

Sonoma County Community Development Commission

MEMORANDUM

TO: Sonoma County Consolidated Oversight Board
FROM: Sonoma County Community Development Commission
SUBJECT: Resolution Authorizing Remote Teleconference Meetings of the Consolidated Oversight Board Pursuant to Brown Act Provisions.

Recommendation

Adopt a resolution of the Board of Directors of the Consolidated Oversight Board authorizing teleconference meetings in compliance with AB 361 to continue to allow members of the public to safely participate in local government meetings.

Executive Summary

Governor Newsom signed Assembly Bill 361 (AB 361) on September 16, 2021, which amends the Ralph M. Brown Act to provide additional provisions that allow meetings of legislative bodies to continue to be conducted via teleconference. This Resolution makes the findings to confirm the current conditions to allow teleconference meetings pursuant to AB 361 exist. This will allow members of the public to safely observe and participate in Consolidated Oversight Board meetings.

Discussion

AB 361 comes as the provisions of Executive Order No. N-29-20 (as revised by Executive Order No. N-08-21), which modifies the requirements for the conduct of meetings via teleconference during the COVID-19 pandemic, expired on September 30, 2021.

AB 361 allows a local agency legislative body to hold a meeting utilizing teleconferencing without complying with the standard teleconferencing requirements if the Governor has proclaimed a State of Emergency and if the local Public Health Officer continues to recommend social distancing measures to protect the public's health and safety during local government meetings. These conditions continue to exist.

Governor Newsom's March 4, 2020 Proclamation of Emergency related to the COVID-19 pandemic is still in effect. In addition, the Sonoma County Public Health Officer continues to recommend teleconferencing or social distancing to protect the public's health and safety during local government meetings.

If a meeting is held via teleconference under AB 361, the following requirements apply:

- Notice of the meeting must continue to be given in compliance with the Brown Act;
- The notice must continue to include the means by which the public may access the meeting and provide public comment;
- The public must continue to have access to the meeting via a call-in option or internet-based service option. The agency does not have to provide an in-person option for the public to attend;
- Staff should continue to check the broadcast and the ability to take call-in or internet-based public comment to confirm the public has continued access.

Vote Requirement

Majority

Fiscal Impact

None

List of Attachments

Exhibit A – Sonoma County Public Health Officer Recommendation to Continue to Use Teleconferencing
for Local Government Meetings

Exhibit B – Resolution



Sonoma County Public Health Recommendations for Safely Holding Public Meetings

September 22, 2021

Each local government agency is authorized to determine whether to hold public meetings in person, online (teleconferencing only), or via a combination of methods. The following are recommendations from Sonoma County Public Health to minimize the risk of COVID-19 transmission during a public meeting of a legislative body held in compliance with Government Code section 54953(e):

1. Online meetings (teleconferencing meetings) are strongly recommended as those meetings present the lowest risk of transmission of SARS-CoV-2, the virus that causes COVID-19.
2. If a local agency determines to hold in-person meetings, offering the public the opportunity to attend via a call-in option or an internet-based service option is recommended, when possible, to give those at higher risk of and/or higher concern about COVID-19 an alternative to participating in person.
3. If a local agency holds in person meetings, a written safety protocol should be developed and followed. It is recommended that the protocol require social distancing – i.e., six feet of separation between attendees – and face masking of all attendees in compliance with [Order of the Health Officer of the County of Sonoma C19-25](#).
4. If a local agency holds in person meetings, seating arrangements should allow for staff and members of the public to easily maintain at least six-foot distance from one another at all practicable times.
5. Consider holding public meetings outdoors. Increasing scientific consensus is that outdoor airflow reduces the risk of COVID-19 transmission compared to indoor spaces. Hosting events outdoors also may make it easier to space staff and members of the public at least six feet apart.
6. Current evidence is unclear as to the added benefit of temperature checks in addition to symptom checks. We encourage focus on symptom checks as they may screen out individuals with symptoms but no fever and help reinforce the message to not go out in public if you are not feeling well.
7. Consider a voluntary attendance sheet with names and contact information to assist in contact tracing of any cases linked to a public meeting.

Dr. Sundari R. Mase, MD MPH
Health Officer of the County of Sonoma

RESOLUTION NO. _____

Resolution of the Consolidated Oversight Board Authorizing Teleconference Meetings in Compliance with AB 361 to Continue to Allow Members of the Public to Safely Participate in Local Government Meetings

WHEREAS, the Consolidated Oversight Board is committed to ensuring public access and participation in local government meetings; and

WHEREAS, all meetings of the Consolidated Oversight Board are open and public, as required by the Ralph M. Brown Act (Cal. Gov. Code 54950 – 54963), so that any member of the public may participate in local government meetings; and

WHEREAS, the Brown Act, Government Code section 54953(e), makes provisions for remote teleconferencing participation in meetings by members of a legislative body, without compliance with the requirements of Government Code section 54953(b)(3), subject to the existence of certain conditions; and

WHEREAS, on March 4, 2020, Governor Newsom proclaimed a State of Emergency due to the outbreak of respiratory illness due to a novel coronavirus (a disease now known as COVID-19) and that State of Emergency is still in effect in the State of California; and

WHEREAS, the Sonoma County Public Health Officer continues to recommended teleconferencing or social distancing during public meetings of all legislative bodies to protect the community's health against the spread of COVID-19 (Exhibit A); and

WHEREAS, the Consolidated Oversight Board finds on behalf of itself that the current conditions meet the circumstances set forth in Government Code section 54953(e)(3) to continue to use teleconferencing to hold open and public meetings in compliance with the requirements set forth in Government Code section 54953(e)(2) to ensure the public can safely participate in and observe local government meetings.

NOW, THEREFORE, BE IT RESOLVED, that the recitals set forth above are true and correct and are incorporated into this Resolution by this reference; and

BE IT FURTHER RESOLVED, that based on the California Governor's continued declaration of a State of Emergency and the Sonoma County Public Health Officer's recommendation to continue teleconferencing or social distancing during public meetings, the Consolidated Oversight Board finds that the conditions continue to exist pursuant to Government Code section 54953(e)(3) to allow it to use teleconferencing to hold public meetings in accordance with Government Code section 54953(e)(2) to ensure members of the public have continued access to safely observe and participate in local government meetings;

BE IT FURTHER RESOLVED, staff is hereby authorized to take all actions necessary to carry out the intent and purpose of this Resolution including, conducting open and public meetings of the Consolidated Oversight Board in accordance with Government Code section 54953(e)(2) and other applicable provisions of the Brown Act; and

Exhibit B

BE IT FURTHER RESOLVED, this Resolution shall take effect immediately upon its adoption.

PASSED AND ADOPTED by the members of the Consolidated Oversight Board, this 27th day of January 2023, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

ATTEST:

Chair Chris Rogers

So Ordered.

**SONOMA COUNTY
CONSOLIDATED OVERSIGHT BOARD**

To: Chairperson and Consolidated Oversight Board Members

From: City of Rohnert Park, Terrie Zwillinger, CIP Program Manager,
Department of Public Works

Agenda Title: Receive City of Rohnert Park Series 2007R Excess Bond Proceeds
Expenditure Report – Period from July 2022 to December 2022

Agenda Action: Receive Report

Recommended Action:

It is recommended that the Sonoma County Consolidated Oversight Board (“Oversight Board”) receive the attached report of 2007R Excess Bond proceeds expenditures for July 2022 through December 2022.

Executive Summary:

On September 25, 2015, the Successor Agency to the Community Development Commission (CDC) and the City of Rohnert Park entered into an Excess Bond Proceeds Agreement (Agreement) regarding the expenditure of excess bond proceeds (Rohnert Park Redevelopment Project Tax Allocation Bonds Series 2007R). The Agreement provides that the City will use the Series 2007R Excess Bond Proceeds solely to finance the capital improvements within the former Redevelopment Project Area, as listed in Tables 1 and 2 attached, or as determined by the City Council of Rohnert Park, for other infrastructure projects consistent with the Series 2007R Bond covenants. Section 5 of the Agreement requires that the City provide the Successor Agency and Oversight Board with a semi-annual written statement identifying the amount of Series 2007R Excess Bond Proceeds expended in the January through June and July through December six-month periods. The City Council received the report at their January 10, 2023 meeting.

Background:

Since receiving the Finding of Completion, the City, Successor Agency and Oversight Board have taken the following actions relating to the use of the remaining redevelopment bond proceeds:

- On February 11, 2014, the City Council approved approximately \$5.7 million in bond proceeds for the capital projects listed in Table 1 (attached). Staff refers to these funds as “Bond 1”. Then, on February 10, 2015, the City Council approved an additional \$627,546 in uncommitted bond proceeds from the 1999 Tax Allocation Bonds (TAB) to be used as contingency funds for projects that have already been approved. Staff refers to these funds as “Bond 2”.

- On May 22, 2007, the former CDC entered into a reimbursement agreement with the City whereby the former Commission would fund 88% of the Eastside Sewer Main Phase 1 Improvement Project in advance of the City receiving the money through public facilities finance. The Commission funded this project from the 2007R Tax Allocation Bond proceeds. On August 25, 2015, the City Council approved the use of an additional \$10,055,725 in bond funds for projects in the former RDA. Staff refers to these funds as “Bond 3”. See Table 2 attached for the list of capital projects under Bond 3. Note: The Public Facility Finance Fee fund has repaid all of the funds advanced for the sewer project to the Successor Agency. As a result of the repayment of the bond proceeds, such funds are therefore available to be used for the same purpose as when issued, which is for capital projects within the former redevelopment area.

Excess Bond Proceeds Agreement: On September 25, 2015, the Successor Agency to the CDC and the City of Rohnert Park entered into an Excess Bond Proceeds Agreement (Agreement) regarding the expenditure of excess bond proceeds (Rohnert Park Redevelopment Project Tax Allocation Bonds Series 2007R). The Agreement provides that the City will use the Series 2007R Excess Bond Proceeds solely to finance the capital improvements within the former Redevelopment Project Area, as listed in Tables 1 and 2, or as determined by the City Council, for other infrastructure projects consistent with the Series 2007R Bond covenants.

Analysis:

The total amount of bond proceeds allocated to Bond 1 and 2 is \$6,384,685, with \$0 remaining to be spent. Since approving the Agreement, all Bond 1 and 2 public facility improvement projects have been closed. The total amount of bond proceeds to Bond 3 is \$10,061,262. Since approving the Agreement, most of the public facility improvement projects have been completed. Outstanding projects include the Senior Center Restrooms and ADA Improvements Project and Downtown Infrastructure Project.

Section 5 of the Agreement requires that the City provide the Successor Agency and Oversight Board with a semi-annual written statement identifying the amount of Series 2007R Excess Bond Proceeds expended in the January through June and July through December six-month periods.

The attached report details expenditures of excess bond proceeds on public improvements for the six-month period of July 2022 through December 2022, in addition to the previously expended funds.

As better cost estimates for the projects are received or projects are completed, project budgets will be adjusted to re-distribute funds up to the amounts previously approved by City Council and the Oversight Board.

Fiscal Impact:

The total amount of bond proceeds allocated to the bond projects is \$16,445,947. All current projects have been budgeted in prior years.

Attachments:

1. **2007R Excess Bond Proceeds Semi-Annual Report Bond 1 and 2**
2. **2007R Excess Bond Proceeds Semi-Annual Report Bond 3**

CONTACT

Terrie Zwillinger, CIP Program Manager, Department of Public Works, City of Rohnert Park
tzwillinger@rpcity.org (707) 588-3331

BOND 1 and 2 Project List

		Project Budget				
Project Name	Types of Expenses	BOND Proceeds	Other Funding Source	Previous Expenditures	July-Dec 2022 Total	Remaining Balance
Benicia Pool Renovation Project No. 2014-06 - CLOSED						
Rehab of pool including replacement of pool decking, pool plaster, building roofs, restroom fixtures, diving board, expanded picnic area, new ADA restroom	Design	\$27,766	\$60,771	\$88,537	\$0	\$0
	Construction Management	\$101,437	\$0	\$101,437	\$0	\$0
	Construction	\$1,291,808	\$0	\$1,291,807	\$0	\$0
	Sub-total	\$1,421,011	\$60,771	\$1,481,781	\$0	\$0
Sports Center Locker Room Retrofit Project No. 2013-05- CLOSED						
Remodel of both women's and men's locker rooms including replacement of lockers, fixtures, floors, and upgraded showers	Design	\$14,057	\$64,321	\$78,378	\$0	\$0
	Constructability Review	\$4,977	\$0	\$4,977	\$0	\$0
	Construction Management	\$56,074	\$0	\$56,074	\$0	\$0
	Construction	\$689,725	\$0	\$689,725	\$0	\$0
	Sub-total	\$764,833	\$64,321	\$829,154	\$0	\$0
Public Safety Main HVAC Replacement Project No. 2014-02- CLOSED						
Replacement of HVAC system including new chiller and boiler, control system, VAVs	Design	\$49,166		\$49,166	\$0	\$0
	Construction Management	\$37,179		\$37,179	\$0	\$0
	Construction	\$424,870	\$473,939	\$898,809	\$0	
	Sub-total	\$511,215	\$473,939	\$985,154	\$0	\$0
A-Park Restroom Renovation Project No. 2015-04 - CLOSED						
Rehabilitation of the restroom building, including replacement of fixtures and security features	Design	\$29,945	\$0	\$29,945	\$0	\$0
	Construction Management	\$0	\$0	\$0	\$0	\$0
	Construction	\$270,134	\$0	\$270,134	\$0	\$0
	Sub-total	\$300,079	\$0	\$300,079	\$0	\$0
PAC HVAC Replacement (4 units) Project No. 2015-05 - CLOSED						
Replacement of 4 HVAC units Resolution 2019-143 appropriated \$22,569.38 Interest and refunded \$70,000 of "other funding source"	Design	\$84,200	\$0	\$84,200	\$0	\$0
	Construction Management	\$0	\$0	\$0	\$0	\$0
	Construction	\$533,863	\$0	\$533,863	\$0	\$0
	Sub-total	\$618,063	\$0	\$618,063	\$0	\$0
Community Center Roof Replacement Project No. 2015-06- CLOSED						
Replacement of roof	Design	\$21,220	\$0	\$21,220	\$0	\$0
	Construction Management	\$0	\$0	\$0	\$0	\$0
	Construction	\$336,782	\$0	\$336,782	\$0	\$0
	Sub-total	\$358,002	\$0	\$358,002	\$0	\$0

BOND 1 and 2 Project List

		Project Budget				
Project Name	Types of Expenses	BOND Proceeds	Other Funding Source	Previous Expenditures	July-Dec 2022 Total	Remaining Balance
Senior Center Roof Replacement Project No. 2014-05- CLOSED						
Replacement of roof	Design	\$27,300	\$0	\$27,300	\$0	\$0
	Construction Management	\$0	\$0	\$0	\$0	\$0
	Construction	\$227,322	\$28,462	\$227,322	\$0	\$0
	Sub-total	\$254,622	\$28,462	\$254,622	\$0	\$0
Senior Center Restroom Renovation Project No. 2015-07- Closed						
Renovation of restroom, including new fixtures, flooring, ADA upgrades <i>Resoulution 2019-143 appropriated \$15,667.91 in interest</i> <i>Resolution 2021-139 appropriated \$6,311 in interest</i> <i>Other Funds = CDBG Grant \$85,000. less CDC NEPA charge of \$1,226</i> <i>Note: Project includes \$250,000 from Fund 324 Bond III</i>	Design	\$30,000	\$0	\$30,000	\$0	\$0
	Construction Management	\$0	\$0	\$0	\$0	\$0
	Construction	\$94,531	\$83,774	\$178,305	\$0	\$0
	Sub-total	\$124,531	\$83,774	\$208,305	\$0	\$0
PAC Roof Replacement Project No. 2015-08- Closed						
Replacement of roof <i>Resoulution 2019-143 appropriated \$14,268.33 in interest and returned \$30,000 of "Other Funding Source"</i>	Design	\$19,650	\$0	\$19,650	\$0	\$0
	Construction Management	\$0	\$0	\$0	\$0	\$0
	Construction	\$1,396,776	\$0	\$1,396,776	\$0	\$0
	Sub-total	\$1,416,426	\$0	\$1,416,426	\$0	\$0
Library Parking Lot Paving and Landscaping Project No. 2015-09 - CLOSED						
Overlay of library parking and associated landscaping	Construction	\$102,549	\$0	\$102,549	\$0	\$0
	Sub-total	\$102,549	\$0	\$102,549	\$0	\$0
Community Center Parking Lot Overlay Project No. 2014-07 - CLOSED						
Overlay of parking lot	Construction	\$513,354	\$0	\$513,354	\$0	\$0
	Sub-total	\$513,354	\$0	\$513,354	\$0	\$0
TOTAL		\$6,384,685	\$711,267	\$7,067,488	\$0	\$0

BOND 3 Project List

		Project Budget				
Project Name	Types of Expenses	BOND Proceeds	Other Funding Source	Previous Expenditures	July-Dec 2022 Total	Remaining Balance
Sports Center HVAC Feasibility Study Project No. 2015-25 - CLOSED						
Feasibility Study and analysis of various types of mechanical cooling systems at the Sports Center	Design/Feasibility Study	\$24,112	\$0	\$24,112	\$0	\$0
	Construction Management	\$0	\$0	\$0	\$0	\$0
	Construction	\$3,967	\$0	\$3,967	\$0	\$0
	Sub-total	\$28,079	\$0	\$28,079	\$0	\$0
Animal Shelter HVAC Replacement Project No. 2016-12 - CLOSED						
Replacement of two HVAC Units at the Animal Shelter Budget Amendment 2021-22 (\$5,971)	Design	\$8,250	\$0	\$8,250	\$0	\$0
	Construction Management	\$0	\$0	\$0	\$0	\$0
	Construction	\$83,279	\$0	\$83,279	\$0	\$0
	Sub-total	\$91,529	\$0	\$91,529	\$0	\$0
Animal Shelter Roof, Paint and Siding Project No. 2017-01 - CLOSED						
Replacement of the siding at the Animal Shelter Budget Amendment 2021-22 (\$46,626)	Design	\$14,919	\$0	\$14,919	\$0	\$0
	Construction Management	\$0	\$0	\$0	\$0	\$0
	Construction	\$395,605	\$0	\$395,605	\$0	\$0
	Sub-total	\$410,524	\$0	\$410,524	\$0	\$0
Senior Center West Parking Lot Paving Project No. 2017-12 - CLOSED						
Paving of the west parking lot at the Senior Center	Design	\$1,186	\$0	\$1,186	\$0	\$0
	Construction Management	\$0	\$0	\$0	\$0	\$0
	Construction	\$150,131	\$0	\$150,131	\$0	\$0
	Sub-total	\$151,317	\$0	\$151,317	\$0	\$0
Sports Center Exterior Coating and Siding Project No. 2017-02 - CLOSED						
Replacement of the siding on the west side of the Sports Center building	Design	\$1,499	\$0	\$1,499	\$0	\$0
	Construction Management	\$0	\$0	\$0	\$0	\$0
	Construction	\$54,240	\$0	\$54,240	\$0	\$0
	Sub-total	\$55,739	\$0	\$55,739	\$0	\$0
PAC HVAC Replacement Project No. 2017-04 - CLOSED						
Replacement of 5 HVAC Units at the Spreckels Performing Arts Center	Design	\$0	\$0	\$0	\$0	\$0
	Construction Management	\$0	\$0	\$0	\$0	\$0
	Construction	\$413,888	\$0	\$413,888	\$0	\$0
	Sub-total	\$413,888	\$0	\$413,888	\$0	\$0

BOND 3 Project List

		Project Budget				
Project Name	Types of Expenses	BOND Proceeds	Other Funding Source	Previous Expenditures	July-Dec 2022 Total	Remaining Balance
Alicia Park ADA Path of Travel Project No. 2017-05 - CLOSED						
Replacement of various paths of travel for ADA accessibility	Design	\$0	\$0	\$0	\$0	\$0
	Construction Management	\$0	\$0	\$0	\$0	\$0
	Construction	\$104,608	\$0	\$104,608	\$0	\$0
	Sub-total	\$104,608	\$0	\$104,608	\$0	\$0
Senior Center HVAC Replacement Project No 2017-13 - CLOSED						
Replacement of 8 HVAC units at the Senior Center Budget Amendment 2021-22 (\$9,289)	Design	\$0	\$0	\$0	\$0	\$0
	Construction Management	\$0	\$0	\$0	\$0	\$0
	Construction	\$274,331	\$0	\$274,331	\$0	\$0
	Sub-total	\$274,331	\$0	\$274,331	\$0	\$0
Senior Center Roof Project No. 2014-05 - CLOSED						
Replacement of roof at Senior Center - Combined with 310-1405 Budget Amendment 2021-22 (\$3,166)	Design	\$0	\$0	\$0	\$0	\$0
	Construction Management	\$0	\$0	\$0	\$0	\$0
	Construction	\$288,043	\$0	\$288,043	\$0	\$0
	Sub-total	\$288,043	\$0	\$288,043	\$0	\$0
Downtown Sewer Main Project - Project No 2018-40- CLOSED						
Provides additional capacity in the existing sewer system on Enterprise Drive and Hunter Drive Budget Amendment 2021-22 (\$192,460)	Design	\$0	\$0	\$0	\$0	\$0
	Construction Management	\$0	\$0	\$0	\$0	\$0
	Construction	\$2,657,540	\$650,000	\$3,307,540	\$0	\$0
	Sub-total	\$2,657,540	\$650,000	\$3,307,540	\$0	\$0
Downtown Rohnert Park Expressway - State Farm Drive Traffic Improvements Project No 2018-41- CLOSED						
Modifications to the Rohnert Park Expressway/State Farm Drive intersection and median improvements on State Farm Drive Budget Amendment 2021-22 +\$6,965 Reso 2022-066 (\$2,088,358 move to 2022-26)	Design	\$0	\$0	\$0	\$0	\$0
	Construction Management	\$0	\$0	\$0	\$0	\$0
	Construction	\$18,607	\$0	\$18,607	\$0	\$0
	Sub-total	\$18,607	\$0	\$18,607	\$0	\$0
City Hall Generator Connection Project Project No 2020-10- CLOSED						
Generator connection installation Budget Amendment 2021-22 (\$575)	Design		\$0	\$0	\$0	\$0
	Construction Management		\$0	\$0	\$0	\$0
	Construction	\$79,425	\$0	\$79,425	\$0	\$0
	Sub-total	\$79,425	\$0	\$79,425	\$0	\$0

BOND 3 Project List

		Project Budget				
Project Name	Types of Expenses	BOND Proceeds	Other Funding Source	Previous Expenditures	July-Dec 2022 Total	Remaining Balance
Senior Center Generator Connection Project Project No 2020-11- CLOSED						
Generator connection installation Budget Amendment 2021-22 (\$4,871)	Design	\$8,000	\$0	\$8,000	\$0	\$0
	Construction Management		\$0	\$0	\$0	\$0
	Construction	\$57,129	\$0	\$57,129	\$0	\$0
	Sub-total	\$65,129	\$0	\$65,129	\$0	\$0
Senior Center Restrooms and ADA Improvements Project No. 2015-07						
Renovation of restroom, including new fixtures, flooring, ADA upgrades Combined with 310-1507 via Resolution 2021-	Design	\$0	\$0	\$0	\$0	\$0
	Construction Management	\$0	\$0	\$0	\$0	\$0
	Construction	\$256,311	\$0	\$171,086	\$8	\$85,217
	Sub-total	\$256,311	\$0	\$171,086	\$8	\$85,217
Downtown Infrastructure Project No. 2022-26						
Infrastructure for new Downtown development (approved by Resolution 2022-066)	Total Project Budget	\$3,200,000	\$7,000,000	\$0	\$0	\$10,200,000
		\$0	\$0	\$0	\$0	\$0
		\$0	\$0	\$0	\$0	\$0
	Sub-total	\$3,200,000	\$7,000,000	\$0	\$0	\$10,200,000
Other Identified but not-funded Projects						
Various Additional Projects not yet encombered total \$1,966,192	Design	\$0	\$0	\$0	\$0	\$0
	Construction Management	\$0	\$0	\$0	\$0	\$0
	Construction	\$1,966,192	\$0	\$0	\$0	\$1,966,192
	Sub-total	\$1,966,192	\$0	\$0	\$0	\$1,966,192
TOTAL		\$10,061,262	\$7,650,000	\$5,459,845	\$8	\$12,251,410