

Responses to Council Questions and Comments

10/02/2023

Sent to Council 10/02/2023 at 3:00 PM

Presentation: Fire Chiefs Association Half Cent Sales Tax

- Question: How is an independent oversight committee whose 11 members include 3 appointed by Fire Chiefs Association, 2 by Fire Districts Association, and 2 by Fire Service labor organizations/ employees independent?
 - Response: Although many on the committee are appointed by fire-related associations, the goal is to eliminate perceived or actual self-interest by any one fire agency or group. Additionally from the fire-related associations' appointees, there are requirements that one needs to come from the general public, and one from the Sonoma County Taxpayers Association. All committee members must be County residents and cannot be active fire chiefs, fire directors, County employees, or spouses to any such individuals. This committee does not determine allocations, rather, ensures funding is spent in accordance with the measure.

Item #2: Tentative Agenda for City Council/PCDSA Regular Meeting of October 16, 2023

- Question: What is the project for which Item 5 (purchase of switchgear and busway), is intended?
 - Response: This is to purchase a piece of electric switchgear for the Transit Yard (555. N. McDowell Blvd). The switchgear is a necessary piece of electrical equipment required to be able to charge electric buses and connects to the PG&E transformer that serves our newly proposed electric bus chargers. Additional details on this and the process/timeline for the procurement and installation are included in the staff report (including why switchgear is being purchased in advance of the construction phase of the project—due to a 1-year+ lead time for manufacturing/delivery). The title of this item will be updated to include mention of the Petaluma Transit facility.
- Question: Under Item 7, is the plan to appoint a new planning commissioner on October 16 on the consent calendar?
 - Response: Yes, per the process described in the Petaluma Municipal Code, Section 2.08.040.

Item #3 and 4: Resolution Authorizing the Purchase of an Excavator for the Public Works & Utilities Department through Sourcewell Cooperative Purchasing Program and Authorizing the City Manager to Execute all Documents Necessary to Complete the Purchase and Resolution Authorizing the Purchase of a Backhoe for the Public Works & Utilities Department through Sourcewell Cooperative Purchasing Program and Authorizing the City Manager to Execute all Documents Necessary to Complete the Purchase

- Question: Does the PFD own any of this equipment? If not, will they be able to borrow during high fire season? Especially, when on back up to our rural fire districts?

- Response: The Fire Department does not have this type of equipment, but as in all emergency and disaster response activities, the Fire Department can request this type of resource through other city departments, the county, state, etc. This piece of equipment, like other city equipment, will be available to assist and support the Fire Department as needed/requested.

Item #8: Introduction (First Reading) of an Ordinance Amending Chapter 5 of the Petaluma Implementing Zoning Ordinance to Add Section 5.060 Establishing a Senior Mobilehome Overlay District and a Zoning Map Amendment to Additionally Zone Five Existing Self-Designated Senior Mobilehome Parks as Senior Mobilehome Park Overlay District Located at 300 Stony Point Rd., 901 N. McDowell Blvd., 911 N. McDowell Blvd., 576 N. McDowell Blvd., and 750 Wood Sorrel Dr.; APNs: 007-422-042, 048-080-0023, 007-401-013, 048-080-024, 007-401-004, 149-030-003, and 137-061-024

- Question: Has the City met with the landowners? Did they have objections?
 - Response: Staff have not met with landowners regarding the overlay. However, staff held a noticed public meeting at the Community Center from 6:00 p.m. to 8:00 p.m. on September 7, 2023 to address the potential overlay and other questions community members have about the City's mobile home park regulations. The meeting was very well attended. Staff also sent notices to all of the Petaluma mobile home park owners regarding both the Planning Commission hearing on September 12, 2023 to consider recommending to the City Council the proposed overlay amendments to the City's zoning ordinance, and tonight's hearing before the City Council to consider introduction of the overlay. During the hearings on amendments to the City's mobilehome rent stabilization ordinance, a number of mobile home park tenants advocated for enactment of a senior overlay district. The proposed senior overlay would apply to the 5 mobile home parks in Petaluma currently designated as "senior parks" in the applicable park rules - Leisure Lake, Petaluma Estates, Royal Oaks, Cottages of Petaluma, and Youngstown. The overlay would not apply to the current all-age Petaluma mobile home parks, Little Woods and Capri Villa. The Youngstown park has initiated the process to amend their park rules to convert to an all-age park. The soonest the Youngstown rule change could take effect in accordance with the California Mobilehome Residency Law is sometime in December. If the City Council introduces the proposed overlay tonight and adopts the overlay on October 16, the overlay would take effect before the Youngstown rule change could take effect, and the park would be required remain a senior park in accordance with the City's zoning ordinance and mobile home park regulations. Staff have not received comments regarding the overlay from park owners.
- Question: These mobile home parks have established rules already about no activity in the street or driveways. These rules are designed for 55 years and older. Has any younger individuals and/or families moved into any of the parks that would be affected? If so, would they be grandfathered in?
 - Response: The Fair Housing Act prohibits discrimination in renting, selling or financing housing based on familial status (having a child under 18), unless a housing community qualifies for the "senior exemption." The senior exemption requires a housing community to have at least 80% of the occupied units occupied by at least one tenant over the age of 55. The 5 mobile home parks in Petaluma that are currently designated

as senior parks are required to have at least 80% of the park's occupied sites be occupied by at least one tenant above the age of 55. The proposed overlay has the same requirements to ensure compliance with the Fair Housing Act.

Subsection E of the proposed overlay provides:

“the occupants of a space or mobilehome who do not meet the senior occupancy requirement in A of this section [who] have rented a space and/or mobilehome in a senior mobilehome park before the effective date of this section and continue to occupy that space and/or mobilehome following the effective date of this section . . . shall be allowed to remain in that senior mobilehome park, and provided further that when such occupant(s) cease to occupy that space and/or mobilehome, the mobilehome and space shall be rented to occupants who meet the senior occupancy requirement in A of this section.”

Because the 80% requirement included in the proposed overlay mirrors the existing senior park requirement applicable to the City's 5 senior parks, no more than 20% of the units in those parks should be rented to tenants under the age of 55. Note also that under Subsection E of the proposed overlay, existing tenants less than 55 years of age are permitted to continue their tenancies.

Item #9: Resolution to Approve License Agreements with Each of the Nine Tenants Located on the City-Owned Fairgrounds Property to Become Effective When the 4th District Agricultural Association Lease Expires on December 31, 2023, and Making Findings that this Action is Exempt From the Requirements of the California Environmental Quality Act

- Question: Clarify the goals and timelines stated on Page 2 of the staff report.
 - Response: Staff has proposed a set of short, mid and long-term goals to be completed over the next 3 - 5 years that will enable the city to implement a master plan that will be developed with the Petaluma community.
- Question: The staff report discusses revenue. What about anticipated expenditures? Will the Fairgrounds operate as a separate fund center? What are the expected Fairgrounds management costs to the City and how will that be funded?
 - Response: Anticipated costs associated with maintenance, repairs, and improvements are contained in the city's [Facility Condition Assessment](#) (Gordian, 2022). The management plan will include a staffing model and budget that reflects the community's guiding principles that were adopted by City Council on October 24, 2022. Staff are committed to bringing agreements to the City Council by the end of the year that includes hosting an annual fair, maintaining consistency for current tenants during the interim transition period, and implementing a master plan. Staff continue to have ongoing discussions with the state's 4th District Agricultural Association to help accomplish this vision. Staff is exploring contracting the property management elements of the overall operations and ensure all incurred costs are covered by revenues collected from rental fees. Discussions regarding facility operations and special event

coordination are ongoing with the 4th DAA and staff look forward to bringing draft agreements back to City Council for consideration.

- Question: How was the rent schedule determined?
 - Response: The rent schedule honors the current terms that each tenant had with the state (4th District Agricultural Association), and also includes a 3.5% annual increase. In addition to the terms remaining consistent with each current agreement, the proposed rent schedule also addresses tenant specific circumstances such as deferred and on-going maintenance. Each agreement will specify use terms such as number of events per year and the allowable usable footprint proposed in the staff report. The rent schedule (Attachment 4) does not include property management costs and expenditures, which will be further detailed prior to the city resuming management of its fairgrounds on January 1, 2024.

Item #11: Public Hearing and Action to Adopt a Resolution Confirming the Cost of Abatement of Weeds and Confirming Approval of the Forwarding of Unpaid Bills to the County Assessor's Office for Collection as Assessments

- Question: City billing for collections totals ~\$47K, but expenses total \$80K. Is the city reimbursed for the \$33K difference in any way?
 - Response: The collections of \$47,128.88 reimburse the City for the cost of the contract work provided, and with the \$240 fee per non-compliant parcel, roughly a fourth of the total weed abatement program administration costs are recovered. Since all parcels require staff time to perform inspections and only the ones that do not comply by the deadline are abated and thus charged, staff time spent performing the remainder of program administration are not reimbursed through this program or any other way. This, and all fire department fees are currently under review during a city-wide fee study.