



**City Council
Regular Meeting Minutes - Draft**

Tuesday, November 14, 2017

2:30 PM

1. CALL TO ORDER AND ROLL CALL

Mayor Coursey called the closed session to order at 1:03 p.m.

Present: 5 - Mayor Chris Coursey, Council Member Julie Combs, Council Member Chris Rogers, Council Member John Sawyer and Council Member Tom Schwedhelm

Absent: 2 - Vice Mayor Jack Tibbetts and Council Member Ernesto Olivares

2. ANNOUNCEMENT OF CLOSED SESSION ITEMS

Mayor Coursey recessed the meeting to closed session at 1:03 p.m. to discuss Items 2.1 through 2.5 as listed on the agenda:

2.1 CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION
(Paragraph (1) of subdivision (d) of Government Code Section 54956.9)

Name of Case: Timothy Aboudara, Jr. et al. v. City of Santa Rosa
Court Case No. USDC Northern District of CA 3:17-cv-01661-HSG

2.2 CONFERENCE WITH LABOR NEGOTIATORS
(Government Code Section 54957.6)

Agency Designated Representatives: Joanne Narloch, Interim Human Resources Director, Jeremia Mills, Employee Relations Manager, Jon Holtzman of Renne Sloan Holtzman Sakai LLP, Anthony Gossner, Fire Chief and Deborah Lauchner, Chief Financial Officer.

Employee Organizations: Santa Rosa Firefighters Association - Local 1401 (representing City Employee Unit 2); Operating Engineers Local 3, Maintenance and Utility System Operators (Employee Units 3 and 16); Santa Rosa City Employees Association (Employee Units 4, 6, 7); Santa Rosa Police Officers Association (Employee Unit 5); Service Employees International Union Local 1021 (Employee Units 8 and 14); Public Safety Management Association (Employee Unit 9); Executive Management (Employee Unit 10); Middle Management (Employee Unit 11); Confidential (Employee Unit 12); Mechanics (Employee Unit 13); City Attorney (Employee Unit 15); Santa Rosa City Attorneys'

Association (Employee Unit 17); Santa Rosa Management Association (Employee Unit 18).

2.3 CONFERENCE WITH LEGAL COUNSEL - ANTICIPATED LITIGATION

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

2.4 CONFERENCE WITH LEGAL COUNSEL - ANTICIPATED LITIGATION

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

**2.5 CONFERENCE WITH LABOR NEGOTIATORS
(Government Code Section 54957.6)**

Agency Designated Representatives: Mayor Chris Coursey
Unrepresented Employees: City Manager and City Attorney

Mayor Coursey adjourned the closed session at 3:52 p.m. and reconvened the meeting to open session in the Council Chamber at 4:05 p.m.

3. STUDY SESSION - NONE.

4. ANNOUNCEMENT OF ROLL CALL

Present: 7 - Mayor Chris Coursey, Vice Mayor Jack Tibbetts, Council Member Julie Combs, Council Member Ernesto Olivares, Council Member Chris Rogers, Council Member John Sawyer and Council Member Tom Schwedhelm

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

City Attorney Gallagher reported on Items 2.1 and 2.2 that Council provided direction to the labor negotiator and on Items 2.3 through 2.4 that Council provided direction to staff.

6. PROCLAMATIONS/PRESENTATIONS - NONE.

7. STAFF BRIEFINGS - NONE.

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

City Manager McGlynn provided a brief report on the debris removal

update and outreach summary.

9. STATEMENTS OF ABSTENTION BY COUNCILMEMBERS

There were no abstentions made.

10. MAYOR'S/COUNCILMEMBERS' REPORTS

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

Vice Mayor Tibbetts requested a future agenda item to consider updating building codes to have garage doors to have a redundant power system behind them so that non-ambulatory seniors can get out during an emergency situation in their vehicles; update sirens to notify residents when there is a disaster or when one is about to occur; bring back urgency ordinances regarding resiliency initiatives to amend the zoning code to allow smaller building designs and to allow RV's throughout all of the City and not only those affected by fires. Council Member Rogers concurred with the request.

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 Groundwater Sustainability Agency (GSA)

10.1.9 Other

11. APPROVAL OF MINUTES

11.1 September 26, 2017, Regular Meeting.

Approved as submitted.

11.2 October 3, 2017, Regular Meeting.

Approved as submitted.

12. CONSENT ITEMS

Approval of the Consent Agenda

A motion was made by Vice Mayor Tibbetts, seconded by Council Member Olivares, to waive reading of the text and adopt Consent Items 12.1, 12.2, and 12.4. The motion carried by the following vote:

Yes: 7 - Mayor Coursey, Vice Mayor Tibbetts, Council Member Combs, Council Member Olivares, Council Member Rogers, Council Member Sawyer and Council Member Schwedhelm

12.1 RESOLUTION - GARAGE 1 AND GARAGE 12 HOURLY USER FEE REDUCTION EFFECTIVE DATE CHANGE

RECOMMENDATION: It is recommended by the Finance Department that the Council, by resolution, approve a November 24, 2017, effective date for the Garage 1 and Garage 12 hourly rate change.

This Consent - Resolution was adopted.

RESOLUTION NO. RES-2017-218 ENTITLED: RESOLUTION OF THE COUNCIL OF THE CITY OF SANTA ROSA APPROVING AMENDED EFFECTIVE DATES FOR PARKING GARAGE USER FEES

12.2 RESOLUTION - EXTENSION OF PROCLAMATION OF LOCAL HOMELESS EMERGENCY

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.

This Consent - Resolution was adopted.

RESOLUTION NO. RES-2017-219 ENTITLED: RESOLUTION OF THE

COUNCIL OF THE CITY OF SANTA ROSA EXTENDING A PROCLAMATION OF LOCAL HOMELESS EMERGENCY (Government Code Sections 8630 et seq.)

12.3 RESOLUTION - GRANT AGREEMENT FOR HOMELESS SERVICES CENTER

RECOMMENDATION: It is recommended by the Housing and Community Services Department that the Council, by resolution, approve a Grant Agreement for Operation of Homeless Services Center with Catholic Charities of the Diocese of Santa Rosa, in the amount of \$100,000, for the period of November 1, 2017 to June 30, 2018.

Council Member Combs motioned to sanction tent encampments. Motion died for lack of a second.

PUBLIC COMMENT

Gregory Fearon spoke regarding the concerns of including the post-fire homelessness to the pre-fire homelessness as part of the homeless emergency declarations.

Scott Wagner spoke in support of encampments and regarding the concerns of the homelessness.

Thesha Royalty spoke regarding the concerns of the homelessness.

Peggy Hendrix spoke regarding the concerns on the homeless issues.

Merlin spoke in support of camp encampments.

Anita Lafollette spoke regarding the concerns of the homelessness.

Duane DeWitt spoke regarding the need of shelters and suggested alternative housing.

Thomas Ells spoke regarding the concerns of the police treatment

towards the homeless; and the rapid increase of homelessness.

Kathleen Finigan spoke regarding the concerns of the homelessness.

A motion was made by Council Member Schwedhelm, seconded by Council Member Combs, to waive reading of the text to bring back to Council with extended hours of operation to include 11:30 a.m. through 1:00 p.m., 7 days a week with a housing focus shelter and adopt as amended:

RESOLUTION NO. RES-2017-221 ENTITLED: RESOLUTION OF THE COUNCIL OF THE CITY OF SANTA ROSA APPROVING A GRANT AGREEMENT BETWEEN THE CITY OF SANTA ROSA AND CATHOLIC CHARITIES OF THE DIOCESE OF SANTA ROSA FOR THE OPERATION OF HOMELESS SERVICES CENTER FOR THE PERIOD OF NOVEMBER 1, 2017 TO JUNE 30, 2018

The motion carried by the following vote:

Yes: 7 - Mayor Coursey, Vice Mayor Tibbetts, Council Member Combs, Council Member Olivares, Council Member Rogers, Council Member Sawyer and Council Member Schwedhelm

12.4 RESOLUTION - RATIFICATION OF PURCHASE ORDER AND PAYMENTS TO PLAYCORE WISCONSIN FOR PLAYGROUND EQUIPMENT AT A PLACE TO PLAY AND WAIVER OF ANY DEFECTS IN PURCHASING PROCESS

RECOMMENDATION: It is recommended by the Finance Department and City Manager that the Council, by resolution, ratify the Purchase Order and associated payments made to PlayCore Wisconsin dba Gametime Inc. for playground equipment and installation at 2375 W. Third Street, and waive any defects in the purchasing process.

This Consent - Resolution was adopted.

RESOLUTION NO. RES-2017-220 ENTITLED: RESOLUTION OF THE COUNCIL OF THE CITY OF SANTA ROSA RATIFYING PURCHASE ORDER NO. 149435 TO PLAYCORE WISCONSIN DBA GAMETIME INC. FOR PLAYGROUND EQUIPMENT AT A PLACE TO PLAY AND WAIVER OF DEFECTS IN THE ASSOCIATED PURCHASING PROCESS

13. PUBLIC COMMENT ON NON-AGENDA MATTERS

Anne Seeley, Member of Sonoma County Conservation Action, spoke in support of coordinated efforts to rebuild.

Michael Titone spoke regarding the concerns of the police treatment towards the homeless.

Scott Wagner spoke regarding the homeless issues.

Marji Brunelle spoke regarding the concerns of the homelessness and the need for public restrooms.

Courtney Cox spoke regarding the concerns of homelessness and police treatment towards the homeless.

TM spoke regarding the concerns of the growing homeless issues.

Duane DeWitt spoke regarding the development of a variety of housing types for low-income households.

Bob Hansen spoke regarding the community efforts made for the fire victims; and in support of encampments.

Victoria Yanez spoke regarding the concerns on the homeless issues.

Adrienne Lauby spoke regarding the concerns on the homeless issues.

14. REPORT ITEMS

14.1 REPORT - CANCELLATION OF SERVICE HUB PROJECT AND REALLOCATION OF THOSE FUNDS TO A DISASTER RECOVERY PROJECT

BACKGROUND: In March of 2015, the Council appropriated \$2.5 million from onetime funds to provide funding for a central service center for residents to have one place to go for city services. This project ended up being costlier than expected and has not proceeded since that assessment. Approximately \$2.3 million remains in the project.

Approval of this item will close the Service Hub project and move the remaining funds to a new Disaster Recovery project.

RECOMMENDATION: It is recommended by the City Manager and the Finance Department that the City Council, by motion, approve closing the City Service Center/HUB project and move the remaining funds to a new project for disaster recovery efforts to be managed by the City Manager.

Presented by Deborah Lauchner, Chief Financial Officer.

PUBLIC COMMENT

Canini spoke in opposition to the item.

Merlin spoke in opposition to the item.

A motion was made by Council Member Olivares, seconded by Council Member Sawyer, to approve closing the City Service Center/HUB project and move the remaining funds to a new project for disaster recovery efforts to be managed by the City Manager. The motion carried by the following vote:

Yes: 7 - Mayor Coursey, Vice Mayor Tibbetts, Council Member Combs, Council Member Olivares, Council Member Rogers, Council Member Sawyer and Council Member Schwedhelm

14.2 REPORT - ASSIGNMENT OF CITY CONTRACT WITH NORTH BAY CORPORATION TO RECOLOGY SONOMA MARIN; WAIVER OF \$375,000 ASSIGNMENT FEE PAYABLE BY NORTH BAY CORPORATION UNDER COLLECTION SERVICES CONTRACT

BACKGROUND: Ratto and its affiliated companies have entered into an agreement to sell substantially all of their assets to Recology, Inc. and its designated affiliates, which will continue Ratto's operations. On August 30, 2017, the City Manager's Office received a joint letter from Recology, Inc. and Ratto, requesting the City provide its consent to an assignment of all agreements the City currently has with Ratto to Recology Sonoma Marin, dba Recology Santa Rosa, a subsidiary of Recology, Inc. Recology and Ratto have since revised their request, asking for an assignment of the Solid Waste Collection Services Contract only. Upon the assignment of this Contract, Recology Sonoma

Marin will be subject to the applicable terms and conditions of the Contract, and will continue to perform Ratto's obligations. In addition, Recology requested that the City waive the \$375,000 assignment/transfer fee set forth in Section 34.01 of the February 2010 Amended and Restated Collection Services Contract between the City of Santa Rosa and North Bay Corporation.

RECOMMENDATION: It is recommended by the City Manager's Office that the Council, by resolution: 1) approve the Assignment and Assumption Agreement and Consent to Assignment with North Bay Corporation and Recology Sonoma Marin, assigning the Solid Waste Collection Services Contract with North Bay Corporation to Recology Sonoma Marin; and 2) waive the \$375,000 assignment/transfer fee set forth in section 34.01 of the Collection Services Contract.

Presented by Gloria Hurtado, Deputy City Manager.

A motion was made by Council Member Combs, seconded by Vice Mayor Tibbetts, to waive reading of the text and adopt:

RESOLUTION NO. RES-2017-222 ENTITLED: RESOLUTION OF THE COUNCIL OF THE CITY OF SANTA ROSA APPROVING THE ASSIGNMENT AND ASSUMPTION AGREEMENT AND CONSENT TO ASSIGNMENT WITH NORTH BAY CORPORATION AND RECOLOGY SONOMA MARIN; WAIVER OF \$375,000 ASSIGNMENT FEE PAYABLE BY NORTH BAY CORPORATION UNDER COLLECTION SERVICES CONTRACT

The motion carried by the following vote:

Yes: 7 - Mayor Coursey, Vice Mayor Tibbetts, Council Member Combs, Council Member Olivares, Council Member Rogers, Council Member Sawyer and Council Member Schwedhelm

14.3 REPORT - SOLID WASTE COLLECTION SERVICES AGREEMENT DISCOUNT PROGRAM OPTIONS

BACKGROUND: On August 29, 2017, the City Council approved the Solid Waste Collection Services Agreement between the City of Santa Rosa and Recology Sonoma Marin, dba Recology Santa Rosa, to provide the City's garbage, recyclable material and organic waste collection services by adopting Resolution No. RES-2017-172. On that date, City Council expressed interest in discounted rate options for senior and/or low-income customers.

RECOMMENDATION: It is recommended by the City Manager's Office that the Council, by resolution, approve one of the following service recipient rate discount program options under the Solid Waste Collection Services Agreement with Recology Sonoma-Marin: 1) a ten-percent (10%) or twenty-percent (20%) Senior Discount Program; or 2) a ten-percent (10%) or twenty-percent (20%) Low-Income Discount Program.

Presented by Gloria Hurtado, Deputy City Manager.

A motion was made by Council Member Sawyer, seconded by Mayor Coursey, to waive reading of the text and adopt as amended:

RESOLUTION NO. RES-2017-223 ENTITLED: RESOLUTION OF THE COUNCIL OF THE CITY OF SANTA ROSA APPROVING A LOW INCOME RATE DISCOUNT PROGRAM UNDER THE SOLID WASTE COLLECTION SERVICES AGREEMENT BETWEEN THE CITY OF SANTA ROSA AND RECOLOGY, INC., UTILIZING COLLECTION SERVICES FRANCHISE FEES TO FUND THE PROGRAM

The motion carried by the following vote:

Yes: 7 - Mayor Coursey, Vice Mayor Tibbetts, Council Member Combs, Council Member Olivares, Council Member Rogers, Council Member Sawyer and Council Member Schwedhelm

15. PUBLIC HEARINGS - NONE.

16. WRITTEN COMMUNICATIONS (AND POSSIBLE COUNCIL ACTION)

16.1 QUARTERLY CAPITAL IMPROVEMENT PROGRAM PROJECTS UPDATE: JULY TO SEPTEMBER 2017 - Provided for information.

This item was received and filed.

16.2 LETTER TO CONGRESSMAN MIKE THOMPSON, CALIFORNIA DISTRICT 5, REGARDING TAX PLAN - Provided for information.

This item was received and filed.

17. PUBLIC COMMENTS ON NON-AGENDA MATTERS

David Harris spoke regarding the concerns of the homeless issues; and in support of using alternative rebuilding materials and design.

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

Hearing no further business, Mayor Coursey adjourned the meeting in memory of Greg Mlynarczyk at 6:45 p.m. The next regularly scheduled meeting will take place on November 21, 2017, at a time set by the Mayor.

20. UPCOMING MEETINGS

20.1 UPCOMING MEETINGS LIST

This item was received and filed.

Approved on:

Daisy Gomez
City Clerk