



**City Council
Regular Meeting Minutes - Draft**

Tuesday, November 19, 2019

1:00 PM

1. CALL TO ORDER AND ROLL CALL

Mayor Schwedhelm called the meeting to order at 1:01 p.m.

All council members were present with the exception of Council Member Combs.

Present: 6 - Mayor Tom Schwedhelm, Vice Mayor Victoria Fleming, Council Member Ernesto Olivares, Council Member Chris Rogers, Council Member John Sawyer, and Council Member Jack Tibbetts

Absent: 1 - Council Member Julie Combs

2. ANNOUNCEMENT OF CLOSED SESSION ITEMS

Mayor Schwedhelm recessed the meeting to the closed session at 1:02 p.m. to discuss Items 2.1 and 2.2 as listed on the agenda:

**2.1 CONFERENCE WITH LABOR NEGOTIATORS
(Government Code Section 54957.6)**

Agency Designated Representatives: Chuck McBride, Assistant City Manager/Chief Financial Officer, Amy Reeve, Human Resources Director and Jeremia Mills, Employee Relations Manager.
Employee Organizations: Santa Rosa Firefighters Association - Local 1401 (representing City Employee Unit 2); Operating Engineers Local 3, Maintenance and Utility System Operators (Employee Units 3 and 16); Santa Rosa City Employees Association (Employee Units 4, 6, 7); Santa Rosa Police Officers Association, (Employee Unit 5); Service Employees International Union Local 1021, (Employee Units 8 and 14); Public Safety Management Association (Employee Unit 9); Executive Management (Employee Unit 10); Middle Management (Employee Unit 11); Confidential (Employee Unit 12); Mechanics (Employee Unit 13); City Attorney (Employee Unit 15); Santa Rosa City Attorneys' Association (Employee Unit 17), Santa Rosa Management Association (Employee Unit 18).

2.2 CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION

(Paragraph (1) of subdivision (d) of Government Code Section 54956.9)

Name of Related Cases: 1) City of Santa Rosa v. Pacific Gas & Electric Company; PG&E Corporation Court Case No.: Sonoma County Superior Court SCV-262772; 2) Coordination Proceeding Special Title: California North Bay Fire Cases Court Case No.: San Francisco Superior Court CGC-17-004955 (Judicial Council Coordination Proceeding No. 4955); 3) In re: PG&E Corporation and Pacific Gas and Electric Company, Debtors Court Case No.: United States Bankruptcy Court, Northern District of California, San Francisco Division - Chapter 11 - 19-30088 (DM) and 19-30089 (DM); and 4) Public Utilities Commission of the State of California Proceedings related to Pacific Gas & Electric Utility.

Mayor Schwedhelm adjourned the closed session at 2:50 p.m. and reconvened the meeting to open session in the Council Chamber at 3:02 p.m.

3. STUDY SESSION

Council Member Combs joined the meeting, teleconferencing from Ecuador.

Present: 7 - Mayor Tom Schwedhelm, Council Member Chris Rogers, Council Member Julie Combs, Vice Mayor Victoria Fleming, Council Member Ernesto Olivares, Council Member John Sawyer, and Council Member Jack Tibbetts

3.1 PROGRESSIVE PARKING REVIEW

This study session will provide a review of the parking program since the inception of progressive parking strategies in January 2018.

Presented by Kim Nadeau, Parking Manager; and Raissa De La Rosa, Economic Development Manager

PUBLIC COMMENT

Eric Fraser spoke regarding the accuracy of reports provided by the Parking Department and the Progressive Parking Strategy.

Tom Robertson, Downtown Action Organization (DAO) spoke regarding downtown development and the concern of what happens

when a parking ticket is issued to a parked patron and the likelihood of that patron returning to downtown.

Bernie Schwartz, California Luggage, spoke on the item and overall perceptions of parking downtown, suggested taking corrective action and revise the Progress Parking Strategy. Comment provided from speaker card: Free garage parking, free weekend garage parking thru holidays.

Michael Hyman, spoke on the item and suggested the rollback of the meter enforcement period from 8:00 p.m. to 6:00 p.m. in the premium zones.

Cadance Allinson, DAO, spoke regarding concerns on downtown parking, suggested free holiday parking in the garages and help with the rollback as soon as possible.

Natalie Cilurzo, Russian River Brewing Company, spoke on the item and their sales trends.

Gerard Nebesky, Gerard's Paella, spoke on the item and shared his sales data.

Anne Seeley, Concerned Citizens of Santa Rosa, spoke on the item and the impacts of the 8:00 p.m. enforcement time.

Peter Rumble, Santa Rosa Metro Chamber, spoke on the item and the approach to the Progress Parking Strategy; the perception issue of parking downtown; and suggested the rollback of the enforcement period from 8:00 p.m. to 6:00 p.m.; implement the holiday parking program like last year; and provide direction on free garage time incentives.

Sonu Chandi, Chandi Hospitality Group, spoke regarding the 8:00 p.m. enforcement time, suggested the rollback of the enforcement period from 8:00 p.m. to 6:00 p.m. as soon as possible; and suggested looking into how to best utilize garage parking.

Steve Birdlebough, Sonoma County Transportation and Land Use Coalition, spoke on the item and the history Dr. Shoup's study.

This item was received and filed.

Mayor Schwedhelm recessed the meeting at 4:47 p.m. and reconvened at 4:58 p.m.

4. ANNOUNCEMENT OF ROLL CALL

Present: 7 - Mayor Tom Schwedhelm, Council Member Chris Rogers, Council Member Julie Combs, Vice Mayor Victoria Fleming, Council Member Ernesto Olivares, Council Member John Sawyer, and Council Member Jack Tibbetts

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

City Attorney Gallagher announced that Council provided direction to staff on Items 2.1 and 2.2.

6. PROCLAMATIONS/PRESENTATIONS - NONE.

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.

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

City Manager McGlynn provided a report regarding the impending Red Flag Warning effective 4:00 a.m. Wednesday to 7:00 a.m. Thursday for the North Bay Mountains in elevations above 1000 feet; the announcement made by PG&E for plans for a Public Safety Power Shutoff (PSPS) event that will have impacts to the eastern parts of our community, and the subsequent restoration of power plans; the activation of the Emergency Operations Center and up-staffing to prepare for both events and support the community; directed the community to seek additional information by following the City of Santa Rosa and Santa Rosa Fire Department on Facebook and Twitter, visiting the City's emergency webpage at srcity.org/emergency or calling 2-1-1.

9. STATEMENTS OF ABSTENTION BY COUNCIL MEMBERS

Council Member Tibbetts announced his abstention from Item 12.5, Item 14.1, Item 15.1, and Item 15.3

Council Member Combs announced her abstention from Item 11.1.

Council Member Sawyer announced his abstention from Item 11.1

Council Member Olivares announced his abstention from Item 11.1

Council Member Fleming announced her abstention from Item 15.3.

10. MAYOR'S/COUNCIL MEMBERS' REPORTS

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

Council Member Combs announced her resignation from City Council effective November 25, 2019.

All councilmembers and the Mayor reflected on their time served with Council Member Combs and extended their appreciation and well wishes.

Vice Mayor Rogers announced his appointment of Jeff Nathanson to Art in Public Places Committee and provided a brief report on his attendance at the grand re-opening of Snoopy's Ice Arena; Mayors and Council Members Legislative meeting; extended thanks to Chief Ray Navarro for holding a listening tour in various neighborhoods; the launch of Vision Zero on December 3, 2019; and a reminder November 28 through December 1 the Sonoma-Marín Area Rail Transit (SMART) will be running free service.

Council Member Tibbetts provided a brief report on downtown concerns.

Council Member Fleming provided a brief report on the potential

closure of Elliott Street.

Mayor Schwedhelm provided a brief report on his attendance at a recent homelessness conference.

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

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 Home Sonoma County (HSC)

10.1.10 Renewal Enterprise District (RED)

10.1.11 Other

10.2 ELECTION OF VICE MAYOR

- 10.2.1** The Council, in accordance with the City's Charter Section 15 and the City Council Manual of Protocols and Procedures, will elect a Vice Mayor from among its members. The Vice Mayor will serve a term of one year.

Council Member Olivares nominated Council Member Fleming, seconded by Vice Mayor Rogers.

Council Member Fleming accepted the nomination.

As no other nominations were made, Mayor Schwedhelm declared Council Member Fleming elected Vice Mayor by unanimous consent.

11. APPROVAL OF MINUTES

11.1 November 5, 2019, Regular Meeting Minutes.

Approved as submitted, with Council Members Combs, Sawyer, and Olivares abstaining.

12. CONSENT ITEMS

PUBLIC COMMENT

Eric Fraser spoke on Item 12.2, the contract length, and the possible conflict of interest.

Approval of the Consent Agenda

A motion was made by Vice Mayor Fleming, seconded by Council Member Sawyer, to waive reading of the text and adopt Consent Items 12.1 through 12.4. The motion carried by the following vote:

Yes: 7 - Mayor Schwedhelm, Vice Mayor Fleming, Council Member Combs, Council Member Olivares, Council Member Rogers, Council Member Sawyer, and Council Member Tibbetts

12.1 **RESOLUTION - FREE GARAGE PARKING ON SMALL BUSINESS SATURDAY, NOVEMBER 30, 2019**

RECOMMENDATION: It is recommended by the Finance Department that the Council, by resolution, approve free parking at the City's five public garages on Small Business Saturday, November 30, 2019.

This Consent - Resolution was adopted.

RESOLUTION NO. RES-2019-169 ENTITLED: RESOLUTION OF THE COUNCIL OF THE CITY OF SANTA ROSA APPROVING FREE PARKING IN THE CITY'S FIVE PUBLIC GARAGES ON NOVEMBER 30, 2019

12.2 **RESOLUTION - PROFESSIONAL SERVICES AGREEMENT WITH MUNISERVICES LLC FOR REVENUE AUDIT AND CONSULTING SERVICES**

RECOMMENDATION: It is recommended by the Chief Financial Officer that the Council, by resolution, approve a Professional Services

Agreement with MuniServices LLC, a Delaware Limited Liability Company based in El Dorado Hills, California, for a five-year duration, in an amount not to exceed \$600,000. The purpose of this agreement is to provide revenue auditing and consulting services to the City.

This Consent - Resolution was adopted.

RESOLUTION NO. RES-2019-170 ENTITLED: RESOLUTION OF THE COUNCIL OF THE CITY OF SANTA ROSA APPROVING THE PROFESSIONAL SERVICES AGREEMENT WITH MUNISERVICES, LLC, A DELAWARE LIMITED LIABILITY COMPANY, PARK HERNDON, VIRGINIA, FOR REVENUE AUDIT AND CONSULTING SERVICES

12.3 RESOLUTION - APPROVAL OF PURCHASE OF FOUR REPLACEMENT PARATRANSIT BUSES

RECOMMENDATION: It is recommended by the Transportation and Public Works Department that the Council, by resolution, 1) approve Assignment #15-03-0377 from California Association for Coordinated Transportation (CalACT) to allow for the use of the procurement conducted by CalACT and the Morongo Basin Transit Authority, and 2) authorize the issuance of a purchase order for four replacement paratransit buses from Creative Bus Sales, Inc. for a total of \$345,410.56.

This Consent - Resolution was adopted.

RESOLUTION NO. RES-2019-171 ENTITLED: RESOLUTION OF THE COUNCIL OF THE CITY OF SANTA ROSA APPROVING ASSIGNMENT #15-03-0377 FROM CALIFORNIA ASSOCIATION FOR COORDINATED TRANSPORTATION (CALACT) TO ALLOW FOR THE USE OF THE PROCUREMENT CONDUCTED BY CALACT AND THE MORONGO BASIN TRANSIT AUTHORITY FOR PURCHASE OF FOUR REPLACEMENT PARATRANSIT BUSES FROM CREATIVE BUS SALES, INC. AND AUTHORIZING THE PURCHASING AGENT TO ISSUE A PURCHASE ORDER FOR THE FOUR PARATRANSIT BUSES FOR A TOTAL AMOUNT OF \$345,410.56

12.4 ORDINANCE INTRODUCTION - SPINSTER INN REZONING - CLERICAL CORRECTION, 407 SOUTH A STREET, ASSESSOR'S PARCEL NO. 010-221-016 - FILE NO. MNP14-018

RECOMMENDATION: It is recommended by the Planning and

Economic Development Department that the Council, introduce an ordinance to reclassify one (1) parcel located at 407 South A Street (APN: 010-221-016) from R-2 (Medium Density Multi-Family Residential) to CG (General Commercial), consistent with the policies in the General Plan and Downtown Station Area Specific Plan.

This Consent - Ordinance was introduced.

ORDINANCE ENTITLED: ORDINANCE OF THE COUNCIL OF THE CITY OF SANTA ROSA AMENDING TITLE 20 OF THE SANTA ROSA CITY CODE - RECLASSIFICATION OF PROPERTY LOCATED AT 407 SOUTH A STREET TO THE CG (GENERAL COMMERCIAL) DISTRICT ASSESSOR'S PARCEL NUMBER 010-221-016; FILE NUMBER MJP14-018

- 12.5 ORDINANCE ADOPTION SECOND READING - ORDINANCE OF THE COUNCIL OF THE CITY OF SANTA ROSA AMENDING TITLE 20 OF THE SANTA ROSA CITY CODE ADDING CHAPTER 20-39 - OBJECTIVE DESIGN STANDARDS FOR STREAMLINED AND MINISTERIAL RESIDENTIAL DEVELOPMENTS TO CREATE OBJECTIVE DESIGN STANDARDS FOR STREAMLINED AND MINISTERIAL RESIDENTIAL DEVELOPMENTS - FILE NUMBER REZ19-019

RECOMMENDATION: This ordinance, introduced at the November 12, 2019, Regular Meeting by a 4-0-2-1 vote (Mayor Schwedhelm and Council Member Combs absent, Council Member Tibbetts abstained), amends Title 20 adding Chapter 20-39 - Objective Design Standards for Streamlined and Ministerial Residential Developments to Title 20 of the Santa Rosa City Code.

A motion was made by Vice Mayor Fleming, seconded by Council Member Rogers, to waive reading of the text and adopt:

ORDINANCE NO. ORD-2019-018 ENTITLED: ORDINANCE OF THE COUNCIL OF THE CITY OF SANTA ROSA AMENDING TITLE 20 OF THE SANTA ROSA CITY CODE ADDING CHAPTER 20-39 - OBJECTIVE DESIGN STANDARDS FOR STREAMLINED AND MINISTERIAL RESIDENTIAL DEVELOPMENTS TO CREATE OBJECTIVE DESIGN STANDARDS FOR STREAMLINED AND MINISTERIAL RESIDENTIAL DEVELOPMENTS - FILE NUMBER REZ19-019

The motion carried by the following vote:

Yes: 6 - Mayor Schwedhelm, Vice Mayor Fleming, Council Member Combs, Council Member Olivares, Council Member Rogers, and Council Member Sawyer

Abstain: 1 - Council Member Tibbetts

13. PUBLIC COMMENT ON NON-AGENDA MATTERS

Elizabeth Neylon, Ragin' Grannies, spoke on the removal of the public phones at the Transit Mall and throughout the City; expressed concerns regarding the safety of cell phones and cell phone towers; and the climate crisis.

Carolyn Watson Teel spoke regarding being attacked by a pitbull near Montgomery High School last weekend and addressed the homeless encampments throughout the City for the safety our community.

Janice Bradshaw spoke regarding the additional roll-out of small cell towers.

Allen Thomas spoke regarding the folks that sleep outside, the housing issue, and recommended that Council broaden their scope to focus on underlying issues.

Alex Krohn spoke regarding the upcoming study session on 4G and 5G cell towers.

Jennifer LaPorta spoke regarding the installation of small cell towers throughout Santa Rosa.

Kim Schroeder spoke regarding the cell tower installed at Montgomery High School.

Mark Mortensen, Climate Emergency Resolution Team, spoke in support of the City of Santa Rosa adopting a Climate Emergency Resolution (CER).

Lisa Landrus, Citizens for Action Now, spoke regarding a recent dog

attack on Yulupa Avenue.

Eric Fraser spoke regarding the dog attacks and the City's use of consultants.

14. REPORT ITEMS

14.1 REPORT - THIRD AMENDMENT TO HOMELESS OUTREACH SERVICES TEAM (HOST) PROGRAM AGREEMENT - HOUSING FIRST FUND AND RISK MITIGATION FOR SECTION 8 HOUSING CHOICE VOUCHER PROGRAM

BACKGROUND: As part of the Fiscal Year 2019-2020 budget, Council approved \$1,000,450 for the HOST program. Of this amount, \$557,350 is committed to Catholic Charities via a Second Amendment to Grant Agreement for Homeless Outreach Services Team Program (Second Amendment) for the period July 1, 2019 to June 30, 2020, resulting in a balance of \$443,100 to be committed for Fiscal Year 2019/2020.

Catholic Charities is deploying the funds budgeted for housing assistance, necessitating commitment of the remaining \$443,100. Additionally, Council, recently directed staff to expand access to risk mitigation funding to incentivize landlords to participate in the Santa Rosa Housing Authority's Section 8 Housing Choice Voucher (HCV) program. Staff seeks approval of the Third Amendment to Grant Agreement for Homeless Outreach Services Team Program (Third Amendment) for the continued administration of a Housing First Fund (landlord incentives, risk mitigation, tenant assistance, housing assistance) to include access to risk mitigation funding for the HCV program, bringing the total amount of the agreement to \$1,035,450 for Fiscal Year 2019-2020. The Third Amendment commits \$443,100, plus \$35,000 from the General Fund unassigned reserves for staff support to the HCV program for a total of \$478,100 in additional funding.

RECOMMENDATION: It is recommended by the Housing and Community Services Department that the Council, by resolution, 1) approve a Third Amendment to Grant Agreement for Homeless Outreach Services Team (HOST) Program with Catholic Charities of the Diocese of Santa Rosa, in the amount of \$478,100, for the continued administration of a Housing First Fund (landlord incentives,

risk mitigation, tenant assistance, housing assistance) to include access to risk mitigation funding for the Santa Rosa Housing Authority's Section 8 Housing Choice Voucher (HCV) Program, bringing the total amount of the agreement to \$1,035,450 for Fiscal Year 2019-2020; 2) authorize the Chief Financial Officer to appropriate \$35,000 from the General Fund unassigned reserves to the Homeless Shelter Operations Fund for HOST's administration of risk mitigation funding for the HCV Program; and 3) authorize the Director of Housing and Community Services to execute the Third Amendment.

Presented by Kelli Kuykendall, Housing and Community Services Manager; Rebecca Lane, Housing and Community Services Manager

PUBLIC COMMENT

Alex Khalfin, California Apartment Association (CAA), spoke in support of the item.

Eric Fraser spoke in opposition to the item.

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

RESOLUTION NO. RES-2019-172 ENTITLED: RESOLUTION OF THE COUNCIL OF THE CITY OF SANTA ROSA APPROVING THE THIRD AMENDMENT TO GRANT AGREEMENT FOR HOMELESS OUTREACH SERVICES TEAM PROGRAM WITH CATHOLIC CHARITIES OF THE DIOCESE OF SANTA ROSA FOR FISCAL YEAR 2019/2020 FOR THE CONTINUED OPERATION OF A HOUSING FIRST FUND TO INCLUDE ACCESS TO RISK MITIGATION FUNDING FOR THE SANTA ROSA HOUSING AUTHORITY'S SECTION 8 HOUSING CHOICE VOUCHER PROGRAM; AUTHORIZING THE CHIEF FINANCIAL OFFICER TO APPROPRIATE \$35,000 FROM THE GENERAL FUND UNASSIGNED RESERVES TO THE HOMELESS SHELTER OPERATIONS FUND; AND DELEGATING AUTHORITY TO THE DIRECTOR OF HOUSING AND COMMUNITY SERVICES TO EXECUTE THE THIRD AMENDMENT

The motion carried by the following vote:

Yes: 6 - Mayor Schwedhelm, Vice Mayor Fleming, Council Member Combs, Council Member Olivares, Council Member Rogers, and Council Member Sawyer

Abstain: 1 - Council Member Tibbetts

15. PUBLIC HEARINGS

15.1 PUBLIC HEARING - RESOLUTION FORMING THE SANTA ROSA RAILROAD SQUARE COMMUNITY BENEFIT DISTRICT AND LEVYING THE ASSESSMENT IN CONNECTION THEREWITH (**THIS ITEM WAS CONTINUED FROM THE NOVEMBER 5, 2019, REGULAR MEETING**)

BACKGROUND: On September 10, 2019, District property owners met the requirements of the Community Benefit District (CBD) Ordinance by submitting qualified petitions requesting the initiation of proceedings to establish the District. A Santa Rosa Railroad Square Community Benefit District Management District Plan, certified by a qualified District Assessment Engineer, was prepared and submitted to the Santa Rosa City Clerk. This Plan was made available on the City's website and in hard copy at the City Clerk's Office.

On the same date, Council adopted a Resolution of Intention (Council Resolution RES-2019-141) to establish the District. The Resolution of Intention states that the assessment proposed to be levied and collected for Fiscal Year 2019-2020 is \$231,826.09. The amount to be levied and collected for the subsequent years may be increased by a vote of the property owner Board of Directors by an amount not to exceed five percent (5%) per year.

Due to the special benefit nature of assessments levied within a CBD, program costs are distributed amongst all identified specially benefited properties based on the proportional amount of special program benefits each property is expected to derive from the assessments collected. The purpose of the assessments is to fund physical improvements, attract new customers, and increase business sales through maintenance, special events, marketing and other such activities.

The methodology used for the assessment is calculated based on a given property's linear frontage, lot size square footage, and building

square footage. Future residential condominiums constructed within the District will have a separate calculation as identified in the management district plan included in this packet, in that linear frontage and lot size are not relevant to residential condominiums. A more detailed breakdown of the assessment methodology can be found in Section 4 of the Management District Plan.

RECOMMENDATION: It is recommended by the Planning and Economic Development Department that the Council hold a public hearing to consider oral and written testimony regarding the formation of a community benefit improvement district, and tabulate all assessment ballots returned to the City pursuant to procedures set forth in the Resolution of Intention; and, if the assessment balloting does not result in a majority protest, then waive first reading and approve the resolution forming the Santa Rosa Railroad Square Community Benefit District and levying and collecting the Assessment in connection therewith.

Presented by Rafael Rivero, Economic Development Specialist.

Mayor Schwedhelm opened the public hearing at 6:48 p.m.

PUBLIC COMMENT

Eric Fraser spoke in opposition to the item.

D Richardson spoke in support of the item.

Mike Montague spoke in support of the item.

Geoffrey Smith, Bike Partners Bike Shop, submitted a speaker card but was not present in Council Chamber at the time the item was called. Speaker card indicated he was in support of the item. Comment provided from speaker card: Thank you for Council support of Railroad Square development.

Hearing no further comments, Mayor Schwedhelm closed the public hearing at 6:56 p.m.

Mayor Schwedhelm recessed the meeting at 6:56 p.m. and

reconvened at 7:19 p.m.

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

RESOLUTION NO. RES-2019-173 ENTITLED: RESOLUTION OF THE COUNCIL OF THE CITY OF SANTA ROSA FORMING THE SANTA ROSA RAILROAD SQUARE COMMUNITY BENEFIT DISTRICT AND LEVYING THE ASSESSMENT IN CONNECTION THEREWITH

The motion carried by the following vote:

Yes: 6 - Mayor Schwedhelm, Vice Mayor Fleming, Council Member Combs, Council Member Olivares, Council Member Rogers, and Council Member Sawyer

Abstain: 1 - Council Member Tibbetts

15.2 PUBLIC HEARING - ORDINANCE ADOPTION - ORDINANCE OF THE COUNCIL OF THE CITY OF SANTA ROSA MODIFYING CHAPTER 18-33 TO ADOPT BY REFERENCE, WITH LOCAL AMENDMENTS, THE 2019 CALIFORNIA ENERGY CODE, TITLE 24, PART 6 OF THE BUILDING STANDARDS CODE (ALL-ELECTRIC REACH CODE)

BACKGROUND: The Santa Rosa City Council and has directed staff to pursue adoption of an All-Electric Reach Code after recommendation from the Climate Action Subcommittee. Extensive outreach and public engagement have been executed over the past several months.

RECOMMENDATION: It is recommended by the Planning and Economic Development Department that the Council adopt an ordinance, introduced at the November 12, 2019 Regular Meeting by a vote of 6-0-1 (Mayor Schwedhelm absent), by reference the 2019 edition of the California Energy Code as adopted and amended by the State of California, and further amended based on local conditions, for use in Chapter 18-33 of the Santa Rosa City Code.

Presented by Jesse Oswald, Chief Building Official.

Mayor Schwedhelm opened the public hearing at 7:37 p.m.

PUBLIC COMMENT

Anne Seeley, Concerned Citizens for Santa Rosa spoke in support of the item.

Andy Ferguson spoke in support of the item.

Bill Haluzak submitted a speaker card but was not present when the item was called. Speaker card indicated his opposition to the item.

Mike Turgeon spoke in support of the item.

Christine Weiss spoke in opposition to the item. Comment provided from speaker card: Full transparency of the future path of Santa Rosa. This should be postponed until more of the community can participate after fire season post impact study.

Kevin Conway spoke in support of the item.

Maddy Hirschfield, North Bay Labor Council, spoke in support of the item.

Richard Lane, Coffey Strong, spoke in opposition to the item.

Ann Jordan spoke in opposition to the item in current form, and in favor of an intermediate/favored code. Comment provided from speaker card: No gas in new residential construction is very premature and a terrible idea for the next decade.

Julie Etchell spoke in opposition to the item. Comment provided from speaker card: All-electric will have negative connotations to the housing market and ill effects on residents if PSPS are kept up.

David Petritz spoke in support of the item. Comment provided from speaker card: Need to move forward with sustainable energy proactive policies.

Chris Thompson, Oakmont Democratic Club, spoke in support of the item.

Tom Amato spoke in support of the item.

Christine Hoex, 350 Sonoma, spoke in support of the item.

Laura Neish, Executive Director 350 Bay Area, spoke in support of the item.

Philip Kerr, CEO City Ventures, spoke in support of the item.

Cindy Bishop spoke in support of the item.

Guy Conner spoke in support of the item.

Anne Cummings Jacopetti, 350 Sonoma, spoke in support of the item.

Miles Burgin, Sonoma County Conservation Action, spoke in support of the item and encouraged the Council to act quickly, and provided statistics.

Christine Byrne, Santa Rosa Sunrise Movement, spoke in support of the item and expressed concern about climate disasters and encouraged Council to do everything to cut fossil fuel emissions.

Sierra Downey, Sunrise Movement Sonoma County, spoke in support of the item.

Michael Kennedy, Santa Rosa Climate Emergency Resolution Group and Sunrise Movement, spoke in support of the item.

Steve Birdlebough spoke in support of the item.

Amy Rider, Archamy Consulting, spoke in support of the item.

Daisy Pistey-Lyhne spoke in support of the item.

Hearing no further comments, Mayor Schwedhelm closed the public hearing at 8:26 p.m.

A motion was made by Vice Mayor Fleming, seconded by Council Member Sawyer, to waive reading of the text and adopt:

ORDINANCE NO. ORD-2019-019 ENTITLED: ORDINANCE OF THE COUNCIL OF THE CITY OF SANTA ROSA ADOPTING BY REFERENCE, WITH LOCAL AMENDMENTS, THE 2019 CALIFORNIA ENERGY CODE INCLUDING ALL-ELECTRIC, LOW-RISE RESIDENTIAL REACH CODE

The motion carried by the following vote:

Yes: 7 - Mayor Schwedhelm, Vice Mayor Fleming, Council Member Combs, Council Member Olivares, Council Member Rogers, Council Member Sawyer, and Council Member Tibbetts

- 15.3 PUBLIC HEARING - ORDINANCE INTRODUCTION - ORDINANCE OF THE COUNCIL OF THE CITY OF SANTA ROSA MODIFYING CHAPTER 18-44 IN ITS ENTIRETY AND SUBSECTION (B) OF SECTION 18-04.015 OF THE SANTA ROSA CITY CODE CONCERNING ADOPTION OF THE 2019 CALIFORNIA FIRE CODE AS AMENDED, ORDINANCE OF THE COUNCIL OF THE CITY OF SANTA ROSA MODIFYING CHAPTER 18 TO ADOPT BY REFERENCE, WITH LOCAL AMENDMENTS, THE 2019 CALIFORNIA BUILDING STANDARDS CODE, (NOT INCLUDING THE 2019 CALIFORNIA ENERGY CODE), THE 2018 INTERNATIONAL PROPERTY MAINTENANCE CODE, AND THE NATIONAL POLLUTANT DISCHARGE ELIMINATION PERMIT AND WASTE DISCHARGE REQUIREMENTS, AND RESOLUTION SETTING A PUBLIC HEARING FOR ADOPTION OF THE ORDINANCES (THIS ITEM WAS CONTINUED FROM THE NOVEMBER 12, 2019, REGULAR MEETING)**

BACKGROUND: The State of California has adopted and published the 2019 update to the California Building Standards Code. The model State codes will go into effect in all California cities and counties effective January 1, 2020. The Health and Safety Code allows local jurisdictions to change or modify the State adopted model codes based on local geologic, climatic, or topographic conditions. The Fire Department is requesting adoption of the 2019 California Fire Code with local amendments and administrative changes. The Planning and

Economic Development Department is requesting adoption of the 2019 California Building Standards Code as well as the updated 2018 International Property Maintenance Code, with certain local amendments and administrative changes.

RECOMMENDATION: It is recommended by the Fire Department and the Planning and Economic Development Department that the Council: 1) introduce an ordinance adopting by reference the 2019 edition of the California Fire Code as adopted and amended by the State of California, and further amended based on local conditions, for use in Chapter 18-44 of the Santa Rosa City Code, repeal existing sections not applicable to new codes and modify the Santa Rosa City Code to reflect the new model code; 2) introduce an ordinance adopting by reference, with local amendments, the 2019 California Administrative Code, 2019 California Building Code, 2019 California Residential Code, 2016 California Green Building Standards Code, 2019 California Electrical Code, 2019 California Mechanical Code, 2019 California Plumbing Code, 2019 California Historical Building Code, 2019 California Existing Building Code, 2019 California Referenced Standards Code, 2018 International Property Maintenance Code, and the National Pollutant Discharge Elimination Permit and Waste Discharge Requirements; and 3) adopt a resolution setting a public hearing on December 3, 2019, for adoption of the ordinances.

Presented by Ian Hardage, Assistant Fire Marshal; and Jesse Oswald, Chief Building Official.

Seeing no one wishing to speak, Mayor Schwedhelm opened and closed the public hearing at 8:51 p.m.

A motion was made by Council Member Sawyer, seconded by Council Member Olivares, to waive reading of the text and introduce:

ORDINANCE ENTITLED: ORDINANCE OF THE COUNCIL OF THE CITY OF SANTA ROSA ADOPTING BY REFERENCE, WITH LOCAL AMENDMENTS, THE 2019 CALIFORNIA ADMINISTRATIVE CODE, 2019 CALIFORNIA BUILDING CODE, 2019 CALIFORNIA RESIDENTIAL CODE, 2019 CALIFORNIA ELECTRICAL CODE, 2019 CALIFORNIA MECHANICAL CODE, 2019 CALIFORNIA PLUMBING CODE, 2019 CALIFORNIA HISTORICAL BUILDING CODE, 2019 CALIFORNIA EXISTING BUILDING CODE, 2019 CALIFORNIA GREEN BUILDING STANDARDS CODE, 2019 CALIFORNIA

REFERENCED STANDARDS CODE, 2018 INTERNATIONAL PROPERTY MAINTENANCE CODE, AND THE NATIONAL POLLUTANT DISCHARGE ELIMINATION PERMIT AND WASTE DISCHARGE REQUIREMENT

The motion carried by the following vote:

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

Abstain: 2 - Vice Mayor Fleming, and Council Member Tibbetts

A motion was made by Council Member Sawyer, seconded by Council Member Olivares, to waive reading of the text and introduce:

ORDINANCE ENTITLED: ORDINANCE OF THE COUNCIL OF THE CITY OF SANTA ROSA REPEALING CHAPTER 18-44 OF THE EXISTING SANTA ROSA CITY CODE AND ADDING A NEW CHAPTER 18-44 ADOPTING BY REFERENCE, WITH LOCAL AMENDMENTS, THE 2019 EDITION OF THE CALIFORNIA FIRE CODE RECOMMENDATION

The motion carried by the following vote:

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

Abstain: 2 - Vice Mayor Fleming, and Council Member Tibbetts

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

RESOLUTION NO. RES-2019-174 ENTITLED: RESOLUTION OF THE COUNCIL OF THE CITY OF SANTA ROSA SETTING A TIME AND PLACE FOR A PUBLIC HEARING FOR THE PROPOSED ADOPTION, BY REFERENCE, OF PORTIONS OF THE 2019 CALIFORNIA BUILDING STANDARDS CODE (CALIFORNIA CODE OF REGULATIONS, TITLE 24) AND THE 2018 INTERNATIONAL PROPERTY MAINTENANCE CODE, EACH WITH LOCAL AMENDMENTS; THE PROPOSED ADOPTION OF THE NATIONAL POLLUTANT DISCHARGE ELIMINATION (NPDES) PERMIT AND WASTE DISCHARGE REQUIREMENTS; AND THE RELATED REPEAL OF SELECTED SECTIONS OF THE SANTA ROSA CITY CODE THAT ARE OBSOLETE OR NO LONGER RELEVANT

The motion carried by the following vote:

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

Abstain: 2 - Vice Mayor Fleming, and Council Member Tibbetts

16. WRITTEN COMMUNICATIONS (AND POSSIBLE COUNCIL ACTION) - NONE.

17. PUBLIC COMMENTS ON NON-AGENDA MATTERS

Michael Titone spoke regarding homeless concerns at the Joe Rodota Trail.

City Manager McGlynn provided an update regarding the PSPS, impacting 4,800 customers or 15,000 residents in eastern Santa Rosa city limits. Restoration is set to begin at 8:00 a.m. Thursday morning.

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, Mayor Schwedhelm adjourned the meeting at 9:00 p.m. The next regularly scheduled meeting will take place on December 3, 2019, at a time set by the Mayor.

20. UPCOMING MEETINGS

20.1 UPCOMING MEETINGS LIST

This item was received and filed.

Approved on:

Dina Manis
Acting City Clerk