



**CITY OF PETALUMA, CALIFORNIA  
REGULAR MEETING OF THE CITY COUNCIL, PETALUMA COMMUNITY  
DEVELOPMENT SUCCESSOR AGENCY, PETALUMA FINANCING  
CORPORATION, & PETALUMA PUBLIC FINANCING AUTHORITY**

City Hall Council Chamber  
11 English Street  
Petaluma, CA 94952

**DRAFT MINUTES  
Monday, May 15, 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 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 item.

Councilmember Nau announced she would recuse from the item due to a conflict of interest.

**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.

Peter Tscherneff

Mayor McDonnell closed public comment.

**ADJOURN TO CLOSED SESSION**

Mayor McDonnell adjourned the meeting to Closed Session at 5:07 p.m.

## **CALL TO ORDER – REGULAR SESSION**

Mayor McDonnell called the meeting to order at 6:33 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**

- **National Public Works Week (May 21 – 27, 2023)**
- **Emergency Medical Services Week (May 21 – 27, 2023)**
- **National Peace Officers Memorial Day and National Police Week 2023**
- **Bike Month (May)**

## **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).

Bernie Album  
Jill Trompier  
Julia Cort  
Mike Sarmiento  
Paula Freund

Mayor McDonnell opened General Public Comment.

Laurie Schroeder  
Katherine Bobrowski  
Darrell Metcalf  
Robert Hansen  
Darren Racusen

Mayor McDonnell closed General Public Comment.

## **COUNCIL COMMENT**

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

Mayor McDonnell

## **CITY MANAGER COMMENT**

City Manager Peggy Flynn

## **CONSENT CALENDAR**

- 1. Minutes of the City Council/PCDSA Regular Meetings of April 17, 2023, and May 1, 2023**
- 2. Tentative Agenda for the City Council/PCDSA Regular Meeting of June 5, 2023**
- 3. Resolution Authorizing a Purchase from Badger Meter for the Advanced Metering Infrastructure (AMI) Water Meter Upgrade, and Authorizing the City Manager to Execute All Documents Necessary to Complete the Purchase**
- 4. Resolution Authorizing the Execution of the Master Agreement for the Transit and Intercity Rail Capital Program (TIRCP) for Fleet Electrification and Bus Stop Facility Improvements**
- 5. Petaluma Public Financing Corporation Status Report and Audited Financials for Fiscal Year 2021-22**
- 6. Petaluma Public Financing Authority Status Report and Audited Financials for Fiscal Year 2021-22**
- 7. Resolution Authorizing the Purchase of Four (4) Heart Monitors and Associated Equipment from ZOLL Medical Corporation in the Amount of \$204,464.17**

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

Motion to adopt the Consent Calendar (Resolution Nos. 2023-067 N.C.S. authorizing a purchase from Badger Meter for Advanced Metering Infrastructure Water Meter Upgrade; 2023-068 N.C.S. authorizing a Master Agreement for the Transit and Intercity Rail Capital Program; and 2023-069 N.C.S. authorizing the purchase of four heart monitors and associated equipment from ZOLL Medical Corporation) made by Councilmember Pocekay, seconded by Councilmember Healy.

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**

- 8. Adoption (Second Reading) of Ordinance No. 2848 N.C.S. 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 and left the Council Chamber.

City Attorney Eric Danly presented the staff report.

Councilmembers asked questions of staff.

Vice Mayor Cader Thompson opened public comment.

Clayton Engstrom

Michael Titone  
Morgan Margulies  
Diana Kingsbury  
Blake Hooper  
Maddy Hirshfield  
Sunny Noh  
Margaret DeMatteo  
Joel  
Esaia Gonzalez  
Angelina Soldatos  
Caroline  
Noa  
Vice Mayor Cader Thompson closed public comment.

City Attorney Eric Danly provided clarifications, as follows:

With respect to Section 6.60.030(B)(2), the proposed ordinance includes the language “This property is not subject to the rent limits in Section 1947.12 of the Civil Code, and is not subject to the just cause requirements of Section 1946.2 of the Civil Code.” The underlined text should not have been included and should be removed as a drafting error because it applies generally to single family units whereas the City’s regulations are more protective and exempt owners that own two or fewer units. For this reason, this language should not be included in the notice.

With respect to Section 6.60.080, the City heard concerns expressed about the language in the provision which define the relocation assistance obligation that landlords have concerning no-fault terminations of tenancies. The request was for the provision to refer to the relocation assistance that is owed to the “tenant household” and not to the “tenant.” I don’t recommend that change because, as “tenant” is defined in the City’s regulations and Section 6.60.020(T), it means “a person entitled by written or oral agreement to the use or occupancy of a dwelling unit in the city.” So, it means the party on the lease. The tenant household could be larger than that and I would have concerns about creating rights to relocation assistance to non-parties to the lease. I think that would create other kinds of problems that would be of concern to landlords. I think it is clear from the relocation assistance that it only obligates one payment per termination. We can also further clarify that in the pretty extensive information we provide about the regulations on the City’s website.

The last thing I will mention is that we received a Councilmember comment with regard to Section 6.60.070 entitled “Additional notice requirements for no-fault terminations.” The comment pointed out that Paragraph A which deals with terminating a tenancy due to permanent withdrawal of the unit from the rental market, and Paragraph C which deals with terminating tenancy due to intent to demolish or substantially remodel the unit, both require notice to be given to the tenant household and the City housing manager. The issue is that Paragraph B of that same section that pertains to terminating tenancy due to the intent of the owner or owner’s relative to occupy the dwelling unit does not state the same noticing requirements. The Councilmember who brought this to our attention believed it to be an error in the drafting, which, if that is the Council’s intent to have the same notice requirements for each of those types of no-fault terminations, then I would note too that we could reflect that change.

Councilmembers discussed the item.

Councilmember Healy requested City Attorney Eric Danly’s clarifying comments regarding 6.60.080 be reflected verbatim in the minutes for the legislative history.

Motion to adopt (second reading) Ordinance No. 2848 N.C.S. amending Chapter 6.60 entitled “Residential Tenancy Protections” of the Petaluma Municipal Code, with amendments as stated by City Attorney Eric Danly, 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

Vice Mayor Cader Thompson called for a five-minute recess at 8:14 p.m.  
Mayor McDonnell reconvened the meeting at 8:22 p.m.

#### **9. Utility Rate Study Introductory Presentation and Discussion and Direction on Initial Findings**

Director of Public Works and Utilities, Christopher Bolt, presented the staff report along with Alex Handlers from Bartle Wells Associates.

Councilmembers asked questions of staff.

Mayor McDonnell opened public comment.

Esaia Gonzalez

Mayor McDonnell closed public comment.

#### **10. Resolution Authorizing the City Manager to Execute a Professional Services Agreement with Mark Thomas & Company, Inc. for Environmental, Permitting, and Engineering Services for the Caulfield Bridge and Extension Project (Project # C16401824)**

Bjorn Gripenburg, Project Manager, presented the staff report.

Councilmembers asked questions of staff.

Mayor McDonnell opened public comment.

Esaia Gonzalez

Mayor McDonnell closed public comment.

Councilmembers discussed the item.

Motion to adopt Resolution No. 2023-070 N.C.S. authorizing the City Manager to execute a professional services agreement with Mark Thomas & Company, Inc. for environmental, permitting, and engineering services for the Caulfield Bridge and Extension Project, made by Vice Mayor Cader Thompson, seconded by Councilmember Nau.

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

#### **11. Preliminary Fiscal Year 2023-2024 City of Petaluma Budget, Adoption of City Budget Resolutions and Introduction (First Reading) of Fiscal Year 2023-2024 City Appropriations Ordinances**

Vice Mayor Cader Thompson moved, Councilmember Nau seconded, and the Council unanimously voted to continue the meeting past 10:30 p.m.

Corey Garberolio, Deputy City Manager/Director of Finance, presented the staff report.

Mayor McDonnell opened public comment.

Darren Racusen

Mayor McDonnell closed public comment.

Motion to adopt Resolution Nos. 2023-071 N.C.S. adopting General Fund & Measure U Budget; 2023-072 N.C.S. adopting Enterprise Funds Budget; 2023-073 N.C.S. adopting Utilities Funds Budget; 2023-074 N.C.S. adopting Internal Service Funds Budget; 2023-075 N.C.S. adopting Special Revenues, Trust, and Debt Funds Budget; 2023-076 N.C.S. adopting Capital Projects Funds Budget; 2023-077 N.C.S. adopting FTE Schedule; and introducing (first reading) Ordinance Nos. 2849 N.C.S. General Fund & Measure U Appropriations; 2850 N.C.S. Enterprise Funds Appropriations; 2851 N.C.S. Utilities Funds Appropriations; 2852 N.C.S. Internal Service Funds Appropriations; 2853 N.C.S. Special Revenues, Trust, and Debt Funds Appropriations; 2854 N.C.S. Capital Projects Funds Appropriations, made by Vice Mayor Cader Thompson, seconded by Councilmember Barnacle.

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

## **ADJOURNMENT**

Mayor McDonnell adjourned the meeting at 10:53 p.m. in honor of all police officers who lost their lives in the course of duty.