



124 N. Cloverdale Boulevard  
Cloverdale, CA 95425  
Phone: 707-894-2521  
[www.cloverdale.net](http://www.cloverdale.net)

## AGENDA

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

WEDNESDAY, FEBRUARY 22, 2023

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

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**CLOSED SESSION: 5 PM**  
**THIS PORTION OF THE MEETING IS CLOSED TO THE PUBLIC**

**OPEN SESSION: 6 PM**  
**THIS PORTION OF THE MEETING IS OPEN TO THE PUBLIC**

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#### **PUBLIC PARTICIPATION:**

City Council welcomes public interest, attendance, and participation at meetings. Attendees may join open session both in-person at the **Cloverdale Performing Arts Center, 209 N. Cloverdale Blvd**, virtually at [www.zoom.us/join](http://www.zoom.us/join), or by telephone: 1.669.900.6833, both using **Meeting ID: 823 1668 4527**; or directly online at <https://us02web.zoom.us/j/82316684527>. Regular City Council meetings are also streamed on YouTube via live webcast at [cloverdale.net/youtube](http://cloverdale.net/youtube).

Members of the public may 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 [cityclerk@ci.cloverdale.ca.us](mailto:cityclerk@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 the Brown Act.

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## CLOSED SESSION

### A. OPENING CLOSED SESSION:

Call to Order

Roll Call

Closed Session Agenda Review (Changes and/or Deletions)

### PUBLIC COMMENTS ON CLOSED SESSION AGENDA:

Prior to recessing into Closed Session, the public may speak on items to be addressed in Closed Session. Per City Council Policy, three minutes are allotted to each speaker.

### RECESS TO CLOSED SESSION TO HEAR THE FOLLOWING ITEM(S):

#### A.1 CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION:

(Pursuant to Government Code Section 54956.9(d)(1))

**Name of Case:** Thomas Lion and Colleen Shields v. City of Cloverdale, Superior Court of California, County of Sonoma

**Case No.:** SCV 262894

## OPEN SESSION

### B. OPENING PUBLIC SESSION

Call to Order

Pledge of Allegiance

Roll Call

Report Out on Closed Session

Conflict of Interest Declaration

Agenda Review (Changes and/or Deletions)

### C. 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.

### D. 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.

### E. PROCLAMATIONS/PRESENTATIONS

E.1 Presentation - Student Liaison Report

### F. 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.

F.1 Minutes Approval - February 8, 2023

**Recommended Action(s):**

Approve the February 8, 2023 Draft Minutes.

[📎 February 8, 2023 - Draft Minutes](#)

- F.2 Budget amendment to the FY 2022-23 Operating budget to cover additional costs due to the increase in price for chemicals in both the Water and Wastewater Enterprises.

**Recommended Action(s):**

Adopt a Resolution Entitled, “A Resolution of the City of Council of the City of Cloverdale Approving a Budget Amendment to the Fiscal Year 2022-23 Budget In the City Of Cloverdale Wastewater Treatment Operating Supplies Fund (630-40-800-43115) in the Amount of \$50,000 and the City Of Cloverdale Water Treatment Operating Supplies Fund (600-40-800-43115) In the Amount of \$50,000.”

[📎 Agenda Report](#)

[📎 Attachment 1 - Resolution](#)

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

[📎 Attachment 3 - Water Treatment Plant Chlorine](#)

[📎 Attachment 4 - Wastewater Plant Chlorine](#)

[📎 Attachment 5 - Caustic Soda Increase](#)

- F.3 Amend the Fiscal Year 2022-23 budget to cover the cost of change orders associated with the construction of the City Park Basketball Project.

**Recommended Action(s):**

Adoption of a Resolution Entitled, “A Resolution of the City Council of the City of Cloverdale approving a budget amendment in the amount of \$78,652 establishing an updated project budget for the City Park Basketball Project in the amount of \$557,437.

[📎 Agenda Report](#)

[📎 Attachment 1 - Resolution](#)

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

- F.4 A resolution terminating the State of Local Emergency Regarding COVID-19 on February 28, 2023, or at such other time that the State of California’s COVID-19 state of emergency is terminated

**Recommended Action(s):**

Adopt a Resolution Entitled, “A Resolution of the City Council of the City of Cloverdale Terminating the Existence of a Local Emergency Related to the Novel Coronavirus (“COVID-19”).

[📎 Agenda Report](#)

[📎 Attachment 1 - Resolution](#)

[📎 Attachment 2 - Resolution 032-2020](#)

- F.5 Amended Policy for the Outdoor Display of Flags to include Rotary “Peace” flag and agreement with the Rotary Club of Cloverdale to Install a Commemorative Flagpole on the Cloverdale Park Plaza for Display of a “Peace” and other Commemorative Flags approved by the City Council

**Recommended Action(s):**

Adopt a Resolution Entitled, “A Resolution of the City Council of the City of Cloverdale Approving an Amended Flag Policy for the Outdoor Display of Flag by the City of Cloverdale and an Agreement with the Cloverdale Rotary Policy to Install a Flagpole on the Park Plaza for display of a “Peace” Flag and other Commemorative Flags Approved by the City Council.”

[📎 Agenda Report](#)

- [📎 Attachment 1 - Resolution](#)
- [📎 Attachment 2 - Exhibit A - Amended Policy](#)
- [📎 Late Correspondence as of 2.21.2023 235 p.m.](#)

## G. PUBLIC HEARINGS

## H. NEW BUSINESS

### H.1 Continued 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 Power Point - 9.13.2021](#)
- [📎 Attachment 3 - Climate Emergency Resolution](#)
- [📎 Attachment 4 - Non-Conforming Gas Stations Sect. 18.02.095](#)
- [📎 Attachment 5 - CONGAS Letter Dated October 14, 2022](#)
- [📎 Late Correspondence as of 2.21.2023 12 p.m.](#)

### H.2 Dog Park Capital Improvement Project

#### **Recommended Action(s):**

Adopt a Resolution Entitled, "A Resolution of the City Council of the City of Cloverdale authorizing the initiation of the construction of a dog park on a property owned by the Sonoma Marin Area Rail Transit (SMART) located at 501 S. Asti Road (APN 116-260-047), approving an amendment to the Capital Improvement Program (CIP) to include a revised Dog Park CIP project worksheet and cost estimate, approving a Budget Amendment to FY 22/23 Budget in the amount not to exceed \$199,433, authorizing the City Manager to enter into license agreement with SMART in a form approved by the City Attorney and approve a Professional Service Agreement with Moe Engineering for design work in and amount not to exceed \$25,500."

- [📎 Agenda Report](#)
- [📎 Attachment 1 - Resolution](#)
- [📎 Attachment 2 - Exhibit A - Revised CIP Sheet](#)
- [📎 Attachment 3 - Exhibit B - Budget Amendment Form](#)
- [📎 Attachment 4 - Exhibit C - License Agreement](#)
- [📎 Attachment 5 - Exhibit D - MOE Engineering Proposal](#)
- [📎 Attachment 6 - Fencing Proposal](#)

### H.3 Update on Remote Participation in Public Meetings

#### **Recommended Action(s):**

Receive information and provide staff direction, if needed.

- [📎 Agenda Report](#)
- [📎 Attachment 1 - AB 2449](#)
- [📎 Attachment 2 - Traditional Brown Act Teleconferencing](#)

## I. SUBCOMMITTEE REPORTS

Subcommittee Agendas, Approved Minutes, and Media are available at [www.cloverdale.net/agendacenter](http://www.cloverdale.net/agendacenter)

**Finance, Administration & Police:**

Last Meeting [Agenda](#) | Next Meeting - March 6, 2023 (January 2, 2023 Cancelled)

**Planning & Sustainability:**

Last Meeting [Agenda](#) | Next Meeting - February 21, 2023 (and March 8, 2023)

**Public Works & Facilities:**

Last Meeting [Agenda](#) | Next Meeting - February 28, 2023

**Joint City/Cloverdale Unified School District:**

Last Meeting [Agenda](#) | Next Meeting - April 17, 2023 (February 20, 2023 Cancelled)

**Homelessness Community Advisory Group:**

Last Meeting [Agenda](#) | Next Meeting - June 12, 2023

**J. COUNCIL REPORTS**

J.1 Written Reports

 [Councilmember Report: Morgenstern](#)

**K. INFORMATIONAL REPORTS**

**L. LEGISLATIVE REPORTS, LETTERS OF SUPPORT/OPPOSITION**

**M. CITY MANAGER/CITY ATTORNEY REPORT(S)**

**N. STATUS UPDATES**

CURRENT IMPACTS TO WATER SUPPLY

**O. COUNCIL DIRECTION ON FUTURE AGENDA ITEMS**

(City Council and Council Subcommittee)

**P. ADJOURNMENT**

To the next regular meeting of the City Council scheduled for March 8, 2023

**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 [www.cloverdale.net/agendacenter](http://www.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:** 2.16.2023 **Time posted:** 5:15 p.m. **City Clerk Signature:** s/Mike Maloney

**IMPORTANT NOTICES REGARDING CITY COUNCIL MEETINGS**

**SPECIAL NEEDS ACCOMMODATIONS:** In compliance with the Americans with Disabilities Act and Title VI, if you need special assistance to participate in this meeting, please contact the City Clerk's office at [cityclerk@ci.cloverdale.ca.us](mailto:cityclerk@ci.cloverdale.ca.us) or 707.894-1712. Notification at least 72 hours prior to the meeting will enable the City to make 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, however, Zoom translation may be available upon request. Anyone who desires a verbal or written 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 [www.cloverdale.net/agendacenter](http://www.cloverdale.net/agendacenter)

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