



MINUTES

**REGULAR MEETING OF THE CITY COUNCIL AND
JOINT MEETING OF THE CLOVERDALE COMMUNITY DEVELOPMENT SUCCESSOR AGENCY BOARD OF
DIRECTORS**

WEDNESDAY, February 12, 2020

CLOSED SESSION: 5:00 p.m.

**CLOSED SESSION LOCATION: CITY HALL CONFERENCE ROOM, 124 N. CLOVERDALE BOULEVARD,
CLOVERDALE, CA 95425**

PUBLIC BUSINESS SESSION: 6:00 p.m.

**PUBLIC BUSINESS SESSION LOCATION: CLOVERDALE PERFORMING ARTS CENTER, 209 N. CLOVERDALE
BOULEVARD, CLOVERDALE, CA 95425**

CLOSED SESSION

CLOSED SESSION: 5:00 p.m.

OPENING:

- Call to Order: Mayor Wolter called to order the closed session at 5:00 p.m.
- Roll Call: Present at roll call were Councilmembers Bagby and Cruz, Vice Mayor Turner and Mayor Wolter.
- Agenda Review – Closed Session (Changes and/or Deletions): None

PUBLIC COMMENTS ON CLOSED SESSION AGENDA: None.

RECESS TO CLOSED SESSION:

1. **CONFERENCE WITH REAL PROPERTY NEGOTIATORS:** Pursuant to Government Code Section 54956.8

Property: Cherry Creek Village, 520 S. Cloverdale Boulevard, APN 001-310-041 & 042
Agency negotiator: City Attorney Sanchez and Assistant City Manager Thompson
Negotiating parties: Kingdom Development
Under negotiation: Disposition of Real Property

CONVENE PUBLIC BUSINESS SESSION – 6:00 p.m.

OPENING:

- Call to Order: Mayor Wolter called to order the public business session at 6:00 p.m.
- Pledge of Allegiance: Mayor Wolter led in the Pledge of Allegiance.
- Roll Call: Present at Roll Call were Councilmembers Bagby, Brigham and Cruz, Vice Mayor Turner, and Mayor Wolter.

- Report out of Closed Session –Actions Taken: No reportable action.
- Conflict of Interest Declaration: Councilmember Brigham stated she would be recusing herself from Public Hearing Item No. 11 (*Affordable Housing Regulatory Agreement, Health and Safety Code Section 33433 Report, Disposition and Development Agreement and Predevelopment Loan Agreement for the Cherry Creek Affordable Housing Project*) due the proximity of owned property near the project.
- Agenda Review – Regular Session (Changes and/or Deletions): City Manager Kelley recommended moving New Business Item No. 17 (*Presentation on Proposed Measures on Ballot for the March 3, 2020 California Presidential Primary Election*) to be heard earlier on the agenda.

Mayor Wolter announced New Business Item No. 17 would be heard immediately following the Consent Calendar.

PUBLIC COMMENTS:

Mayor Wolter opened the public comment period.

Shirley Davis, Cloverdale Resident, announced that the Redwood Gospel Mission’s shower program began this Tuesday 11 a.m. to 1 p.m., and will occur weekly at the Living Water Church parking lot.

Marilyn Michelin, Cloverdale resident, spoke on the lack of space in the local cemetery. Her husband Mario Michelin passed last May. Mrs. Michelin shared that Mr. Michelin served the community for over 50 years and served as principal for both the Jefferson and Washington Schools in Cloverdale.

Mayor Wolter acknowledged a memorial bench in Mr. Michelin’s honor was placed in the school.

Mrs. Michelin informed the Council the bench was donated by the Cloverdale Lions Club, of which Mr. Michelin was an active member of.

Following no further comments, Mayor Wolter closed the public comment period.

PROCLAMATIONS/PRESENTATIONS:

1. Student Liaison Reports

Emma Johnson reported on current student events at the high school.

Councilmember Cruz announced Ms. Johnson is one of the nominees for Citrus Fair Queen.

CONSENT CALENDAR:

City Manager Kelley announced that Janet Pauli, Chair of the Mendocino County Inland Water and Power Commission is present in the audience and available to answer questions in regard to Consent Calendar Item No. 9 (*Common Interest Agreement Between the City of Cloverdale and the Mendocino County Inland Water and Power Commission regarding the Potter Valley Project*).

Mayor Wolter invited Ms. Pauli to briefly comment on the item.

Ms. Pauli reported briefly on the item.

Councilmember Bagby moved to approve the Consent Calendar Item Nos. 2 – 10. Councilmember Brigham seconded the motion. The motion to adopt the items passed by the following roll call vote: 5-Ayes (Councilmembers Bagby, Brigham and Cruz, Vice Mayor Turner and Mayor Wolter), 0-Noes; 0-Absent; 0-Abstain

2. Approval of Previous Meetings Minutes

Action: Approved the City Council regular meeting minutes of January 22, 2020.

3. Award Construction Contract with Resource Development Company for the Cloverdale Water Treatment Plant Filter No. 2 Rehabilitation Project in the amount of \$68,880 and Approve a Professional Service Agreement with Brelje and Race Consulting Engineers to Provide Construction Administration Services of Said Project in the Amount of \$22,010

Action:

- a. **Adopted Resolution No. 009-2020** titled, “A Resolution of the City Council of the City of Cloverdale authorizing the City Manager or his designee to sign a construction contract with Resources Development Company for the Cloverdale Water Treatment Plant Filter No. 2 Rehabilitation Project.”
- b. **Adopted Resolution No. 010-2020** titled, “A Resolution of the City Council of the City of Cloverdale authorizing the City Manager or his designee to sign a Professional Services Agreement with Brelje and Race Engineering for the Cloverdale Water Treatment Plant Filter No. 2 Rehabilitation Project.”

4. Award of Contract with Miksis Services, Inc. (MSI) for the N. Washington Street Sewer Liner Installation Project in the Amount of \$62,800

Action: **Adopted Resolution No. 011-2020** titled, “A Resolution of the City Council of the City of Cloverdale approving a contract with Miksis Services, Inc., for the N. Washington Street Sewer Liner Installation Project in the amount of \$62,800.”

5. Appointing the Engineer of Work for the Cloverdale Landscaping and Lighting Assessment District for Fiscal Year 2020-21

Action: **Adopted Resolution No. 012-2020** titled, “A Resolution of the City Council of the City Of Cloverdale appointing Coastland Civil Engineering as the Engineer of Work for the City Of Cloverdale Landscaping and Lighting Assessment District and Directing the preparation and filing of the Engineer’s Report for Fiscal Year 2020-21 (Pursuant To The Landscaping And Lighting Act Of 1972).”

6. Agreement World Fuel to Supply Branded Aviation Fuel, Adopt Resolution Authorizing the City Manager to enter into an Agreement with QT Pod and MSI Fuel Management to upgrade the Self-Serve Fueling Terminal and amend the budget in the amount not to exceed \$14,500.00

Action:

- a. **Adopted Resolution No. 013-2020** titled, “A Resolution of the City Council of the City of Cloverdale approving a fuel supply agreement with World Fuel Services, Inc. to provide aviation fuel to the City of Cloverdale Airport and authorizing the City Manager to execute said agreement.”

- b. **Adopted Resolution No. 014-2020** titled, “A Resolution of the City Council of the City of Cloverdale authorizing the City Manager to enter into agreements for the purchase and installation of upgrade to self-serve fueling terminal for aviation fuel and amending the budget to reflect the change.”

7. Agreement with Godbe Research to Conduct a Revenue Measure Feasibility Survey

Action: **Adopted Resolution No. 015-2020** titled, “A Resolution of the City Council of the City of Cloverdale Approving a Professional Services Agreement with Godbe Research to Conduct a Revenue Measure Feasibility Survey and Authorize the City Manager to execute said agreement.”

8. Second Reading, by Title Only, to Adopt an Ordinance Prohibiting the Use and Sale of Disposable Food Service Ware and Other Products Containing Polystyrene Foam

Action: **Held second reading, by title only, and Adopted Ordinance No. 733-2020** entitled “Ordinance of the City of Cloverdale Amending Title 8 of the Cloverdale Municipal Code Titled Health and Safety by Adding Chapter 8.14 “Polystyrene” Prohibiting Use and Sale of Disposable Food Service Ware and Other Products Containing Polystyrene Foam.”

9. Common Interest Agreement Between the City of Cloverdale and the Mendocino County Inland Water and Power Commission regarding the Potter Valley Project

Action: **Adopted Resolution No. 016-2020** titled, “A resolution of the City Council of the City of Cloverdale approving a Common Interest Agreement with the Mendocino County Inland Water and Power Commission and authorizing the City Manager to execute the agreement on behalf of the City.”

10. Pilot Neighborhood Improvement Grant Program

Action: **Adopted Resolution No. 017-2020** titled, “A Resolution of the City of Cloverdale City Council Authorizing the Establishment of the Pilot Neighborhood Improvement Grant Program and Approve the Guidelines.”

Clerk’s note: New Business Item No. 11 (Presentation on Proposed Measures on Ballot for the March 3, 2020 California Presidential Primary Election) was heard at this time.

City Manager Kelley introduced the item

City Clerk Camacho-Werby reported on the item.

Mayor Wolter invited Joanne Parker, Programming and Grants Manager with Sonoma-Marín Area Rail Transit District, to speak on Measure I.

Ms. Parker reported on the item and shared additional information on the measure and provided a handout on the Ridership Data Collected (on file in the City Clerk’s Office).

Ms. Parker introduced Erin McGrath, SMART Chief Financial Officer who reported on the item in regard to finances.

Mayor Wolter opened the public comment period.

Allan Hemphill, Cloverdale resident, spoke on behalf of the North Coast Rails and Trails Coalition and voiced concerns over SMART's commitment to rail systems extension projects and rail lockouts.

Following no further comments, Mayor Wolter closed the public comment period.

Councilmember Brigham inquired on the state contest mentioned, to bring the SMART rail system to Cloverdale and number of grants being sought.

Ms. Parker responded to the inquiry and spoke on the process of the state-wide contest and phasing of grants.

Councilmember Bagby requested additional information on the funding limitations of the current SMART sales tax in relation to the funding for depot(s) along the East/West corridors, and what cities with current SMART depots have been able to leverage grants and/or development.

Ms. Parker responded to the inquiries and provided information on the affects to cities that currently have a SMART depot station.

Councilmember Cruz inquired if staff from SMART have spoken with the developers of the Alexander Valley Resort in a collaborative effort.

Ms. Parker responded to the inquiry and reported having one interested contractor.

Mayor Wolter spoke his concerns with SMART and project setbacks related to construction of an At-grade crossing as part of the Alexander Valley Resort and potentially losing freight rights through to Willits.

Mayor Wolter re-opened the public comment period.

Ron Palveka, representing the ownership group for the Alexander Valley Resort, spoke on the concerns raised related to project setbacks related to construction of an At-grade crossing.

Mayor Wolter voiced concerns about the issues raised and lack of collaboration.

Ms. Parker informed the Council, that only one meeting was held and options were provided.

City Manager Kelley reminded the Council that the item before them tonight is to discuss their position on whether to support or oppose or remain neutral on the two Measures presented. Should the Council wish to discuss the project concerns further, the item can be scheduled at a future meeting.

Following no further comments, Mayor Wolter closed the public comment period.

Vice Mayor Turner inquired if there is written language in the state's proposal which indicates the proposal will not be supported should Measure I fail.

Ms. Parker responded to the inquiry and confirmed no language states the dependency on the passing of Measure I.

Council and staff discussion ensued.

Action:

Following discussion, the Council majority, Councilmembers Bagby and Cruz, and Vice Mayor Turner (Mayor Wolter and Councilmember Brigham chose no position) supported Measure I (*Sonoma-Marin Area Rail Transit District Tax*). The Council directed staff to bring back a resolution supporting the measure for formal adoption at the Council's next regular meeting.

Mayor Wolter recessed the meeting at 7:22 p.m.

The meeting reconvened at 7:28 p.m. with all members present, except Councilmember Brigham who recused herself from Public Hearing Item No. 11 (*Affordable Housing Regulatory Agreement, Health and Safety Code Section 33433 Report, Disposition and Development Agreement and Predevelopment Loan Agreement for the Cherry Creek Affordable Housing Project*).

COMMUNICATIONS: None.

PUBLIC HEARINGS:

11. Affordable Housing Regulatory Agreement, Health and Safety Code Section 33433 Report, Disposition and Development Agreement and Predevelopment Loan Agreement for the Cherry Creek Affordable Housing Project

Assistant City Manager/Community Development Director Thompson briefly reported on the item and requested the Council formally continue the Public Hearing required pursuant to California Health and Safety Code Sections 33431 and 33433, to the next regular City Council meeting scheduled for February 26, 2020, to allow additional time to receive and respond to any public comments that may be received and for inclusion in the February 26, 2020 City Council agenda packet.

Mayor Wolter opened the public hearing. No comments were forthcoming.

Action: Councilmember Bagby moved to formally continue the public hearing item to the next regular City Council meeting scheduled for February 26, 2020. Vice Mayor Turner seconded the motion. The motion to formally continue the item was approved as follows: 5-Ayes (Councilmembers Bagby, Brigham and Cruz, Vice Mayor Turner and Mayor Wolter), 0-Noes; 0-Absent; 0-Abstain

12. 2nd Street City Park Master Plan and CEQA Mitigated Negative Declaration

Councilmember Brigham returned to the dais at this time.

Assistant City Manager/Community Development Director Thompson reported on the item.

Council and staff discussion ensued.

Mayor Wolter opened the public hearing. No comments were forthcoming.

Council and staff discussion continued to ensue.

Based on discussion, Council majority was not in favor of the recommended Option 4, to remove the volleyball court for a dog park.

Councilmember Cruz requested the minutes record include that she was not in support of the recommendation to remove the volleyball court listed in Option 4 to be replaced by a dog park in that location.

Action: Councilmember Brigham moved to approve the following:

- a. **Adopt Resolution No. 018-2020** titled, “A Resolution of the City Council of the City of Cloverdale adopting a Mitigated Negative Declaration for the Street City Park Master Plan.” Councilmember Bagby seconded the motion.

Clerk’s Note: Resolution No. 018-2020 was approved with a grammatical correction to include “2nd” to identify the City Park Master Plan.

The motion to **Adopt Resolution No. 018-220** passed by the following roll call vote: 5-Ayes (Councilmembers Bagby, Brigham and Cruz, Vice Mayor Turner and Mayor Wolter), 0-Noes; 0-Absent; 0-Abstain

Councilmember Brigham moved to approve the following:

- b. **Adopt Resolution No. 019-2020** titled, “A Resolution of the City Council of the City of Cloverdale adopting the 2nd Street City Park Master Plan.” Councilmember Bagby seconded the motion.

The motion to **Adopt Resolution No. 019-2020** passed by the following roll call vote: 5-Ayes (Councilmembers Bagby, Brigham and Cruz, Vice Mayor Turner and Mayor Wolter), 0-Noes; 0-Absent; 0-Abstain

13. Amendment to Zoning Ordinance adding a section entitled, “Right to Industry” Ordinance
Assistant City Manager/Community Development Director Thompson reported on the item.

Council and staff discussion ensued.

Mayor Wolter opened the public hearing.

Merle Reuser, Cloverdale resident, spoke in support of the item.

Following no further comments, Mayor Wolter closed the public hearing.

Action: Vice Mayor Turner moved to introduce, by title only, an Ordinance titled “An Ordinance of the City of Cloverdale amending the Cloverdale Municipal Code to add section 18.20.010: Right To Industry and Municipal Code Section definitions to effectuate various general plan goals, policies and implementation measures regarding the need to establish protect for industrial uses.” Councilmember Bagby seconded the motion.

The motion passed by the following roll call vote: 5-Ayes (Councilmembers Bagby, Brigham and Cruz, Vice Mayor Turner and Mayor Wolter), 0-Noes; 0-Absent; 0-Abstain

14. Adoption of an Ordinance amending sections of the Cloverdale Municipal Code (CMC) in order to implement new State law on Accessory Dwelling Units (ADUs) and Junior Accessory Dwelling Units (JADUs)

Assistant City Manager/Community Development Director Thompson reported on the item.

Council and staff discussion ensued.

Mayor Wolter opened the public hearing. No comments were forthcoming.

Action: Councilmember Brigham moved to introduce, by title only, an Ordinance titled: “An Ordinance of the City of Cloverdale Amending Cloverdale Municipal Code Sections 18.09.180: Accessory Dwelling Units, 18.14.030: Definitions, 18.11.050: Off-Street Parking Requirements by Land Use, 18.04.040: Residential Zoning District Regulations, 15.24.060: Design Review Required and adding Section 18.09.185: Junior Accessory Dwelling Units to the Cloverdale Municipal Code.” Vice Mayor Turner seconded the motion.

The motion passed by the following roll call vote: 5-Ayes (Councilmembers Bagby, Brigham and Cruz, Vice Mayor Turner and Mayor Wolter), 0-Noes; 0-Absent; 0-Abstain

NEW BUSINESS:

- 15. Consider the Purchase of one (1) Portland Loo restroom for the Cloverdale City Plaza and designate the Portland Loo as the City Standard Restroom for Use in City Parks, Plazas, and Public Rights-of-Way**

City Engineer/Public Works Director Rincon reported on the item.

Council and staff discussion ensued.

Mayor Wolter opened the public comment period. No comments were forthcoming.

Action: Following consensus, Council chose to designate the Portland Loo as the standard restroom for installation in City parks/plazas and rights-of-way and designate the Cloverdale City Plaza site as the preferred site for the future purchase and installation of one (1) unit.

- 16. Support an Appointment to the Child Care Planning Council of Sonoma County by the Sonoma County Mayors’ and Councilmembers’ Association Board of Directors**

City Clerk Camacho-Werby reported on the item.

Council and staff discussion ensued.

Mayor Wolter opened the public comment period. No comments were forthcoming.

Action: Following consensus, Council directed the Mayor to support the appointment of Santa Rosa Vice Mayor Victoria Fleming to the Child Care Planning Council of Sonoma County that will be made by the Sonoma County Mayors’ and Councilmembers’ Association Board of Directors at its February 13, 2020 meeting in Sonoma.

- 17. Presentation on Proposed Measures on Ballot for the March 3, 2020 California Presidential Primary Election**

Clerk’s Note: This item was considered immediately after the Consent Calendar and before Public Hearing Item No.

SUBCOMMITTEE ITEMS: City Manager Kelley explained the purpose of this section being listed on the agenda.

SUBCOMMITTEE REPORTS: (VERBAL REPORTS: 15 minutes)

- Finance, Administration & Police - Next Meeting: February 27, 2020, 4:00 p.m.
- Planning & Community Development - Next Meeting: April 21, 2020, 4:00 p.m.
- Public Works - Next Meeting: March 24, 2020, 4:00 p.m.
- Joint City/Fire District - Next Meeting: June 8, 2020, 5:30 p.m.
- Joint City/School District– Next Meeting: *Special Meeting* February 27, 2020, 5:00 p.m.
- Homelessness Community Advisory Group – Next Meeting: March 10, 2020, 4:00 p.m. location to be confirmed.

Councilmember Bagby requested an item be added to the next Finance, Administration and Police Subcommittee on the California Public Utilities Commission.

COUNCIL REPORTS:

Councilmember Bagby provided a written report.

Councilmember Cruz provided a written report.

Vice Mayor Turner reported meeting with Supervisor James Gore last Wednesday and will continue to have a monthly standing meeting with Supervisor Gore, his attendance accepting the Healthy Living Champion award on behalf of the City, along with Mayor Wolter from the YMCA last Thursday, his meeting with Ron Palveka, representing the ownership group for the Alexander Valley Resort on February 10, and his attendance at the Homelessness Community Advisory Group meeting held on February 11.

Councilmember Brigham reported receiving a communication from Tania Richardson, President of the Cloverdale Performing Arts Center regarding Assembly Bill 5 and if the item could be added for discussion on a future Finance, Administration and Police Subcommittee meeting.

LEGISLATIVE REPORT: None.

CITY MANAGER/CITY ATTORNEY REPORT(S):

City Manager Kelley presented a plaque to the City Council awarded to the City of Cloverdale on February 6, 2020 from the YMCA for the category of Healthy Living Champion in supporting the summer pool program.

Mayor Wolter also acknowledged the contributions made by the Marilyn Sink Memorial Swim Fund Foundation.

COUNCIL DIRECTION ON FUTURE AGENDA ITEMS:


Councilmember Bagby requested to have an item on intentional living in tiny house communities.

ADJOURNMENT: The meeting adjourned at 8:50 p.m., to a regular meeting of the City Council and Cloverdale Community Development Successor Agency, Wednesday, February 26, 2020 for Closed Session at 5:00 p.m. (at the City Hall Conference Room 124 N. Cloverdale Blvd., Cloverdale, CA 95425) and Public Business Session at 6:00 p.m. (at the Cloverdale Performing Arts Center 209 N. Cloverdale Blvd., Cloverdale, CA 95425).

The foregoing minutes were approved by the City Council of the City of Cloverdale at its regular meeting held on the 26th day of February 2020, by the following roll call vote:

AYES: (4) Councilmembers Bagby and Brigham, Vice Mayor Turner, and Mayor Wolter
NOES: (0) None
ABSTAIN: (0) None
ABSENT: (1) Councilmember Cruz

APPROVED:



Gus Wolter, Mayor

ATTEST:



Irene Camacho-Werby, City Clerk

