11:00p.m. Motion passed unanimously.

Aaron Zavala, Sr. Management Analyst, presented the staff report along with Ken Savano, Chief of Police, and Eric Danly, City Attorney.

Jeff Schlanger, President and CEO, introduced the IntegrAssure team and provided background on the company.

Councilmembers asked questions of staff.

Mayor McDonnell opened public comment.

Esaia Gonzalez

Ellen Obstler

Mayor McDonnell closed public comment.

Motion to adopt Resolution No. 2023-050 N.C.S. approving a professional services agreement with InegrAssure, Inc. made by Councilmember Healy, seconded by Vice Mayor Cader Thompson.

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

12. Public Hearing and Resolutions Ordering Abatement of Nuisances Consisting of Weeds Growing Upon Public and Private Property in the City of Petaluma and Ordering the Fire Department to Abate Said Weeds by Contract if Property Owners Fail to Do So

Jessica Power, Fire Marshal, presented the staff report.

Councilmembers asked questions of staff.

Mayor McDonnell opened the public hearing; receiving no comments, he closed the public hearing.

Motion to adopt Resolution No. 2023-051 N.C.S. (no recusals) made by Councilmember Barnacle, seconded by Vice Mayor Cader Thompson.

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

Motion to adopt Resolution No. 2023-052 N.C.S. (McDonnell recusal) made by Councilmember Barnacle, seconded by Councilmember Pocekay.

Vote: Carried 6-0
Yes: Councilmember Barnacle, Vice Mayor Cader Thompson, Councilmember Healy, Councilmember Nau, Councilmember Pocekay, Councilmember Shribbs
No: None
Absent: None
Recused: Mayor McDonnell

Motion to adopt Resolution No. 2023-053 N.C.S. (Nau recusal) made by Councilmember Pocekay, seconded by Vice Mayor Cader Thompson.

Vote: Carried 6-0
Yes: Mayor McDonnell, Councilmember Barnacle, Vice Mayor Cader Thompson, Councilmember Healy, Councilmember Pocekay, Councilmember Shribbs
No: None
Absent: None
Recused: Councilmember Nau

Motion to adopt Resolution No. 2023-054 N.C.S. (Pocekay recusal) made by Councilmember Barnacle, seconded by Vice Mayor Cader Thompson.

Vote: Carried 6-0
Yes: Mayor McDonnell, Councilmember Barnacle, Vice Mayor Cader Thompson, Councilmember Healy, Councilmember Nau, Councilmember Shribbs
No: None
Absent: None
Recused: Councilmember Pocekay

Motion to adopt Resolution No. 2023-055 N.C.S. (Shribbs recusal) made by Councilmember Barnacle, seconded by Vice Mayor Cader Thompson.

Vote: Carried 6-0
Yes: Mayor McDonnell, Councilmember Barnacle, Vice Mayor Cader Thompson, Councilmember Healy, Councilmember Nau, Councilmember Pocekay
No: None

Absent: None
Recused: Councilmember Shribbs

Motion to adopt Resolution No. 2023-056 N.C.S. (Barnacle recusal) made by Vice Mayor Cader Thompson, seconded by Councilmember Pocekay.

Vote: Carried 6-0
Yes: Mayor McDonnell, Vice Mayor Cader Thompson, Councilmember Healy, Councilmember Nau, Councilmember Pocekay, Councilmember Shribbs
No: None
Absent: None
Recused: Councilmember Barnacle

Motion to adopt Resolution No. 2023-057 N.C.S. (Barnacle and Healy recusal) made by Vice Mayor Cader Thompson, seconded by Councilmember Nau.

Vote: Carried 5-0
Yes: Mayor McDonnell, Vice Mayor Cader Thompson, Councilmember Nau, Councilmember Pocekay, Councilmember Shribbs
No: None
Absent: None
Recused: Councilmember Barnacle, Councilmember Healy

Motion to adopt Resolution No. 2023-058 N.C.S. (Healy recusal) made by Vice Mayor Cader Thompson, seconded by Councilmember Barnacle.

Vote: Carried 6-0
Yes: Mayor McDonnell, Councilmember Barnacle, Vice Mayor Cader Thompson, Councilmember Nau, Councilmember Pocekay, Councilmember Shribbs
No: None
Absent: None
Recused: Councilmember Healy

ADJOURNMENT

Mayor McDonnell thanked the translators and adjourned the meeting at 11:42 p.m.