



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, MARCH 23, 2022

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

**OPEN SESSION: 6:00 p.m.
IMPORTANT:
THIS MEETING WILL BE OPEN TO THE PUBLIC.**

Members of the City Council may participate in the meeting via Zoom consistent with the provisions of Assembly Bill 361, which amended the Brown Act.

To Participate in the meeting please use the link: <https://us02web.zoom.us/j/88648416804?pwd=QjFHtk1TGiwMVN4V1lQR0FLRmw1UT09>

Meeting ID: 886 4841 6804

Passcode: 551890

Telephone Dial by your location 1-(669) 900-6833 and entering the meeting ID.

Public Business Session Participation is welcome in-person at the Cloverdale Performing Arts Center, 209 N. Cloverdale Blvd., or through the use of Zoom at link above.

Viewing of meeting - Public Session: Regular City Council meetings are streamed via live webcast on YouTube at: <https://www.youtube.com/channel/UCDSDDT0okjoOrRhJaetPRbQ> on day and time of meetings.

The Cloverdale City Council welcomes you to its meetings that are typically scheduled for the 2nd and 4th Wednesday of the month. Your interest and participation are encouraged and appreciated. Please silence all pagers, cellular telephones and other communications devices upon entering the meeting.

PUBLIC COMMENT: ADDRESSING THE CITY COUNCIL

Public Comments may be made through the use of Zoom or sent by email to dkelley@ci.cloverdale.ca.us. Emailed comments will become part of the record and viewable online and in the City Clerk's Office. Please refer to the end of the agenda for further instruction.

A. OPENING PUBLIC SESSION – 6:00 p.m.

Please click the link below to join the webinar:

- Call to Order
- Pledge of Allegiance
- Roll Call:
 - Mayor Lands
 - Vice Mayor Wolter
 - Councilmember Bagby
 - Councilmember Cruz
 - Councilmember Palla
- Conflict of Interest Declaration
- Agenda Review – Regular Session (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. Per City Council Policy, three minutes are typically allotted to each speaker.


C. PROCLAMATIONS/PRESENTATIONS: (10 Minutes)

C.1 Student Liaison Report

C.2 Proclamation Cesar Chavez Day

 [Proclamation - Chavez Proclamation.pdf](#)

C.3 Proclamation Equal Pay Act

 [Proclamation - Equal Pay Day.pdf](#)

C.4 Proclamation Women's History Month

 [Proclamation - Womens History Month 2022.pdf](#)

D. CONSENT CALENDAR:

All items under 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.

D.1 Minutes of the February 23, 2022, City Council meeting.

 [Minutes City Council 2-23-22.pdf](#)

D.2 Cloverdale Dispatch Association Side Letter of Agreement.

Recommended Action(s):

Adopt Resolution titled, "A Resolution of the City Council of the City of Cloverdale approving a side letter of Agreement amending the Memorandum of Understanding between the Cloverdale Dispatch Association and the City of Cloverdale to include section 7.9.6 Administrative On-Call time to the Dispatch Supervisor position and Authorizing the City Manager to execute the side letter of agreement"

 [Staff Report Dispatch Supervisor Admin Leave Side Letter.pdf](#)

- [📎 Resolution - Approving Dispatch Admin Leave Side Letter.pdf](#)
- [📎 Exhibit A -Side Letter of Agreement Dispatch Supervisor admin time.pdf](#)

D.3 2021 General Plan and Housing Element Annual Progress Report.

Recommended Action(s): Accept the 2021 General Plan Annual Report including the Housing Element Annual Progress Report and authorize staff to submit the reports to the Governor's Office of Planning and Research and the State Department of Housing and Community Development.

- [📎 CC Agenda Report - General Plan & Housing Element Annual Reports 2021.pdf](#)
- [📎 Attch 1 - General Plan Annual Report 2021.pdf](#)
- [📎 Attch 2 - General Plan Policy Matrix for 2021 annual report.pdf](#)
- [📎 Attch 3 - housing-element-annual-progress-report.pdf](#)

D.4 Second Reading of Ordinance amending Chapter 8.12, "Collection, Disposal, and Processing of Solid Waste, Recyclables and Organic Waste and Related Activities" of the Cloverdale Municipal Code for Implementation of Senate Bill 1383 for Solid Waste Management.

Recommended Action(s):

Hold second reading by title only to adopt an Ordinance titled:

"Ordinance of the City of Cloverdale amending Title 8, Chapter 8.12 of the City of Cloverdale Municipal Code regarding "Collection, Disposal, and Processing of Solid Waste, Recyclables and Organic Waste and Related Activities"

- [📎 Agenda Staff Report - Solid Waste Ordinance to Comply with SB 1383_03.03.2022.pdf](#)
- [📎 Cloverdale Final Solid Waste Ordinance Updating Chapter 8.12_03.23.2022 .pdf](#)

D.5 Annual Maintenance Services Agreement with Miksis Services, Inc. to Provide Sewer Maintenance and Rehabilitation

Recommended Action(s):

Adopt a Resolution entitled, "A Resolution of the City Council of the City of Cloverdale Approving a New Annual Maintenance Services Agreement with Miksis Services Inc. to provide Sewer Maintenance / Rehabilitation in an amount not to exceed \$172,990.00 and Authorizing the City Manager to Execute Said Agreement.

- [📎 Staff Report - Notice of Maintenance Service Contract Award for Miksis.pdf](#)
- [📎 Attachment 1 - Resolution_ Notice of Maintenance Service Contract Award for FY 2021-22.pdf](#)
- [📎 Miksis Inc. Proposal - City of Cloverdale Trenchless Rehab - Various Locations.pdf](#)

D.6 Housing Successor Agency Annual Report for Fiscal Year 2020-21

Recommended Action(s):

Receive and file Housing Successor Agency Annual Report for Fiscal Year 2020-21

- [📎 Cloverdale Staff Report - Housing Successor Annual Report 20-21_3.2.22.pdf](#)
- [📎 Cloverdale SB 341 FY20-21_3.16.22.pdf](#)

D.7 A Resolution Declaring various vehicles and supplies as surplus and provide direction to

staff to initiate a complete process for disposal.

Recommended Action(s):

Adopt Resolution entitled, "A Resolution of the City Council of the City of Cloverdale Declaring certain Property as Surplus and Authorizes Sale (Disposition) of Surplus Items."

[📎 CC Agenda Report - Authorize Sale of Surplus Items_03.23.2022.pdf](#)

[📎 Resolution No. 029-2022 - Declaring Certain Property as Surplus.pdf](#)

[📎 Attachment 1 - List of 2022 Surplus Items.pdf](#)

D.8 Baumgardner Ranch Housing Project Amendments to Subdivision Agreement

Recommended Action(s):

Adopt a Resolution entitled, "A Resolution of the City Council of the City of Cloverdale approving an amendment to the Baumgardner Subdivision Improvement Agreement and Associated Improvement Securities."

[📎 CC Agenda Report Baumgardner Subdivision Agreement Amendment.pdf](#)

[📎 Attachment 1 - Resolution amendment Approving Baumgardner Final Map.pdf](#)

[📎 Attachment 2 - Approved Baumgardner Ranch_Improvement Agreement_v3.docx vs 1.20.22 markup.pdf](#)

[📎 Exhibit A to att1 Approved Baumgardner Ranch_Improvement Agreement.pdf](#)

E. 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.

F. PUBLIC HEARING: Public Hearing items will begin at the time shown, or as close thereafter as possible, to allow for completion of the item.

G. NEW BUSINESS:

G.1 Proposal to adopt a "Military Equipment Use Policy" required in Assembly Bill 481.

Recommended Action(s):

Review and discuss the "Military Equipment Use Policy" and authorize staff to bring item back to council for a public hearing.

[📎 Agenda Report - Military Equipment Use Police \(AB 481\).pdf](#)

[📎 2 - 2021-AB 481 CLOVERDALE POLICE MILITARY EQUIPMENT USE POLICY.pdf](#)

[📎 3 - 2021- Lexipol Policy Military_Equipment.pdf](#)

G.2 Consider Modification of Adopted Cannabis Business Tax Rate

Recommended Action(s):

Consider Adoption of Resolution entitled, "A Resolution of the City Council of the City of Cloverdale approving modifications of the previously established cannabis tax rate of 4.5% of gross receipts of all engaged in cannabis business in the city of Cloverdale to a tiered tax rate of 3% for cultivation, 1% for manufacturing, 1% for distribution, 3.5% for retail and a tiered rate for microbusinesses at the Cannabis Tax rate applicable for each component of business activity."

[📎 CC Agenda Report - Modification of Cannabis Excise Tax_03.23.2022 \(final\).pdf](#)

- [📎 Attachment 1 - Resolution No. 031-2022 - Adjusting Cannabis Excise Tax_3.23.2022.pdf](#)
- [📎 Attachment 2 - Cannabis Industry Presentation Requesting Tax Reduction for Cannabis Business.pdf](#)
- [📎 Attachment 3 - Ordinance No. 708-2016 Amending the Municipal Code Adding Chapter 3.46 - "CANNABIS BUSINESS TAX".pdf](#)
- [📎 Attachment 4 - Cloverdale Resolution No. 076-2017 - Implementing Cannabis Tax Rate of 4.5%.pdf](#)

G.3 Agreement with R3 Consulting Group Inc. to conduct a Special Rate Review of Recology's Rate Adjustment Application and a Performance Review of the Franchise Agreement Between the City and Recology

Recommended Action(s):

1. Receive Presentation from Recology Sonoma Marin regarding their Special Rate Review application
2. Adopt a Resolution entitled "A Resolution of the City Council of the City of Cloverdale approving an agreement with the R3 Consulting Group to Conduct a Special Rate Review of Recology's Rate Adjustment Application and a Performance Review of the Franchise Agreement Between the City and Recology for Regulatory Compliance and Operational Performance, authorizing the City Manager to execute a Professional Services Agreement with R3 Consulting Group Inc."

[📎 CC Agenda Report - Authorize agreement with R3 Consulting for Recology rate and Performance Review_03.23.2022.pdf](#)

[📎 Attachment 1 - Cloverdale Special Rate Review with SB1383 Effective 9.1.2022-Submitted 9.28.21.pdf](#)

[📎 Attachment 2 - Recology Sonoma Marin_Cloverdale Council Presentation_3.14.22.pdf](#)

[📎 Attachment 3 - Resolution approving an agreement with R3 for Recology Rate Review_03.23.2022.pdf](#)

[📎 Attachment 4 - City of Cloverdale - R3 Consulting Rate and Performance Review Proposal.pdf](#)

H. SUBCOMMITTEE ITEMS:

- **Finance, Administration & Police**
 - Next Meeting - Monday, April 4, 2022 at 1:30 pm
- **Planning & Sustainability**
 - Next Meeting - Tuesday, April 19, 2022 at 1:30 pm
- **Public Works & Facilities**
 - Next Meeting - Tuesday, April 26, 2022 at 1:30 pm
- **Joint City/Cloverdale Fire District**
 - Next Meeting - Monday, June 13, 2022 at 5:30 pm
- **Joint City/Cloverdale Unified School District**
 - Next Meeting - Monday, March 21, 2022 (cancelled due to spring break) at 4:30 pm
- **Homelessness Community Advisory Group**
 - Next Meeting - Tuesday, April 12, 2022 at 5:00 pm

I. SUBCOMMITTEE REPORTS: (Verbal reports only)

J. **COUNCIL REPORTS:** (Verbal reports only)

K. **INFORMATIONAL REPORTS:**

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

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

N. **STATUS UPDATE ON CURRENT IMPACTS TO WATER SUPPLY:** (Verbal report)

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

P. **COUNCIL DIRECTION ON FUTURE AGENDA ITEMS:**

Q. **ADJOURNMENT:**

The next regular meeting of the City Council and Cloverdale Community Development Successor Agency is scheduled for . Public Business Session at 6:00 p.m. (at the Cloverdale Performing Arts Center 209 N. Cloverdale Blvd., Cloverdale, CA 95425, and by teleconference).

CERTIFICATE OF POSTING

I, Lori Frontella, Interim 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; and made available for public review prior to or at 7:00 p.m., on or before the 17th day of March 2022.

Date posted:

Time posted:

Signature City Clerk:

IMPORTANT NOTICE REGARDING THIS CITY COUNCIL MEETING BELOW

- **Public Attendees** - When asked to do so by the mayor, those wishing to address the City Council are asked to step up to the podium, speak directly into the microphone so everyone in the audience can hear and for your comments to be recorded into the official record. State your name and City of Residence for the record.
- **Zoom Attendees** will be muted until they are called upon for Public Comment. To make a public comment, use the “raise hand” icon on your smart device or desktop computer, or dial *9 if you are using just your telephone. Please listen carefully for the Mayor or City Clerk to address you by name (or phone number) and for the audible Zoom notification that you have been unmuted. Once you begin your public comment, your three (3) minutes will begin. **Instructions for using Zoom available at:** <https://bit.ly/2A8Mx4M>.
- If you would prefer to submit public comment in writing, please email your comments to dkelley@ci.cloverdale.ca.us. If you are commenting on a specific agenda item or items, please state the agenda item number(s) in the subject line of the email. All comments received via email will be provided to the City Council in writing and included as a part of the record of the meeting.

OTHER IMPORTANT NOTICES REGARDING THE CITY COUNCIL MEETING

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.

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