



City of Santa Rosa

City Hall
100 Santa Rosa Avenue
Santa Rosa, CA 95404

CITY COUNCIL REGULAR MEETING AGENDA AND SUMMARY REPORT AUGUST 30, 2016

Council Member Coursey will be participating in the meeting via teleconference from 34 Farr Ln., Unit B, Waitsfield, VT, 05673, at 7:00 p.m. Eastern Standard Time. This agenda shall be posted at this location.

3:00 P.M. - STUDY SESSION (COUNCIL CHAMBER)

4:00 P.M. - REGULAR SESSION (COUNCIL CHAMBER)

PUBLIC COMMENTS:

Except for public hearing items, comments from the public will be allowed on all agenda items at the time each item is called. Comments on public hearing items may be made when the hearing is opened.

Comments from the public on non-agenda items will be heard under Agenda Items 13 and 17. This is the time when any person may address the Council on matters not listed on this agenda, but which are within the subject matter jurisdiction of the Council. The first public comment period on non-agenda items (Agenda Item 13) will begin no earlier than 5:00 p.m. and will be limited to ten speakers selected randomly by the Mayor. Each speaker will be allowed three minutes. Speakers who do not have an opportunity to speak during this time will be allowed to make public comment under Agenda Item 17.

To address the Council you are requested to complete a yellow Speaker Card and give it to the City Clerk. If you are unable to or do not wish to wait for the public comment portion of the agenda, you are encouraged to contact the Council or City Clerk directly by submitting your comments to 100 Santa Rosa Avenue, Room 10, Santa Rosa 95404 or cityclerk@srcity.org.

3:00 P.M. (CITY COUNCIL CHAMBER)

1. CALL TO ORDER AND ROLL CALL

Any writings or documents provided to a majority of the City Council prior to this meeting regarding any item on this agenda, excluding closed session items, are available for public review in the City Clerk's Office, Room 10, City Hall, 100 Santa Rosa Ave, during normal business hours.

2. ANNOUNCEMENT OF CLOSED SESSION ITEMS - NONE.

3. STUDY SESSION

Study Session items are items for in-depth discussion and possible direction to staff. No action will be taken.

3.1 COUNCIL GUIDE TO EMERGENCY MANAGEMENT BASICS, PART II - COMMUNICATIONS PLAN

This presentation is intended to provide a high level overview of the City's modes and methods of communication, especially during a crisis or disaster. This is a basic orientation to help Council and the Mayor understand the roles and responsibilities City staff play in communicating with the public, City Council and City of Santa Rosa employees.

Attachments [Staff Report](#)
[Presentation](#)

4:00 P.M. (CITY COUNCIL CHAMBER)

4. ANNOUNCEMENT OF ROLL CALL

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

6. PROCLAMATIONS/PRESENTATIONS

6.1 PROCLAMATION - DESMOID TUMOR AWARENESS MONTH

Attachments [Proclamation](#)

6.2 PROCLAMATION - EMPLOYEE FUND DRIVE MONTH

Attachments [Proclamation](#)

6.3 PROCLAMATION - POLLUTION PREVENTION WEEK AND CREEK WEEK

Attachments [Proclamation](#)

6.4 PROCLAMATION - AMERICAN MEDICAL RESPONSE 25TH ANNIVERSARY

Attachments [Proclamation](#)

7. STAFF BRIEFINGS - NONE.

This time is reserved for City staff to provide a five-minute briefing to the Council on departmental issues of interest. No action will be taken on these matters except to possibly place a particular item on a future agenda for Council consideration.

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

9. STATEMENTS OF ABSTENTION BY COUNCILMEMBERS

10. MAYOR'S/COUNCILMEMBERS' REPORTS

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

10.1.2 Sonoma County Transportation Authority/Regional Climate Protection Authority (SCTA/RCPA)

10.1.3 Sonoma County Water Agency (SCWA) - Water Advisory Committee

10.1.4 Association of Bay Area Governments (ABAG)

10.1.5 Sonoma County Agricultural Preservation and Open Space District Advisory Committee

10.1.6 Sonoma Clean Power Authority (SCPA)

10.1.7 Sonoma County Waste Management Agency (SCWMA)

10.1.8 Other

10.2 DESIGNATION OF VOTING DELEGATE/ALTERNATE TO LEAGUE OF CALIFORNIA CITIES ANNUAL CONFERENCE

- 10.2.1** In order to vote at the Annual Business Meeting at the League of California Cities 2016 Annual Conference, each member City must designate a voting delegate and up to two alternate delegates. This year's conference will be held in Long Beach from Wednesday, October 5 through Friday October 7. The delegates must be designated by the City Council, and the voting delegate and alternates must be registered to attend the conference.

Attachments [Letter](#)

10.3 MATTERS FROM COUNCIL REGARDING FUTURE AGENDA ITEMS

This time is reserved for Council to discuss whether to place matters on a future agenda for further discussion.

10.3.1 REQUEST FOR AGENDA ITEM REGARDING THE COST OF USING PARATRANSIT FOR BUS ROUTES

BACKGROUND: At the August 16, 2016, City Council meeting, Council Member Combs requested a future agenda item to discuss the costs of using Paratransit for individuals who no longer have access to a bus route due to changes in service from Reimagining CityBus. Council Member Coursey concurred with the request.

11. APPROVAL OF MINUTES

12. CONSENT ITEMS

12.1 RESOLUTION - REJECT ALL BIDS - NEIGHBORHOOD STREETS INITIATIVE OVERLAY 2016

RECOMMENDATION: It is recommended by the Transportation and Public Works Department that the Council, by resolution, reject all bids for Construction Contract No. C02070 for the Neighborhood Streets Initiative Overlay 2016.

Attachments [Staff Report](#)
[Attachment 1](#)
[Attachment 2](#)
[Resolution](#)
[Presentation](#)

- 12.2** ORDINANCE ADOPTION - ORDINANCE OF THE COUNCIL OF THE CITY OF SANTA ROSA AUTHORIZING AN AMENDMENT TO THE CONTRACT BETWEEN THE COUNCIL OF THE CITY OF SANTA ROSA AND THE BOARD OF ADMINISTRATION OF THE CALIFORNIA PUBLIC EMPLOYEES' RETIREMENT SYSTEM

RECOMMENDATION: This ordinance, introduced at the August 2, 2016, Regular Meeting by a 6-0-1 vote (Council Member Carlstrom absent), approves an amendment to the City of Santa Rosa's contract with the California Public Employees' Retirement System.

Attachments [Ordinance](#)

13. PUBLIC COMMENT ON NON-AGENDA MATTERS

This is the time when any person may address the Council on matters not listed on this agenda, but which are within the subject matter jurisdiction of the Council. This public comment period will begin no earlier than 5:00 p.m. and will be limited to ten speakers selected randomly by the Mayor. Each speaker will be allowed three minutes. Speakers who do not have an opportunity to speak during this time will be allowed to make public comment under Agenda Item 17.

14. REPORT ITEMS

- 14.1** REPORT - ORDINANCE ADOPTION OF THE COUNCIL OF THE CITY OF SANTA ROSA ADDING CHAPTER 6-90 TO THE SANTA ROSA MUNICIPAL CODE CONCERNING, AS TO CERTAIN RESIDENTIAL RENTAL UNITS IN THE CITY, (A) RENT STABILIZATION, LIMITATIONS ON THE TERMINATION OF TENANCIES AND THE PAYMENT OF RELOCATION ASSISTANCE AND REPEALING IN THEIR ENTIRETY ORDINANCE NUMBERS 4067, 4069, AND 4070

BACKGROUND: This ordinance, introduced at the August 16, 2016,

Regular Meeting by a 4-2-1 vote (Vice Mayor Schwedhelm, Council Member Olivares voting no; Mayor Sawyer abstained/recused), adds Chapter 6-90 to the Santa Rosa municipal code concerning, as to certain residential rental units in the city, (a) rent stabilization, limitations on the termination of tenancies and the payment of relocation assistance and repealing in their entirety ordinance numbers 4067, 4069 and 4070.

RECOMMENDATION: It is recommended that the Council adopt an ordinance adding Chapter 6-90 to the Santa Rosa municipal code concerning, as to certain residential rental units in the city, (a) rent stabilization, limitations on the termination of tenancies and the payment of relocation assistance and repealing in their entirety ordinance numbers 4067, 4069 and 4070.

Attachments [Staff Report](#)
[Attachment 1](#)
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[Ordinance](#)
[Presentation](#)

14.2 REPORT - CITY OF SANTA ROSA RENT STABILIZATION AND OTHER TENANT PROTECTIONS ORDINANCE PROGRAM STAFFING, COST AND FEE ESTIMATE

BACKGROUND: Given the increased housing cost burden faced by many City of Santa Rosa residents, in which rental increases threaten the public health, safety, and welfare of the City's residents, the Council has initiated a program to implement Rent Stabilization and Just Cause for Eviction policies in Santa Rosa. This direction followed an extensive review of rent stabilization programs in California, including options for the implementation of Mediation/Arbitration, Just Cause for Eviction, and Rent Stabilization in Santa Rosa.

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. Per the direction of the Council, staff has prepared a Rent Stabilization/Just Cause for Eviction Ordinance for Council consideration.

On August 16, 2016, the Council voted to adopt an ordinance of the City

of Santa Rosa adding Chapter 6-90 to the Santa Rosa Municipal Code regarding: 1) Residential Rent Stabilization and Other Tenant Protections for certain rental units within the City of Santa Rosa; 2) A resolution adopting a policy concerning Capital Improvement Plans for certain Rental Units within the City of Santa Rosa; And, 3) Review of preliminary cost estimates to administer the rent stabilization program through June 30, 2017.

Per the direction of the Council, staff has prepared detailed cost estimates to administer the rent stabilization program through June 30, 2017 for Council consideration.

RECOMMENDATION: It is recommended by the Housing and Community Services Department that the Council, by resolution, adopt the proposed Rent Stabilization and Other Tenant Protections Ordinance program staffing, cost, and fee estimate, and appropriate \$744,059 of General Funds subject to fee reimbursement, to operate the Program through June 30, 2017.

Attachments [Staff Report](#)
[Attachment](#)
[Resolution](#)
[Presentation](#)

(THE COUNCIL MAY RECESS DURING THE EVENING FOR A DINNER BREAK)

14.3 REPORT - APPROVAL OF TOW VENDOR FRANCHISEE LIST FOR POLICE-GENERATED TOWS, AND REVISION OF FRANCHISE FEE

BACKGROUND: Prior to 2004, the City contracted with local tow vendors to provide tow services to remove stopped, standing, parked and hazardous vehicles from public streets, roads and private property on a rotating basis.

On July 13, 2004, the City of Santa Rosa adopted Ordinance No. 3674 authorizing the City Council to grant franchises to one or more tow operators for police generated tow services. A \$30,000 franchise fee was set and split between 11 franchisees, resulting in a fee of \$2,727.

Resolution No. 26291, approved by Council on June 16, 2005, amended

the franchise fee to \$50,000 per year, divided among the 11 tow franchise operators, resulting in a fee of \$4,500.

Currently, there are seven tow operators, resulting in an annual fee of \$7,143. Several tow operators have opted out of the program due to the expense of the franchise fee.

California Vehicle Code Section 12110 authorizes a public agency to charge a fee in connection with the rotational tow vendor service. The fee “may not exceed the amount necessary to reimburse the public entity for its actual and reasonable costs incurred in connection with the towing program.” The franchise fee of \$50,000 established in 2005 was based on an estimated program cost of \$242,246 for all towed vehicles.

RECOMMENDATION: It is recommended by the Police Department that the Council, by resolution, approve the tow vendor franchisee list pursuant to City Ordinance No. 3674, Franchises for Police Generated Tow Operations, and revise the related franchise fee to a per vendor fee.

Attachments [Staff Report](#)
[Resolution](#)
[Exhibit A](#)
[Exhibit B](#)

14.4 REPORT - EXTENSION OF PROCLAMATION OF LOCAL HOMELESS EMERGENCY

BACKGROUND: On August 9, 2016, pursuant to the authority set forth in California Government Code Sections 8630 thru 8634, Council, by Resolution No. 28839, formally proclaimed a local homeless emergency within Santa Rosa. Section 8630 requires that the Council review the need for continuing the local emergency at least every 30 days until such local emergency is terminated. In light of the continuing conditions of homelessness within the city, staff is recommending that the Council extend the proclamation in full force and effect at this time.

RECOMMENDATION: It is recommended by the Housing and Community Services Department that the Council, by resolution, approve an extension of Resolution No. 28839 which formally proclaimed a local homeless emergency within Santa Rosa.

Attachments [Staff Report](#)
[Resolution](#)
[Presentation](#)

14.5 REPORT - COURTHOUSE SQUARE REUNIFICATION PROJECT UPDATE

BACKGROUND: This item will update the Council on the progress of the Courthouse Square Reunification project and provide information regarding expenditures for construction, construction management/inspection, and contingency. Council action may be recommended if it appears that additional construction contingency will be needed to complete the project.

RECOMMENDATION: It is recommended by the Transportation & Public Works Department that Council receive the project status update and provide direction and feedback to staff as needed.

Attachments [Staff Report](#)
[Presentation](#)

14.6 REPORT - HARASSMENT, DISCRIMINATION AND RETALIATION PROHIBITION AND PREVENTION POLICY (This item was continued from the July 26, 2016, Regular Meeting)

BACKGROUND: In November 2014, Human Resources staff met and conferred with the bargaining units as required by MMBA (Government Code §§ 3500 et seq.) One slight modification was suggested and accepted regarding employee responsibilities.

In January 2015, the draft Policy was finalized, capturing additional changes in the law that expanded the definition of “protected persons” to include City volunteers and unpaid City interns; and to reflect a change in reporting procedures if a Council member is involved in a complaint by an employee. The complaint will now be referred to the City Manager for further action.

RECOMMENDATION: It is recommended by the Human Resources Department that the Council, by resolution, adopt the revised Anti-Harassment, Anti-Discrimination and Anti-Retaliation Policy.

Attachments [Staff Report](#)
[Attachment](#)
[Resolution](#)
[Exhibit A](#)
[Presentation](#)

14.7 REPORT - APPROVAL OF REVISED AMENDMENT NO. 1 TO CITY MANAGER EMPLOYMENT AGREEMENT AND ORDINANCE ESTABLISHING SALARY

BACKGROUND: On July 26, 2016, the Council approved by resolution a cost of living increase effective July 10, 2016, for the executive management (Unit 10 - Executive Management).

On August 9, 2016, the Council adopted Resolution 28840 approving an Amendment No. 1 to Employment Agreement - City Manager. However, Amendment No. 1 did not provide for a 2.5% cost of living increase in the City Manager's salary as intended by Council and a revised Amendment No. 1 is being brought forward including the 2.5% cost of living increase in the City Manager's salary effective July 10, 2016.

RECOMMENDATION: It is recommended that the City Council: (1) by resolution, approve a revised Amendment No. 1 to the City Manager's Employment Agreement granting a two and one half percent (2.5%) cost of living adjustment and rescinding Resolution 28840; and (2) introduce an Ordinance Establishing Salary for the City Manager.

Attachments [Staff Report](#)
[Attachment](#)
[Resolution](#)
[Exhibit](#)
[Ordinance](#)
[Presentation](#)

15. PUBLIC HEARINGS - NONE.

Public Hearing matters will begin no earlier than 5:00 p.m. or as soon thereafter as the matters are reached on the agenda.

16. WRITTEN COMMUNICATIONS (POSSIBLE COUNCIL ACTION)

16.1 FINAL MAP - BAY VILLAGE SUBDIVISION. Provided for information.

Attachments [Notice of Submittal of Final Map](#)

17. PUBLIC COMMENTS ON NON-AGENDA MATTERS

This is the time when any person may address the Council on matters not listed on this agenda, but which are within the subject matter jurisdiction of the Council. Each speaker will be allowed three minutes.

18. ANNOUNCEMENT OF CONTINUED CLOSED SESSION ITEMS, RECESS TO CLOSED SESSION IN THE MAYOR'S CONFERENCE ROOM, RECONVENE TO OPEN SESSION, AND ANNOUNCEMENTS [IF NEEDED]

19. ADJOURNMENT OF MEETING

20. UPCOMING MEETINGS

This schedule is tentative and subject to change pending final publication and posting of the City Council Meeting Agenda.

20.1 UPCOMING MEETINGS LIST

Attachments [List](#)

***Did not appear on the preliminary agenda.**

****Quasi-judicial or adjudicative action.**



The City of Santa Rosa does not discriminate on the basis of disability in the admissions or access to, or treatment of or employment in, its programs or activities. Disability-related aids or services, including printed information in alternate formats, to enable persons with disabilities to participate in public meetings are available by contacting the City Clerk's Office at 543-3015 or cityclerk@srcity.org 48 hours prior to the meeting. TDD 543-3063
Meeting information can also be accessed via the internet at <http://srcity.org>