

**SANTA ROSA CITY COUNCIL MINUTES
REGULAR MEETING
CITY HALL, 100 SANTA ROSA AVENUE
FEBRUARY 5, 2013**

1. CALL TO ORDER AND ROLL CALL

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

2. ADMINISTRATION OF OATH OF OFFICE AND PRESENTATION OF CERTIFICATE OF APPOINTMENT TO NEWLY APPOINTED COUNCIL MEMBER ROBIN SWINTH

2:45 P.M. (MAYOR'S CONFERENCE ROOM, ROOM 10)

3. INTERVIEWS FOR BOARDS/COMMISSIONS/COMMITTEES

- Housing Authority – The City Council conducted interviews for two at-large vacancies on the Housing Authority to fill two four-year terms expiring December 2016. The City Council received six applications and five applicants were present to interview: William Arnone, Wayne Downey, Monica Figueroa, Philip Olsen, and David Poulsen.

4. ANNOUNCEMENT OF CLOSED SESSION ITEMS – CANCELLED

4:00 P.M.

5. ANNOUNCEMENT OF ROLL CALL

Mayor Bartley convened the meeting to open session in the Council Chamber at 4:00 p.m. City Clerk Griffin announced that all Council members were present.

6. REPORT, IF ANY, ON CLOSED SESSIONS

7. PROCLAMATIONS/PRESENTATIONS

7.1 PROCLAMATION AND PRESENTATION – HONORING REDWOOD EMPIRE CHINESE ASSOCIATION'S CELEBRATION OF CHINESE NEW YEAR – YEAR OF THE SNAKE

Council Member Ours read and Mayor Bartley presented the proclamation to Nancy Wang, Redwood Empire Chinese Association (RECA). Members of RECA led a dragon parade in celebration of Chinese New Year – Year of the Snake.

8. STAFF BRIEFINGS – NONE

9. APPROVAL OF MINUTES – NONE

10. MAYOR'S/COUNCILMEMBERS' REPORTS

10.1 STATEMENTS OF ABSTENTION BY COUNCILMEMBERS

No statements of abstention were made.

10.2 MAYOR /COUNCILMEMBERS' REPORTS

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

Council Member Combs requested a future agenda item regarding campaign finance reform.

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 on the February 4th meeting attended by herself and Council Member Combs.
- b) Sonoma County Water Agency (SCWA) – Water Advisory Committee – Council Member Swinth provided a report on the February 4th meeting.
- c) Solid Waste Advisory Group (SWAG) – None.
- d) Association of Bay Area Governments (ABAG) – None.

10.4 APPOINTMENTS TO BOARDS/COMMISSIONS/COMMITTEES

- a) Board of Building Regulation Appeals - One Vacancy –Structural Engineer Position
It was MOVED by Council Member Olivares, seconded by Council Member Ours, and carried unanimously to reappoint David Cooper to the Board of Building Regulation Appeals for a four-year term expiring December 2016.
- b) Housing Authority - Two At-large Vacancies
City Attorney Fowler clarified that should the Council so choose, it may appoint to the Housing Authority the applicant who currently serves on the Oversight Board to the Successor Agency as the Oversight Board is not technically a City board.
Following a vote by ballot, William Arnone and Philip Olsen were appointed to the Housing Authority for four-year terms expiring December 2016.

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

City Manager Millison reported on the selection of the Finley Foundation by the California Park and Recreation Society to receive the receipt of the 2012 Champion of the Community award. Ms. Millison also reported on the Laguna Environmental Laboratory's receipt of a 99% proficiency testing score from the California Department of Public Health.

12. CONSENT ITEMS

Peter Tscherneff, speaking on 12.2, suggested awarding the contract to a local contractor.

MOVED by Vice Mayor Carlstrom, seconded by Council Member Olivares, and carried unanimously to waive reading of the text and adopt Items 12.1 through 12.5 as follows:

12.1 MOTION – COOPERATIVE PURCHASE – RADIOS AND ACCESSORIES

MOTION TO APPROVE THE COOPERATIVE PURCHASE AND ISSUANCE OF A PURCHASE ORDER FOR RADIOS AND ACCESSORIES IN THE AMOUNT OF \$183,164.44 TO MOTOROLA SOLUTIONS, INC., ROHNERT PARK, CALIFORNIA., FUNDS FOR WHICH PROCUREMENT ARE AVAILABLE IN THE POLICE DEPARTMENT'S FISCAL YEAR 2012-13 OPERATIONAL BUDGET IN THE 170101 POLICE ADMINISTRATION KEY.

12.2 MOTION – CONTRACT AWARD – CITY OF SANTA ROSA PARKING STRUCTURE REPAIRS – GARAGES 1, 3, 9 AND 12

MOTION TO AWARD CONSTRUCTION CONTRACT NO. C01761, CITY OF SANTA ROSA PARKING STRUCTURE REPAIRS, GARAGES 1, 3, 9 AND 12 IN THE TOTAL AMOUNT OF \$373,373.00 TO THE LOWEST RESPONSIBLE BIDDER, TRUESDELL CORPORATION OF CALIFORNIA, INC. OF TEMPE, AZ, AND ESTABLISHES A TOTAL CONTRACT AMOUNT OF \$429,378.95 (THE ORIGINAL CONTRACT AMOUNT PLUS A 15% CONTINGENCY), FUNDING FOR WHICH PROJECT HAS BEEN APPROPRIATED

TO JL KEYS 45022, 45020, 45029 AND 45106.

12.3 MOTION – CONTRACT AWARD – BICENTENNIAL WAY AND MENDOCINO AVENUE TRAFFIC SIGNAL MODIFICATION

MOTION TO AWARD CONSTRUCTION CONTRACT NO. C00743, BICENTENNIAL WAY AND MENDOCINO AVENUE TRAFFIC SIGNAL MODIFICATION IN THE TOTAL AMOUNT OF \$662,902.75 TO THE LOWEST RESPONSIBLE BIDDER, GHILOTTI BROS., INC. OF SAN RAFAEL, CA, AND ESTABLISH A TOTAL CONTRACT AMOUNT OF \$729,193.02 (THE ORIGINAL CONTRACT AMOUNT PLUS A 10% CONTINGENCY), FUNDING FOR WHICH PROJECT HAS BEEN APPROPRIATED TO JL KEY 17055.

12.4 RESOLUTION – CONCESSION AGREEMENT – HOWARTH PARK PONY RIDE CONCESSION

RESOLUTION NO. 28233 ENTITLED: RESOLUTION OF THE COUNCIL OF THE CITY OF SANTA ROSA APPROVING A CONCESSION AGREEMENT BETWEEN THE CITY OF SANTA ROSA AND PONY EXPRESS EQUINE ASSISTED SKILLS FOR YOUTH AND AUTHORIZING THE MAYOR TO EXECUTE THE CONCESSION AGREEMENT

12.5 RESOLUTION – JOINT USE AGREEMENT BETWEEN THE CITY OF SANTA ROSA AND WRIGHT SCHOOL DISTRICT

RESOLUTION NO. 28234 ENTITLED: RESOLUTION OF THE COUNCIL OF THE CITY OF SANTA ROSA APPROVING THE CITY OF SANTA ROSA JOINT USE AGREEMENT WITH WRIGHT SCHOOL DISTRICT AND AUTHORIZING THE MAYOR TO EXECUTE THE AGREEMENT

13. REPORT ITEMS

13.1 REPORT – REQUEST FROM SONOMA CREEKSIDE EAH II, LP TO AUTHORIZE ISSUANCE, SALE AND DELIVERY OF TAX-EXEMPT MULTIFAMILY HOUSING REVENUE BONDS FOR SONOMA CREEKSIDE (2-110 BOAS DRIVE AND 5168-5206 SANTA ROSA CREEK DRIVE) IN A PRINCIPAL AMOUNT NOT TO EXCEED \$5,600,000

BACKGROUND: Sonoma Creekside EAH II, LP has requested that the Council issue tax-exempt multifamily housing revenue bonds in an amount not to exceed \$5,600,000 to assist in financing acquisition and rehabilitation of Sonoma Creekside, preserving a 43 unit affordable rental housing development located at 2-110 Boas Drive and 5168-5206 Santa Rosa Creek Drive in the northeast quadrant of the City (the Project). As required by the U.S. Internal Revenue Code, the Council held a Tax Equity Fiscal Responsibility Act (TEFRA) public hearing on June 26, 2012, and approved Resolution No. 28152 declaring the City's intention to issue bonds and authorizing an application be made to the California Debt Limit Allocation Committee (CDLAC) for an allocation of Private Activity Bonds. CDLAC approved a bond allocation of \$5,600,000 on November 14, 2012. Multifamily housing revenue bond financing is structured so that the City has no financial liability to the bondholders. The Project owner is responsible for payment of all costs of bond issuance.

RECOMMENDATION: It is recommended by the Department of Economic Development and Housing that the Council, by resolution, (1) authorize the issuance, sale and delivery of tax-exempt Multifamily Housing Revenue Bonds in a principal amount not to exceed \$5,600,000 to assist in the financing of the acquisition and rehabilitation of Sonoma Creekside, thereby preserving the existing affordable rental housing development located at 2-110 Boas Drive and 5168-5206 Santa Rosa Creek Drive, and (2) approve execution of the appropriate documents for the Bonds by the authorized City officials.

Marjorie Jackson, Program Specialist II, provided the staff report. Tom Downey, Bond Counsel, also responded to Council questions.

Following Council discussion, it was **MOVED** by Council Member Ours, seconded by Council Member Olivares, and carried unanimously to waive reading of the text and adopt:

RESOLUTION NO. 28232 ENTITLED: RESOLUTION OF THE COUNCIL OF THE CITY OF SANTA ROSA AUTHORIZING THE ISSUANCE, SALE AND DELIVERY OF CITY OF SANTA ROSA MULTIFAMILY HOUSING REVENUE BONDS, AUTHORIZING THE EXECUTION AND DELIVERY OF A MASTER PLEDGE AND ASSIGNMENT, A MASTER AGENCY AGREEMENT AND REGULATORY AGREEMENTS, AND AUTHORIZING THE EXECUTION AND DELIVERY OF AND APPROVING OTHER RELATED DOCUMENTS AND APPROVING OTHER RELATED ACTIONS IN CONNECTION THEREWITH, FOR SONOMA CREEKSIDE (2-11 0 BOAS DRIVE AND 5168-5206 SANTA ROSA CREEK DRIVE)

13.2 REPORT – PUBLIC, EDUCATION AND GOVERNMENT MEDIA SERVICES

BACKGROUND: On March 31, 2013, the one-year agreement between the Community Media Center of the North Bay for delivery of Public, Education and Government (“PEG”) services expires. Evaluation of continuing PEG services through a public Request for Proposals has been unsuccessful in identifying a solution compatible with current budget guidelines. Staff has developed an alternative proposal for ongoing PEG services.

RECOMMENDATION: It is recommended by the City Manager’s Office that the Council, by resolution, approve the City’s direct operation of the Government portion of PEG and:

- (1) Authorize the Chief Financial Officer to provide appropriations of funds from the City’s cable franchise fees (Account #1100-4162) in the amount of \$82,500 into GL Key 140709 entitled “PEG Operations” in fund 1730 to cover three (3) months of Government PEG Operations, plus Media Center transition support through the end of the fiscal year.
- (2) Amend the City Classification and Salary plan to create the classification of Media Services Coordinator with a salary range of \$5,491 - \$6,668 per month in Unit 7 – Technical; increase the total authorized city staff by 1.0 FTE Media Services Coordinator to GL Key 140709 “PEG Operations”.
- (3) Authorize the Chief Financial Officer to provide appropriations of funds from DIVCA PEG funding (Account #1880-2103) in the amount of \$25,000 into JL Key 02066 entitled “PEG Projects” in fund 1730.

If the Council desires staff to explore options for Education and Public access partnerships, direct staff to investigate innovative community based collaborations and return to Council within one year with a proposal.

If the Council desires to continue offering Public Access, direct staff to pursue one of the two alternatives presented.

Jennifer Phillips, Assistant City Manager, provided the staff report and responded to Council questions. Doug Bower, Associate Superintendent of Santa Rosa City Schools, responded to Council questions.

PUBLIC COMMENT

Jeffrey Diamond spoke in favor of operating a collaborative studio.

DeeDee Bridges, President, League of Women Voters, read a letter to the Council in support of the Community Media Center.

Laurie Lamantia read a letter written by her son Miles Levine in support of the Community Media Center.

Ken Valentine spoke in support of the Community Media Center.

Anne Seeley spoke in support of the Community Media Center.

Colleen Fernald spoke in support of a partnership with the Junior College and exploring other options for funding.

Doug Millar spoke in support of the Community Media Center and expressed concerns regarding budget figures provided.

Peter Tscherneff spoke regarding freedom of speech and other topics.

Michael Minton spoke regarding the value of having access to the studio facility and in favor of the Community Media Center.

Alexis Wilson spoke in favor of the Community Media Center.

Dave Cox spoke regarding his experience working with local sports programming and Schools Plus projects and in favor of partnering with the schools.

Jake Ward spoke in favor of the Community Media Center.

Riis Larsen spoke in favor of the Community Media Center.

George Mangan requested Council extend THE current contract for three months to allow time for the Community Media Center to meet with City staff and work out collaborative solutions.

Russ Bowden, Board Treasurer, spoke in favor of the Community Media Center and continuing to fund public access.

Marlowe Allenbright, Board Member, spoke in favor of the Community Media Center and requested the Council take more time to consider the matter.

Dan Exelby, Board Member, spoke in favor of continuing to provide public access to the Community Media Center and asked for funding through the end of the fiscal year.

Ida Johnson, Board Member, requested the Council take more time to make a decision regarding the Community Media Center.

Elaine B. Holtz read a statement expressing concerns regarding the lack of public outreach and input in the process.

Patrick Saindon spoke in favor of the Community Media Center and access to media services by the disabled.

James Curtis spoke in favor of continuing to fund the Community Media Center.

Steven Chisham spoke in favor of the Community Media Center and access to media services.

Dan Villalva spoke in favor of the Community Media Center.

John Bertucci, Executive Director of Petaluma Community Access, spoke in favor of public access to local media services.

Robyn Kasper spoke in favor of the Community Media Center.

Nancy Dobbs, President/CEO of KRCB, spoke in favor of exploring partnerships for public access.

Josh Jacobsen spoke in favor of continuing to fund the Community Media Center.

Attila Nagy spoke in favor of the Community Media Center and suggested the Council visit the facility.

Robert J. Davis spoke regarding homeless veterans.

Vilisi Nadaku spoke in favor of the Community Media Center and the lack of free speech in his home country of Fiji.

Lucy Barnett, Board Member, spoke regarding the potential for non-profits to utilize the Community Media Center for outreach and fundraising.

Tevita Korodray spoke in favor the Community Media Center.

Following Council discussion, it was **MOVED** by Council Member Wysocky, seconded by Council Member Ours and carried unanimously to table the matter for 30 days and direct staff to return with ideas in response to the comments received from members of the public and after meeting with the respondents to the RFP and other key partners.

14. WRITTEN COMMUNICATIONS (AND POSSIBLE COUNCIL ACTION)

14.1 MAYOR'S COMMITTEE AND LIAISON APPOINTMENTS

Mayor Bartley noted the distribution of the list of Committee and Liaison appointments.

15. PUBLIC COMMENTS ON NON-AGENDA MATTERS

Doug Millar spoke regarding various topics.

Peter Tscherneff spoke regarding various topics.

Richard Hannon spoke regarding various topics.

Maureen DeVoe spoke regarding various topics.

Tia Rutter spoke regarding various topics.

James Bennett spoke regarding One Bay Area.

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

17. ADJOURNMENT OF MEETING

Hearing no further business, Mayor Bartley adjourned the meeting at 7:38 p.m. The next regularly scheduled meeting will take place on February 12, 2013, at a time to be set by the Mayor.

Approved on: February 26, 2013

/s/ Terri A. Griffin, City Clerk