

**SANTA ROSA CITY COUNCIL MINUTES
REGULAR MEETING
CITY HALL, 100 SANTA ROSA AVENUE
SEPTEMBER 27, 2016**

1. CALL TO ORDER AND ROLL CALL

Mayor Sawyer called the meeting to order at 1:30 p.m. Council Members present: Mayor Sawyer, Vice Mayor Schwedhelm, Council Members Combs, Coursey, Olivares, and Wysocky. Council Member Carlstrom arrived at 2:24 p.m.

2. ANNOUNCEMENT OF CLOSED SESSION ITEMS

PUBLIC COMMENT

Duane De Witt requested the Council share information with the public regarding how lawsuits bring funds to the City and how that money is used.

Mayor Sawyer recessed the meeting to closed session at 1:32 p.m. to discuss Items 2.1 through 2.3 as listed on the agenda:

2.1 CONFERENCE WITH REAL PROPERTY NEGOTIATOR (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

Mayor Sawyer adjourned closed session at 3:35 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

City Clerk Gomez announced that all Council Members were present.

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

Interim City Attorney Stricker reported that the Council met in closed session to discuss Items 2.1 and 2.3 as listed on the agenda, recused from Item 2.2, and there was no action taken by the Council. She further announced that direction was given to staff on all items.

6. PROCLAMATIONS/PRESENTATIONS - NONE.

7. STAFF BRIEFINGS - NONE.

8. CITY MANAGER'S/CITY ATTORNEY'S REPORTS - NONE.

9. STATEMENTS OF ABSTENTION BY COUNCIL MEMBERS

Council Member Carlstrom announced abstention to Item 11.1 - August 16, 2016, Regular Meeting.

10. MAYOR'S/COUNCIL MEMBERS' REPORTS

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

10.1 MAYOR'S/COUNCIL MEMBERS' SUBCOMMITTEE AND LIAISON REPORTS (AND POSSIBLE COUNCIL DIRECTION TO BOARD REPRESENTATIVE ON PENDING ISSUES, IF NEEDED)

10.1.1 Council Subcommittee Reports – None.

10.1.2 Sonoma County Transportation Authority/Regional Climate Protection Authority (SCTA/RCPA) – None.

10.1.3 Sonoma County Water Agency (SCWA) - Water Advisory Committee – None.

10.1.4 Association of Bay Area Governments (ABAG)

10.1.5 Sonoma County Agricultural Preservation and Open Space District Advisory Committee – None.

10.1.6 Sonoma Clean Power Authority (SCPA) – None.

10.1.7 Sonoma County Waste Management Agency (SCWMA) – None.

10.1.8 Other – None.

10.2 MATTERS FROM COUNCIL REGARDING FUTURE AGENDA ITEMS

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.

MOVED by Council Member Olivares, seconded by Council Member Carlstrom, and **CARRIED** unanimously to discuss and endorse Measure Y.

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.

MOVED by Vice Mayor Schwedhelm, seconded by Council Member Olivares, and **CARRIED** 4-3, Mayor Sawyer, Vice Mayor Schwedhelm, Council Members Carlstrom, Olivares voting yes; Council Members Combs, Coursey, and Wysocky voting no to discuss and endorse Proposition 52.

11. APPROVAL OF MINUTES

11.1 August 16, 2016, Regular Meeting.

Approved as submitted, with Council Member Carlstrom abstaining.

11.2 August 30, 2016, Regular Meeting.

Approved as submitted.

12. CONSENT ITEMS - NONE.

The time not yet being 5:00 p.m., Mayor Sawyer took Report Item 14.1 before Item 13 – Public Comment on Non-Agenda Matters.

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.

Presented by David Gouin, Director of Housing and Community Services.

PUBLIC COMMENT

Linda Hemenway spoke in support of the item.

MOVED by Council Member Wysocky, seconded by Council Member Olivares, and **CARRIED** unanimously to waive the reading of the text and adopt:

RESOLUTION NO. 28863 ENTITLED: RESOLUTION OF THE COUNCIL OF THE CITY OF SANTA ROSA EXTENDING A PROCLAMATION OF LOCAL HOMELESS EMERGENCY

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.

Presented by Teri Shore, North Bay Regional Director, Greenbelt Alliance.

MOVED by Council Member Coursey, seconded by Council Member Combs, and **CARRIED** unanimously to endorse Measure K.

14.3 REPORT - APPROVAL OF AMENDMENT TO PROFESSIONAL SERVICES AGREEMENT FOR INTERIM CITY ATTORNEY SERVICES WITH RENNE SLOAN HOLTZMAN SAKAI LLP INCREASING COMPENSATION TO AN AMOUNT NOT TO EXCEED \$75,000 PER MONTH RESOLUTION OF THE COUNCIL OF THE CITY OF SANTA ROSA APPROVING A FIRST AMENDMENT TO PROFESSIONAL SERVICES AGREEMENT WITH RENNE SLOAN HOLTZMAN SAKIA LLP FOR INTERIM CITY ATTORNEY SERVICES

BACKGROUND: On June 28, 2016, by Resolution 28813, the City Council appointed the law firm of Renne Sloan Holtzman Sakai LLP, and designated Teresa Stricker, to the office of Interim City Attorney, and entered into a Professional Services Agreement for same with an amount not to exceed amount of \$200,000 while the City conducts a recruitment for the permanent City Attorney Position.

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 not to exceed \$75,000 per month.

Presented by Rhonda McKinnon, Interim Director, Human Resources.

MOVED by Council Member Olivares, seconded by Council Member Carlstrom, and **CARRIED** unanimously to waive the reading of the text and adopt:

RESOLUTION NO. 28864 ENTITLED: RESOLUTION OF THE COUNCIL OF THE CITY OF SANTA ROSA APPROVING A FIRST AMENDMENT TO PROFESSIONAL SERVICES AGREEMENT WITH RENNE SLOAN HOLTZMAN SAKIA LLP FOR INTERIM CITY ATTORNEY SERVICES

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.

Presented by Jason Nutt, Director Transportation and Public Works; Captain Ray Navarro, Field Services Division, Police Department; Bill Shubin, Deputy Chief, Fire Department; Kim Nadeau, Parking Manager, Finance; and Rob Sprinkle, Deputy Director, Traffic Transportation and Public Works.

PUBLIC COMMENT

Willard Richards spoke on lane crossings.

Max Childs spoke in support of the item, and expressed concern regarding the noise.

MOVED by Council Member Coursey, seconded by Council Member Carlstrom, and **CARRIED** unanimously to waive the reading of the text and adopt:

RESOLUTION NO. 28865 ENTITLED: RESOLUTION OF THE COUNCIL OF THE CITY OF SANTA ROSA APPROVING THE FILING OF 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 A QUIET ZONE FROM BELLEVUE AVENUE TO SAN MIGUEL ROAD, THROUGHOUT THE CITY LIMITS

13. PUBLIC COMMENT ON NON-AGENDA MATTERS

Gregory Fearon, Santa Rosa Together, spoke on various topics.

Duane DeWitt spoke on various topics.

Anita LaFollette spoke on homeless action.

Thomas Ells spoke on rent control.

15. PUBLIC HEARING

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.

Presented by Yuri Koslen, Deputy Director, Traffic Engineering.

Council Member Wysocky left the meeting at 6:08 p.m.

PUBLIC HEARING

Mayor Sawyer opened the public hearing at 6:32 p.m.

PUBLIC COMMENT

Linda Adrian spoke regarding issues on transit fees.

Thomas Ells spoke on funding schedules.

Seeing no one else wishing to speak, Mayor Sawyer closed the public hearing at 6:37 p.m.

MOVED by Council Member Combs, seconded by Council Member Carlstrom, and **CARRIED** 6-0-1 (Mayor Sawyer, Vice Mayor Schwedhelm, Council Members Carlstrom, Combs, Coursey, Olivares voting Yes; Council Member Wysocky absent) to continue the Public Hearing to the October 11, 2016 Regular Meeting:

RESOLUTION NO. ENTITLED: RESOLUTION OF THE COUNCIL OF THE CITY OF SANTA ROSA TO ADOPT THE FY 2016-25 SHORT RANGE TRANSIT PLAN

16. WRITTEN COMMUNICATIONS - NONE.

17. PUBLIC COMMENTS ON NON-AGENDA MATTERS - NONE.

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 6:38 p.m. The next regularly scheduled meeting will take place on October 11, 2016, at a time to be set by the Mayor.

Approved on: November 15, 2016

/s/ Daisy Gomez, City Clerk