



City of Santa Rosa

City Hall
100 Santa Rosa Avenue
Santa Rosa, CA 95404

CITY COUNCIL REGULAR MEETING AGENDA AND SUMMARY REPORT SEPTEMBER 27, 2016

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

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.

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 REAL PROPERTY NEGOTIATOR

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.

(Government Code Section 54956.8)

Property: 3012 Dutton Meadow, Santa Rosa - APN: 043-200-004
Agency Negotiator: Jill Scott, Right-of-Way Agent
Negotiating Parties: Marcus R. and Kathy A. Bell Trust and Shawn M.
Ratto 2005 Trust
Under Negotiations: Price and terms of payment.

2.2 PUBLIC EMPLOYEE - EVALUATION OF PERFORMANCE
(Government Code section 54957(b))

Title: Interim City Attorney

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

Name of Case: CVSR Holdings, LLC v. City of Santa Rosa, et al.
Sonoma County Superior Court Case No. SCV-256350

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

3. STUDY SESSION - NONE.

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

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 MEASURE Y

BACKGROUND: At the September 20, 2016, City Council meeting, Council Member Wysocky requested a future agenda item to discuss Measure Y. Council Member Combs concurred with the request.

10.2.2 REQUEST FOR AGENDA ITEM REGARDING PROPOSITION 52

BACKGROUND: At the September 20, 2016, City Council meeting, Vice Mayor Schwedhelm requested a future agenda item to discuss Proposition 52. Mayor Sawyer concurred with the request.

11. APPROVAL OF MINUTES

11.1 August 16, 2016, Regular Meeting.

Attachments [Draft Minutes](#)

11.2 August 30, 2016, Regular Meeting.

Attachments [Draft Minutes](#)

12. CONSENT ITEMS - NONE

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 - 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. On August 30, 2016, Council, by Resolution No. 28851, approved an extension of the declaration of local homeless emergency. In light of the continuing conditions of homelessness within the city, staff is recommending that the Council

maintain 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](#)

14.2 REPORT - MEASURE K - SONOMA COUNTY VOTER APPROVAL PROTECTION FOR "COMMUNITY SEPARATORS"

BACKGROUND: On September 20, 2016, Council voted to put this on the agenda to determine whether the Council will move to endorse this measure. This measure concerns county provisions requiring voter approval to remove or amend open space separation provisions designed to prevent development on about 17,000 acres of open space land designated as "community separators." Although this measure would have no effect on the provisions themselves, it would extend a voter approval requirement preventing the county board of supervisors from changing or removing the green space protections without a countywide vote.

In 1989, the county board of supervisors enacted provisions preserving about 17,000 acres of open space land by designating it as "community separators" and prohibiting residential and commercial development in such areas. Just under a decade later, county electors solidified those provisions protecting "community separators" by approving measures requiring voter approval for any changes to the boundaries and restrictions of the "community separators." The measures also required voter approval for the authorization of any exceptions allowing specific development projects within the open space buffers.

When they were first approved, the voter approval protections were set to expire in 2016. Thus, without the approval of this measure, the provisions requiring voter approval to amend "community separators" designations or to authorize developments within such areas would no longer be in

place. The "community separators" provisions themselves were not set to expire.

RECOMMENDATION: The Council should consider whether, by motion, to endorse this measure.

Attachments [Presentation](#)

14.3 REPORT - APPROVAL OF AMENDMENT TO PROFESSIONAL SERVICES AGREEMENT FOR INTERIM CITY ATTORNEY SERVICES WITH RENNE SLOAN HOLTZMAN SAKAI LLP

BACKGROUND: On June 28, 2016, by Resolution 28813, the City Council entered into a Professional Services Agreement with the law firm of Renne Sloan Holtzman Sakai LLP ("RSHS") to provide interim city attorney services and conduct an assessment of the City Attorney's Office while the City conducts a recruitment for the permanent City Attorney position. The contract set a not to exceed amount of \$200,000. The City Council appointed RSHS attorney Teresa Stricker to the office of Interim City Attorneys effective July 1, 2016.

The City does not anticipate that the City Attorney position will be filled prior to early 2017 after the new Council has been seated and there has been time for recruitment, interviews and a background check for the permanent City Attorney.

Therefore, the current Professional Services Agreement with Renne Sloan Holtzman Sakai LLP, will need to be amended to add additional compensation in order for the firm to continue to provide Interim City Attorney Services as outlined in the Professional Services Agreement. It is proposed that the compensation be increased (i) by an amount not to exceed \$35,000 to pay for services to be rendered through the month of September 2016, and (ii) by an amount not to exceed \$75,000 per month commencing as of October 2016. The proposed amendment will include a total compensation for all services provide under the Agreement not to exceed \$685,000, which is anticipated to cover all upcoming fees through March 2017.

RECOMMENDATION: It is recommended that the Council, by resolution,

approve the First Amendment to Professional Services Agreement with Renne Sloan Holtzman Sakai LLP to increase the compensation under the original agreement.

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

(THE COUNCIL MAY HEAR REPORT ITEM 14.4 AFTER PUBLIC HEARING ITEM 15.1)

14.4 REPORT - SMART PREPAREDNESS UPDATE AND NOTICE OF INTENT TO ESTABLISH 24-HOUR QUIET ZONES IN SANTA ROSA

BACKGROUND: The Transportation and Public Works, Fire and Police Departments will provide an update on the state of preparedness for the initiation of SMART fare service through Santa Rosa. In addition to physical improvements and significant coordination efforts, staff has been researching and preparing the necessary documentation relating to the establishment of Quiet Zones. Staff has prepared a resolution for Council to consider that would direct staff to submit a Notice of Intent to establish a rail Quiet Zone at all fourteen highway-rail grade crossings throughout Santa Rosa, the Railroad Square pedestrian-rail grade crossing plus the new pedestrian-rail grade crossing at Jennings Avenue. This does not prohibit trains from using their horns in the event of emergencies or in the exercise of discretion by the train operator as deemed necessary.

RECOMMENDATION: It is recommended by the Transportation and Public Works, Fire and Police Departments that the Council accept the update and by resolution, file a Notice of Intent with the Federal Railroad Administration; the railroads that operate within the Quiet Zones; and with the State agencies responsible for highway and grade crossing safety to establish 24-hour Quiet Zones through the City of Santa Rosa, from Bellevue Avenue to San Miguel Road, including all grade crossings between these limits.

Attachments [Staff Report](#)
[Attachment 1](#)
[Resolution](#)
[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 - FY 2016-25 SHORT RANGE TRANSIT PLAN AND POSSIBLE ADOPTION

BACKGROUND: The Short Range Transit Plan serves as a guide for investments in Santa Rosa's public transportation system over a ten-year period, and includes measures to promote long-term financial stability as well as improved performance. All transit operators receiving federal funding through the Metropolitan Transportation Commission (MTC) are required to complete a Short Range Transit Plan (SRTP) every four years.

RECOMMENDATION: It is recommended by the Transportation and Public Works Department that the Council, by resolution, adopt the FY 2016-25 Short Range Transit Plan which incorporates the Reimaging Plan for CityBus, updates the 10-year financial plan and updates the CityBus and Santa Rosa Paratransit goals, objectives, performance measures and standards.

Attachments [Staff Report](#)
[Attachment 1](#)
[Resolution](#)
[Public Hearing Notice](#)
[Presentation](#)
[Petition-Village Parkway bus stop](#)

16. WRITTEN COMMUNICATIONS - NONE.

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.**



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