

**SANTA ROSA CITY COUNCIL MINUTES
REGULAR MEETING
CITY HALL, 100 SANTA ROSA AVENUE
JULY 26, 2016**

1. CALL TO ORDER AND ROLL CALL

Mayor Sawyer called the meeting to order at 4:02 p.m. Council Members present: Mayor Sawyer, Council Members Carlstrom, Coursey, Olivares. Vice Mayor Schwedhelm, Council Members Combs, and Wysocky were absent.

Mayor Sawyer announced that Consent Items 11.1 through 11.4 were continued to the August 2, 2016, Regular Meeting; Report Items 13.1 and 13.6 were continued to the August 9, 2016, Regular Meeting; and Report Item 13.5 was continued to the August 30, 2016, Regular Meeting

2. ANNOUNCEMENT OF CLOSED SESSION ITEMS – NONE.

3. STUDY SESSION – NONE.

4. REPORT, IF ANY, ON STUDY AND CLOSED SESSIONS– NONE.

5. PROCLAMATIONS/PRESENTATIONS – NONE.

6. STAFF BRIEFINGS – NONE.

7. CITY MANAGER’S/CITY ATTORNEY’S REPORTS

7.1 QUARTERLY REPORT OF SETTLEMENTS AND ACTIVE LITIGATION

Interim City Attorney Stricker reported that Council received a report on settlements over \$50,000 within the second quarter of 2016 (04/01/2016 - 06/30/2016) as well as provided a summary of pending litigation against the City.

8. STATEMENTS OF ABSTENTION BY COUNCILMEMBERS

No statements of abstention were made.

9. MAYOR’S/COUNCILMEMBERS’ REPORTS

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

Council Member Coursey announced his appointment of Nina Bonos to the Art In Public Places Committee.

Mayor Sawyer announced his appointment of Nina Bonos as the Chair to the Art In Public Places Committee.

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

9.1.1 Council Subcommittee Reports – None.

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

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

9.1.4 Association of Bay Area Governments (ABAG) – None.

- 9.1.5 Sonoma County Agricultural Preservation and Open Space District Advisory Committee – None.
- 9.1.6 Sonoma Clean Power Authority (SCPA) – None.
- 9.1.7 Sonoma County Waste Management Agency (SCWMA) – None.
- 9.1.8 Other – None.

10. APPROVAL OF MINUTES – NONE.

11. CONSENT ITEMS

Consent Items 11.1 through 11.4 were continued to the August 2, 2016, Regular Meeting.

11.1 MOTION - REQUEST AUTHORIZATION TO SUBMIT GRANT APPLICATION FOR HIGHWAY SAFETY IMPROVEMENT PROGRAM (HSIP) CYCLE 8 GRANT

11.2 RESOLUTION - CITY OF SANTA ROSA AND OAKMONT VILLAGE ASSOCIATION AGREEMENT

11.3 RESOLUTION - ACCEPTANCE OF THE 2016 EDWARD BYRNE MEMORIAL JUSTICE ASSISTANCE GRANT

11.4 ORDINANCE ADOPTION - AN ORDINANCE OF THE COUNCIL OF THE CITY OF SANTA ROSA REQUIRING JUST CAUSE FOR TENANT EVICTIONS IN THE CITY OF SANTA ROSA

The time not yet being 5:00 p.m., Mayor Sawyer took Report Items 13.2, 13.3, 13.4 before Item 12 – Public Comment on Non-Agenda Matters.

12. PUBLIC COMMENT ON NON-AGENDA MATTERS

13. REPORT ITEMS

13.1 REPORT - 2016 CERTIFICATES OF PARTICIPATION (COURTHOUSE SQUARE PROJECT AND 2007 LEASE REFINANCING)

BACKGROUND: The Finance Department requires approval of the documents affiliated with the 2016 Certificates of Participation (Courthouse Square Project and 2007 Lease Refinancing), subject to the completion of each document once certain facts are known (e.g., the identity of leased asset; interest rates and principal amounts determined at the time of the bond sale). The resolution authorizes the Finance Department to execute and deliver the documents with such changes, insertions and omissions as it deems necessary. The proposed resolution would also rescind temporary appropriations of \$4,533,752 previously authorized with Resolution No. 27882.

RECOMMENDATION: It is recommended by the Finance Department that the Council, by resolution, approve the forms of the Preliminary Official Statement which includes as an exhibit the Continuing Disclosure Certificate, Site and Facilities Lease, Lease Agreement, Trust Agreement, Escrow Deposit and Trust Agreement and Certificate Purchase Agreement in connection with the execution and delivery of 2016 Certificates of Participation (Courthouse Square Project and 2007 Lease Refinancing) (the “2016 COPs”) in order to (1) finance a portion of the costs of the Courthouse Square Reunification Project costs, (2) refinance the City’s outstanding Certificates of Participation (Building Acquisition Project) (the “2007 COPs”) for debt service savings, (3) approve the appointment of bond counsel/disclosure counsel and financial advisor

for this financing, (4) rescind appropriation of \$4,533,752 from the General Fund unassigned fund balance as authorized in Resolution No. 27882, (5) appropriate \$4,200,000 from debt proceeds into the Courthouse Square Reunification Project, and (6) direct repayment of any funds already expended as authorized under Resolution No. 28790.

This item was continued to the August 2, 2016 Regular meeting.

13.2 REPORT - APPROVAL OF MEMORANDA OF UNDERSTANDING - UNIT 2 - FIREFIGHTING REPRESENTED BY THE INTERNATIONAL ASSOCIATION OF FIRE FIGHTERS (IAFF) LOCAL 1401, UNIT 3 - MAINTENANCE REPRESENTED BY OPERATING ENGINEERS LOCAL 3, UNIT 8 - TRANSIT REPRESENTED BY SEIU LOCAL 1021, UNIT 9 - FIRE SAFETY MANAGEMENT REPRESENTED BY THE SANTA ROSA POLICE MANAGEMENT ASSOCIATION, UNIT 13 - MECHANICS REPRESENTED BY OPERATING ENGINEERS LOCAL 3, UNIT 14 - POLICE CIVILIAN TECHNICAL REPRESENTED BY SEIU LOCAL 1021, UNIT 16 - UTILITY SYSTEMS OPERATORS REPRESENTED BY OPERATING ENGINEERS LOCAL 3, UNIT 17 - PROFESSIONAL ATTORNEYS REPRESENTED BY THE SANTA ROSA CITY ATTORNEYS ASSOCIATION, AND UNIT 18 - MISCELLANEOUS MID-MANAGEMENT REPRESENTED BY THE SANTA ROSA MANAGEMENT ASSOCIATION

BACKGROUND: The City's representatives and representatives of the nine subject City bargaining units have met and conferred concerning successor Memoranda of Understanding and have agreed on 12 month contracts. The significant change to the new agreements is a 2.5% increase to salary for all employees in the nine units.

RECOMMENDATION: It is recommended by the Human Resources Department and the City Manager's Office that the Council, by resolution, approve the Memoranda of Understanding for and on behalf of the employees in City Bargaining Units 2, 3, 8, 9, 13, 14, 16, 17, and 18, effective July 1, 2016 to June 30, 2017.

Presented by Paul Carroll, Employee Relations Manager.

MOVED by Council Member Carlstrom, seconded by Council Member Coursey and **CARRIED** 4-0-3 (Mayor Sawyer, Council Members Carlstrom, Coursey, Olivares voting yes; Vice Mayor Schwedhelm, Council Member Combs, and Council Member Wysocky absent) to waive reading of the text and adopt:

RESOLUTION NO. 28819 ENTITLED: RESOLUTION OF THE COUNCIL OF THE CITY OF SANTA ROSA APPROVING A MEMORANDUM OF UNDERSTANDING FOR AND ON BEHALF OF THE EMPLOYEES IN THE CITY OF SANTA ROSA'S UNIT 2 – FIREFIGHTING REPRESENTED BY THE INTERNATIONAL ASSOCIATION OF FIRE FIGHTERS (IAFF), LOCAL 1401 FOR A CONTRACT EFFECTIVE JULY 1, 2016 THROUGH JUNE 30, 2017

MOVED by Council Member Carlstrom, seconded by Council Member Coursey and **CARRIED** 4-0-3 (Mayor Sawyer, Council Members Carlstrom, Coursey, Olivares voting yes; Vice Mayor Schwedhelm, Council Member Combs, and Council Member Wysocky absent) to waive reading of the text and adopt:

RESOLUTION NO. 28820 ENTITLED: RESOLUTION OF THE COUNCIL OF THE CITY OF SANTA ROSA APPROVING A MEMORANDUM OF UNDERSTANDING FOR AND ON BEHALF OF THE EMPLOYEES IN THE CITY OF SANTA ROSA'S UNIT 3 –

MAINTENANCE REPRESENTED BY THE OPERATING ENGINEERS, LOCAL 3 FOR A CONTRACT EFFECTIVE JULY 1, 2016 THROUGH JUNE 30, 2017

MOVED by Council Member Carlstrom, seconded by Council Member Coursey and **CARRIED** 4-0-3 (Mayor Sawyer, Council Members Carlstrom, Coursey, Olivares voting yes; Vice Mayor Schwedhelm, Council Member Combs, and Council Member Wysocky absent) to waive reading of the text and adopt:

RESOLUTION NO. 28821 ENTITLED: RESOLUTION OF THE COUNCIL OF THE CITY OF SANTA ROSA APPROVING A MEMORANDUM OF UNDERSTANDING FOR AND ON BEHALF OF THE EMPLOYEES IN THE CITY OF SANTA ROSA'S UNIT 8 – TRANSIT REPRESENTED BY THE SERVICE EMPLOYEES INTERNATIONAL UNION, LOCAL 1021 FOR A CONTRACT EFFECTIVE JULY 1, 2016 THROUGH JUNE 30, 2017

MOVED by Council Member Carlstrom, seconded by Council Member Coursey and **CARRIED** 4-0-3 (Mayor Sawyer, Council Members Carlstrom, Coursey, Olivares voting yes; Vice Mayor Schwedhelm, Council Member Combs, and Council Member Wysocky absent) to waive reading of the text and adopt:

RESOLUTION NO. 28822 ENTITLED: RESOLUTION OF THE COUNCIL OF THE CITY OF SANTA ROSA APPROVING A MEMORANDUM OF UNDERSTANDING FOR AND ON BEHALF OF THE EMPLOYEES IN THE CITY OF SANTA ROSA'S UNIT 9 – FIRE MANAGEMENT REPRESENTED BY THE SANTA ROSA POLICE MANAGEMENT ASSOCIATION FOR A CONTRACT EFFECTIVE JULY 1, 2016 THROUGH JUNE 30, 2017

MOVED by Council Member Carlstrom, seconded by Council Member Coursey and **CARRIED** 4-0-3 (Mayor Sawyer, Council Members Carlstrom, Coursey, Olivares voting yes; Vice Mayor Schwedhelm, Council Member Combs, and Council Member Wysocky absent) to waive reading of the text and adopt:

RESOLUTION NO. 28823 ENTITLED: RESOLUTION OF THE COUNCIL OF THE CITY OF SANTA ROSA APPROVING A MEMORANDUM OF UNDERSTANDING FOR AND ON BEHALF OF THE EMPLOYEES IN THE CITY OF SANTA ROSA'S UNIT 13 – MECHANICS REPRESENTED BY THE OPERATING ENGINEERS, LOCAL 3 FOR A CONTRACT EFFECTIVE JULY 1, 2016 THROUGH JUNE 30, 2017

MOVED by Council Member Carlstrom, seconded by Council Member Coursey and **CARRIED** 4-0-3 (Mayor Sawyer, Council Members Carlstrom, Coursey, Olivares voting yes; Vice Mayor Schwedhelm, Council Member Combs, and Council Member Wysocky absent) to waive reading of the text and adopt:

RESOLUTION NO. 28824 ENTITLED: RESOLUTION OF THE COUNCIL OF THE CITY OF SANTA ROSA APPROVING A MEMORANDUM OF UNDERSTANDING FOR AND ON BEHALF OF THE EMPLOYEES IN THE CITY OF SANTA ROSA'S UNIT 14 – POLICE CIVILIAN TECHNICAL REPRESENTED BY THE SERVICE EMPLOYEES INTERNATIONAL UNION, LOCAL 1021 FOR A CONTRACT EFFECTIVE JULY 1, 2016 THROUGH JUNE 30, 2017

MOVED by Council Member Carlstrom, seconded by Council Member Coursey and **CARRIED** 4-0-3 (Mayor Sawyer, Council Members Carlstrom, Coursey, Olivares voting yes; Vice Mayor Schwedhelm, Council Member Combs, and Council Member Wysocky absent) to waive reading of the text and adopt:

RESOLUTION NO. 28825 ENTITLED: RESOLUTION OF THE COUNCIL OF THE CITY OF SANTA ROSA APPROVING A MEMORANDUM OF UNDERSTANDING FOR AND ON BEHALF OF THE EMPLOYEES IN THE CITY OF SANTA ROSA'S UNIT 16 – UTILITY SYSTEMS OPERATORS REPRESENTED BY THE OPERATING ENGINEERS, LOCAL 3 FOR A CONTRACT EFFECTIVE JULY 1, 2016 THROUGH JUNE 30, 2017

MOVED by Council Member Carlstrom, seconded by Council Member Coursey and **CARRIED** 4-0-3 (Mayor Sawyer, Council Members Carlstrom, Coursey, Olivares voting yes; Vice Mayor Schwedhelm, Council Member Combs, and Council Member Wysocky absent) to waive reading of the text and adopt:

RESOLUTION NO. 28826 ENTITLED: RESOLUTION OF THE COUNCIL OF THE CITY OF SANTA ROSA APPROVING A MEMORANDUM OF UNDERSTANDING FOR AND ON BEHALF OF THE EMPLOYEES IN THE CITY OF SANTA ROSA'S UNIT 17 – PROFESSIONAL ATTORNEYS REPRESENTED BY THE SANTA ROSA CITY ATTORNEYS ASSOCIATION IN AFFILIATION WITH THE INTERNATIONAL BROTHERHOOD OF THE TEAMSTERS, LOCAL 856 FOR A CONTRACT EFFECTIVE JULY 1, 2016 THROUGH JUNE 30, 2017

MOVED by Council Member Carlstrom, seconded by Council Member Coursey and **CARRIED** 4-0-3 (Mayor Sawyer, Council Members Carlstrom, Coursey, Olivares voting yes; Vice Mayor Schwedhelm, Council Member Combs, and Council Member Wysocky absent) to waive reading of the text and adopt:

RESOLUTION NO. 28827 ENTITLED: RESOLUTION OF THE COUNCIL OF THE CITY OF SANTA ROSA APPROVING A MEMORANDUM OF UNDERSTANDING FOR AND ON BEHALF OF THE EMPLOYEES IN THE CITY OF SANTA ROSA'S UNIT 18 – MISCELLANEOUS MID-MANAGEMENT REPRESENTED BY THE SANTA ROSA MANAGEMENT ASSOCIATION FOR A CONTRACT EFFECTIVE JULY 1, 2016 THROUGH JUNE 30, 2017

13.3 REPORT - APPROVING WAGES, HOURS AND OTHER TERMS AND CONDITIONS OF EMPLOYMENT FOR AND ON BEHALF OF THE EMPLOYEES IN THE CITY OF SANTA ROSA'S UNIT 10 - EXECUTIVE MANAGEMENT

BACKGROUND: City staff have traditionally provided terms equitable to other bargaining units to unrepresented Unit 10. This new document maintains that tradition. The significant change to the new document is a 2.5% increase to salary for all employees in the unit.

RECOMMENDATION: It is recommended by the Human Resources Department and the City Manager's Office that the Council, by resolution, approve the Wages, Hours and Other Terms and Conditions of Employment for and on behalf of, the employees in the City's Bargaining Unit 10 -Executive Management, effective July 1, 2016 to June 30, 2017.

Presented by Paul Carroll, Employee Relations Manager.

MOVED by Council Member Carlstrom, seconded by Council Member Coursey and **CARRIED** 4-0-3 (Mayor Sawyer, Council Members Carlstrom, Coursey, Olivares voting yes; Vice Mayor Schwedhelm, Council Member Combs, and Council Member Wysocky absent) to waive reading of the text and adopt:

RESOLUTION NO. 28828 ENTITLED: RESOLUTION OF THE COUNCIL OF THE CITY OF SANTA ROSA APPROVING WAGES, HOURS AND OTHER TERMS AND

CONDITIONS OF EMPLOYMENT FOR EMPLOYEES IN THE CITY'S UNIT 10 - EXECUTIVE MANAGEMENT

13.4 REPORT - APPROVING WAGES, HOURS AND OTHER TERMS AND CONDITIONS OF EMPLOYMENT FOR AND ON BEHALF OF THE EMPLOYEES IN THE CITY OF SANTA ROSA'S UNIT 11 -MIDDLE MANAGEMENT AND UNIT 12 – CONFIDENTIAL

BACKGROUND: City staff have traditionally provided terms equitable to other bargaining units to the unrepresented Unit 11 and Unit 12. This new document maintains that tradition. The significant change to the new document is a 2.5% increase to salary for all employees in the unit.

RECOMMENDATION: It is recommended by the Human Resources Department and the City Manager's Office that the Council, by resolution, approve the Wages, Hours and Other Terms and Conditions of Employment for and on behalf of, the employees in the City's Bargaining Unit 11 -Middle Management and Unit 12 - Confidential, effective July 1, 2016 to June 30, 2017.

Presented by Paul Carroll, Employee Relations Manager.

PUBLIC COMMENT

Anne Seeley spoke on fund distribution for wages.

MOVED by Council Member Coursey, seconded by Council Member Olivares, and **CARRIED** 4-0-3 (Mayor Sawyer, Council Members Carlstrom, Coursey, Olivares voting yes; Vice Mayor Schwedhelm, Council Member Combs, and Council Member Wysocky absent) to waive reading of the text and adopt:

RESOLUTION NO. 28829 ENTITLED: RESOLUTION OF THE COUNCIL OF THE CITY OF SANTA ROSA APPROVING WAGES, HOURS AND OTHER TERMS AND CONDITIONS OF EMPLOYMENT FOR AND ON BEHALF OF THE EMPLOYEES IN THE CITY OF SANTA ROSA'S UNIT 11 – MIDDLE MANAGEMENT AND UNIT 12 – CONFIDENTIAL EFFECTIVE JULY 1, 2016 THROUGH JUNE 30, 2017

Mayor Sawyer recessed the meeting at 4:32 p.m.

Council Member Carlstrom left the meeting at 4:34 p.m.

13.5 REPORT – AMENDMENT TO ANTI-HARASSMENT, ANTI-DISCRIMINATION AND ANTI-RETALIATION COUNCIL POLICY 700-03

BACKGROUND: In November 2014, Human Resources Staff met and conferred with the bargaining units as required by MMBA (Government Code §§ 3500 et seq.) One slight modification was suggested and accepted regarding employee responsibilities. In January 2015, the draft Policy was finalized, capturing additional changes in the law that expanded the definition of "protected persons" to include City volunteers and unpaid City interns; and to reflect a change in reporting procedures if a Council member is involved in a complaint by an employee. The complaint will now be referred to the City Manager for further action.

RECOMMENDATION: It is recommended by the Human Resources Department that the Council, by resolution, adopt the revised Anti-Harassment, Anti-Discrimination and Anti-Retaliation Policy.

This item was continued to the August 30, 2016 Regular meeting.

13.6 REPORT - EMERGENCY DECLARATIONS CONCERNING HOMELESSNESS

BACKGROUND: On July 19, 2016, staff presented to Council three options for emergency declarations concerning homelessness, including declaration of shelter crisis, declaration of local emergency, and request for gubernatorial state of emergency proclamation, and sought direction regarding Council's interest in pursuing these options. Council made a motion to direct staff to take the appropriate steps to declare a homelessness emergency utilizing the three options outlined by staff. Staff has prepared the appropriate declarations and a letter to the Governor for Council consideration.

RECOMMENDATION: It is recommended by the Housing and Community Services Department that the Council formally recognize a homelessness emergency through the following 1) adopt a resolution declaring a shelter crisis within Santa Rosa; 2) adopt a resolution declaring a local homeless emergency within Santa Rosa; and 3) by motion, direct the Mayor to submit a letter requesting for a gubernatorial state of emergency proclamation.

This item was continued to the August 9, 2016 Regular meeting.

14. **PUBLIC HEARINGS – NONE.**
15. **WRITTEN COMMUNICATIONS – NONE.**
16. **PUBLIC COMMENTS ON NON-AGENDA MATTERS**
17. **ANNOUNCEMENT OF CONTINUED CLOSED SESSION ITEMS, RECESS TO CLOSED SESSION IN THE MAYOR'S CONFERENCE ROOM, RECONVENE TO OPEN SESSION, AND ANNOUNCEMENTS – NONE.**
18. **ADJOURNMENT OF MEETING**

Mayor Sawyer adjourned the meeting at 4:40 p.m. due to a lack of quorum. The next regularly scheduled meeting will take place on August 2, 2016, at a time to be set by the Mayor.

Approved on: September 13, 2016

/s/ Daisy Gomez, City Clerk