



City of Santa Rosa

City Hall, Council
Chamber
100 Santa Rosa Avenue
Santa Rosa, CA 95404

CITY COUNCIL REGULAR MEETING AGENDA AND SUMMARY REPORT FEBRUARY 6, 2018

3:30 P.M. - CLOSED SESSION (MAYOR'S CONFERENCE ROOM)

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.

3:30 P.M. (MAYOR'S CONFERENCE ROOM, ROOM 10)

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 LEGAL COUNSEL - ANTICIPATED LITIGATION

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

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

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.

7.1 FIRE RECOVERY AND REBUILD UPDATE

This will be a standing item on the agenda. No action will be taken except for possible direction to staff.

Attachments: [Presentation - Uploaded 2/6/2018](#)

7.2 WILDLAND-URBAN INTERFACE MAPPING AND BUILDING STANDARD REVIEW

Discussion with Council to review the history of the mapping and process of defining the Wildland-Urban Interface (WUI) Fire Areas within the City of Santa Rosa. Conversation to include California Building Code, Chapter 7A Materials and Construction Methods for Exterior Wildfire Exposure and requirements as they relate the new

building construction in the Wildland-Urban Interface Fire Area.

Attachments: [Presentation](#)

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 Groundwater Sustainability Agency (GSA)

10.1.9 Other

10.2 BOARD, COMMISSION & COMMITTEE APPOINTMENTS

On January 9 and January 30, 2018, the Council conducted interviews to fill four vacancies on the Waterways Advisory Committee. The Council may make appointments to the Board.

11. APPROVAL OF MINUTES

11.1 November 1, 2017, Special Meeting.

Attachments: [Draft Minutes](#)

11.2 November 14, 2017, Regular Meeting.

Attachments: [Draft Minutes](#)

11.3 November 21, 2017, Regular Meeting.

Attachments: [Draft Minutes](#)

12. CONSENT ITEMS

12.1 RESOLUTION - USE AGREEMENT FOR TEMPORARY FIRE STATION - FIRE DISTRICT 5

RECOMMENDATION: It is recommended by the Fire Department that the Council, by resolution, approve the "Use Agreement" for the use of a temporary fire station trailer and apparatus tent owned by the Menlo Park Fire Protection District, in the amount of one dollar (\$1.00) per year.

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

12.2 RESOLUTION - APPROVE RELOCATION OF ZAG

RECOMMENDATION: It is recommended by the Art in Public Places Committee and the Recreation & Parks Department that the Council, by resolution, approve the relocation of "Zag," a sculpture by Michael Hayden.

Attachments: [Staff Report](#)
[Resolution](#)
[Presentation](#)

12.3 RESOLUTION - ADOPTION OF MEMORANDUM OF UNDERSTANDING, UNIT 5 - SANTA ROSA POLICE OFFICERS ASSOCIATION

RECOMMENDATION: It is recommended by the Human Resources Department and the City Manager's Office that the Council, by

resolution: 1) rescind Resolution No. RES-2017-127 which adopted the erroneous Memorandum of Understanding with Unit 5 - Santa Rosa Police Officers Association adopted by the City Council on July 11, 2017; and 2) adopt the revised Memorandum of Understanding with Unit 5 - Santa Rosa Police Officers Association effective July 11, 2017, which corrects mistakes in the MOU previously adopted.

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

12.4 RESOLUTION - EXTENSION OF PROCLAMATION OF EXISTENCE OF LOCAL EMERGENCY DUE TO FIRES

RECOMMENDATION: It is recommended by the City Attorney's Office that the Council, by resolution, declare that the proclamation of a state of local emergency within the City of Santa Rosa has been and remains in full force and effect without interruption.

Attachments: [Resolution](#)

12.5 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.

Attachments: [Staff Report](#)
[Resolution](#)
[Presentation](#)

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.

14.1 REPORT - AUTHORIZATION FOR LIMITED ACCESS TO PROPERTIES DESTROYED IN THE TUBBS FIRE TO EVALUATE SEWER LATERALS AND, IF NECESSARY, SUSPEND DISCHARGE TO THE TREATMENT PLANT

BACKGROUND: The Tubbs fire damaged or destroyed approximately 3,000 residential and commercial structures that are connected to the City of Santa Rosa's sewer collection system. During recent storm events, these damaged sewer laterals allowed storm water runoff, ash, debris and potentially hazardous waste to enter the sewer collection system. Depending on the magnitude of the rain event, this excessive inflow and infiltration has the potential to cause sanitary sewer overflows throughout the collection system and could foul the filtration and biological treatment systems at the City's wastewater treatment plant. The exposed sewer laterals pose a threat to the health and safety of the general public and to the operations at the wastewater collection and treatment facility. Staff has made every effort to coordinate with the debris removal process underway through the direction of the Army Corps of Engineers, which includes plugging the open and damaged sewer laterals. City staff believe, however, given the uncertainties surrounding the cleanup schedule, both the Army Corps and private efforts, as well as the risks to the regional wastewater system and the Laguna Treatment Plant, that a three-pronged approach that will also include work contracted for by the City's Water Department will be the most effective in protecting public health and the environment.

Proposals are currently being solicited to plug open sewer laterals in a subset of the Fountaingrove area. The solicitation for proposals for the rest of Fountaingrove and Coffey Park may be released for advertisement in the near future, if necessary.

RECOMMENDATION: It is recommended by the Water Department that Council, by resolution, authorize the Director of Santa Rosa Water, his staff and his delegates, limited access to enter upon damaged or destroyed properties within the City located in the Tubbs fire area in order to evaluate and determine whether it is necessary, and where determined it is necessary, to immediately suspend the user's discharge

into the City's Public Owned Treatment Works by the temporary plugging of the sewer lateral.

Attachments: [Staff Report](#)
[Resolution](#)
[Presentation](#)

14.2 REPORT - CONTRACT AWARD - EMERGENCY SEWER LATERAL PLUGGING WITHIN AFFECTED TUBBS FIRE AREA - SKYFARM & HANSFORD CT

BACKGROUND: The approximately 3,000 residential and commercial properties damaged or destroyed by the Tubbs fire are very likely to have sewer service laterals in a broken, leaking or obstructed condition that are a public nuisance pursuant to City Code section 15-06.090 of the City of Santa Rosa. The imminent winter wet season will exacerbate and compound the adverse effects of the public nuisance as it will increase the likelihood of unauthorized inflow and infiltration into the wastewater collection system.

RECOMMENDATION: It is recommended by the Transportation and Public Works Department that the Council, by motion, award Contract No. C02163, Emergency Sewer Lateral Plugging Within Affected Tubbs Fire Area - Skyfarm and Hansford Ct, in the amount of \$225,605.00 to the lowest responsible bidder, TerraCon Constructors, Inc. of Healdsburg, CA, approve a 15% contract contingency, and authorize a total contract amount of \$259,445.75.

Attachments: [Staff Report](#)
[Attachment 1 - Summary of Bids](#)
[Attachment 2 - Location Maps](#)
[Presentation](#)

14.3 REPORT - URGENCY ORDINANCE AMENDING THE COMPREHENSIVE CANNABIS ORDINANCE TO AUTHORIZE THE DEPARTMENT TO ESTABLISH PRE-APPLICATION PROCEDURES TO ADDRESS CANNABIS RETAIL OVERCONCENTRATION

BACKGROUND: On December 19, 2017, the City Council unanimously adopted the Comprehensive Cannabis Ordinance (ORD-2017-025).

The regulations address the locational and operational requirements for personal cannabis cultivation and commercial cannabis businesses, covering allowances for both medical and adult use. The ordinance went into effect on January 19, 2018 and the ordinance and application support tools are available at <https://srcity.org/Cannabis>. The adopted ordinance requires a setback of 600 feet between cannabis retail businesses and a Conditional Use Permit. In anticipation of high demand by applicants for this use, an urgency ordinance is needed to authorize the Department of Planning and Economic Development to establish a pre-application process that allows the City to determine which application proceeds to the use permit process should an issue of overconcentration between proposed cannabis retail businesses arise.

RECOMMENDATION: The Department of Planning & Economic Development and the City Attorney's Office recommend the Council adopt an Ordinance that amends City Code section 20-46.080(D)(1) to read as follows: "Overconcentration. To avoid overconcentration, a Cannabis Retail use shall not be established within 600 feet of any other Cannabis Retail use established within and permitted by the City of Santa Rosa. The Department shall establish evaluation criteria and selection procedures as necessary to avoid overconcentration of Cannabis Retail uses where competing applications are submitted within a 600-foot radius of each other."

Attachments: [Staff Report](#)
[Attachment 1](#)
[Attachment 2](#)
[Ordinance](#)
[Presentation](#)

(THE COUNCIL MAY RECESS DURING THE EVENING FOR A DINNER BREAK)

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 - DISTRICT BASED CITY COUNCIL ELECTIONS:
COMPOSITION OF DISTRICTS (CALIFORNIA VOTING RIGHTS ACT)

- FIRST OF FIVE PUBLIC HEARINGS

BACKGROUND: On August 29, 2017, the City Council adopted a resolution declaring its intent to initiate proceedings to transition the City from at-large to district-based Council member elections pursuant to Elections Code Section 10010 and Government Code Section 34886 (RES-2017-13).

The Council's resolution set forth a schedule of public hearings in connection with the drawing of the electoral districts. The first of those public hearings took place on October 3, 2017. The remaining public hearings were postponed due to the impacts of the wildfires that swept into the City beginning on October 8, 2017.

The City is now ready to resume proceedings to transition the City to district-based Council member elections. Pursuant to Elections Code Section 10010, the City Council is required to hold at least five public hearings in connection with the establishment of electoral districts, before the Council moves to consider an ordinance to transition the City to district-based elections. Two of the public hearings must be held before any map or maps of the boundaries of the proposed voting districts are drawn. These two initial public hearings provide the public an opportunity to provide input regarding the criteria for the composition of the proposed districts and the sequencing of district elections. This is the first of those two initial public hearings. Two additional public hearings will be held after the proposed maps are drawn, to allow for public comment on the draft maps. A final public hearing will be held in connection with the Council's adoption of an ordinance establishing district-based elections.

RECOMMENDATION: It is recommended by the City Attorney that the City Council (1) adopt a resolution confirming the schedule for public hearings under the California Voting Rights Act; and (2) hold a public hearing to receive input from the community regarding the composition of new voting districts and sequence of elections to be established for the district-based election of Council members beginning in 2018, in accordance with Elections Code Section 10010..

Attachments: [Staff Report](#)
[Attachment](#)
[Resolution](#)
[Presentation](#)
[Demographer Presentation - Revised 2/6/2018](#)
[Public Notice](#)

15.2 PUBLIC HEARING - ROUND BARN VILLAGE PROJECT - MITIGATED NEGATIVE DECLARATION, GENERAL PLAN AMENDMENT AND REZONING - 0 ROUND BARN BOULEVARD - PRJ17-004 (This item was continued from the December 19, 2017, Regular Meeting)

BACKGROUND: The project proposes a General Plan Amendment to change the existing land use designation from Business Park to Medium Low Density Residential and Open Space and a Rezoning from PD72-001 (Planned Development) to R-1-6 (Single-Family Residential) and OSC (Open Space - Conservation) for the 40.18-acre property located at 0 Round Barn Boulevard. Although no formal development applications have been received to date, the General Plan Amendment and Rezone would allow for future residential development on a portion of the property and the preservation of riparian, woodland areas and steeply sloped areas of the property in open space. On November 30, 2017 the Planning Commission unanimously recommended that the City Council adopt the Mitigated Negative Declaration and approve the General Plan Amendment and Rezoning. On December 19, 2017 the City Council held a public hearing and voted 5-1-1 to continue the matter to the February 6, 2018 meeting, requesting that staff provide an update to the fire prevention enhancements in the project area.

RECOMMENDATION: It is recommended by the Planning Commission and the Planning and Economic Development Department that the City Council, by resolutions, adopt a Mitigated Negative Declaration and approve a General Plan Amendment to change the land use designation from Business Park to Medium Low Density Residential and Open Space, and introduce an ordinance to rezone the site from PD72-001 to Single-Family Residential (R-1-6) and Open Space-Conservation (OSC) for the property located at 0 Round Barn Boulevard.

Attachments: [Staff Report](#)
[Attachment 1 - Disclosure Form](#)
[Attachment 2 - Neighborhood Context Map](#)
[Attachment 3 - Site Analysis Map](#)
[Attachment 4 - Existing GP-Zoning](#)
[Attachment 5 - Fountaingrove PD Map](#)
[Attachment 6 - Proposed GP-Zoning](#)
[Attachment 7 - Developable Plans](#)
[Attachment 8 - Economic Analysis](#)
[Attachment 9 - IS-MND Hyperlink](#)
[Attachment 10 - Public Correspondence](#)
[Attachment 11 - Post Fire Existing Site Conditions Update](#)
[Attachment 12 - Planning Commission Resolution Nos. 118](#)
[Attachment 13 - Memo from Santa Rosa Fire Department c](#)
[Attachment 14 - Wildland-Urban Interface Fire Area Map.p](#)
[Attachment 15 - Public Correspondence.pdf](#)
[Resolution - Mitigated Neg Dec](#)
[Exhibit A - Hyperlink to Mitigated Negative Declaration](#)
[Resolution GPA](#)
[GPA Reso Exhibit A](#)
[Ordinance](#)
[Ordinance Exhibit A](#)
[Presentation](#)
[Applicant Presentation - Revised 2/6/2018](#)
[Public Hearing Notice](#)

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.**

The City of Santa Rosa does not discriminate on the basis of disability in the admissions or access to, or treatment of or employment in, its programs or activities. Disability-related aids or services, including printed information in alternate formats, to enable persons with disabilities to participate in public meetings are available by contacting the City Clerk Office at 543-3015 or cityclerk@srcity.org one week prior to the meeting. TDD 543-3063

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

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.