

**SANTA ROSA CITY COUNCIL MINUTES
REGULAR MEETING
CITY HALL, 100 SANTA ROSA AVENUE
JULY 12, 2016**

1. CALL TO ORDER AND ROLL CALL

Mayor Sawyer called the meeting to order at 3:35 p.m. Council Members present: Mayor Sawyer, Vice Mayor Schwedhelm, Council Members Carlstrom, Coursey, Olivares, and Wysocky. Council Member Combs was absent.

2. ANNOUNCEMENT OF CLOSED SESSION ITEMS

Mayor Sawyer recessed the meeting to closed session at 3:35 p.m. to discuss Item 2.1 as listed on the agenda:

2.1 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 4:05 p.m. and reconvened the meeting to open session in the Council Chamber at 4:19 p.m.

3. STUDY SESSION – NONE.

4. ANNOUNCEMENT OF ROLL CALL

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

Interim City Attorney Stricker reported that the Council met in closed session regarding Item 2.1 as listed on the agenda and gave direction to staff.

6. PROCLAMATIONS/PRESENTATIONS

6.1 PROCLAMATION - RETIREMENT OF CHUCK REGALIA, ASSISTANT CITY MANAGER

Mayor Sawyer read the proclamation and presented it to Chuck Regalia.

6.2 PROCLAMATION - RETIREMENT OF DR. RUBEN ARMINANA

Mayor Sawyer read the proclamation and presented it Dr. Ruben Arminana.

6.3 PROCLAMATION - SANTA ROSA JUNIOR HOCKEY CLUB ASSOCIATION STATE CHAMPIONSHIPS

Council Member Wysocky read the proclamation and presented it Greg Cornelius and Mike Kovanis, Head Coaches for the Santa Rosa Junior Hockey Club.

7. STAFF BRIEFINGS – NONE.

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

City Manager McGlynn reported Police Captain Ray Navarro recently completed P.O.S.T. Command College; the City is in the midst of refinancing outstanding Wastewater debt to save our ratepayers over \$12 million over the remaining life of the debt and that Standard & Poor's upgraded the City's bond rating from an AA- to an AA rating and praised the system's operations and management; the City of Vallejo staff will be presenting their experience on Participatory Budgeting to the Community Advisory Board on July 27, 2016, at the Finely Community Center; and he recognized

Police Officer Ken Carstensen who has gone above and beyond in his services to the City and community.

9. STATEMENTS OF ABSTENTION BY COUNCILMEMBERS

Council Member Carlstrom announced she will be abstaining from Item 11.2.

Council Member Wysocky announced he will be abstaining from Item 11.2.

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 Olivares provided a brief report on the Medical Cannabis Subcommittee. Mayor Sawyer provided a brief report on the Economic Development Subcommittee and the SMART 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) – Council Member Coursey provided a brief report.

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 – None.

11. APPROVAL OF MINUTES

11.1 June 14-15, 2016, Regular and Regular Adjourned Meetings.

Approved as submitted.

11.2 June 21, 2016, Regular Meeting.

Approved as submitted with Council Members Carlstrom and Wysocky abstaining.

12. CONSENT ITEMS

Interim City Attorney Stricker excused herself from the meeting before Council considered Consent Items 12. 1 through 12.4 due to a conflict with Item 12.4.

PUBLIC COMMENT

Michael Hilber spoke on Item 12.4.

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

Carlstrom, Coursey, Olivares, Wysocky voting yes; Council Member Combs absent) to waive reading of the text and adopt Consent Items 12.1 through 12.4 as follows:

12.1 MOTION - PROFESSIONAL SERVICES AGREEMENT FOR FINANCIAL AUDIT SERVICES - MACIAS GINI & O'CONNELL LLP

MOTION APPROVING A PROFESSIONAL SERVICES AGREEMENT FOR CITY OF SANTA ROSA AUDIT SERVICES TO MACIAS GINI & O'CONNELL LLP, SACRAMENTO, CALIFORNIA, IN THE TOTAL AMOUNT NOT TO EXCEED \$840,000 COVERING FIVE FISCAL YEARS OF AUDIT SERVICES DEPENDING ON SATISFACTORY PERFORMANCE FOR A PERIOD THROUGH NOVEMBER 1, 2020. FUNDS FOR THESE SERVICES ARE INCLUDED IN THE CURRENT YEAR'S OPERATING BUDGET AND AS A REGULAR OPERATING EXPENSE, WILL BE INCLUDED IN SUBSEQUENT BUDGET PROPOSALS

12.2 MOTION - RE-AUTHORIZATION OF THE OVER HIRE OF UP TO 6.0 POSITIONS WITHIN THE POLICE DEPARTMENT IN FISCAL YEAR 2016-17

MOTION RE-AUTHORIZING THE OVER HIRE OF UP TO SIX (6.0) FTE POSITIONS DURING FY 2016-17 WITHIN THE POLICE OFFICER AND COMMUNICATIONS DISPATCHER CLASSIFICATIONS IN ORDER TO ACHIEVE STAFFING STABILITY IN THE POLICE DEPARTMENT

12.3 MOTION - FOURTH AMENDMENT TO PROFESSIONAL SERVICES AGREEMENT – SPEAKWRITE

MOTION APPROVING THE FOURTH AMENDMENT TO THE AGREEMENT WITH SPEAKWRITE, LLC, AUSTIN, TEXAS. SPEAKWRITE, LLC PROVIDES NATIONAL LAW ENFORCEMENT TRANSCRIPTION SERVICES. IT IS USED BY THE CITY OF SANTA ROSA FOR TRANSCRIBING INVESTIGATIVE REPORTS, INTERVIEWS, AND OTHER VERBAL RECORDINGS AND INCREASING COMPENSATION BY \$50,000, FOR A TOTAL AMOUNT NOT TO EXCEED \$149,999

12.4 ORDINANCE ADOPTION - ORDINANCE OF THE COUNCIL OF THE CITY OF SANTA ROSA ESTABLISHING SALARY AND OTHER COMPENSATION AND BENEFITS FOR THE LAW FIRM OF RENNE SLOAN HOLTZMAN SAKAI LLP AS INTERIM CITY ATTORNEY

ORDINANCE NO. 4068 ENTITLED: ORDINANCE OF THE COUNCIL OF THE CITY OF SANTA ROSA ESTABLISHING SALARY AND OTHER COMPENSATION AND BENEFITS FOR THE LAW FIRM OF RENNE SLOAN HOLTZMAN SAKAI LLP AS INTERIM CITY ATTORNEY

13. PUBLIC COMMENT ON NON-AGENDA MATTERS

Michael Hilber spoke on fines he received on property he owns.

Colleen Fernald spoke on various topics.

Peter Tscherneff spoke on various topics.

Elizabeth Neylon spoke on various topics.

Duane DeWitt spoke on the involvement of the community on projects.

14. REPORT ITEMS

14.1 REPORT - COMMUNITY ADVISORY BOARD 2016/17 WORK PLAN

BACKGROUND: On August 7, 2012, the City Council adopted Resolution No. 28174 clarifying the roles, duties and areas for the Community Advisory Board (CAB). The City Council later adopted Resolution No. 28442 on March 11, 2014 clarifying the annual Community Improvement Grant (CIG) process.

On June 22, 2016, the Community Advisory Board (CAB) approved its workplan for FY 2016/17. Under the FY 2016/17 workplan, and through the creation of subcommittees, CAB will collaborate with the Office of Community Engagement to focus on 1) Community outreach and communication support related to the City Council's "Housing Action Plan"; 2) Continue to increase public participation in the Capital Improvement Projects (CIP) budget process as detailed in Resolution No. 28174 by helping design and facilitate a robust public participation process, including a minimum of seven town hall meetings, as well as the development of a Participatory Budgeting-like process to address neighborhood road maintenance, when/if funding is available; 3) Continue to build on the success of the Community Improvement Grants program to engage the public and improve our community; and 4) Continue to enhance efforts to support and expand community gardens.

RECOMMENDATION: It is recommended by the City Manager's Office, Office of Community Engagement, and the Community Advisory Board that the Council, by resolution, approve the Community Advisory Board's Fiscal Year 2016/17 Work Plan pursuant to Resolution Nos. 28174, 28442, and 28685.

Presented by Jaime Penaherrera, Community Engagement Director, and Tanya Narath, Chair of the Community Advisory Board

PUBLIC COMMENT

Duane DeWitt spoke on the original intent of the Community Advisory Board and the work they are doing.

Linda Adrain, CAB Members, spoke on the work of the CAB subcommittees and the outreach efforts.

Thomas Ells spoke on the CAB's increase in community participation and community gardens.

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

RESOLUTION NO. 28814 ENTITLED: RESOLUTION OF THE COUNCIL OF THE CITY OF SANTA ROSA APPROVING THE COMMUNITY ADVISORY BOARD'S WORK PLAN FOR FISCAL YEAR 2016/2017

Mayor Sawyer recessed the meeting at 6:02 p.m. and reconvened the meeting at 6:28 p.m.

14.2 REPORT - R3 CONSULTING GROUP, INC. REVIEW OF NORTH BAY CORPORATION

BACKGROUND: The City of Santa Rosa recently engaged R3 Consulting Group, Inc. to complete a comprehensive review of performance, customer rates and diversion rates for the City's franchised solid waste hauler, North Bay Corporation.

The City and North Bay Corporation have had an exclusive franchise agreement in place since 2003. The contract was last amended in 2010, the amendment included the addition of street sweeping services. The contract is a comprehensive document which details the scope of work; establishes performance standards and expectations; provides a mechanism for performance audits; and establishes remedies for non-compliance.

The City entered into a contract with R3 in January 2016 to complete a comprehensive review of contract performance. R3 reported that North Bay Corporation is not meeting a number of the contract provisions, major findings have been detailed.

RECOMMENDATION: RECOMMENDATION: It is recommended by the City Manager's Office that the Council, by motion, accept the Final Report by R3 Consulting Group, Inc. submitted on May 17, 2016, and authorize staff to prepare a request for proposals (RFP) for a new contract for solid waste collection, recycling and street sweeping services and, by resolution, appropriate \$150,000 and authorize the City Manager to negotiate and award a contract for the completion of the RFP process.

Presented by Gloria Hurtado, Deputy City Manager, and William Schoen and Richard Tagore-Erwin with R3 Consulting Group.

PUBLIC COMMENT

Michael Gross spoke on Green Waste Recovery, on his interest in bidding on the contract.

Rick Norris, attorney representing SRR&C, spoke on good customer service given by the company.

Thomas Ells spoke on OSHA violations, over-weight vehicles, and maintenance.

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

MOTION TO ACCEPT THE FINAL REPORT BY R3 CONSULTING GROUP, INC. SUBMITTED ON MAY 17, 2016, AND AUTHORIZE STAFF TO PREPARE A REQUEST FOR PROPOSALS (RFP) FOR A NEW CONTRACT FOR SOLID WASTE COLLECTION, RECYCLING AND STREET SWEEPING SERVICES

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

RESOLUTION NO. 28815 ENTITLED: RESOLUTION OF THE COUNCIL OF THE CITY OF SANTA ROSA TO AUTHORIZE THE CITY MANAGER TO NEGOTIATE AND AWARD AN AGREEMENT FOR COMPLETION OF A REQUEST FOR PROPOSALS FOR RESIDENTIAL AND COMMERCIAL WASTE AND RECYCLING COLLECTION, AND STREET SWEEPING SERVICES

Mayor Sawyer recessed the meeting at 7:57 p.m. and reconvened the meeting at 8:05 p.m.

14.3 REPORT - COURTHOUSE SQUARE REUNIFICATION PROJECT UPDATE, EXPENDITURE REPORT AND MASTER PLAN REVISIONS

BACKGROUND: Council approved a revised master plan and awarded a contract for construction of the Courthouse Square Reunification project on April 19, 2016.

Construction commenced on May 23, 2016. 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. Minor revisions to the Master Plan have been prepared for consistency with design refinements.

RECOMMENDATION: It is recommended by the Transportation and Public Works Department that the Council, by motion, accept the Courthouse Square Reunification expenditure report, and by resolution, approve the new revised Master Plan for the Courthouse Square Reunification project.

Presented by Colleen Ferguson, Deputy Director Transportation and Public Works.

PUBLIC COMMENT

Duane DeWitt spoke on the new revised master plan and bicycle parking and bicycle safety through the square.

Thomas Ells spoke on the east bound to north bound traffic plan, and the history of the Rosenberg Fountain.

Linda Adrain spoke on the number of handicap parking spaces in the Square.

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

MOTION TO ACCEPT THE COURTHOUSE SQUARE REUNIFICATION EXPENDITURE REPORT.

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

RESOLUTION NO. 28816 ENTITLED: RESOLUTION OF THE COUNCIL OF THE CITY OF SANTA ROSA APPROVING A REVISED MASTER PLAN FOR THE REUNIFICATION OF COURTHOUSE SQUARE

14.4 REPORT - APPROVAL OF MEMORANDUM OF UNDERSTANDING (MOU) - UNIT 4 - SUPPORT SERVICES; UNIT 6 - PROFESSIONAL; AND UNIT 7 - TECHNICAL REPRESENTED BY THE SANTA ROSA EMPLOYEES ASSOCIATION (SRCEA) IN AFFILIATION WITH THE INTERNATIONAL BROTHERHOOD OF TEAMSTERS ("IBT") LOCAL UNION NUMBER 856

BACKGROUND: The City's representatives and representatives from the Santa Rosa City Employees Association, representing the City's Unit 4 - Support Services; Unit 6 - Professional and Unit 7 - Technical, have met and conferred concerning a successor Memorandum of Understanding and have agreed on a contract. The significant change to the new agreement is a 2.5% increase to salary for all employees in the units.

RECOMMENDATION: It is recommended by the Human Resources Department that the Council, by resolution, approve the Memorandum of Understanding for and on behalf of, the employees in the City's bargaining Unit 4 - Support Services; Unit 6 - Professional and Unit 7 - Technical, represented by the Santa Rosa City Employees Association in affiliation with the International Brotherhood of Teamsters ("IBT") Local Union Number 856, and effective July 1, 2016 to June 30, 2017.

Presented by Paul Carroll, Employee Relations Manager.

PUBLIC COMMENT

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

RESOLUTION NO. 28817 ENTITLED: RESOLUTION OF THE COUNCIL OF THE CITY OF SANTA ROSA APPROVING A MEMORANDUM OF UNDERSTANDING FOR AND ON BEHALF OF THE EMPLOYEES IN THE CITY OF SANTA ROSA'S UNIT 4 – SUPPORT SERVICES, UNIT 6 – PROFESSIONAL AND UNIT 7 – TECHNICAL REPRESENTED BY THE SANTA ROSA CITY EMPLOYEES ASSOCIATION IN AFFILIATION WITH THE INTERNATIONAL BROTHERHOOD OF TEAMSTERS (“IBT”) LOCAL UNION NUMBER 856 FOR A CONTRACT EFFECTIVE JULY 1, 2016 THROUGH JUNE 30, 2017

5. **PUBLIC HEARINGS – NONE.**

16. **WRITTEN COMMUNICATIONS – NONE.**

17. **PUBLIC COMMENTS ON NON-AGENDA MATTERS**

Tony Gerald spoke on the start of the Sonoma County Fair starting of July 22.

Thomas Ells asked for a moment of silence in remembrance of Cirak Tsfazghit and read one of Cirak's poems.

Bob Hansen spoke on the agreement between the City of Santa Rosa and the Museum on the Square.

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 9:05 p.m. The next regularly scheduled meeting will take place on July 19, 2016, at a time to be set by the Mayor.

Approved on: August 2, 2016

/s/ Stephanie A. Williams, Interim City Clerk