MONDAY, APRIL 20, 2020
CLOSED SESSION – 6:00 P.M.

CALL TO ORDER - CLOSED SESSION - 6:00 P.M.

A. ROLL CALL

Present: Teresa Barrett; D’Lynda Fischer; Mike Healy; Gabe Kearney; Dave King; Kevin McDonnell; Kathy Miller

Absent: None

CLOSING SESSION

• CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION: Paragraph (1) of Subdivision (d) of California Government Code Section 54956.9: Peters v. City of Petaluma, Sonoma County Superior Court, Case No. SCV-266001. (Danly)


PUBLIC COMMENT ON CLOSED SESSION ITEMS

ADJOURN TO CLOSED SESSION

MONDAY, APRIL 20, 2020
EVENING SESSION – 6:45 P.M.

CALL TO ORDER - EVENING SESSION – 6:45 P.M.

A. ROLL CALL

Present: Teresa Barrett; D’Lynda Fischer; Mike Healy; Gabe Kearney; Dave King; Kevin McDonnell; Kathy Miller

Absent: None
B. PLEDGE OF ALLEGIANCE

C. MOMENT OF SILENCE

AGENDA CHANGES AND DELETIONS (TO CURRENT AGENDA ONLY)

Mayor Barrett announced that Item 6.C would be heard before Item 6.B.

REPORT OUT OF CLOSED SESSION (ACTIONS TAKEN)

None.

COUNCIL COMMENT

Council Member McDonnell
Council Member Healy
Council Member Kearney
Vice Mayor Fischer
Council Member King
Mayor Barrett

CITY MANAGER COMMENT

City Manager Flynn

COUNCIL COMMENT, continued

Council Member Miller

GENERAL PUBLIC COMMENT

Mayor Barrett opened GENERAL PUBLIC COMMENT.
City Clerk Cooper read a public comment received via email from Janice Cader Thompson.
Moderator Patrick Carter announced that there were no phone-in public comments.
Mayor Barrett closed GENERAL PUBLIC COMMENT.

1. APPROVAL OF MINUTES

A. None.
2. **APPROVAL OF PROPOSED AGENDA**

   A. **Approval of Agenda for Regular City Council/PCDSA Meeting of Monday, May 4, 2020.**

    **Mayor Barrett**

    **Motion:** Approve A. Agenda for Regular City Council/PCDSA Meeting of Monday, May 4, 2020, as presented.

    Motion by Mike Healy, seconded by Kathy Miller.

    **Vote:** Motion carried 7-0

    Yes: Teresa Barrett; D’Lynda Fischer; Mike Healy; Gabe Kearney; Dave King; Kevin McDonnell; Kathy Miller

    No: None

    Abstain: None

    Absent: None

3. **CONSENT CALENDAR**

   A. **Resolution Accepting Claims and Bills for February 2020.** (Garberolio)

   B. **Petaluma Public Financing Corporation Status Report and Audited Financials for Fiscal year 2018-19.** (Garberolio)

   C. **Petaluma Public Financing Authority Status Report and Audited Financials for Fiscal Year 2018-19.** (Garberolio)

   D. **Resolution Authorizing Submittal of an Application for Local Early Action Planning (LEAP) Grants Program Funds.** (Paul)

   E. **Resolution Authorizing Award of Contract for the Transit Center Parking & ADA Improvements Project to Coastside Concrete & Construction, Inc.** (Beatty)

   F. **Adoption (Second Reading) of an Ordinance to Update Radar Enforceable Speed Limits on Certain Streets within the City of Petaluma.** (Beatty/Stutsman)

   G. **Resolution Authorizing Award of Contract for the Recycled Water Main Extension C66501834 and Pavement Restoration 19/20 C16102037 to Argonaut Constructors.** (Beatty/Stutsman)

   H. **Resolution Authorizing the Filing of an Application for Federal Transit Administration FY 20 Section 5307 Funding and Committing the Necessary Local Match and Stating Assurance to Complete the Projects.** (Hall)

   **Mayor Barrett** opened **Public Comment** on the **CONSENT CALENDAR.**

   **City Clerk Cooper** indicated she had not received any emailed public comments for the **CONSENT CALENDAR.**
Moderator Carter indicated that there no phone-in public comments for the CONSENT CALENDAR.

Council Member McDonnell


Motion by Kathy Miller, seconded by Kevin McDonnell.

Vote: Motion carried 7-0

Yes: Teresa Barrett; D’Lynda Fischer; Mike Healy; Gabe Kearney; Dave King; Kevin McDonnell; Kathy Miller

No: None

Abstain: None

Absent: None

4. UNFINISHED BUSINESS

A. Resolution of the City Council of the City of Petaluma Approving an Agreement Between the City of Petaluma and the Sonoma Marin Area Rail Transit District for the Construction of Corona Station Improvements. (Danly/Flynn) – This item was moved to the May 4, 2020 Regular City Council/PCDSA Meeting.

B. Corona Station Residential Project Final Map. (Petnic/Hines) – This item was moved to the May 4, 2020 Regular City Council/PCDSA Meeting.

City Attorney Danly

5. NEW BUSINESS

A. Resolution of Intention to Approve an Amendment to the Contract Between the Board of Administration of the California Public Employees’ Retirement System and the City Council of the City of Petaluma; and Introduction (First Reading) of an Ordinance Authorizing an Amendment to the Contract Between the City Council of Petaluma and the Board of Administration of the California Employees’ Retirement System. (Castillo/Kaur)

Mayor Barrett
Human Resources Director Charlie Castillo

Mayor Barrett opened Public Comment on Item 5.A.

City Clerk Cooper announced that she had not received any emailed Public Comments for this item.

Mayor Barrett noted that there were no phone-in public comments for the item, and closed Public Comment on Item 5.A.

Motion: Approve A. Resolution of Intention to Approve an Amendment to the Contract Between the Board of Administration of the California Public Employees' Retirement System and the City Council of the City of Petaluma; and Introduction (First Reading) of an Ordinance Authorizing an Amendment to the Contract Between the City Council of Petaluma and the Board of Administration of the California Employees' Retirement System.

Motion by D'Lynda Fischer, seconded by Kevin McDonnell.

Vote: Motion carried 7-0

Yes: Teresa Barrett; D'Lynda Fischer; Mike Healy; Gabe Kearney; Dave King; Kevin McDonnell; Kathy Miller

No: None

Abstain: None

Absent: None

6. PUBLIC HEARINGS

A. Regarding COVID-19 Funds, Public Hearing to Receive Comments on the 2019-2020 Proposed Amendment of the Action Plan and Adoption of a Resolution Approving the Community Development Block Grant Amended Action Plan and Authorizing the City Manager to Sign All Documents Required by the Department of Housing and Urban Development, (Carney/Cochran) - This item was continued to the Monday, May 4, 2020 Regular City Council/PCDSA Meeting.

C. Appeal for Planning Commission's Denial of Conditional Use Permit for Corona Station. (Hines)

City Attorney Danly

Motion: Approve Continuation of Item 6.C. Appeal for Planning Commission’s Denial of Conditional Use Permit for Corona Station to the Monday, May 4, 2020 Regular City Council/PCDSA Meeting.

Vote: Motion carried 7-0

Yes: Teresa Barrett; D'Lynda Fischer; Mike Healy; Gabe Kearney; Dave King; Kevin McDonnell; Kathy Miller

No: None

Abstain: None
Absent: None

B. Public Hearing on the Engineer’s Report Dated January 27, 2020 for Proposed Benefit Assessment District 2020-1, Oak Street and Water Street Public Improvements, Canvassing of Ballots of Owners of Property within the Boundaries of the Proposed District, and Consideration and Possible Adoption of Resolutions Forming the Benefit Assessment District and Approving Reimbursement Agreements between the City and North River Apartments LLC and Water Street Properties LLC. (Danly/Petnic)

Mayor Barrett announced that she and Council Member Healy would recuse themselves for Item 6.B because they live within 1,000 feet of the proposed Benefit Assessment District.

Vice Mayor Fischer
City Attorney Danly
Vice Mayor Fischer
Lex Economou, Executive Vice President, The Spanos Corporation, Stockton
Vice Mayor Fischer opened the PUBLIC HEARING and reminded the public that in order for the ballots to be counted, they must be received prior to the close of the PUBLIC HEARING. She explained that a ballot box had been placed outside the front door of City Hall. Spare ballots and envelopes were also available there.

City Clerk Cooper stated that she had not received any emailed Public Comments for this item.

Vice Mayor Fischer
Moderator Patrick Carter announced that there were no phone-in public comments.

Vice Mayor Fischer
Vice Mayor Fischer
Mr. Carter
Vice Mayor Fischer
City Attorney Danly
Vice Mayor Fischer closed the Public Hearing.

City Attorney Danly
City Clerk Cooper noted that there were no ballots in the ballot box outside City Hall.
Dennis Klingelhofer, P.E., Vice President, Municipal Funding and Special District Finance, Harris & Associates, Irvine

City Clerk Cooper opened the ballot for Assessment Numbers 6, 7, 9, and 10. Mr. Klingelhofer confirmed through a series of questions to City Clerk Cooper that the owner of these Assessment Numbers was Water Street Properties LLC, that they had checked the box stating they were in favor of the proposed assessment, the ballot had been signed, and the amount of the assessment was $5,257,535.64.

Mr. Klingelhofer

City Clerk Cooper opened the ballot for Assessment Numbers 4 and 5. Mr. Klingelhofer confirmed through a series of questions to City Clerk Cooper that the owner of these Assessment Numbers was North River Apartments LLC, that they had checked the box stating they were in favor of the proposed assessment, the ballot had been signed, and the amount of the assessment was $6,941,637.96.

Mr. Klingelhofer

City Clerk Cooper opened the ballot for Assessment Number 1. Mr. Klingelhofer confirmed through a series of questions to City Clerk Cooper that the owner of this Assessment Number was Jay Palm Trust & Carelle, that they had checked the box stating they were in favor of the proposed assessment, the ballot had been signed, and the amount of the assessment was $214,106.95.

City Clerk Cooper opened the ballot for Assessment Number 16. Mr. Klingelhofer confirmed through a series of questions to City Clerk Cooper that the owner of this Assessment Number was Larissa Golti Trust, that they had checked the box stating they were in favor of the proposed assessment, the ballot had been signed, and the amount of the assessment was $1,039,957.83.

City Attorney Danly

City Clerk Cooper

City Clerk Cooper opened the ballot for Assessment Numbers 19, 21, and 22. Mr. Klingelhofer confirmed through a series of questions to City Clerk Cooper that the owner of these Assessment Numbers was William and Julie Forman, that they had checked the box stating they were in favor of the proposed assessment, the ballot had been signed, and the amount of the assessment was $561,391.44.

Mr. Klingelhofer

City Clerk Cooper opened the ballot for Assessment Number 20. Mr. Klingelhofer confirmed through a series of questions to City Clerk Cooper that the owner of this Assessment Number was 218 Petaluma North LLC, that they had checked the box stating they were not favor of the proposed assessment, the ballot had been signed, and the amount of the assessment was $185,460.19.

City Clerk Cooper opened the ballot for Assessment Number 25. Mr. Klingelhofer confirmed through a series of questions to City Clerk Cooper that the owner of this Assessment Number was Hunt & Behrens, Inc., that they had checked the box
stating they were in favor of the proposed assessment, the ballot had been
signed, and the amount of the assessment was $209,919.25.

Mr. Klingelhofer announced that the tabulation was completed for ballots
returned and the total ballots in favor, 1 ballot opposed.

City Attorney Danly

City Clerk Cooper stated for the records that the number of ballots in favor of the
proposed assessment exceed the number opposed.

City Attorney Danly confirmed that a majority protest did not exist.

Vice Mayor Fischer

City Attorney Danly noted that the reimbursement agreement had been
amended.

Vice Mayor Fischer

Motion: Approve B. Resolution 2020-048 N.C.S. Approving the Engineer’s Report
Dated January 27, 2020, Declaring the Canvass of Ballots of Property Owners and
Forming Benefit Assessment District 2020-1, Oak and Water Street Public
Improvements, Pursuant to Chapter 13.35 of the City of Petaluma Municipal Code
and Article XIIID, Section 4 of the California Constitution.

Motion by Kathy Miller, seconded by Dave King.

Vote: Motion carried 5-0

Yes: D’Lynda Fischer; Gabe Kearney; Dave King;
Kevin McDonnell; Kathy Miller
No: None
Abstain: Teresa Barrett; Mike Healy
Absent: None

Vice Mayor Fischer

Motion: Approve B. Resolution 2020-049 N.C.S. Approving a Reimbursement
Agreement Between the City of Petaluma and North River Apartments LLC and a
Reimbursement Agreement Between the City of Petaluma and Water Street
Properties LLC Concerning Benefit Assessment District 2020-1, Oak and Water
Street Public Improvements, Pursuant to Section 13.35.060(G)(3) of the City of
Petaluma Municipal Code, with amendment to agreement.

Motion by Kevin McDonnell, seconded by Gabe Kearney.

Vote: Motion carried 5-0

Yes: D’Lynda Fischer; Gabe Kearney; Dave King;
Kevin McDonnell; Kathy Miller
No: None
Abstain: Teresa Barrett; Mike Healy
Absent: None

City Attorney Danly
City Clerk Cooper
City Attorney Danly
Vice Mayor Fischer
City Manager Flynn
Vice Mayor Fischer

ADJOURN

The meeting was adjourned at 7:50 p.m.

__________________________________________
Teresa Barrett, Mayor

ATTEST:

____________________________________________
Claire Cooper, CMC, City Clerk