



124 N. Cloverdale Boulevard
Cloverdale, CA 95425
Phone: 707-894-2521
www.cloverdale.net

AGENDA

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

WEDNESDAY, NOVEMBER 9, 2022

CLOVERDALE PERFORMING ART CENTER
209 N. CLOVERDALE BOULEVARD, CLOVERDALE, CA 95425

OPEN SESSION:
THIS MEETING IS OPEN TO THE PUBLIC IN PERSON AND VIA THE ZOOM LINKS BELOW
6:00 PM

PUBLIC PARTICIPATION:

City Council welcomes your interest, attendance, and participation at meetings.

Attendees may join in-person at the **Cloverdale Performing Arts Center - 209 N. Cloverdale Blvd**, virtually at www.zoom.us/join, or by telephone: **1-(669) 900-6833**, both using **Meeting ID: 886 4841 6804**, or directly at <https://us02web.zoom.us/j/88648416804?pwd=QjFHTkt1TGlwMVN4V1lQR0FLRmw1UT09>. Regular City Council meetings are also streamed on YouTube via live webcast at cloverdale.net/youtube.

Members of the public can provide comment on an agenda item in-person or online via Zoom during the public comment periods. Zoom attendees will be muted until they are called upon by the Mayor or City Clerk. To make a public comment on Zoom, use the raise hand icon, or dial *9 if you are calling in. Please state your name for the record. Once you start, you will have three (3) minutes to speak. Please note the Council is unable to respond directly to questions or enter into dialogue with commenters. Written comments may alternatively be submitted prior to the meeting via email to the City Clerk at mmaloney@ci.cloverdale.ca.us. Please note, all written comments received are considered public records and subject to disclosure under the California Public Records Act.

Council may recess for breaks and agenda items may be taken out of order.

Members of the City Council may participate in the meeting in person or via Zoom consistent with the provisions of Assembly Bill 361 amending the Brown Act.

A. OPENING PUBLIC SESSION

- Call to Order
- Pledge of Allegiance
- Roll Call
- Conflict of Interest Declaration
- Agenda Review (Changes and/or Deletions)

B. PUBLIC COMMENTS

Any person wishing to speak to the City Council on any item not listed on the agenda may do so at this time. Members of the public have the right to speak on any item on the Council Agenda at the time the item comes up for consideration. Pursuant to the Brown Act, the City Council is not allowed to consider issues or take action on any item not listed on the agenda. Three minutes are typically allotted to each speaker.

C. COMMUNICATIONS

Council may discuss at this time written communications sent to Councilmembers since the last council meeting. Written communications to be discussed will be listed below, if any.

D. PROCLAMATIONS/PRESENTATIONS

D.1 Native American Heritage Month

 [Proclamation - Native American Heritage Month](#)

D.2 Proclamation - Commissioner Shanahan Service Recognition

 [Proclamation - Commissioner Shanahan Service Recognition](#)

D.3 Student Liaison Report

E. CONSENT CALENDAR

All items under the Consent Calendar will be considered together by one action of the City Council unless any Councilmember or member of the public requests that an item be removed and considered separately.

E.1 Approval of the October 26, 2022 meeting minutes

Recommended Action(s):

Approve the October 26, 2022 Draft Minutes


 [October 26 2022 - Draft Minutes](#)

E.2 Cancellation Notice of the November 23, 2022 and December 28, 2022 regularly scheduled City Council meetings.

Recommended Action(s):

Cancel the November 23, 2022, and December 28, 2022, City Council meetings and request the City Clerk to notify and post the attached cancellation notices accordingly.

 [November 23, 2022 - Cancellation Notice](#)

 [December 28, 2022 - Cancellation Notice](#)

E.3 A Resolution of the City Council of the City of Cloverdale Authorizing Remote Teleconference Meetings of the City in Compliance with Assembly Bill 361

Recommended Action(s):

Adopt a Resolution entitled, "A Resolution of the City Council of the City of Cloverdale Authorizing Remote Teleconference Meetings of the City of Cloverdale of the City in Compliance with Assembly

Bill 361.”

 [Agenda Report](#)

 [Attachment 1 - Resolution](#)

- E.4 A Resolution of the City Council of the City of Cloverdale Approving an Agreement with the County of Sonoma Registrar of Voters for Election Services

Recommended Action(s):

Adopt a Resolution entitled, “A Resolution of the City Council of the City of Cloverdale Approving an Agreement with the County of Sonoma Registrar of Voters for Election Services.”

 [Agenda Report](#)

 [Attachment 1 - Resolution](#)

 [Attachment 2 - Exhibit A - Election Services Agreement](#)

- E.5 Resolution Amending the budget for 1. To hire with Green Valley Engineering Inc. for the Engineering Services Associated with Public Works Inspections 2. To cover expenses related to an emergency roll up door installation at Furber Park.


Recommended Action(s):

Adopt the attached resolution titled, “A resolution of the City Council of the City of Cloverdale approving a Budget Amendment to hire Green Valley Engineering for public works inspections in an amount not to exceed \$24,000 and \$19,323.86 for an emergency roll up door installation at Furber Park.”

 [Agenda Report](#)

 [Attachment 1 - Resolution](#)

 [Attachment 2 - Exhibit A - Budget Amendment Form](#)

 [Attachment 3 - Scope of Work](#)

 [Attachment 4 - Invoice](#)

- E.6 Amendment of the Solid Waste Collection Franchise Agreement between the City and Recology Sonoma Marin Inc. (Recology)

Recommended Action(s):

Adopt a Resolution entitled, “A Resolution of the City Council of the City of Cloverdale Approving the Second Amendment to Franchise Agreement for Collection, Disposal, and Processing of Solid Waste, Recyclables, and Compostable Materials and Related Activities Between The City of Cloverdale and Recology Sonoma Marin Inc.”

 [Agenda Report](#)

 [Attachment 1 - Resolution](#)

 [Attachment 2 - Exhibit A - 2nd Amendment to Franchise Agreement](#)

 [Attachment 3 - Exhibit A1 - Franchise Agreement Exhibit E- Rates](#)

 [Attachment 4 - Performance Review Report by R3](#)

- E.7 Agreement with Robert Smith to Provide Code Enforcement Services for the City of Cloverdale.

Recommended Action(s):

Adopt a Resolution entitled, “A Resolution of the City Council of the City of Cloverdale approving an agreement with Robert Smith in an amount not to exceed fifty thousand dollars (\$50,000) to provide code enforcement services for the City of Cloverdale and authorizing the City Manager to execute said agreement and approve a budget expenditure of fifty thousand dollars (\$50,000) to the General

Fund (100-50-502-42150-000)."

 [Agenda Report](#)

 [Attachment 1 - Resolution](#)

 [Attachment 2 - Exhibit A - Scope of Work and Proposal](#)

- E.8 Amendment No. 2 to Professional Services Agreement with West Yost Associates, Inc. to provide Interim City Engineer Services

Recommended Action(s):

Adopt a Resolution entitled, "A Resolution of the City Council of the City of Cloverdale Approving Amendment No. 2 to the Professional Services Agreement with West Yost, Inc. to Provide Professional Interim City Engineering Services for the Public Works Department, Authorizing the City Manager to Execute said Agreement at a Cost not to Exceed Three Hundred and Eighty five Thousand Dollars (\$385,000.00), and Authorizing a Budget Amendment to cover the proposed expense and extend the contract"

 [Agenda Report](#)

 [Attachment 1 - Resolution - PSA for Interim City Engineer](#)

 [Attachment 2 - Exhibit A - West Yost Proposal and Fee Estimate](#)

- E.9 Consideration of Resolution Approving a Memorandum of Understanding with the Dry Creek Rancheria Band of Pomo Indians Regarding the Formation of a Community Facilities District to Reimburse the Cost of Certain Public Infrastructure Improvements

Recommended Action(s):

Adopt a Resolution entitled, "A Resolution of the City Council of the City of Cloverdale Approving a Memorandum of Understanding with the Dry Creek Rancheria Band of Pomo Indians Regarding the Formation of a Community Facilities District to Reimburse the Cost of Certain Public Infrastructure Improvements."

 [Agenda Report](#)

 [Attachment 1 - Resolution](#)

 [Attachment 2 - Memorandum of Understanding](#)

 [Attachment 3 - MOU Exhibit B - Infrastructure Improvements](#)

F. PUBLIC HEARINGS

- F.1 Adoption of the 2022 California Building Standards Codes and the 2022 Fire Code by Reference and amending Title 15, "Buildings and Construction" of the Cloverdale Municipal Code.

Recommended Action(s):

1) Introduce, by title only and waiving reading of the text, of an Ordinance titled: An Ordinance of the City of Cloverdale Repealing and Replacing Cloverdale Municipal Code Chapters 15.00 through 15.18 and Adopting By Reference the 2022 California Building Standards Code, Title 24; the 2022 California Administrative Code (Part 1) including Tables; the 2022 California Building Code (Part 2) including Tables and Appendices C, I, J, O and P; the 2022 California Residential Building Code (Part 2.5) including Tables and Appendices AH, AQ, AS, AX, and AZ; the 2022 California Electrical Code (Part 3) including Tables and Appendices A, B, C, F, and G; the 2022 California Mechanical Code (Part 4) including Tables and Appendices B, C and F; the 2022 California Plumbing Code (Part 5) including Tables and Appendices A, B, C, D, G, I, J and K; the 2022 California Energy Code (Part 6) including Tables and Appendix 1-A; the 2022 California Historical Building Code (Part 8) including Tables and Appendix A; the 2022 California Fire Code (Part 9) with Appendices, Standards and NFPA Standards by Reference; the 2022 California Existing Building Code (Part 10) including Tables and Appendix A,

Chapters A1 through A5 ; the 2022 California Green Building Standards Code (Part 11) including Tables and Appendices A4 and A5; the 2022 California Referenced Standards Code (Part 12 of Title 24) including Tables; and the 2021 International Property Maintenance Code

2) By motion, schedule a public hearing for second reading and adoption of the Ordinance for December 14, 2022, at 6:00 p.m.

 [Agenda Report](#)

 [Attachment 1 - Ordinance \(Redline\)](#)

 [Attachment 2 - Ordinance](#)

G. NEW BUSINESS

G.1 Discussion on Potential Participation in Countywide Ban on Construction of New Gas Station Infrastructure

Recommended Action(s):


Receive update on countywide ban on construction of new gas stations and discussion on the City potentially participating in the countywide ban and provide direction to staff

 [Agenda Report](#)

 [Attachment 1 - RCPA Staff Report and Resolution](#)

 [Attachment 2 - RCPA Presentation](#)

 [Attachment 3 - Climate Emergency Resolution](#)

 [Attachment 4 - Sect 18.02.095](#)

 [Attachment 5 - Letter from CONGAS dated October 14, 2022](#)


 [Late Correspondence as of 11.8.22 at 3pm](#)

G.2 Establishing an Updated Salary Schedule for the Position of City Manager and Police Chief, Authorizing the Execution of any Needed Amendments to the At-Will Employment Agreements with David Kelley for the Position of City Manager and Jason Ferguson for the Position of Police Chief Implementing the New Salary Schedules, and Adopting an Updated City of Cloverdale Salary Schedule for All City Employees Dated November 10, 2022

Recommended Action(s):

Adopt a Resolution titled, "Resolution of the City Council of the City of Cloverdale Establishing an Updated Salary Schedule for the Position of City Manager and Police Chief, Authorizing the Execution of any Needed Amendments to the At-Will Employment Agreements with David Kelley for the Position of City Manager and Jason Ferguson for the Position of Police Chief Implementing the New Salary Schedules, and Adopting an Updated City of Cloverdale Salary Schedule for All City Employees Dated November 10, 2022."

 [Agenda Report](#)

 [Attachment 1 - Resolution](#)

 [Attachment 2 - Exhibit A - Salary Schedule](#)

H. SUBCOMMITTEE REPORTS

Subcommittee Agendas, Approved Minutes, and Video are available at www.cloverdale.net/agendacenter

Finance, Administration & Police:

Last Meeting [Agenda](#) | Next Meeting - December 5, 2022

Planning & Sustainability:

Last Meeting [Agenda](#) | Next Meeting - December 20, 2022

Public Works & Facilities:

Last Meeting [Agenda](#) | Next Meeting - November 16, 2022

Joint City/Cloverdale Unified School District:

Last Meeting [Agenda](#) | Next Meeting - November 14, 2022

Homelessness Community Advisory Group:

Last Meeting [Agenda](#) | Next Meeting - December 13, 2022

I. COUNCIL REPORTS

I.1 Reports

 [Councilmember Bagby](#)

J. LEGISLATIVE REPORTS, LETTERS OF SUPPORT/OPPOSITION

K. CITY MANAGER/CITY ATTORNEY REPORT(S)

L. STATUS UPDATES

CURRENT IMPACTS TO WATER SUPPLY:

COVID-19 EMERGENCY:

M. COUNCIL DIRECTION ON FUTURE AGENDA ITEMS

N. ADJOURNMENT

The next regular meeting of the City Council is scheduled for December 14, 2022.

CERTIFICATE OF POSTING

I, Mike Maloney, City Clerk, do hereby declare under penalty of perjury that the foregoing agenda was posted on 1) the outdoor bulletin board at City Hall, 124 N. Cloverdale Blvd., Cloverdale, CA 95425, and 2) Cloverdale Performing Arts Center, 209 N. Cloverdale Blvd., Cloverdale, CA 95425; online at cloverdale.net/agendacenter and made available for public review at least 72 hours prior to the meeting as required by the Brown Act.

Date posted: 11.2.2022 **Time posted:** 5 p.m. **City Clerk Signature:** s/Mike Maloney

IMPORTANT NOTICES REGARDING CITY COUNCIL MEETINGS

DISABLED OR SPECIAL NEEDS ACCOMMODATION: In compliance with the Americans with Disabilities Act, if you need assistance to attend or participation in a City Council meeting, please contact the City Clerk's office at 894-2521. Notification at least 72 hours prior to the meeting will assist the City Clerk in assuring those reasonable accommodations are made to provide accessibility to the meeting.

AB343 REQUIREMENTS: Any writings or documents provided to a majority of the City Council regarding any item on this agenda will be made available for public inspection in the City Hall offices located at 124 N. Cloverdale Blvd., Cloverdale, CA 95425 during normal business hours.

WAIVER WARNING: If you challenge decisions/directions of the City Council in court, you may be limited to raising only those issues you or someone else raised at public hearings described in this agenda, or in written correspondence delivered to the City of Cloverdale, or prior to, the public hearing.

TRANSCRIPTIONS: The City does not transcribe its proceedings. Anyone who desires a verbal record of this meeting should arrange for an attendant by a court reporter or for other acceptable means of recording. Such arrangement will

be at the sole expense of the individual requesting the recordation. Question about this agenda should be directed to City Hall at 707-894-2521. Video recordings are available at cloverdale.net/agendacenter

The City of Cloverdale thanks you in advance for taking all precautions to prevent spreading COVID-19.