



## MINUTES

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

WEDNESDAY, January 13, 2021

**CLOSED SESSION: 5:00 p.m.**

**Location: Via Teleconference**

**PUBLIC BUSINESS SESSION: 6:00 p.m.**

**Location: Via Teleconference**

**This meeting was not be physically open to the public pursuant to the provisions of the Governor's Executive Order N-29-20, which suspended certain requirements of the Brown Act.**

#### CLOSED SESSION

**CLOSED SESSION: 5:00 p.m.**

#### **OPENING:**

- Call to Order – Acting Mayor Bagby called to order the closed session at 5:04 p.m.
- Roll Call - Present at Roll Call were Acting Mayor Bagby (via teleconference), Councilmember Lands (via teleconference) and Councilmember Wolter (via teleconference). Mayor Turner was absent (excused) and Vice Mayor Cruz abstained from participating in the closed session due to the proximity of the project to her place of residence.
- Agenda Review – Closed Session (Changes and/or Deletions) – None.

**PUBLIC COMMENTS ON CLOSED SESSION AGENDA:** Prior to adjournment into Closed Session, the public may speak on items to be addressed in Closed Session.

Acting Mayor Bagby opened public comment.

Preston Addison, Cloverdale Unified School Board President, shared information about the lack of state funding available to school districts when new development projects come in, making it difficult to fund quality facilities for the influx of new students. Mr. Addison requested the City Council consider making the students a priority when discussing new development.

Betha MacClain, Cloverdale Unified School District Superintendent, urged the City Council to work in partnership with the District to provide quality facilities for students, avoid overcrowding of students and maintain a high level of community. Ms. MacClain shared she is excited at the idea of expansion and looks forward to an opportunity where it is feasible to meet the needs of new students as a result of new development.

Acting Mayor Bagby closed public comment. Acting Mayor Bagby, Councilmember Lands and Councilmember Wolter recessed to Closed Session.

#### **RECESS TO CLOSED SESSION:**

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

Property: Thyme Square, West Side of S. Cloverdale Boulevard between Citrus Fair Drive and Healdsburg Avenue, APN 001-440-051  
Agency negotiator: City Attorney Sanchez and Assistant City Manager Thompson  
Negotiating parties: Integrated Community Development  
Under negotiation: Disposition of Real Property

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

**OPENING:**

- Call to Order – Vice Mayor Cruz called to order the Business Session at 6:02 p.m.
- Pledge of Allegiance – Vice Mayor Cruz led in the Pledge of Allegiance.
- Roll Call – Present at Roll Call Vice Mayor Cruz (via teleconference), Councilmember Bagby (via teleconference), Councilmember Lands (via teleconference) and Councilmember Wolter (via teleconference) were present. Mayor Turner was absent (excused).
- Report Out of Closed Session – City Attorney Sanchez reported no reportable action was taken during the closed session.
- Conflict of Interest Declaration – Vice Mayor Cruz stated she would be recusing herself from voting on Consent Calendar Item No. 4 (*Resolution Approving an Exclusive Negotiating Agreement (ENA) with Integrated Community Development for the Design and Development of an Affordable Housing Project on Parcel “A” of the Thyme Square Project*) due to the proximity of the project to her place of residence.
- Agenda Review – Regular Session (Changes and/or Deletions) – None.

**PUBLIC COMMENTS:**

Vice Chair Cruz opened the public comment period.

Renee Roe, Cloverdale resident, shared she continues to be concerned on the topics of increasing crime, safety, fire risk, and pollution on the river, and the impact to citizens and businesses, and suggested establishing a separate subcommittee to address transients and crime.

Christina Lepe-Duarte, Cloverdale resident, shared her concerns over the conduct of a Councilmember’s personal Facebook page. Ms. Lepe-Duarte asked the City Council to start setting new standards among its leadership to envelope inclusivity. In addition, Ms. Lepe-Duarte requested the City Council consider closed captioning for their live meetings.

Angela Cordova, Cloverdale resident, inquired what the City Council’s position was on the use of personal Facebook pages by Councilmembers and questioned its allowed use to engage the community on items not up for Council discussion.

City Manager Kelley shared Assembly Bill (AB) 992 became effective on January 1, 2021. AB 992 addresses the role of social media in communications with the public by amending the Brown Act. AB 992 also addresses how social media platforms interact with the Brown Act’s provisions concerning serial meetings.

Luanne Fabion, Cloverdale resident, shared she did not read any social media posts that were disrespectful, simply a point of view and nothing to do with current items up for City Council discussion.

Barry Miller, Cloverdale resident, submitted written comments (on file in the City Clerk’s Office) to address a recent Facebook engagement by one of the City Councilmembers. He commends the Councilmember for bringing awareness to the community about a very serious discussion regarding our School Board and its decision.

**PROCLAMATIONS/PRESENTATIONS:**

- 1. Student Liaisons Reports** – Student Liaison Summer Lands shared the district has implemented a new class schedule called the three by three, in preparation of a hybrid program when students can return in-person. Ms. Lands also shared activities being conducted through Student Government.

**CONSENT CALENDAR:**

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

Councilmember Wolter requested Consent Calendar Item No. 4 (*Resolution Approving an Exclusive Negotiating Agreement (ENA) with Integrated Community Development for the Design and Development of an Affordable Housing Project on Parcel “A” of the Thyme Square Project*) be pulled for discussion.

Councilmember Lands requested Consent Calendar Item No. 5 (*Resolution Authorizing the City Manager to Execute a Professional Services Agreement with V&A Consulting Engineers, Inc. to Provide Professional Engineering for Open Channel Flow Monitoring Services at a Cost Not to Exceed \$58,250.00 and Authorizing the Budget Amendment*) be pulled for discussion.

Councilmember Wolter motioned and Councilmember Bagby seconded, to approve Consent Calendar Items 2, 3, 6, and 7. The motion carried with the following roll call vote: Ayes-4 (Councilmembers Bagby, Lands and Wolter, and Vice Mayor Cruz, Noes-0, Abstain-0, Absent-1 (Mayor Turner).

- 2. Approval of Previous Meetings Minutes**

By motion, approved the regular meeting minutes of December 9, 2020.

- 3. Resolution Authorizing the City Manager to Execute a Professional Services Agreement with Coastland Engineering, Inc. to Provide Professional Engineering and Land Surveying Services for 4th Street Reconstruction Project at a Cost Not to Exceed \$59,251.50**

**Adopted Resolution No. 001-2021** entitled, “A Resolution of the City Council of the City of Cloverdale Approving a Professional Services Agreement with Coastland Civil Engineering, Inc., to Provide Professional Engineering and Land Surveying Services for 4th Street Reconstruction Project and Authorizing the City Manager to Execute Said Agreement.”

- 4. Resolution Approving an Exclusive Negotiating Agreement (ENA) with Integrated Community Development for the Design and Development of an Affordable Housing Project on Parcel “A” of the Thyme Square Project**

This item was pulled from the consent calendar.

- 5. Resolution Authorizing the City Manager to Execute a Professional Services Agreement with V&A Consulting Engineers, Inc. to Provide Professional Engineering for Open Channel Flow Monitoring Services at a Cost Not to Exceed \$58,250.00 and Authorizing the Budget Amendment**

This item was pulled from the Consent Calendar.

**6. Resolution Accepting Public Improvements Performed by Alexander Valley View Homes, LP. for the Alexander Valley View Subdivision and Authorizing the City Manager to Close the Subdivision Improvement Agreement with Blackstone Lucas, LLC and Release All Undisputed Bonds**

**Adopted Resolution No. 004-2021** entitled “A Resolution of the City Council of the City of Cloverdale accepting public improvements performed by Alexander Valley View Homes, LP. for the Alexander Valley View Subdivision and authorizing the City Manager to close the Subdivision Improvement Agreement with Blackstone/Lucas, LLC and release all undisputed bonds.”

**7. Resolution Authorizing the City Manager to Execute a Professional Services Agreement with HdL for Business License Administration**

**Adopted Resolution No. 005-2021** entitled, “A Resolution of the City Council of the City of Cloverdale Approving a Professional Services Agreement with HdL Companies to Provide Business License Administration and Authorizing the City Manager to Execute Said Agreement”.

**Consent Calendar Item No. 4 and 5 were discussed at this time, beginning with Item 5.**

**5. Resolution Authorizing the City Manager to Execute a Professional Services Agreement with V&A Consulting Engineers, Inc. to Provide Professional Engineering for Open Channel Flow Monitoring Services at a Cost Not to Exceed \$58,250.00 and Authorizing the Budget Amendment**

Councilmember Lands requested additional information on the testing locations and its affects to future development following the project results.

City Manager Kelley informed the Council that the service is being conducted as part of updating the City’s master plan specific to southwest area to evaluate the sewer capacity within the system.

City Engineer/Public Works Director Rincon provided additional information on the item. Mr. Rincon reported there are five locations being monitored in the winter season to identify if the system will support future development and observe if the systems are near surcharge. The information captured will be provided to the consultant who is conducting the engineering analysis of the system.

Vice Mayor Cruz opened the public comment period. No comments were forthcoming.

Councilmember Lands motioned and Councilmember Bagby seconded, to **Adopt Resolution No. 003-2021** entitled, “A Resolution of the City Council of the City of Cloverdale Approving a Professional Services Agreement with V&A Consulting Engineers, Inc. to provide Open Channel Flow Monitoring Services for the Infrastructure Assessment of the southwest Cloverdale Planning Area Project and Authorizing the City Manager to Execute Said Agreement”. The motion carried with the following roll call vote: Ayes-4 (Councilmembers Bagby, Lands and Wolter, and Vice Mayor Cruz, Noes-0, Abstain-0, Absent-1 (Mayor Turner).

Vice Mayor Cruz recused herself from the meeting at this time.

**4. Resolution Approving an Exclusive Negotiating Agreement (ENA) with Integrated Community Development for the Design and Development of an Affordable Housing Project on Parcel “A” of the Thyme Square Project**

This item was pulled from the consent calendar.

City Manager Kelley recommended the Council select a chair as Acting Mayor to chair the item due to the absence of the Mayor and recusal of the Vice Mayor.

Councilmember Wolter nominated Councilmember Bagby as Acting Mayor for discussion of this item. Councilmember Lands supported the nomination.

City Attorney Sanchez requested the minutes reflect Vice Mayor Cruz recused herself from this item due to a conflict of interest, the project proximity to her place of residence is within 1,000 feet.

Assistant City Manager/Community Development Director Thompson reported on the item. Mr. Thompson clarified a section of the staff report indicated that the right to develop Thyme Square was approved at the August 26, 2020 City Council meeting, the correct action and direction at the August 26, 2020 City Council meeting was to bring back the exclusive negotiating agreement.

City Attorney Sanchez further clarified that this agreement does not provide a right to start construction or development, it simply indicates the City will negotiate elusively with this entity for possible development in this area. Project development would have to go through the normal procedures for review and processing.

Acting Mayor Bagby opened the public comment period.

Preston Addison, Cloverdale Unified School Board President, wanted to get into the process early and expressed his support for development personally, for the school district and community. Mr. Addison requested the Council consider the needs of new students coming into the community with new development. Smart community development considers the educational needs of the students and keep in mind that affordable housing units can bring in the most vulnerable students social economically and require looking out for. Mr. Addison requested the Council make sure the developers take this into account when bringing in a new development into the community. No funding mechanisms are available from the state to meet new student needs, including local development fees.

Betha MacClain, Cloverdale Unified School District Superintendent, understands this is preliminary and stressed the importance of the affiliation between city and developer to be in the best interest of the community, especially when development is adjacent to schools. Investment by a developer will impact the local schools and the stability of the people who occupy the units, as everything is interconnected. Ms. MacClain expressed schools are at the heart of any well-planned community and wishes to be a partner during development discussions in order to be equipped to serve future students.

Acting Mayor Bagby closed the public comment period.

Council and staff discussion ensued.

Councilmember Lands requested staff provide data on the City's current low, medium and high income homes when it becomes available, and supports scheduling a future workshop with the School District.

Councilmember Wolter motioned and Councilmember Lands seconded, to **Adopt Resolution No. 002-2021** entitled, "A Resolution of the City Council of the City of Cloverdale approving an Exclusive Negotiating Agreement (ENA) with Integrated Community Development for design and development of an affordable housing project on Lot "A" (A.P.N.: 001-440-051) of the City/Housing Successor Agency owned Thyme Square property and authorizing the City Manager to Execute the agreement". The motion carried with the following roll call vote: Ayes-3 (Acting Mayor Bagby, and Councilmembers Lands and Wolter, Noes-0, Abstain-1 (Vice Mayor Cruz), Absent-1 (Mayor Turner).

Vice Mayor Cruz returned to meeting at this time.

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

- Correspondence from Al Myers, Board President of the Cloverdale Senior Multi-purpose Center, establishment of a Food Security Taskforce.

Additional communications were received after the agenda packet was published from the following (all on file in the City Clerk's Office):

- Thomas Bowerman - No Parking Zone adjacent to Stonegate Circle
- Kenneth Fedder - Water Shortage for Cloverdale Year 2020-2021
- Renee Roe - Transients and Crime in Cloverdale

Vice Mayor Cruz stated that communication items may be brought forward at the next Council meeting, as she had a conflict of interest with one of the communications.

City Attorney Sanchez stated staff will be reviewing the correspondence received to determine the items that need to return for Council discussion at a future meeting.

City Manager Kelley informed the Council that Mr. Myers will be modifying his request regarding establishment of food security. Vice Mayor Cruz suggested the item be further discussed under the **STATUS UPDATE ON CURRENT EMERGENCY:** Discussion and possible direction related to COVID-19.

**PUBLIC HEARINGS:** None.

**NEW BUSINESS:**

**8. Discussion and Direction on Draft City Council 2021 Subcommittee, Joint Committees and Regional Board/Committee Appointments**

City Manager Kelley provided a brief overview on the item.

Council and staff discussion ensued.

Vice Chair Cruz opened the public comment period.

Preston Addison, Cloverdale Unified School Board President, spoke in support in the appointment of Councilmember Lands to the Joint City/Cloverdale Unified School District Subcommittee.

Renee Roe, Cloverdale resident, spoke in support of having someone with a law enforcement background, like Councilmember Lands, to be appointed to the Finance & Administration & Police Subcommittee.

City Manager Kelley further expanded that the Homelessness Community Advisory Group Goal 2 (*Prevent and mitigate any public health and public safety impacts on the community stemming from homelessness*) of its strategic plan was intended to focus on crime related to homelessness.

Al Myers, Board President of the Cloverdale Senior Multi-purpose Center, expressed appreciation to councilmember Lands and Vice Mayor Cruz for being liaisons to the Center, and inquired when his communication would be up for discussion. City Manager Kelley confirmed for Mr. Myers that his communication will be discussed under the item, **STATUS UPDATE ON CURRENT EMERGENCY:** Discussion and possible direction related to COVID-19.

Angela Cordova, Cloverdale resident, spoke in support of Councilmember Lands be appointed to the Finance & Administration & Police Subcommittee.

Christina Lepe-Duarte, Cloverdale resident, thanked the Council, Al Myers and Melanie Hall for their support of the Senior Center and wished to remind the Council to stay clear of any conflicts of interest.

Vice Chair Cruz closed the public comment period.

Police Chief Ferguson appreciated the comments made and acknowledged he and Councilmember Lands have a good rapport to work together to address the concerns raised by the community. Chief Ferguson is happy to provide statistics as requested.

Following discussion, consensus was to support the assignment of members of the Council to the following City Subcommittees, Joint Committees and Regional Board/Committee Appointments, with the understanding that further discussion will take place at the Council's regular meeting scheduled for January 27, 2021:

**City Subcommittees / Joint Committees**

Finance & Administration & Police:	Turner; Bagby
Planning & Sustainability:	Bagby; Cruz
Public Works & Facilities:	Wolter; Turner
Joint City/Cloverdale Fire District:	Cruz; Lands
Joint City/Cloverdale Unified School District:	Lands; Wolter

Following discussion, consensus was to maintain the 2021 City Subcommittees / Joint Committees meeting schedule as presented.

Following discussion, consensus was to support the assignment of the 2021 Regional Board Appointments as presented with the following changes:

- Addition of the Homelessness Community Advisory Group assigning Lands; Cruz (Alt)
- Sonoma Co. Open Space District Advisory Board as N/A

Council direct staff to return with a resolution to ratify the appointments and set the meeting dates and times at the January 27, 2021, City Council meeting.

**SUBCOMMITTEE ITEMS:** None.

**SUBCOMMITTEE REPORTS:** (VERBAL REPORTS: 15 minutes) - Each respective subcommittee chair presented updates on subcommittee meetings held and future items of discussion.

- Finance, Administration & Police - Next Meeting: February 2, 2021, 1:30 p.m.
  - Update on St. Joseph Health - Building Self-Healing Communities
  - Update on COVID-19 Opening and Recovery Plans
- Planning & Sustainability - Next Meeting: February 16, 2021, 4:00 p.m.
  - Update on Six Acres Water Company/South Cloverdale Water Company
- Public Works - Next Meetings: January 26, 2021, 4:00 p.m.
  - Update on Sonoma County Transit Shuttle Bus Routes
- Joint City/Fire District - Next Meeting: Special Date: February 8, 2021, 5:30 p.m.
  - Vegetation Management Activities
- Joint City/School District– Next Meetings: January 2021 (schedule TBD), 5:00 p.m.
  - Update on Distance Learning/Hybrid Model
- Homelessness Community Advisory Group – Next Meeting: Date to be Determined, 5:00 p.m.

- Continue Review of Draft Strategic Plan Goals 5-7
- Review Priority Ranking Sheets

**COUNCIL REPORTS (VERBAL REPORTS: 15 minutes):**

Councilmember Bagby submitted her report in writing (on file in the City Clerk's Office) and shared Sonoma Clean Power did pass a resolution to join a JPA for the purpose of power acquisition. Councilmember Bagby shared the link to the annual report for SCTA/RCPA is available in her report.

Vice Mayor Cruz submitted her report in writing (on file in the City Clerk's Office) and reported that all Zero Waste events have been cancelled due to the pandemic.

**INFORMATIONAL REPORTS:** None.

**LEGISLATIVE REPORTS, LETTERS OF SUPPORT/OPPOSITION:** None.

**CITY MANAGER/CITY ATTORNEY REPORT(S):** None.

**STATUS UPDATE ON CURRENT EMERGENCY:** Discussion and possible direction related to COVID-19.

City Manager Kelley provided an update on the reopening metrics, tied to our regional Intensive Care Unit (ICU) capacity and daily case data. Mr. Kelley also reported on local vaccine distribution and noted the City's essential workforce is on standby to receive the vaccination as it becomes available. To date, two officers and two dispatchers have received vaccination. Mr. Kelley reported work is being done at the County level to continue and expand pop-up testing sites in Cloverdale and announced the Paycheck Protection Program has reopened. Food and security have been ongoing discussions at the weekly Resilient Cloverdale meetings.

Vice Mayor Cruz invited Mr. Al Myers to speak on his communication regarding food insecurity.

Al Myers, Board President of the Cloverdale Senior Multi-purpose Center, originally called for a task force to eliminate food insecurity but wished to rearrange his request due to the legislative process, Brown Act requirements and additional specifics. Mr. Myers emphasized this is a more urgent situation due to the coming short fall of funding and is willing to put together and chair a work group to help through this crisis and development methods, along with long range planning. We need to look at being sustainable to be resilient.

Vice Mayor Cruz thanked Mr. Myers.

**COUNCIL DIRECTION ON FUTURE AGENDA ITEMS:** Vice Mayor Cruz requested to review and discuss the Governance Manual to bring up to date. Councilmember Bagby requested this item come back to the Finance, Admin and Police Subcommittee.

Vice Mayor Cruz requested to have drought updates, including an item on the Public Works and Facilities Subcommittee and a follow-up to the Council's initial Bias training held in August 2020.

City Manager Kelley recommended to add an item on the agenda regarding updates on water conditions, following the emergency updates item.

Councilmember Bagby suggested scheduling a workshop to address funding shortfalls to accommodate new students and concerns brought forward by the School District regarding new development. City Manager Kelley recommended coordinating with the Cloverdale School District Superintendent MacClain and Board President Addison to schedule a future workshop and agenda.



Councilmember Wolter requested coordination of annual and bi-annual required training.

**ADJOURNMENT:** Vice Mayor Cruz adjourned the meeting at 8:08 p.m., to a regular meeting of the City Council and Cloverdale Community Development Successor Agency, January 27, 2021 for Closed Session at 5:00 p.m. (by teleconference) and Public Business Session at 6:00 p.m. (by teleconference).

The foregoing minutes were duly introduced and adopted by the City Council of the City of Cloverdale at its regular meeting held on the 27<sup>th</sup> day of January 2021 by the following roll call vote:

<b>AYES:</b>	<b>(5)</b>	<b>Councilmembers Bagby, Lands and Wolter, Vice Mayor Cruz and Mayor Turner</b>
<b>NOES:</b>	<b>(0)</b>	<b>None</b>
<b>ABSTAIN:</b>	<b>(0)</b>	<b>None</b>
<b>ABSENT:</b>	<b>(0)</b>	<b>None</b>

APPROVED:

*Jason Turner*

Jason Turner (Jan 31, 2021 12:01 PST)

Jason Turner, Mayor

ATTEST:

*Irene Camacho-Werby*

Irene Camacho-Werby, City Clerk

