



## MINUTES

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

WEDNESDAY, APRIL 14, 2021

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

**Location: Via Teleconference**

**The Regular Meeting was conducted pursuant to the provisions of the Governor's Executive Order N-29-20. All members of the City Council participated in the meeting remotely via teleconferencing or other electronic means consistent with Executive Order N-29-20, which suspended certain requirements of the Brown Act.**

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

##### **OPENING:**

- Call to Order – Mayor Turner called to order the Public Business Session at 6:00 p.m.
- Pledge of Allegiance – Councilmember Lands led in the Pledge of Allegiance.
- Roll Call – Present at Roll Call were Councilmember Bagby (via teleconference), Councilmember Lands (via teleconference), Councilmember Wolter (via teleconference), and Mayor Turner (via teleconference). Vice Mayor Cruz was absent, excused.
- Conflict of Interest Declaration – None.
- Agenda Review – Regular Session (Changes and/or Deletions) – Vice Mayor Turner took the opportunity to acknowledge Dispatcher's Week and extend his appreciation to our Dispatchers Caitlin Jensen, Tami Lemley, Michael Newhall, Carolyn Peterson, Lori Smith, Darlene Strattan and Police Technical Services Manager Linda Webb, whose diligence and professionalism keep our city and citizens safe. A formal proclamation will be read at the next meeting. Mayor Turner shared his personal story seeking the assistance of dispatchers.

Police Chief Ferguson also acknowledged the work done by the dispatchers and shared that on an average annual basis, have taken in 17,427 police related calls, 1,746 medical calls and 60 fire calls, thousands of telephone calls and 1,076 9-1-1 Emergency calls in addition to their regular daily responsibilities.

City Manager Kelley reiterated the comments expressed and shared that the dispatchers are also the hub call-takers for surrounding cities and entities.

**PUBLIC COMMENTS:** Mayor Turner opened public comment.

Wayne Diggs, Cloverdale resident, shared his appreciation and acknowledged the work performed by the City in and along the area of the Open Space behind Clover Springs. Mr. Diggs expressed this was a good start and hopes to work with the local fire department or fire prevention officer to assist with removal of fallen dead trees along the main trails.

City Manager Kelley reported staff is coordinating with Cloverdale Fire Protection District Fire Chief Jenkins on a presentation update on fire safe practices and acknowledged Parks & Maintenance Lead Galvan has been coordinating with Cloverdale Fire Protection District on a vegetation management proposal which will come before the City Council for discussion at a future meeting.

Councilmember Bagby requested to include the Northern Sonoma County Air Pollution Control District as part of the discussion.

**PROCLAMATIONS/PRESENTATIONS:**

**1. Student Liaisons Reports**

Student Liaison Summer Lands reported Cloverdale students have returned to school this week. Schools have divided students into two cohorts with each cohort attending opposite days. The pick-up and drop-off procedures have also been updated to improve traffic flow during these times.

**2. Proclamation Recognizing the Month of April 2021, as Sexual Assault Awareness Month**

Mayor Turner Read a proclamation recognizing the month of April 2021, as Sexual Assault Awareness Month.

Mayor Turner recognized this proclamation resonated with many, due to current local events, and encouraged anyone who would like to comment to please do so. Councilmember Bagby thanked the Mayor for reading the proclamation and expressed that in light of recent local news, victims of sexual assault who have come forward are only those known about and encouraged other victims to come forward, as this is an opportune time due to the stated allegations against a local leader. Councilmember Wolter agreed the reading of this proclamation was timely and there is no excuse for this type of behavior. City Manager Kelley reported the proclamation was requested for reading by Verity, Sonoma County's Rape Crisis, Trauma, and Healing Center. Verity operates their crisis line 24-hours a day, 7 days a week. Hotline Number: (707) 545-7273 / Website at: [Verity ~ Verity \(ourverity.org\)](http://ourverity.org)

No comments were forthcoming from the public.

Mayor Turner welcomed Trevor Taniguchi, Associate with Meyers Nave, sitting in for City Attorney Sanchez.

**CONSENT CALENDAR:**

Mayor Turner 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 Lands requested to pull Consent Item No. 7. (*Resolution Authorizing the City Manager to Execute a Professional Services Agreement with West Yost Associates, Inc. to Provide Professional Engineering Services for Pond Solids Removal Project at a Cost Not to Exceed \$129,675.00*) and No. 9 (*Resolution Approving Agreement with Deep Valley Security for the purchase and installation of security camera and video intercom with access control at the entrance of City Hall*).

Councilmember Wolter motioned, and Councilmember Lands seconded, to approve Consent Calendar Item Nos. 3, 4, 5, 6, and 8. The motion carried with the following roll call vote: Ayes-4 (Councilmembers Bagby, Lands and Wolter, and Mayor Turner), Noes-0, Abstain-0, Absent-1 (Vice Mayor Cruz).

**3. Approval of Previous Meetings Minutes**

By motion, approved the regular meeting minutes of March 24, 2021.

**4. Approve and Authorize the Participation in the California Intergovernmental Risk Authority (CIRA)**

By Motion, Adopted Resolution No. 026-2021 entitled, "A resolution of the City Council of the City of Cloverdale authorizing participation in the California Intergovernmental Risk Authority (CIRA) effective 7/1/2021."

**5. Resolution Accepting Public Improvements Performed by Stratagem, LLC and KarmaDog, Inc. for the Boulevard North Subdivision and Authorizing the City Manager to Release Undisputed Performance Bond**

By Motion, Adopted Resolution No. 027-2021 entitled “A Resolution of the City Council of the City of Cloverdale accepting public improvements performed by Stratagem, LLC and KarmaDog, Inc. for the Boulevard North subdivision and authorizing the City Manager to release undisputed performance bond.”

**6. Resolution Authorizing the City Manager to Amend the Master Professional Services Agreement with Woodard Curran, Inc. for Task Order No. 4 – Risk and Resilience Assessment (RRA) and Emergency Response Plan (ERP)**

By Motion, Adopted Resolution No. 028-2021 entitled, “A resolution of the City Council of the City of Cloverdale Approving Task Order No. 4 to the Master Professional Services Agreement with Woodard & Curran to Provide Professional Services for the Risk and Resilience Assessment and Emergency Response Plan in an amount not to exceed \$85,000, Authorizing the City Manager to Execute said Amendment and Amend the Fiscal Year 2021 Budget to Reflect this Change.”

**7. Resolution Authorizing the City Manager to Execute a Professional Services Agreement with West Yost Associates, Inc. to Provide Professional Engineering Services for Pond Solids Removal Project at a Cost Not to Exceed \$129,675.00**

Councilmember Lands pulled the item and inquired why the professional services agreement was not put out to bid. City Engineer/Public Works Director Rincón shared the City chose the consultant based on their qualifications and specialty area, including services provided to surrounding agencies. City Manager Kelley added the consultant services includes providing technical assistance with drafting the bid requirements and specifications for the project prior to going out to bid.

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

Councilmember Lands motioned, and Councilmember Bagby seconded, to Adopted Resolution No. 029-2021 entitled, “A resolution of the City Council of the City of Cloverdale approving a professional services agreement with West Yost, Inc. to provide professional engineering services for the Pond Solids Removal Project and authorizing the City Manager to execute said agreement at a cost not to exceed \$129,675.00.” The motion carried with the following roll call vote: Ayes-4 (Councilmembers Bagby, Lands and Wolter, and Mayor Turner), Noes-0, Abstain-0, Absent-1 (Vice Mayor Cruz).

**8. Resolution Adopting a Roadway Improvement Project List for Fiscal Year 2021/2022 Funded by SB-1: The Road Repair and Accountability Act of 2017**

**Recommended Action:** By Motion, Adopted Resolution No. 030-2021 entitled “A Resolution of the City Council of the City of Cloverdale Adopting a List of Projects for Fiscal Year 2020/2021 Funded by SB 1: The Road Repair and Accountability Act of 2017”.

**9. Resolution Approving Agreement with Deep Valley Security for the purchase and installation of security camera and video intercom with access control at the entrance of City Hall**

Councilmember Lands pulled the item and inquired if the purchase and installation of the security camera and video system is only for use during the pandemic or as a new security measure. City Manager Kelley shared the new security measures will continue to be in place following the pandemic, for the safety of both staff and customers.

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

Councilmember Lands motioned, and Councilmember Wolter seconded, to Adopted Resolution No. 031-2021 entitled, “A Resolution of the City Council of the City of Cloverdale approving an agreement with Deep Valley Security in an amount not to exceed \$14,571.75 plus a 10% contingency for potential cost overruns, for the purchase and installation of City Hall security camera system, video intercom system including access control and authorizing the City Manager to execute said agreement in a form approved by the City Attorney and amend the Fiscal Year 2020-21 budget accordingly.” The motion carried with the following roll call vote: Ayes-4 (Councilmembers Bagby, Lands and Wolter, and Mayor Turner), Noes-0, Abstain-0, Absent-1 (Vice Mayor Cruz).

**COMMUNICATIONS:** None.

**PUBLIC HEARINGS:** None.

**NEW BUSINESS:**

**10. Presentation by Hildebrand Consulting LLC on the Water and Sewer Rate Study Update and Direction Whether or Not to Proceed with Prop. 218 Notice**

City Manager Kelley reported on the item as a follow-up to the presentation before the City Council at their regular meeting on March 24, 2021, and a community forum held last week. Mr. Kelley introduced Mark Hildebrand with Hildebrand Consulting LLC.

Mr. Hildebrand provided the project background, rate setting proposal and legal requirements, proposed water financial plan to include water shortage surcharge, proposed wastewater financial plan, proposed rates for both water and wastewater, and next steps. City Engineer/Public Works Director Rincón reported on the water capital spending forecast for the replacement and/or renovation of the aged Cherry Creek Reservoir, Ritter Reservoir, Water Plant Chlorine Contact Tank and Water Plant Treatment Transfer Pumps. Mr. Rincón also provided highlights on the wastewater capital spending forecast. City Manager Kelley conveyed information regarding proposed water enterprise capital projects paid for by 100% of development impact fees and costs for operating a treatment plant versus purchasing wholesale water at fixed costs.

Mayor Turner recessed the meeting at 7:34 p.m. Mayor Turner reconvened the meeting at 7:34 p.m., with all Councilmembers present via teleconference.

Council and staff discussion ensued.

Councilmember Wolter inquired if the Council could choose between the different scenarios presented for each of the proposed rates for water and wastewater versus the same scenario for both. Mr. Kelley informed the Council the decision is at their discretion to choose an alternative rate scenario for either.

Councilmember Bagby supported the scenario recommended by staff and inquired if in the future if the City receives federal funding for capital improvement projects could the Council revise the rates. City Manager Kelley informed the Council they can choose to not impose the maximum rate, as it can be adjusted year to year up to the maximum rate adopted.

Councilmember Lands supported the scenario recommended by staff and inquired why the rates for multi-family would be less than single-family and if the City would have opportunities to negotiate with developers for additional needs to meet the new intake on our systems. Mr. Hildebrand informed the Council that

typically the same type of sewage is produced, but less of it in multi-family unit. With regards to water usage, multi-family units typically save water usage due to lack of outside or landscape use. Mr. Kelley informed the Council the development impact fees are developed by the City Council and can approve updated fees. If the Council desires, the next step would be to conduct an Impact Fee Nexus Study and bring back to Council for consideration of updating the development impact fees.

Mayor Turner opened the public comment period.

Linda (last name not provided), Cloverdale resident, supported the scenario presented.

Craig Carni, Cloverdale resident, expressed fewer public meeting discussions were held than originally anticipated.

Mayor Turner closed public comment, as no other comments were forthcoming. Mayor Turner did acknowledge the written comments received by both Craig Carni and Rob Koslowsky (both on file in the City Clerk's Office).

Student Liaison Summer Lands expressed that it does appear quite a bit of effort was taken throughout this process to include public input and can appreciate the efforts made.

Council and staff discussion ensued.

Council was appreciative of staff and Mr. Hildebrand for their work on this item and taking the time to address the public's concerns. Council directed staff to proceed with the Proposition 218 public noticing process for proposed water and sewer rate adjustments (increases), scenario 3 as presented, and set the public hearing date of June 9, 2021 for the adoption of proposed updated water and sewer rates.

**11. Resolution Authorizing Membership in the Sonoma – Marin Saving Water Partnership, Authorizing the City Manager to Negotiate and Execute a Sonoma - Marin Saving Water Partnership Memorandum of Understanding to Provide Regional Solutions for Water Use Efficiency**

City Manager Kelley reported on the item. City Engineer/Public Works Director Rincón expressed the need for the partnership and reported on the fees associated with the membership, including its savings.

Council and staff discussion ensued.

Mayor Turner inquired what makes the partnership with Sonoma – Marin Saving Water for a regional approach different and what has been their greatest success and gaps. Paul Piazza, Principal Programs Specialist Water Use Efficiency with Sonoma Water responded to the inquire and reported on the cost benefits, especially for smaller agencies, as it is great to have allies for developing local programs and bringing in expertise without additional costs, as well as the benefit of having grants and funded project staff dedicated to working on bringing in grant funding. The agency has been very successful in helping agencies meet their targets surrounding drought as passed on by state legislation.

Mayor Turner opened the public comment period.

Chris Cone, Program Manager, Water Upgrades Save with Sonoma County Regional Climate Protection Authority (RCPA), spoke in support of the partnership as it provides wide-ranging services and award-winning programs for residents and businesses that have helped its member communities meet and exceed their conservation targets. (Written comments were also submitted and are on file in the City Clerk's Office).

Linda (last name not provided), Cloverdale resident, spoke in support of the partnership and requested to have a fact sheet made available to the community on Sonoma – Marin Saving Water Partnership.

Mayor Turner closed the public comment, as no other comments were forthcoming.

Mr. Piazza continued to share collaboration opportunities, including the master gardeners' program.

Council and staff discussion continued to ensue.

Councilmember Lands inquired on the guaranteed funding for Cloverdale. Mr. Piazza responded to the inquiry and expressed the fees paid into the partnership pay directly for services within the City of Cloverdale and that grants are favored to those agencies and entities working together as a collective.

Councilmember Bagby inquired what assistance would be provided for the City to participate in a water efficiency rebate program for replacing old toilets and cash for grass. Ms. Cone responded to the inquiry and shared the RCPA can aid in implementing efficiency rebate programs along with providing high efficiency packages to residents to include items such as aerators, toilets, and shower heads. Mr. Piazza shared in addition to more traditional rebate programs through the partnership can bring in new programs to incentivize people to save water.

Student Liaison Summer Lands expressed that due to its cost, it is important the partnership be worth the investment.

City Manager Kelley shared the partnership has been well vetted and the City of Healdsburg joined the partnership about one year ago, being in a similar position as Cloverdale, for the potential benefits to provide their community through the partnership.

Councilmember Lands expressed his concerns regarding the cost of water conservation to the customer.

Council and staff discussion continued to ensue.

Councilmember Bagby motioned, and Councilmember Wolter seconded to Adopt Resolution No. 032-2021 entitled, "A Resolution of the City Council of the City of Cloverdale Authorizing the City Manager to Execute a Sonoma - Marin Saving Water Partnership Memorandum of Understanding Establishing a New Partnership and Authorize a Budget Amendment for the Partnership Fee." The motion carried with the following roll call vote: Ayes-3 (Councilmembers Bagby and Wolter, and Mayor Turner), Noes-1 (Councilmember Lands), Abstain-0, Absent-1 (Vice Mayor Cruz).

## **12. Amendment to Ordinance Prohibiting the Use and Sale of Disposable Food Service Ware and Other Products Containing Polystyrene Foam**

City Manager Kelley introduced the item and introduced Sloane Pagal, Zero Waste Program Manager with Zero Waste Sonoma. Ms. Pagal presented on the item.

Council and staff discussion ensued.

Mayor Turner expressed concern for the businesses who followed the newly adopted ordinance prohibiting polystyrene foam and may have inadvertently purchased a stock of products containing perfluoroalkyl and polyfluoroalkyl substances ("PFAS"). Ms. Pagan informed the Council that they have control over when to begin enforcement of the amended ordinance, if adopted and confirmed businesses are allowed to use up in-house stock of all products. In addition, Zero Waste Sonoma plans to provide educational material as well as business outreach following adoption of the amended ordinance.

Mayor Turner inquired if there have been efforts made to approach the health companies to help fund some of these efforts to improve public health. Ms. Pagan shared many of the concerns have been raised by those working in health care.

Councilmember Wolter inquired if feedback was received regarding the prohibited use and sale of disposable food service ware and other products containing polystyrene foam. Ms. Pagan responded to the inquiry and shared that due to the pandemic obtaining feedback from businesses was delayed and hopes to pick up the efforts this summer.

Student Liaison Summer Lands inquired where the fines for use of products containing polystyrene go. Ms. Pagal informed the Council of the process following a complaint and that ultimately it would be the City's decision to levy the fine and the funds collected would go to the City.

Councilmember Bagby expressed her support for this item, appreciation to hear people in the healthcare field are advocates for this and spoke on the direct effects from the impact of this type of trash especially as seen in the rivers and littered along the highways.

Councilmember Lands expressed his opposition to burden businesses with added costs and losses, he understands this is important but perhaps bring back at a later time.

Associate Taniguchi informed the council that at their discretion they are able to push out the timeline for enforcement, including the flexibility of a one-year grace period.

Mayor Turner opened public comment.

Linda (last name not provided), Cloverdale resident, spoke in support of the item and implementing within a reasonable timeline.

Mayor Turner closed public comment, as no other comments were forthcoming.

Council and staff discussion continued to ensue.

Mayor Turner invited Neena Hanchett, Director of the Cloverdale Chamber of Commerce to share comments. Ms. Hanchett stated she would be happy to provide additional information to the businesses and agreed with having a reasonable timeframe for implementation.

Following discussion, the City Council directed staff to bring back following further research and type of outreach to be conducted.

**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, held Via Teleconference: May 3, 2021, 5:00 p.m.
  - Update on OpenGov
  - Update on COVID-19 Opening and Recovery Plans
- Planning & Sustainability - Next Meeting, held Via Teleconference: April 20, 2021, 4:00 p.m.
  - Update Community Development Planning Log
- Public Works - Next Meetings, held Via Teleconference: May 25, 2021, 5:00 p.m.
  - Update Annual SB-1 Project - Status Update on Planned Improvements

- Joint City/Fire District - Next Meeting, held Via Teleconference: June 14, 2021, 5:30 p.m.
  - Vegetation Management Activities
- Joint City/School District– Next Meeting, held Via Teleconference: May 17, 2021, 5:00 p.m.
  - Update on Distance Learning/Hybrid Model
- Homelessness Community Advisory Group – Next Meeting, held Via Teleconference: April 13, 2021, 1:00 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).

Mayor Turner reported meeting with Cloverdale resident Rob Kowalsky and meeting with the Sonoma County Mayors to draft a press release *demanding the resignation of Dominic Foppoli, Windsor Town Mayor*.

**INFORMATIONAL REPORTS:** None.

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

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

**STATUS UPDATE ON CURRENT IMPACTS TO WATER SUPPLY:** No current update.

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

City Manager Kelley reported important milestones Sonoma County has met, including administration of 369,985 doses of the COVID-19 vaccine to County residents. Out of an abundance of caution, issuance of the Johnson and Johnson vaccine has been paused. Many jurisdictions are currently targeting late May to early June for re-opening, with limited hours. A comprehensive draft re-opening plan was submitted to Council, reviewed by the Finance, Admin and Police Subcommittee. Staff is working on remaining logistics to re-open safely and in a manner that can support our community. The City received information from FEMA and CalOES to provide reimbursement for reopening related expenses. Police Chief Ferguson sits in the weekly calls with the Sonoma County Department of Emergency Management.

Mayor Turner opened public comment.

Debbie Howell, CEO of Alexander Valley Healthcare, reported they hit their milestone of administering 10,267 vaccines as of today. 69% of the community has received their first dose of the vaccine.

Mayor Turner closed public comment, no other comments were forthcoming.

**COUNCIL DIRECTION ON FUTURE AGENDA ITEMS:** None.

Mayor Turner thanked staff and acknowledged all the important updates received today.

**ADJOURNMENT:** Mayor Turner adjourned the meeting at 9:48 p.m., to the next regular meeting of the City Council and Cloverdale Community Development Successor Agency, scheduled for April 28, 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 28<sup>th</sup> day of April 2021, by the following roll call vote:



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

**APPROVED:**

  
\_\_\_\_\_  
Jason Turner, Mayor

**ATTEST:**

  
\_\_\_\_\_  
Irene Camacho-Werby, City Clerk

