

**SANTA ROSA CITY COUNCIL MINUTES
REGULAR MEETING
CITY HALL, 100 SANTA ROSA AVENUE
APRIL 9, 2013**

1. CALL TO ORDER AND ROLL CALL

Vice Mayor Carlstrom called the meeting to order at 2:30 p.m. Council Members present: Vice Mayor Carlstrom, Council Members Combs, Olivares, Ours, Swinth, and Wysocky. Mayor Bartley was absent.

2. INTERVIEWS FOR BOARDS/COMMISSIONS/COMMITTEES

The City Council conducted an interview with Tom Brandon, who applied for reappointment to a labor representative position on the Personnel Board for a term ending on December 31, 2016.

3. ANNOUNCEMENT OF CLOSED SESSION ITEMS

3.1 PUBLIC COMMENT ON CLOSED SESSION ITEMS – NONE

3.2 RECESS TO CLOSED SESSION IN MAYOR’S CONFERENCE ROOM

Vice Mayor Carlstrom recessed the meeting to closed session at 2:45 p.m. in the Mayor’s Conference Room.

3.3 CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION

Significant exposure to litigation pursuant to subdivision (d)(2) of Government Code Section 54956.9: (one case regarding potential Sonoma County Landfill liability)

3.4 RECESS CLOSED SESSIONS AND RECONVENE TO OPEN SESSION IN THE COUNCIL CHAMBER

Vice Mayor Carlstrom reconvened the meeting to open session at 3:35 p.m. in the City Council Chamber.

4. STUDY SESSION

4.1 VULNERABLE USER PROTECTION

The Sonoma County Bicycle Coalition has prepared a draft ordinance related to the protection of bicyclists and pedestrians referred to as “vulnerable users” which it is requesting local jurisdictions to adopt. Staff has reviewed the draft ordinance and has proposed some modifications to the original draft ordinance presented by the Bicycle Coalition.

To date, the County of Sonoma, the cities of Sebastopol and Healdsburg have reviewed the draft ordinance. The proposed ordinance which staff is seeking input and direction on is similar to those approved in Sunnyvale and Berkeley and the County of Sonoma.

Paul Henry, Police Lieutenant, provided the staff report. Lieutenant Henry, City Attorney Fowler, and Gary Helfrich, Sonoma County Bicycle Coalition, responded to questions from Council members.

The Council concurred to direct staff to place consideration of the Vulnerable User Protection ordinance on a future Council agenda. No action was taken.

Vice Mayor Carlstrom recessed the meeting at 3:56 p.m. and reconvened the meeting at 4:02 p.m.

5. ANNOUNCEMENT OF ROLL CALL

City Clerk Griffin announced that all Council Members were present with the exception of Mayor Bartley.

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

City Attorney Fowler reported that the Council had met in Closed Session with its legal counsel regarding Item 3.3 and there was no action taken during the closed session.

Assistant City Manager Phillips reported on the study session regarding Vulnerable User Protection.

7. PROCLAMATIONS/PRESENTATIONS

7.1 PROCLAMATION – ACTIVE 20-30 CLUB OF SANTA ROSA #50

Council Member Swinth read and presented the proclamation to Jason Glazier, Immediate Past President, and other representatives of Active 20-30 Club of Santa Rosa #50.

7.2 PROCLAMATION – WEEK OF THE YOUNG CHILD

Council Member Combs read the proclamation. No one was present to accept the proclamation.

8. STAFF BRIEFINGS – NONE

9. APPROVAL OF MINUTES

Due to lack of a quorum, approval of the minutes of the March 4, 2013, Special Joint Meeting was deferred to April 16, 2013.

10. MAYOR'S/COUNCILMEMBERS' REPORTS

10.1 STATEMENTS OF ABSTENTION BY COUNCILMEMBERS

No statements of abstention were made.

10.2 MAYOR'S/COUNCILMEMBERS' REPORTS

Council Member Wysocky requested a future report regarding the history of City oversight on the PG&E site.

The Mayor and members of the Council made other announcements and reports of interest to the Council. Teen Council Wang also provided a report.

10.3 REPORTS BY MAYOR/COUNCILMEMBERS REGARDING VARIOUS AGENCY MEETINGS ATTENDED AND POSSIBLE COUNCIL DIRECTION TO ITS REPRESENTATIVES ON PENDING ISSUES BEFORE SUCH BOARDS (IF NEEDED)

- a) Sonoma County Transportation Authority (SCTA) - Vice Mayor Carlstrom provided a report.
- b) Sonoma County Water Agency (SCWA) – Water Advisory Committee
- c) Solid Waste Advisory Group (SWAG)
- d) Association of Bay Area Governments (ABAG) – Council Member Combs provided a report on the April 3, 2013, meeting of the ABAG Regional Planning Committee regarding the Plan Bay Area draft plan.

10.4 APPOINTMENTS TO BOARDS/COMMISSIONS/COMMITTEES

Personnel Board – Two Positions – One Labor Representative Position and One At-Large Position

MOVED by Council Member Wysocky, seconded by Council Member Combs, and carried 6-0-1 (Mayor Bartley absent) to move the Personnel Board appointments separately.

MOVED by Council Member Olivares, seconded by Council Member Wysocky, and carried 6-0-1 (Mayor Bartley absent) to re-appoint Tom Brandon as a labor representative for a term to expire December 31, 2016.

MOVED by Council Member Olivares, seconded by Council Member Ours, and carried 4-1-1 (Council Member Wysocky voting no, Council Member Combs abstaining, Mayor Bartley absent) to re-appoint Max Bridges as an at-large representative on the Personnel Board for a term to expire December 31, 2016.

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

Assistant City Manager Phillips reported on a future agenda related to the PG&E cleanup of the First Street site and the landfill operating agreement.

11.1 MOTION – PROPOSED AMENDMENTS TO LEAGUE OF CALIFORNIA CITIES BYLAWS

Following Council discussion, it was **MOVED** by Council Member Wysocky, seconded by Council Member Swinth and carried 6-0-1 (Mayor Bartley absent) to defer this item to the April 16th City Council meeting to allow staff additional time to provide more information regarding the basis for the 2/3 voting requirement and its potential impact on Santa Rosa. The motion carried 6-0-1 (Mayor Bartley absent).

12. CONSENT ITEMS

MOVED by Council Member Olivares and seconded by Council Member Ours to waive reading of the text and adopt Item 12.1 as follows:

12.1 MOTION – CONTRACT AMENDMENT - AUTOMOTIVE PARTS AND SUPPLIES

MOTION to approve Amendment No. 2 to Contract F000321 for additional funding for automotive parts and supplies to Smothers Parts International, Inc., Santa Rosa, California, in the amount of \$150,000.

Jim Wright, Purchasing Agent, responded to questions from Council.

The motion carried 6-0-1 (Mayor Bartley absent).

13. REPORT ITEMS

13.1 REPORT – AMENDING COUNCIL POLICY NO 000-26 - STATEMENT OF INVESTMENT POLICY AND DELEGATING AUTHORITY

BACKGROUND: Council Policy No. 000-26 - Statement of Investment Policy, was adopted to specify the policies and procedures that support a prudent and systematic program for the investment of public funds. The policy was last revised in September 2011. Staff, in conjunction with the City's Investment Advisor, PFM Asset Management, has reviewed the current policy and is recommending a number of revisions to update and enhance the policy.

RECOMMENDATION: It is recommended by the Finance Department that the Council, by resolution, amend Council Policy No. 000-26 - Statement of Investment Policy, as revised, and delegate the investment authority to the Chief Financial Officer.

Jean Gill, Budget and Financial Analyst Manager, Arvin Look, Financial Analyst, and Lauren Brant, Managing Director of PFM Asset Management LLC, provided the staff report and responded to questions from Council members. Chief Financial Chiu also responded to questions from Council members.

MOVED by Council Member Olivares, seconded by Council Member Ours, to waive reading of the text and adopt:

RESOLUTION NO. 28260 ENTITLED: RESOLUTION OF THE COUNCIL OF THE CITY OF SANTA ROSA AMENDING COUNCIL POLICY NO 000-26 - STATEMENT OF INVESTMENT POLICY AND DELEGATING AUTHORITY

Following Council discussion, it was moved by Council Member Wysocky and seconded by Council Member Combs to table the main motion. The motion failed 2-4-1 (Vice Mayor Carlstrom, Council Members Olivares, Ours and Swinth voting no and Mayor Bartley absent.)

Following Council discussion Council Member Swinth proposed a friendly amendment to the main motion to include direction to staff to follow up with a report regarding community banking, specifically to include information as to how the 15% plays out in the community and the percentage of the City's assets that might be locally invested when looking at banks and credit unions in the area at a \$250,000 Certificate of Deposit level. The friendly amendment was accepted by the maker and seconder of the motion and the main motion as amended carried 4-2-1 (Council Members Combs and Wysocky voting no and Mayor Bartley absent).

Vice Mayor Carlstrom recessed the meeting at 5:40 p.m. and reconvened the meeting at 5:48 p.m.

In response to questions from Council, Chief Financial Officer Chiu indicated information requested by Council under Item 13.1 will be brought back to Council after the June budget hearings.

13.2 REPORT – AUTHORIZATION OF INVESTMENT OF MONIES IN THE LOCAL AGENCY INVESTMENT FUND

BACKGROUND: The Local Agency Investment Fund (LAIF) requires a resolution authorizing City staff and their successors in office, to deposit and withdraw monies. Transactions with LAIF by authorized signers are subject to secure controls, that limit the deposit or withdrawal of funds to only designated (previously authorized) City and LAIF accounts. The City has made changes to several staff and position titles, making it necessary to update our records with LAIF.

RECOMMENDATION: It is recommended by the Finance Department that the Council, by resolution, authorize the Chief Financial Officer, Budget and Financial Analysis Manager, Administrative Services Officer (Finance Department), and Financial Analyst, to order the deposit or withdrawal of monies in the State of California Local Agency Investment Fund.

Arvin Look, Financial Analyst, provided the staff report and responded to questions from Council members.

MOVED by Council Member Ours and seconded by Council Member Olivares to waive reading of the text and adopt:

RESOLUTION NO. 28261 ENTITLED: RESOLUTION OF THE COUNCIL OF THE CITY OF SANTA ROSA AUTHORIZING INVESTMENT OF MONIES IN THE LOCAL AGENCY INVESTMENT FUND

The motion carried 6-0-1 (Mayor Bartley absent).

13.3 REPORT – AMENDMENT TO SANTA ROSA CITY CODE CHAPTERS 3-08, PURCHASING POLICY, AND 3-44, PUBLIC WORKS CONTRACT POLICY

BACKGROUND: City Code 3-08 Purchasing Policy establishes the policy for the purchase of supplies, material, equipment, and non-professional services, and defines the authority of the purchasing function, and was last updated in 2000. City Code 3-44 Public Works Contract Policy establishes the policy for letting public works contracts, and was last updated in 2003. A Purchasing Task Force, which included representatives from the City Attorney's Office, for advisory purposes, and all City departments that use purchasing services, was convened with the goal of examining and making recommendations to streamline the purchasing process. The above City Codes, the City Charter, and Purchasing procedures were reviewed during regularly scheduled meetings, processes were mapped, and recommendations were formulated by the Task Force members. As part of the City Code review process, changes are also recommended to update the language, and to make it more current, concise and clear.

RECOMMENDATION: It is recommended by the Finance Department that the Council introduce an ordinance amending certain sections of City Code Chapters 3-08, Purchasing Policy, and 3-44, Public Works Contract Policy, to incorporate changes recommended by the Purchasing Task Force, and to make the Chapters more current, concise and clear.

Jim Wright, Purchasing Agent, provided the staff report and responded to questions from Council members.

MOVED by Council Member Swinth and seconded by Council Member Olivares to waive reading of the text and introduce:

ORDINANCE ENTITLED: ORDINANCE OF THE COUNCIL OF THE CITY OF SANTA ROSA AMENDING CERTAIN SECTIONS OF CHAPTERS 3-08 PURCHASING POLICY, AND 3-44 PUBLIC WORKS CONTRACT POLICY OF THE SANTA ROSA CITY CODE

Following Council discussion, the motion carried 6-0-1 (Mayor Bartley absent).

13.4 REPORT – AMENDMENTS TO COUNCIL POLICY 000-40 - LEGISLATIVE ADVOCACY

BACKGROUND: The proposed amendments to Council Policy 000-40 (1) merge the Council Policy and Legislative Principles and Priorities into one document; (2) incorporate the Council's current priorities, goals and objectives as legislative priorities; and (3) reflect the Council's current procedure for responding to State and Federal legislation.

RECOMMENDATION: It is recommended by the City Manager's Office that the Council, by resolution, amend Council Policy 000-40 - Legislative Advocacy.

Jennifer Phillips, Assistant City Manager, provided the staff report and responded to questions from Council members.

MOVED by Council Member Combs and seconded by Council Member Swinth to waive reading of the text and adopt:

RESOLUTION NO. 28262 ENTITLED: RESOLUTION OF THE COUNCIL OF THE CITY OF SANTA ROSA AMENDING COUNCIL POLICY 000-40 - LEGISLATIVE ADVOCACY

The motion carried 6-0-1 (Mayor Bartley absent).

14. PUBLIC HEARINGS – NONE

15. WRITTEN COMMUNICATIONS (AND POSSIBLE COUNCIL ACTION)

15.1 LETTER OF SUPPORT FOR AB 803 – WATER RECYCLING ACT OF 2013

16. PUBLIC COMMENTS ON NON-AGENDA MATTERS

Katie Davis, Government Relations Manager for PG&E, spoke regarding PG&E's work on 41 sites requiring remediation and encouraged Council members to contact her with questions regarding the First Street site.

James Bennett expressed concerns regarding the One Bay Area Plan.

Keith Woods, North Coast Builders Exchange, spoke regarding the Choices Program available to high school students and thanked the Council for the involvement of the Santa Rosa Police Department.

Robin Bartholow spoke regarding the Choices Program and the involvement of Santa Rosa police officers.

Nina Tepedino expressed concerns regarding smoking and exposure to second-hand smoke in Bethlehem Towers.

17. ANNOUNCEMENT OF CONTINUED CLOSED SESSION ITEM(S), RECESS TO CLOSED SESSION(S) IN THE MAYOR'S CONFERENCE ROOM, RECONVENE TO OPEN SESSION, AND ANNOUNCEMENTS – NONE

18. ADJOURNMENT OF MEETING

Hearing no further business, Vice Mayor Carlstrom adjourned the meeting at 6:52 p.m. in memory of Giselle Ayala. The next regularly scheduled meeting will take place on April 16, 2013, at a time to be set by the Mayor.

Approved on: May 7, 2013

/s/ Terri A. Griffin, City Clerk