



# City of Santa Rosa

City Hall  
100 Santa Rosa Ave  
Santa Rosa, CA 95404

## **CITY COUNCIL REGULAR MEETING AGENDA AND SUMMARY REPORT MARCH 14, 2017**

**1:30 P.M. CLOSED SESSION (MAYOR'S CONFERENCE ROOM 10)**

**2:00 P.M. - STUDY SESSIONS (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](mailto:cityclerk@srcity.org).

**1:30 P.M. (MAYOR'S CONFERENCE ROOM, ROOM 10)**

**1. CALL TO ORDER AND ROLL CALL**

**2. ANNOUNCEMENT OF CLOSED SESSION ITEMS**

Following the announcement of Closed Session items and prior to recess into Closed Session, the public may speak up to three minutes on items to be addressed in Closed Session.

**2.1 CONFERENCE WITH LEGAL COUNSEL - ANTICIPATED LITIGATION**

Initiation of litigation pursuant to paragraph (4) of subdivision (d) of Government Code Section 54956.9: Two potential cases.

County of Santa Clara v. Donald J. Trump, et al.  
(U.S. District Court, Northern District of California, Case No:  
5:17-cv-00574-WHO) - Request for Amicus Support

City and County of San Francisco v. Donald J. Trump et al.  
(United States District Court, Northern District of California, Case No.  
3:17-cv-00485-WHO) - Request for Amicus Support

**RECESS CLOSED SESSION(S) AND RECONVENE TO OPEN SESSION IN  
THE COUNCIL CHAMBER**

**2:00 P.M. (CITY COUNCIL CHAMBER)**

**3. STUDY SESSIONS**

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

**3.1 PROGRESSIVE PARKING STRATEGIES AND RAILROAD SQUARE  
PARKING MANAGEMENT PLAN STUDY SESSION**

The purpose of this Study Session is to provide an overview of the study completed by Nelson/Nygaard Consulting Associates, Inc., transportation and planning consultants, providing information and recommendations on progressive parking strategies and a Railroad Square Parking Management Plan.

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

**3.2 DEVELOPMENT OF A SAFE MEDICINE AND SHARPS DISPOSAL  
ORDINANCE**

In October 2016 the Sonoma County Board of Supervisors directed the Sonoma County DHS and SCWA to draft a model SMD Ordinance, in cooperation with the Sonoma County Safe Medicine Disposal EPR Ordinance Collaborative. Sonoma County DHS, in partnership with the Collaborative, has developed a proposed SMD Ordinance draft for

adoption in Sonoma County that could facilitate implementation county-wide. In order to support the Collaborative in developing the SMD Ordinance, Santa Rosa Water Department staff seeks input from the Council on key issues.

**Attachments** [Staff Report](#)  
[Attachment 1](#)  
[Attachment 2](#)  
[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 - NONE.**

**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 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.

**10.2.1 REQUEST FOR AGENDA ITEM REGARDING A HOUSING FIRST SPECIALIST SPEAK TO THE COUNCIL**

BACKGROUND: At the March 7, 2017 City Council meeting, Vice Mayor Tibbetts requested a future agenda item to consider having a Housing First Specialist determined by staff to come and speak to Council. Council Member Rogers concurred with the request.

**11. APPROVAL OF MINUTES**

11.2 February 14, 2017, Regular Meeting.

**Attachments** [Draft Minutes](#)

11.2 February 24, 2017, Special Closed Session meeting.

**Attachments** [Draft Minutes](#)

11.3 February 28, 2017, Regular Meeting.

**Attachments** [Draft Minutes](#)

**12. CONSENT ITEMS**

**12.1 RESOLUTION - VALET PARKING AGREEMENT**

RECOMMENDATION: It is recommended by the Finance Department that the Council, by resolution, approve a Valet Parking Agreement with

Hugh Futrell Corporation, Santa Rosa, California, to valet park hotel patrons' vehicles at Garage 12.

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

**12.2** RESOLUTION - SPEED LIMITS ON BELLEVUE AVENUE, BENNETT VALLEY ROAD, BROOKWOOD AVENUE, AND MONTECITO AVENUE

RECOMMENDATION: It is recommended by the Transportation and Public Works Department that Council, by resolution, establish a speed limit of 25 miles per hour on Bellevue Avenue from Santa Rosa Avenue to East City Limits, establish a speed limit of 35 miles per hour on Bennett Valley Road from Santa Rosa Avenue to Brookwood Avenue, establish a speed limit of 30 miles per hour on Brookwood Avenue from Sonoma Avenue to Third Street, and establish a speed limit of 25 miles per hour on Montecito Avenue from Pacific Avenue to Norte Way.

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

**12.3** RESOLUTION - RESOLUTION OF SUPPORT AUTHORIZING THE APPLICATION OF THE LOW CARBON TRANSIT OPERATIONS PROGRAM (LCTOP) FUNDING FOR INCREASED FREQUENCY ON TRUNK ROUTES-SANTA ROSA CITYBUS OPERATING PROJECT AND AUTHORIZING THE EXECUTION OF THE CERTIFICATIONS AND ASSURANCES AND AUTHORIZED AGENT FORMS OF THE LCTOP PROJECT INCREASED FREQUENCY ON TRUNK ROUTES-SANTA ROSA CITYBUS OPERATING FOR \$93,257

RECOMMENDATION: It is recommended by the Transportation and Public Works Department that the Council, by two resolutions, 1) authorize the Director of Transportation and Public Works or designee to request \$93,257 in Low Carbon Transit Operations Program (LCTOP) funds to assist in the operating of the increased frequency on trunk routes in the CityBus system; 2) authorize the Mayor to execute the authorized agent forms, and the Director of Transportation and Public Works to execute the certifications and assurances documents and

execute all required documents for this LCTOP funding request; and 3) authorize the Chief Financial Officer to increase appropriations in revenue and expenditures by the approved grant award.

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

[Attachment 1](#)

[Attachment 2](#)

[Resolution 1](#)

[Resolution 2](#)

[Presentation](#)

**12.4** RESOLUTION - RESOLUTION APPROVING A FIRST AMENDMENT TO THE JOINT EXERCISE OF POWERS AGREEMENT FOR THE SANTA ROSA PUBLIC FINANCING AUTHORITY

RECOMMENDATION: It is recommended by the Finance Department that the Council, by resolution, approve an amendment to the Joint Exercise of Powers Agreement establishing the Santa Rosa Public Financing Authority for the purpose of adding the Housing Authority of the City of Santa Rosa as a member and removing the Successor Agency to the Redevelopment Agency of the City of Santa Rosa as a member.

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

[Attachment 1](#)

[Attachment 2](#)

[Resolution](#)

[Presentation](#)

**12.5** RESOLUTION - FIRST AMENDMENT TO PROFESSIONAL SERVICES AGREEMENT WITH SHUTE MIHALY & WEINBERGER LLP FOR LEGAL SERVICES

RECOMMENDATION: It is recommended by the City Attorney's Office that the Council, by resolution, approve the First Amendment to Professional Services Agreement with Shute Mihaly & Weinberger LLP, San Francisco, CA, in the amount of \$75,000 for a total contract amount of \$135,000, for representation of the City in *CVSR Holdings, LLC v. City of Santa Rosa, et al.*

**Attachments** [Staff Report](#)  
[Resolution](#)  
[Exhibit A](#)  
[Resolution Revised \(3/13/2017\)](#)

### 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 - RESOLUTION OF THE COUNCIL OF THE CITY OF SANTA ROSA APPROVING ARGUMENT IN SUPPORT OF BALLOT MEASURE TO ENACT AN ORDINANCE OF THE CITY OF SANTA ROSA ADDING CHAPTER 6-10 TO THE SANTA ROSA CITY CODE AND AMENDING CHAPTER 6-04 OF THE SANTA ROSA CITY CODE TO IMPOSE A CANNABIS INDUSTRY TAX ON CANNABIS BUSINESSES OPERATING IN SANTA ROSA

BACKGROUND: On March 7, 2017, Council, by resolution, declared a fiscal emergency as a result of the recent enactment of the Medical Cannabis Regulation and Safety Act and passage of Proposition 64 (the Adult Use of Marijuana Act) and ordered a special election to be held on Tuesday, June 6, 2017 for the purpose of submitting to Santa Rosa voters an ordinance of the City of Santa Rosa, adding Chapter 6-10 to the Santa Rosa City Code and amending Chapter 6-04 of the Santa Rosa City Code to impose a cannabis industry tax on cannabis businesses operating in Santa Rosa (2) approving ballot language, (3) permitting the filing of ballot arguments, (4) directing the City Attorney to provide an impartial analysis, and (5) setting initial tax rates for a 2-year term. Previously, on February 14, 2017, in anticipation of the possible cannabis tax ballot measure and in accordance with Elections Code sections 9282 and 9287, the Council authorized the appointment of a Council ad hoc subcommittee to draft the argument in support of the proposed measure, subject to approval by the full Council. The ad hoc

subcommittee has prepared a draft argument for the Council's consideration.

RECOMMENDATION: It is recommended by the Council ad hoc committee that the Council adopt a Resolution approving argument in support of ballot measure to enact an Ordinance of the City of Santa Rosa adding Chapter 6-10 to the Santa Rosa City Code and amending Chapter 6-04 of the Santa Rosa City Code to impose a cannabis industry tax on cannabis businesses operating in Santa Rosa.

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

**14.2** REPORT - SONOMA COUNTY WATER AGENCY 2017/18 WATER TRANSMISSION BUDGET AND WATER RATE INCREASE

BACKGROUND: The City of Santa Rosa purchases approximately 90% of the water supplied to our customers from the Sonoma County Water Agency (SCWA). The SCWA is proposing to raise the wholesale rate of water by 4.98% from \$806.59 to \$846.78 per acre foot. This increase is 'passed through' to Santa Rosa customers and would result in an average increase to the water usage charge of 2.2%.

There is a Water Advisory Committee (WAC) made up of elected officials of each of the contractors to the Sonoma County Water Agency's (SCWA) wholesale water. The WAC is an advisory committee to the SCWA Board of Directors. The City's WAC Representative is Council Member Tom Schwedhelm. On April 3, 2017 the WAC is scheduled to vote on whether or not to recommend the SCWA budget and proposed rate increase for approval of the SCWA Board of Directors. The City Council may advise its representative to the Water Advisory Committee (WAC) prior to a WAC vote. Ultimately, the SCWA Board of Directors will have final authority to approve the proposed rate increase.

RECOMMENDATION: It is recommended by the Water Department and the Board of Public Utilities that the Council consider the SCWA budget and proposed water rate increase and, by motion, make a recommendation to the Council's Water Advisory Committee representative for the Water Advisory Committee vote on April 3, 2017.



**Attachments** [Staff Report](#)  
[Attachment 1](#)  
[Presentation \(Revised 3/13/2017\)](#)

**14.3** REPORT - COURTHOUSE SQUARE REUNIFICATION PROJECT  
UPDATE AND EXPENDITURE REPORT

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. Staff is working with the contractor to complete construction of the project as soon as weather and scheduling allows during these winter months.

RECOMMENDATION: It is recommended by the Transportation and Public Works Department that the Council, by motion, accept the Courthouse Square Reunification expenditure report.

**Attachments** [Staff Report](#)  
[Presentation Uploaded 3/10/2017](#)

**14.4** REPORT - SUSTAINABLE CITIES MEMORANDUM OF  
UNDERSTANDING WITH SONOMA STATE UNIVERSITY

BACKGROUND: "Sustainable Cities" is a national model for partnerships between cities and universities, providing opportunities for university students to identify solutions to local challenges, present new and innovate ideas to cities and make a difference in the community. The City of Santa Rosa has the opportunity to partner with Sonoma State University to work together on various "Sustainable Cities" projects. The City will benefit from increased capacity to tackle environmental initiatives and by establishing greater connections to Sonoma State University. The Memorandum of Understanding outlines how the City and University will collaborate to develop a project list and move forward.

RECOMMENDATION: It is recommended by the City Manager's Office that the Council, by resolution, approve the Memorandum of Understanding between City of Santa Rosa and California State University, Sonoma.

**Attachments** [Report](#)  
[Resolution](#)  
[Exhibit A](#)  
[Presentation](#)

**14.5 REPORT - SESQUICENTENNIAL CELEBRATION EVENT PLANNING**

BACKGROUND: In September 2018, Santa Rosa will celebrate its 150th Birthday, also known as the City's Sesquicentennial. An ad hoc group comprised of the Mayor, two Council Members, and community members has been meeting since 2015 to discuss how Santa Rosa will celebrate its birthday. The committee envisions an all-day, family-oriented community event on Sunday, September 9, 2018. In order to move forward, the committee has identified the need for a part-time event coordinator and is requesting \$23,000 to allow an event coordinator to be hired to begin work in the near term. The proposal is to amend an existing contract with the Santa Rosa Chamber of Commerce so the Chamber can hire the event coordinator and manage the contract.

RECOMMENDATION: It is recommended by the City Manager's Office that the Council, by motion, recommend that the City Manager amend the contract with the Santa Rosa Chamber of Commerce to provide event coordination services for the Sesquicentennial Celebration in an amount not to exceed \$23,000.

**Attachments** [Report](#)  
[Attachment 1](#)  
[Attachment 2](#)  
[Presentation](#)

**15. PUBLIC HEARINGS**

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

**15.1 PUBLIC HEARING - REGARDING PROTESTS AND OBJECTIONS TO PROPOSED REMOVAL OF WEEDS AND RUBBISH; ORDER TO ABATE NUISANCES**

BACKGROUND: On February 28, 2017, Council passed Resolution number 2017-028, 1) determining and declaring weeds, as defined in Section 9-08.010 of the Santa Rosa City Code, which bear seeds of a

wingy or downy nature that have attained a natural growth in height in excess of four inches, or attain such a large growth as to become a fire menace when dry, or which are otherwise noxious or dangerous, located on undeveloped parcels, on developed parcels over .5 acres with more than .5 acres of unimproved land, or on parcels located in a Wildland Urban Interface Fire Area within City limits, constitute a public nuisance; and 2) determining and declaring that rubbish, as defined in Section 9-08.010 of the Santa Rosa City Code, constitutes a public nuisance.

On March 3, 2017 the Fire Chief caused to be published a public notice of the weed abatement program and a notice of public hearing of objections to the proposed removal of weeds and rubbish.

After hearing any objections, the Council, by motion, may allow or overrule any objections. If all objections are overruled, the Council must order the Fire Department to abate the nuisances.

RECOMMENDATION: It is recommended by the Fire Department that the Council: 1) hold a Public Hearing to consider any objections and protests to the proposed removal of weeds and rubbish and at the conclusion of the hearing, by motion, overruling objections to the proposed removal of weeds and rubbish, if any, and 2) by motion, ordering the Fire Chief or his designee, to abate the nuisances declared in Council Resolution number 2017-028.

**Attachments** [Staff Report](#)  
[Attachment 1](#)  
[Presentation](#)  
[Public Hearing Notice](#)

## **16. WRITTEN COMMUNICATIONS (AND POSSIBLE COUNCIL ACTION)**

- 16.1** LETTER OF OPPOSITION TO SENATE BILL 35: PLANNING AND ZONING: AFFORDABLE HOUSING - Provided for information.

**Attachments** [Letter](#)

## **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 Office at 543-3015 or [cityclerk@srcity.org](mailto:cityclerk@srcity.org) one week prior to the meeting. TDD 543-3063

Meeting information can also be accessed via the internet at <http://srcity.org>

*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.*