

**SANTA ROSA CITY COUNCIL MINUTES
REGULAR MEETING
CITY HALL, 100 SANTA ROSA AVENUE
MAY 10, 2016**

1. CALL TO ORDER AND ROLL CALL

Mayor Sawyer called the meeting to order at 12:07 p.m. Council Members present: Mayor Sawyer, Vice Mayor Schwedhelm, Council Members Combs, Coursey, and Wysocky. Council Member Carlstrom arrived at 12:17 p.m. Council Member Olivares was absent.

2. STUDY SESSION

2.1 REVIEW OF FISCAL YEAR (FY) 2016-17 DEPARTMENT BUDGET REQUESTS, CAPITAL IMPROVEMENT PROGRAM FUNDING REQUESTS, AND COMMUNITY PROMOTIONS FUNDING REQUESTS

This is part one of a two-part Study Session, with the second part taking place on May 17, 2016. On day one, the City Council will receive an overview of the City's financial condition, then a presentation of the City's proposed Operations and Maintenance budget including information on each department's request. This presentation will include an overview of the City's policy for funding Homeless and Affordable Housing programs with Real Property Transfer Tax (RPTT) and the Community Promotions funding requests for the upcoming fiscal year.

At the May 17, 2016 Study Session, staff will finish the individual department budget presentations. The Study Session will conclude with a presentation of the City's proposed Capital Improvement Program budget and City Manager's closing comments.

Information and department budgets will be presented in the following order:

May 10, 2016

- Budget Overview
- Overview of the Council Policy for Funding Homeless and Affordable Housing Programs with Real Property Transfer Tax
- City Council
- Community Promotions
- City Manager's Office
- Office of Community Engagement
- City Attorney's Office
- Human Resources
- Finance/Non-Departmental
- Information Technology
- Planning and Economic Development
- Recreation and Parks

May 17, 2016

- Fire
- Police
- Housing and Community Services
- Transportation and Public Works
- Santa Rosa Water
- Capital Improvement Program
- City Manager's Closing Comments

Presented by Deborah Lauchner, Chief Financial Officer and City Department Managers.

Mayor recessed the meeting at 1:33 p.m. and reconvened at 1:43 p.m.

Mayor Sawyer made an announcement that the Closed Session Item 3.1 will be moved to the end of the agenda.

Mayor recessed the meeting at 4:52 pm and reconvened the meeting at 5:02 p.m.

2.2 2015 URBAN WATER MANAGEMENT PLAN

Staff will present an informational session on the requirements of the 2015 Urban Water Management Plan, which includes an update on the Water Conservation Act of 2009 (SB x7-7) and the revised 2015 Urban Water Shortage Contingency Plan.

Presented by Jennifer Burke, Deputy Director - Water and Engineering Resources, and Rocky Vogler, Senior Water Resources Planner.

PUBLIC COMMENT

Duane DeWitt spoke on the former red zone in Roseland, an area of toxic contamination, and public participation.

Gerry La Londe-Berg spoke on addressing the high use water uses.

The time being past 5:00 p.m., Mayor Sawyer took Item 13 – Public Comment on Non-Agenda Items.

13. PUBLIC COMMENT ON NON-AGENDA MATTERS

Duane DeWitt spoke on Santa Rosa Junior College dormitories.

4. ANNOUNCEMENT OF ROLL CALL

5. REPORT, IF ANY, ON STUDY AND CLOSED SESSIONS

Deputy City Manager Hurtado reported Council met on Part 1 Study Session Item 2.1 - Review of Fiscal Year (FY) 2016-17 Department Budget Requests, Capital Improvement Program Funding Requests, And Community Promotions Funding Requests, and Item 2.2 - 2015 Urban Water Management Plan.

6. PROCLAMATIONS/PRESENTATIONS

6.1 PRESENTATION - THE DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT HIGH PERFORMING AGENCY AWARD

Presented by Carmelita Howard, Housing and Community Services Manager.

7. STAFF BRIEFINGS – NONE.

8. CITY MANAGER’S/CITY ATTORNEY’S REPORTS

City Attorney Fowler reported on submitting a briefing on the petition to the California Public Utilities Commission regarding the Jennings Ave. at-grade crossing and that the administrative hearing judge has 60 days to issue her tentative opinion.

9. STATEMENTS OF ABSTENTION BY COUNCILMEMBERS

No statements of abstention were made.

10. MAYOR’S/COUNCILMEMBERS’ REPORTS

The Mayor and Council Members made announcements and reports of interest to the Council.

10.1 MAYOR’S/COUNCILMEMBERS’ SUBCOMMITTEE AND LIAISON REPORTS (AND POSSIBLE COUNCIL DIRECTION TO BOARD REPRESENTATIVE ON PENDING ISSUES, IF NEEDED)

10.1.1 Council Subcommittee Reports. Council Member Coursey provided a brief report on the Economic Development Subcommittee.

10.1.2 Sonoma County Transportation Authority/Regional Climate Protection Authority (SCTA/RCPA). Council Member Coursey provided a brief report.

10.1.3 Sonoma County Water Agency (SCWA) - Water Advisory Committee – None.

10.1.4 Association of Bay Area Governments (ABAG) - None.

10.1.5 Sonoma County Agricultural Preservation and Open Space District Advisory Committee – None.

10.1.6 Sonoma Clean Power Authority (SCPA). Council Member Wysocky provided a brief report.

10.1.7 Sonoma County Waste Management Agency (SCWMA) – None.

10.1.8 Other

Council Member Combs requested an item be placed on a future agenda to discuss the concept of staff appointed by Council for each Council Member. Council Member Carlstrom concurred.

11. APPROVAL OF MINUTES

11.1 April 5, 2016, Regular Meeting

Approved as submitted.

12. CONSENT ITEMS

MOVED by Vice Mayor Schwedhelm, seconded by Council Member Carlstrom, and **CARRIED** 6-0-1 (Mayor Sawyer, Vice Mayor Schwedhelm, Council Members

Carlstrom, Combs, Coursey, Wysocky voting yes; Council Member Olivares absent) to waive reading of the text and adopt Consent Items 12.1 through 12.7 as follows:

12.1 MOTION - CONTRACT AWARD - PRINCE GATEWAY PARK SPRAY GROUND

MOTION awarding Contract No. C01991, Prince Gateway Park Spray Ground, in the amount of \$496,396.00 to the lowest responsible bidder, California Waters Development, Inc. of Yorba Linda, CA, approve a 15% contract contingency, and authorize a total contract amount of \$570,855.40. Funding for this project has been appropriated to Account No.09619. The source of funds is \$800,000 general fund appropriated mid-year FY14/15.

12.2 MOTION - FIFTH AMENDMENT TO PROFESSIONAL SERVICES AGREEMENT - CALIFORNIA CODE CHECK, INC.

MOTION approving the Fifth Amendment to the Professional Services Agreement with California Code Check, Inc., located in Atascadero, California, for plan check review services, adding an additional amount of \$100,000, for a total contracted amount of \$395,000.

12.3 MOTION - CONTRACT AWARD - CITY OF SANTA ROSA RAILROAD SQUARE PARKING MANAGEMENT PLAN AND PROGRESSIVE PARKING STRATEGIES

MOTION approving a contract award for City of Santa Rosa Railroad Square parking management plan and progressive parking strategy consulting services with Nelson/Nygaard Consulting Associates, Inc., San Francisco, CA in the total amount not to exceed \$131,355. Funds for this expense are included in the Fiscal Year 2015-16 Railroad Square SMART Parking Management Project Fund adopted budget.

12.4 MOTION - CONTRACT AWARD - CITY OF SANTA ROSA WEBSITE DESIGN AND REPLACEMENT SERVICES

MOTION approving a contract award for City of Santa Rosa website design and replacement services with Icon Enterprises, Inc. dba CivicPlus, Manhattan, Kansas, in the total amount not to exceed \$229,759 plus a 5% contingency not to exceed \$11,488. Funds for this contract are funded in Fiscal Year 2015-16 Information Technology srcity.org Redesign Project approved budget, and will be included in subsequent Fiscal Year budget proposals when presented to the City Council.

12.5 MOTION - CONTRACT AWARD - WEED AND RUBBISH ABATEMENT SERVICES

MOTION approving a two year contract with three 1-year renewal options for weed and rubbish abatement services to DeAngelo Brothers LLC, Sacramento, California, in the total amount not to exceed \$250,000. Funds for this purchase are funded in Fiscal Year 2015-16 Fire and Recreation & Parks Department operational accounts, and will be funded in subsequent fiscal years when approved by Council.

12.6 RESOLUTION - CITY/COUNTY PAYMENT PROGRAM (CCPP) AUTHORIZATION

RESOLUTION NO. 28773 ENTITLED: RESOLUTION OF THE COUNCIL OF THE CITY OF SANTA ROSA AUTHORIZING THE SONOMA COUNTY WASTE MANAGEMENT AGENCY (SCWMA) TO SUBMIT APPLICATIONS ON BEHALF OF THE CITY FOR CITY/COUNTY PAYMENT PROGRAMS (CCPP) AND AUTHORIZING THE SCWMA EXECUTIVE DIRECTOR TO EXECUTE AGREEMENTS AND DOCUMENTS NECESSARY TO IMPLEMENT THE CCPP

12.7 RESOLUTION - ACCEPT FINALI PARK, THE REAL PROPERTY OFFERED UNDER THE TERMS OF THE IRREVOCABLE OFFER TO DEDICATE PARK PROPERTY AND PARK DEVELOPMENT AGREEMENT

RESOLUTION NO. 28774 ENTITLED: RESOLUTION OF THE COUNCIL OF THE CITY OF SANTA ROSA ACCEPTING FINALI NEIGHBORHOOD PARK, THE REAL PROPERTY OFFERED UNDER THE TERMS OF THE IRREVOCABLE OFFER TO DEDICATE PARK PROPERTY AND PARK DEVELOPMENT AGREEMENT

14. REPORT ITEMS

14.1 REPORT - INTRODUCTION OF AN INTERIM ORDINANCE TO IMPOSE A TEMPORARY MORATORIUM ON RENT INCREASES

BACKGROUND: The Council has initiated a program to review and summarize rent stabilization programs in California, including options for the implementation of Mediation/ Arbitration, Just Cause for Eviction and Rent Stabilization in Santa Rosa. A presentation of these program options was made to the Council on January 26, 2016.

On March 31, 2016, the Rent Stabilization Council Subcommittee considered six tenant protection options, eventually recommending adoption of limited rent stabilization with a companion rent moratorium. The subcommittee also discussed several options for implementation, which should be considered by the City Council.

On May 3, 2016, the Council provided direction for a rent stabilization / just cause for eviction ordinance and directed staff to proceed with the ordinance. Council also directed the preparation of an ordinance to address an interim moratorium on rent increases exceeding 3%, to prevent landlords from increasing rent over this percentage while providing a fair and reasonable rate of return while the rent stabilization ordinance is drafted.

RECOMMENDATION: Council has directed staff to bring forward an interim ordinance to impose a temporary moratorium on rent increases in order to prevent rental increases exceeding 3% while a rent stabilization ordinance is being prepared.

Presented by Chuck Regalia, Assistant City Manager.

PUBLIC COMMENT

Anne Seeley complimented the Council on the serious attention they have given to the housing issue.

Mallori Spilker, spoke in opposition of the moratorium on rent increases.

Keith Becker spoke in opposition of the temporary moratorium on rent increases.

Duane DeWitt spoke in support of the temporary moratorium on rent increases.

Enrique Yarce spoke in support of the temporary moratorium on rent increases.

Courtney Cox spoke in support of the temporary moratorium on rent increases.

Niqueollette & Justice McGowan spoke in support of the temporary moratorium on rent increases.

Eva Granahan spoke in support of the temporary moratorium on rent increases.

Ka'Lani Raposa spoke in support of the temporary moratorium on rent increases and taking care of the current homeless population.

Gerry LaLonde-Berg spoke on speaking to the homeless population and housing the people who work in the community.

Beth Streets spoke in opposition of the temporary moratorium on rent increases.

Denise Jacquin spoke in support of the temporary moratorium on rent increases.

MOVED by Council Member Combs, seconded by Council Member Carlstrom, and **CARRIED** 4-2-1 (Council Members Carlstrom, Combs, Coursey, Wysocky voting yes; Mayor Sawyer, Vice Mayor Schwedhelm voting no; Council Member Olivares absent) to waive reading of the text and introduce:

ORDINANCE ENTITLED: AN INTERIM ORDINANCE OF THE COUNCIL OF THE CITY OF SANTA ROSA IMPOSING A TEMPORARY (45 DAY) MORATORIUM ON CERTAIN RESIDENTIAL RENT INCREASES IN THE CITY OF SANTA ROSA

14.2 REPORT - SANTA ROSA WATER FUND-TO-FUND LOAN FOR THE PURPOSE OF ACQUIRING LAGUNA TREATMENT PLANT BUFFER PROPERTY

BACKGROUND: It is a practice of Santa Rosa Water (SRW) to purchase buffer property around the Subregional Laguna Treatment Plant (LTP) when such property becomes available. On February 18, 2016, in closed session, the Board of Public Utilities provided direction to staff regarding price and terms for the purchase of property located at 4090 Walker Avenue (the Property). On April 21, 2016, the Board of Public Utilities approved the purchase of the Property consistent with the price and terms discussed in closed session, subject to City Council approval of a Santa Rosa Water fund-to-fund loan.

Acquisition of the Property is for the benefit of the Subregional System and the fund-to-fund loan is for the benefit of the Waste Operations Fund, which does not currently have the funds on hand for the purchase. The purchase is thus subject to City Council approval of financing via an internal fund-to-fund loan from the Local Wastewater Utility Fund to the Subregional Waste Operations Fund.

RECOMMENDATION: It is recommended by the Water and Finance Departments and the Board of Public Utilities that the Council, by resolution, approve a Santa Rosa Water fund-to-fund loan from the Local Wastewater Utility Fund to the Subregional Waste Operations Fund for the purchase of a Laguna Treatment Plant buffer property located at 4090 Walker Avenue.

Presented by Linda Reed, Interim Director of Water Department.

PUBLIC COMMENT

Duane DeWitt spoke destroying property assets once it is acquired by the City.

MOVED by Vice Mayor Schwedhelm, seconded by Council Member Coursey, and **CARRIED** 6-0-1 (Mayor Sawyer, Vice Mayor Schwedhelm, Council Members Carlstrom, Combs, Coursey, Wysocky voting yes; Council Member Olivares absent) to waive reading of the text and adopt:

RESOLUTION NO. 28775 ENTITLED: RESOLUTION OF THE COUNCIL OF THE CITY OF SANTA ROSA APPROVING A SANTA ROSA WATER INTERNAL FUND-TO-FUND LOAN FOR FINANCING THE PURCHASE OF BUFFER PROPERTY ADJACENT TO THE LAGUNA TREATMENT PLANT

14.3 REPORT - PRESS DEMOCRAT BUILDING ROW VACATION - REQUEST TO SUMMARILY VACATE APPROXIMATELY 756 SQUARE FEET OF PUBLIC RIGHT-OF-WAY FOR MENDOCINO AVENUE AND ROSS STREET OCCURRING BENEATH THE PRESS DEMOCRAT BUILDING FOOTPRINT FOR THE PROPERTY LOCATED AT 427 MENDOCINO AVENUE - FILE NO. VAC16-002

BACKGROUND: On February 2, 2016, the City received an application requesting a vacation of right-of-way to clear title to a portion of

City-owned right-of-way under the existing Press Democrat building on Mendocino Avenue. The request is for an area of right-of-way that has not been available for public use since the existing building was constructed in 1974. Should the request be approved, the vacated right-of-way will remain within the building footprint and be owned in fee by the applicant, Cornerstone Properties, LLC. There would be no change to the existing sidewalks or curbs along Mendocino Avenue or Ross Street.

RECOMMENDATION: It is recommended by the Planning and Economic Development Department that the Council, by resolution, approve the summary vacation of a portion of public right-of-way for Mendocino Avenue and Ross Street currently beneath the building footprint of 427 Mendocino Avenue.

Presented by Patrick Streeter, Senior Planner.

MOVED by Council Member Wysocky, seconded by Vice Mayor Schwedhelm, and **CARRIED** 5-1-1 (Mayor Sawyer, Vice Mayor Schwedhelm, Council Members Combs, Coursey, Wysocky voting yes; Council Member Carlstrom voting no; Council Member Olivares absent) to waive reading of the text and adopt:

RESOLUTION NO. 28776 ENTITLED: RESOLUTION OF THE COUNCIL OF THE CITY OF SANTA ROSA SUMMARILY VACATING APPROXIMATELY 756 SQUARE FEET OF PUBLIC RIGHT-OF-WAY OCCURRING BENEATH THE FOOTPRINT OF 427 MENDOCINO AVENUE – FILE NO. VAC16-002

15. PUBLIC HEARINGS

15.1 PUBLIC HEARING - AUTHORIZING SUBMISSION OF THE 2016 - 2020 CONSOLIDATED PLAN AND THE FISCAL YEAR 2016/2017 ACTION PLAN TO THE U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT (HUD)

BACKGROUND: The proposed action will authorize submission of the Consolidated Plan for 2016 - 2020 and the Fiscal Year 2016/2017 Action Plan. Submission of these Plans is required by HUD for the City to continue to receive federal housing and community development funding in the form of Community Development Block Grant (CDBG), HOME Investments Partnership Act (HOME) and Housing Opportunities for Persons with AIDS (HOPWA) allocations.

RECOMMENDATION: It is recommended by the Housing and Community Services Department that the Council, by resolution, authorize submission of the 2016 - 2020 Consolidated Plan and the Fiscal Year 2016/2017 Action Plan to the U.S. Department of Housing and Urban Development (HUD), approve the Fiscal Year 2016/2017 funding allocations for public services and HOPWA funds in the amount of \$619,908, and authorize the City Manager to execute annual federal funding agreements, HUD forms, and other documents required by HUD which are required to implement the Consolidated Plan for its four year term.

Presented by Nancy Manchester, Program Specialist II.

PUBLIC HEARING

Mayor Sawyer opened the public hearing at 8:05 p.m.

Duane DeWitt spoke on the supply of affordable rental housing and beginning the public participation process earlier on this issue.

Seeing no one else wishing to speak, Mayor Sawyer closed the public hearing at 8:08 p.m.

MOVED by Council Member Carlstrom, seconded by Council Member Combs, and **CARRIED** 6-0-1 (Mayor Sawyer, Vice Mayor Schwedhelm, Council Members Carlstrom, Combs, Coursey, Wysocky voting yes; Council Member Olivares absent) to waive reading of the text and adopt:

RESOLUTION NO. 28777 ENTITLED: RESOLUTION OF THE COUNCIL OF THE CITY OF SANTA ROSA AUTHORIZING SUBMISSION OF THE 2016 – 2020 CONSOLIDATED PLAN AND THE FISCAL YEAR 2016/2017 ACTION PLAN TO THE U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT (HUD)

16. WRITTEN COMMUNICATIONS – NONE.

17. PUBLIC COMMENTS ON NON-AGENDA MATTERS – NONE.

3. ANNOUNCEMENT OF CLOSED SESSION ITEMS

Mayor Sawyer recessed the meeting to closed session at 8:14 p.m. to discuss Item 3.1 as listed on the agenda:

3.1 CONFERENCE WITH LEGAL COUNSEL - ANTICIPATED LITIGATION

Initiation of litigation pursuant to paragraph (4) of subdivision (d) of Government Code Section 54956.9: one potential case

Mayor Sawyer adjourned closed session at 8:43 p.m. and reconvened the meeting to open session in the Council Chamber at 8:43 p.m.

City Attorney Fowler announced that the City Council voted 6-0-1 (Council Member Olivares absent) to initiate an action under the Drug Abatement Act against John Vincent involving the property located at 550 Richmond Drive.

18. ANNOUNCEMENT OF CONTINUED CLOSED SESSION ITEMS, RECESS TO CLOSED SESSION IN THE MAYOR'S CONFERENCE ROOM, RECONVENE TO OPEN SESSION, AND ANNOUNCEMENTS – NONE.

19. ADJOURNMENT OF MEETING

Hearing no further business, Mayor Sawyer adjourned the meeting at 8:44 p.m. The next regularly scheduled meeting will take place on May 17, 2016, at a time to be set by the Mayor.

Approved on: May 31, 2016

/s/ Stephanie A. Williams, Interim City Clerk