



**City Council
Regular Meeting Minutes - Final**

Tuesday, February 27, 2018

2:00 PM

1. CALL TO ORDER AND ROLL CALL

Vice Mayor Rogers called the closed session meeting to order at 2:01 p.m.

Present: 5 - Vice Mayor Chris Rogers, Council Member Julie Combs, Council Member Ernesto Olivares, Council Member Tom Schwedhelm and Council Member Jack Tibbetts

Absent: 2 - Mayor Chris Coursey and Council Member John Sawyer

2. ANNOUNCEMENT OF CLOSED SESSION ITEMS

PUBLIC COMMENT

Duane DeWitt spoke in opposition to Item 2.2 and requested that an environmental site assessment examination be done before any purchase was to go forward.

Vice Mayor Rogers recessed the meeting to closed session at 2:04 p.m. to discuss Items 2.1 through 2.3 as listed on the agenda:

2.1 CONFERENCE WITH LEGAL COUNSEL - ANTICIPATED LITIGATION

Significant exposure to litigation pursuant to paragraph (2) of subdivision (d) of Government Code Section 54956.9: One potential cases; Notice of Violation and Intent to File Suit under the Endangered Species Act received from California River Watch

**2.2 CONFERENCE WITH REAL PROPERTY NEGOTIATOR
(Government Code Section 54956.8)**

Property: 1370 Burbank Avenue, Santa Rosa, CA 95407 APN: 125-252-003

Agency Negotiator: Jill Scott, Right-of-Way Agent
Negotiating Parties: Jesse Mc Cafferty, Barbara Hare
Under Negotiations: Price and terms of payment

2.3 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

Vice Mayor Rogers adjourned closed session at 2:55 p.m. and reconvened the meeting to open session in the Council Chamber at 4:00 p.m.

3. STUDY SESSION - NONE.

4. ANNOUNCEMENT OF ROLL CALL

Present: 5 - Vice Mayor Chris Rogers, Council Member Julie Combs, Council Member Ernesto Olivares, Council Member Tom Schwedhelm and Council Member Jack Tibbetts

Absent: 2 - Mayor Chris Coursey and Council Member John Sawyer

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

6. PROCLAMATIONS/PRESENTATIONS

6.1 PRESENTATION - DONATION FROM SANTA ROSA PARKS FOUNDATION

Presented by Kelly Magnusum and Bill Finkelstein, donating money for restoration of park affected by the fires.

7. STAFF BRIEFINGS

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 \(Added 2/27/18\)](#)

A brief report was provided by Paul Lowenthal, Assistant Fire Marshal and David Guhin, Director of Planning and Economic Development. A presentation was provided by Bennett Horenstein, Director of Water Department.

PUBLIC COMMENT

Duane DeWitt spoke regarding the Sunday, February 25, 2018

newspaper article of the renters that were displaced and the use containers for displaced renters.

Bruce McConnell spoke regarding the necessary code upgrades to rebuild and concerns of the increase in costs for fire disaster victims.

Peter Tscherneff spoke in support of student participation and using containers as temporary housing.

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

There was nothing to report.

9. STATEMENTS OF ABSTENTION BY COUNCILMEMBERS

Council Member Combs announced that she will be abstaining from Item 11.2.

Council Member Olivares announced that he will be abstaining from Item 14.2.

10. MAYOR'S/COUNCILMEMBERS' REPORTS

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

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

Council Member Combs requested a future agenda item to discuss the status of enforcement issues concerning the BoDean asphalt plant. Council Member Tibbetts concurred.

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)

Council Member Schwedhelm provided a brief report.

10.1.9 Other

APPOINTMENT OF ALTERNATE TO COUNTYWIDE OVERSIGHT BOARD FOR SUCCESSOR AGENCIES

The Council may, by motion, select and appoint an alternate to the Countywide Oversight Board for Successor Agencies.

A motion was made by Council Member Tibbetts, seconded by Council Member Schwedhelm, to nominate Vice Mayor Rogers as the alternate to the Countywide Oversight Board for Successor Agencies. The motion carried by the following vote:

Yes: 5 - Vice Mayor Rogers, Council Member Combs, Council Member Olivares, Council Member Schwedhelm and Council Member Tibbetts

Absent: 2 - Mayor Coursey and Council Member Sawyer

- 10.2 On January 9, 2018, the Council conducted candidate interviews to fill two Tenant Commissioner vacancies on the Housing Authority. The Council appointed Fran Bolduc and Ray Tilton. On February 13, 2018, Mr. Tilton informed staff that he would be unable to serve due to a move out of the area. The candidate with the next majority of Council votes was Leora Johnson. Ms. Johnson has indicated to staff that she is still interested in serving. Per California Health and Safety Code Section 34270, appointments of Tenant Commissioners are made by the full Council, the Council can make a motion and vote to appoint her or can direct staff in the Housing and Community Services Department to conduct another recruitment.**

A motion was made by Council Member Combs, seconded by Council Member Tibbetts, to appoint Leora Johnson as Tenant Commissioner to the Housing Authority. The motion carried by the following vote:

Yes: 5 - Vice Mayor Rogers, Council Member Combs, Council Member Olivares, Council Member Schwedhelm and Council Member Tibbetts

Absent: 2 - Mayor Coursey and Council Member Sawyer

11. APPROVAL OF MINUTES

11.1 December 19, 2017, Regular Meeting.

Attachments: [Draft Minutes](#)

Approved as submitted.

11.2 January 9, 2018, Regular Minutes.

Attachments: [Draft Minutes](#)

Approved as submitted, with Council Member Combs abstaining.

12. CONSENT ITEMS

Approval of the Consent Agenda

A motion was made by Council Member Combs, seconded by Council Member Tibbetts, to waive reading of the text and adopt Consent Items 12.1 through 12.6. The motion carried by the following vote:

Yes: 4 - Vice Mayor Rogers, Council Member Combs, Council Member Schwedhelm and Council Member Tibbetts

Absent: 3 - Mayor Coursey, Council Member Olivares and Council Member Sawyer

12.1 RESOLUTION - CONTRACT AWARD - BMP REPLACEMENT AND PROTECTION IN THE PUBLIC RIGHT OF WAY WITHIN THE BURN SCAR AREAS

RECOMMENDATION: It is recommended by the Water Department that the Council, by resolution, approve the award of Contract No. RFQ 18-03, a General Services Agreement for BMP Replacement and Protection in the Public Right of Way within the Burn Scar Areas, and ratify execution by the City Manager under emergency authority, to the

lowest responsible bidder, Hanford Applied Restoration & Conservation of Sonoma, in an amount not to exceed \$650,000.

Attachments: [Staff Report](#)
 [Attachment 1](#)
 [Resolution](#)
 [Exhibit](#)
 [Presentation](#)

This Consent - Resolution was adopted.

RESOLUTION NO. RES-2018-028 ENTITLED: RESOLUTION OF THE COUNCIL OF THE CITY OF SANTA ROSA APPROVING THE GENERAL SERVICES AGREEMENT NO. F001629 WITH HANFORD APPLIED RESTORATION & CONSERVATION, SONOMA, CA FOR BMP REPLACEMENT AND PROTECTION IN THE PUBLIC RIGHT OF WAY WITHIN THE BURN SCAR AREAS AND RATIFYING CITY MANAGER'S EXECUTION PURSUANT TO THE EMERGENCY DECLARATION

12.2 RESOLUTION - APPROPRIATION FOR THE PURCHASE OF A NEW ADA COACH

RECOMMENDATION: It is recommended by the Recreation and Parks Department that the Council, by resolution, authorize the Chief Financial Officer to appropriate the \$38,100 in proceeds from the sale of the Howarth Park C.P. Huntington locomotive towards a new ADA accessible coach.

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

This Consent - Resolution was adopted.

RESOLUTION NO. RES-2018-029 ENTITLED: RESOLUTION OF THE COUNCIL OF THE CITY OF SANTA ROSA TO AUTHORIZE THE CHIEF FINANCIAL OFFICER TO APPROPRIATE THE \$38,100 IN PROCEEDS FROM THE SALE OF THE HOWARTH PARK C.P. HUNTINGTON LOCOMOTIVE TOWARDS A NEW ADA ACCESSIBLE COACH

12.3 RESOLUTION - CONCESSION AGREEMENT WITH THE PONY EXPRESS EQUINE ASSISTED SKILLS FOR YOUTH

RECOMMENDATION: It is recommended by the Recreation and Parks Department that the Council, by resolution, approve a four-month

Concession Agreement with The Pony Express Equine Assisted Skills for Youth (Pony Express), Santa Rosa, CA.

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

This Consent - Resolution was adopted.

RESOLUTION NO. RES-2018-030 ENTITLED: RESOLUTION OF THE COUNCIL OF THE CITY OF SANTA ROSA APPROVING A CONCESSION AGREEMENT BETWEEN THE CITY OF SANTA ROSA AND THE PONY EXPRESS EQUINE ASSISTED SKILLS FOR YOUTH

12.4 RESOLUTION - AMENDMENT TO THE CITY CLASSIFICATION AND SALARY PLAN TO RECLASSIFY 1.0 FTE BUILDING PLANS EXAMINER TO FIRE PROTECTION ENGINEER, AND ADD 1.0 FTE FIRE INSPECTOR

RECOMMENDATION: It is recommended by the Human Resources Department that the Council, by resolution, approve changes in the Fire Department's Fire Prevention division as follows: reclassification of 1.0 FTE Building Plans Examiner to Fire Prevention Engineer; and add 1.0 FTE Fire Inspector, previously approved by Council on December 12, 2017 for FY18/19 to sustain the City's Cannabis Program.

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

This Consent - Resolution was adopted.

RESOLUTION NO. RES-2018-031 ENTITLED: RESOLUTION OF THE COUNCIL OF THE CITY OF SANTA ROSA AMENDING THE CITY CLASSIFICATION AND SALARY PLAN AND AUTHORIZING THE CITY MANAGER TO IMPLEMENT THESE CHANGES IN THE FISCAL YEAR 2017-2018 BUDGET

12.5 RESOLUTION - APPROVAL AND ADOPTION OF THE CITY'S SALARY PLAN AND SCHEDULE

RECOMMENDATION: It is recommended by the Human Resources Department that the Council, by resolution, approve and adopt the City's Salary Plan and Schedule. This update is a requirement per

California Code of Regulations, Title 2, Subchapter 1, Employees' Retirement System Regulations section 570.5.

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

This Consent - Resolution was adopted.

RESOLUTION NO. RES-2018-032 ENTITLED: RESOLUTION OF THE COUNCIL OF THE CITY OF SANTA ROSA APPROVING AND ADOPTING THE CITY'S SALARY PLAN AND SCHEDULE

- 12.6 RESOLUTION - APPROVAL OF TWO PROFESSIONAL SERVICES AGREEMENTS WITH RENNE PUBLIC LAW GROUP LLP AND TERMINATION OF PROFESSIONAL SERVICES AGREEMENTS WITH THE FORMER RENNE SLOAN HOLTZMAN SAKAI LLP EFFECTIVE FEBRUARY 28, 2018

RECOMMENDATION: It is recommended by the Human Resources Department and City Attorney that the Council, by resolution: 1) approve two Professional Services Agreements with the newly formed law firm of Renne Public Law Group LLP consisting of former partners of Renne Sloan Holtzman Sakai LLP; and 2) terminate two corresponding Professional Services Agreements, Agreement numbers F001469 and F001134, with the former Renne Sloan Holtzman Sakai LLP effective February 28, 2018.

Attachments: [Staff Report](#)
[Resolution](#)
[Exhibit A](#)
[Exhibit B](#)

This Consent - Resolution was adopted.

RESOLUTION NO. RES-2018-033 ENTITLED: RESOLUTION OF THE COUNCIL OF THE CITY OF SANTA ROSA APPROVING TWO PROFESSIONAL SERVICES AGREEMENTS WITH THE NEWLY FORMED LAW FIRM OF RENNE SLOAN PUBLIC LAW GROUP AND TERMINATING TWO PROFESSIONAL SERVICES EFFECTIVE FEBRUARY 28, 2018, AGREEMENT NOS. F001134 AND F001469, WITH THE FORMER RENNE SLOAN HOLTZMAN SAKAI LLP

13. PUBLIC COMMENT ON NON-AGENDA MATTERS

Andy Ferguson spoke in support of the Council to consider an ordinance to support a Climate Action Plan.

Michael Swartz spoke in support of Council considering an ordinance against selling toy guns.

Maurice Mickel provided suggestions for Council to consider regarding the Cannabis ordinance.

Kevin Conway spoke in support of the Council to consider a Climate Action Plan.

Mike Turgeon spoke in support of the Council to consider a Climate Action Plan.

Duane DeWitt spoke regarding the Roseland Creek Trail and in support of preserving the Roseland Neighbor Wood, a carbon sequestration area.

Peter Tscherneff spoke in support of a Climate Action Plan.

Diane Wheeler spoke in support of the Council to consider a Climate Action Plan and a natural gas ban.

Barbara Moulton spoke in support of the Council to consider a Climate Action Plan and a natural gas ban.

Paul McGavin spoke in opposition to small cell installations.

14. REPORT ITEMS

14.1 REPORT - ADVERTISING POLICY AND GUIDELINES

BACKGROUND: The Transportation and Public Works Department, Transit Division has long debated about the potential to use advertising on buses, shelters and other facilities. While advertising on transit equipment and facilities has become common with most agencies, including Golden Gate Transit and Sonoma County Transit, the City, and more specifically, CityBus, have historically chosen to not allow any

type of advertising. In light of the current state of the industry and emerging budget considerations, the Transit Division has determined that it is in the City's best interest to develop and recommend an advertising policy that would allow advertising on facilities including, buildings, parking structures and surface lots, buses, shelters, stops, park and rides, parking meters and payment machines, websites, mobile applications, computer applications and social media sites.

RECOMMENDATION: It is recommended by the Transportation and Public Works and Finance Departments, that the Council, by Resolution, adopt Council Policy Number 000-69 titled "Advertising Policy and Guidelines."

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

Presented by Jason Nutt, Director of Transportation and Public Works.

PUBLIC COMMENT

Anne Seeley, representing Citizens for Santa Rosa, spoke regarding the concerns of the billboard locations on buildings, its longevity, and aesthetics.

This item was continued to a future meeting.

14.2 REPORT - APPROVAL OF AN AGREEMENT WITH RAGLE RANCH HOME OWNER'S ASSOCIATION FOR RED CURB MAINTENANCE

BACKGROUND: The Ragle Ranch Home Owner's Association requested that the City paint red curb at each intersection and gang mailbox throughout their subdivision. The Home Owner's Association states that vehicles park on the bulbouts blocking the roadway and that drivers need additional guidance on how to park. The City typically does not paint red curb at intersections or in front of mailboxes. The vehicle code prohibits vehicles from parking within intersections. Common courtesy typically prevails and people do not block mailboxes. Transportation and Public Works is proposing a pilot program where the City will establish the initial red curb locations and limits while

establishing an agreement with the Home Owner's Association to provide the ongoing maintenance.

RECOMMENDATION: It is recommended by the Transportation and Public Works Department that the Council, by resolution, approve an agreement with Ragle Ranch Home Owner's Association for the association to perform maintenance of red curb painting.

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

Presented by Robert Sprinkle, Deputy Director Traffic Engineering.

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

RESOLUTION NO. RES-2018-034 ENTITLED: RESOLUTION OF THE COUNCIL OF THE CITY OF SANTA ROSA APPROVING AN AGREEMENT WITH RAGLE RANCH HOME OWNER'S ASSOCIATION TO PERFORM MAINTENANCE OF RED CURB PAINTING

The motion carried by the following vote:

Yes: 4 - Vice Mayor Rogers, Council Member Combs, Council Member Schwedhelm and Council Member Tibbetts

Absent: 2 - Mayor Coursey and Council Member Sawyer

Abstain: 1 - Council Member Olivares

15. PUBLIC HEARINGS - NONE.

16. WRITTEN COMMUNICATIONS - NONE.

17. PUBLIC COMMENTS ON NON-AGENDA MATTERS

Christine Hoex spoke in support of the Council to consider a Climate Action Plan and a natural gas ban.

Emily Wong, Miss Sonoma County's Teen, spoke regarding the appearances made throughout the City of Santa Rosa.

Kristine Schmuhl, Miss Sonoma County of 2017, spoke regarding the Miss Sonoma competition and of the appearances made

throughout the City of Santa Rosa.

Tony Geraldi spoke regarding the Miss Sonoma County competition and invited the Council to participate.

Anita Lafollette spoke regarding the concerns of the homeless issues.

Elizabeth Neylon spoke regarding various topics.

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, Vice Mayor Rogers adjourned the meeting at 6:25 p.m. The next regularly scheduled meeting will take place on March 6, 2018, at a time set by the Mayor.

20. UPCOMING MEETINGS

20.1 UPCOMING MEETINGS LIST

Attachments: [List](#)

This item was received and filed.

Approved on: May 22, 2018

/s/: Daisy Gomez, City Clerk