

**SANTA ROSA CITY COUNCIL MINUTES
REGULAR MEETING
CITY HALL, 100 SANTA ROSA AVENUE
JANUARY 5, 2016**

1. CALL TO ORDER AND ROLL CALL

Mayor Sawyer called the meeting to order at 2:04 p.m. Council Members present: Mayor Sawyer, Vice Mayor Schwedhelm, Council Members Combs, Coursey, and Wysocky. Council Member Carlstrom arrived at 2:55 p.m. Council Member Olivares was absent.

2. INTERVIEWS FOR BOARDS, COMMISSIONS AND COMMITTEES

2.1 INTERVIEWS FOR WATERWAYS ADVISORY COMMITTEE

Five applicants were present to interview: Arthur Deicke, Duane De Witt, Gregg Jann, Phil Olsen, Steve Rabinowitsh.

2. ANNOUNCEMENT OF CLOSED SESSION ITEMS

Mayor Sawyer recessed the meeting to closed session at 3:02 p.m. to discuss Items 3.1 through 3.3 as listed on the agenda:

3.1 CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION (Paragraph (1) of subdivision (d) of Government Code Section 54956.9)

Name of Case: City of Santa Rosa v. Villages at Wild Oak Association, et al.
Court Case No. Sonoma County Superior Court Case No. SCV-248544

3.2 CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION (Paragraph (1) of subdivision (d) of Government Code Section 54956.9)

Name of Case: Bigham v. City of Santa Rosa, et al. consolidated with Hernandez v. Bigham, et al.
Court Case No. Sonoma County Superior Case N. SCV 253926 (SCV 253683)

3.3 CONFERENCE WITH LABOR NEGOTIATORS (Government Code Section 54957.6)

Agency Designated Representatives: Fran Elm, Human Resources Director, and Paul Carroll, Employee Relations Manager.

Employee Organizations: Santa Rosa Firefighters Association – Local 1401 (representing City Employee Unit 2); Service Employees International Union Local 1021, (Employee Unit 8); Confidential (Employee Unit 12); Middle Management (Employee Unit 11).

Mayor Sawyer recessed closed session at 4:12 p.m. and reconvened the meeting to open session in the Council Chamber at 4:18 p.m.

3. STUDY SESSION – NONE.

4. ANNOUNCEMENT OF ROLL CALL

City Clerk Griffin announced that all Council Members were present with the exception of Council Member Olivares.

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

City Attorney Fowler reported that the Council met in closed session with its labor negotiator regarding Item 3.3 and there was no action to report. She further announced that the Council did not meet in closed session with its legal counsel on Items 3.1 and 3.2 due to time constraints, the Council will reconvene to closed session at the end of the regular session, and any reportable action taken during closed session will be announced in open session following the adjournment of closed session on the litigation matters.

6. PROCLAMATIONS/PRESENTATIONS

7.1 PROCLAMATION - HUMAN TRAFFICKING AWARENESS MONTH

Council Member Carlstrom read the proclamation and presented it to Santa Rosa Police Officer Chris Mahurin and members of the Sonoma County Commission on Human Rights – Sonoma County Human Trafficking Task Force.

PUBLIC COMMENT

Peter Tscherneff spoke regarding Leland Yee, Shrimp Boy Chow, and various other topics.

Colleen Fernald expressed concerns regarding the investigation of human trafficking crimes against her.

7. STAFF BRIEFINGS – NONE

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

City Attorney Fowler thanked Suzanne Rawlings for serving as Acting City Attorney during her absence and commended Ms. Rawlings on her recent retirement.

9. STATEMENTS OF ABSTENTION BY COUNCILMEMBERS

No statements of abstention were made.

10. MAYOR'S/COUNCILMEMBERS' REPORTS

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

Mayor Sawyer announced he will be creating a Homelessness Subcommittee and will be making appointments to that subcommittee at the January 19 City Council meeting.

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: Council Member Wysocky reported on the January 5 meeting of the Downtown Subcommittee; Vice Mayor Schwedhelm reported on the January 4 meeting of the Ad Hoc Rent Stabilization Subcommittee.

10.1.2 Sonoma County Transportation Authority/Regional Climate Protection Authority (SCTA/RCPA)

APPOINTMENT OF REPRESENTATIVE AND ALTERNATE TO SONOMA
COUNTY TRANSPORTATION AUTHORITY / REGIONAL CLIMATE
PROTECTION AUTHORITY

MOVED by Council Member Combs and seconded by Council Member Wysocky to nominate Council Member Coursey as the City's representative on the Sonoma County Transportation Authority/Regional Climate Protection Authority Board of Directors. The motion **CARRIED** 6-0-1 (Mayor Sawyer, Vice Mayor Schwedhelm, Council Members Carlstrom, Combs, Coursey, Wysocky voting yes; Council Member Olivares absent).

MOVED by Council Member Wysocky and seconded by Council Member Coursey to nominate Council Member Combs as the City's alternate representative on the Sonoma County Transportation Authority/Regional Climate Protection Authority Board of Directors. The motion **CARRIED** 6-0-1 (Mayor Sawyer, Vice Mayor Schwedhelm, Council Members Carlstrom, Combs, Coursey, Wysocky voting yes; Council Member Olivares absent).

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

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

10.1.5 Sonoma County Agricultural Preservation and Open Space District Advisory Committee – None.

10.1.6 Sonoma Clean Power Authority (SCPA)

APPOINTMENT OF REPRESENTATIVE AND ALTERNATE TO SONOMA CLEAN POWER

MOVED by Council Member Coursey and seconded by Council Member Combs to nominate Council Member Wysocky as the City's representative on the Sonoma Clean Power Authority Board of Directors. The motion **CARRIED** 6-0-1 (Mayor Sawyer, Vice Mayor Schwedhelm, Council Members Carlstrom, Combs, Coursey, Wysocky voting yes; Council Member Olivares absent).

MOVED by Council Member Wysocky and seconded by Council Member Coursey to nominate Council Member Combs as the City's alternate representative on the Sonoma Clean Power Authority Board of Directors. The motion **CARRIED** 6-0-1 (Mayor Sawyer, Vice Mayor Schwedhelm, Council Members Carlstrom, Combs, Coursey, Wysocky voting yes; Council Member Olivares absent).

10.1.7 Sonoma County Waste Management Agency (SCWMA)

APPOINTMENT OF REPRESENTATIVE AND ALTERNATE TO SONOMA COUNTY WASTE MANAGEMENT AGENCY

MOVED by Council Member Coursey and seconded by Council Member Wysocky to nominate Mayor Sawyer as the City's representative on the Sonoma County Waste Management Agency Board of Directors. The motion **CARRIED** 6-0-1 (Mayor Sawyer, Vice Mayor Schwedhelm, Council Members Carlstrom, Combs, Coursey, Wysocky voting yes; Council Member Olivares absent).

MOVED by Council Member Combs and seconded by Council Member Coursey to nominate Council Member Wysocky as the City's alternate representative on the Sonoma County Waste Management Agency Board of Directors. The motion **CARRIED** 6-0-1 (Mayor Sawyer, Vice Mayor

Schwedhelm, Council Members Carlstrom, Combs, Coursey, Wysocky voting yes; Council Member Olivares absent).

11.2 BOARD, COMMISSION & COMMITTEE APPOINTMENTS

Following a vote by ballot with Council Member Carlstrom abstaining and Council Member Olivares absent, the Council appointed Arthur Deicke, Duane De Witt, Phil Olsen, and Steve Rabinowitsh to the Waterways Advisory Committee for two-year terms to expire December 2017.

11.3 MATTERS FROM COUNCIL REGARDING FUTURE AGENDA ITEMS

11.3.1 REQUEST FOR CLOSED SESSION AGENDA ITEM REGARDING PUBLIC EMPLOYEE PERFORMANCE EVALUATION

BACKGROUND: At the December 8, 2015, City Council meeting, Council Member Wysocky requested a future closed session agenda item to discuss the performance of the City Attorney. Council Member Combs concurred with the request.

Council Member Wysocky withdrew this request for a future agenda item. Council Member Combs concurred with the withdrawal.

11.3.2 REQUEST FOR AGENDA ITEM REGARDING REVIEW OF MEETING CANCELLATION AND PUBLIC ACCESS DECISIONS

BACKGROUND: At the December 15, 2015, City Council meeting, Council Member Wysocky requested a future agenda item to discuss review of past decisions to cancel a City Council meeting (October 29, 2013) and limit public access during a City Council meeting (December 10, 2013). Council Member Combs concurred with the request.

Council Member Wysocky withdrew this request for a future agenda item with the understanding that future best practices will be discussed at the April 5 City Council meeting. Council Member Combs concurred with the withdrawal.

11.3.3 REQUEST FOR AGENDA ITEM REGARDING A LETTER OF SUPPORT FOR H.R. 1217 - THE KING-THOMPSON PUBLIC SAFETY AND SECOND AMENDMENT RIGHTS PROTECTION ACT

BACKGROUND: At the December 15, 2015, City Council meeting, Council Member Wysocky requested a future agenda item to discuss a letter of support for H.R. 1217 - The King-Thompson Public Safety and Second Amendment Rights Protection Act. Council Member Coursey concurred with the request.

PUBLIC COMMENT

Colleen Fernald spoke in support of constitutional rights and expressed concerns regarding the Executive Order workaround and unconstitutional wars.

The Council concurred to direct staff to place a letter of support on the January 19 City Council agenda.

11. APPROVAL OF MINUTES

11.1 December 8, 2015, Regular Meeting

Approved as submitted.

12. CONSENT ITEMS

Scott Westrope, Fire Battalion Chief, responded to questions regarding Item 13.1.

MOVED by Vice Mayor Schwedhelm, seconded by Council Member Carlstrom, and **CARRIED** 6-0-1 (Mayor Sawyer, Vice Mayor Schwedhelm, Council Members Carlstrom, Combs, Coursey, Wysocky voting yes; Council Member Olivares absent) to waive reading of the text and adopt Consent Items 13.1 and 13.2 as follows:

13. CONSENT ITEMS

13.1 RESOLUTION - GRANT APPLICATION TO THE FEDERAL EMERGENCY MANAGEMENT AGENCY (FEMA) FOR FUNDING OF SELF CONTAINED BREATHING APPARATUS (SCBA) EQUIPMENT

RESOLUTION NO. 28728 ENTITLED: RESOLUTION OF THE COUNCIL OF THE CITY OF SANTA ROSA APPROVING THE COLLABORATIVE GRANT APPLICATION TO THE FEDERAL EMERGENCY MANAGEMENT AGENCY (FEMA) FOR FUNDING OF SELF CONTAINED BREATHING APPARATUS (SCBA) EQUIPMENT IN THE AMOUNT OF \$966,456.90; AUTHORIZING THE FIRE CHIEF, OR DESIGNEE, TO EXECUTE THE GRANT AGREEMENT, ANY AMENDMENTS THERETO AND ADMINISTER THE GRANT AND AUTHORIZING THE APPROPRIATION OF FUNDS FOR SRFD

13.2 RESOLUTION - APPROVAL OF AMENDMENT NO. 4 TO THE MEMORANDUM OF UNDERSTANDING (MOU) - UNIT 8, TRANSIT, REPRESENTED BY SERVICE EMPLOYEES INTERNATIONAL UNION, LOCAL 1021

RESOLUTION NO. 28729 ENTITLED: RESOLUTION OF THE COUNCIL OF THE CITY OF SANTA ROSA APPROVING AN AMENDMENT NO. 4 TO THE MEMORANDUM OF UNDERSTANDING (MOU) – UNIT 8, TRANSIT, REPRESENTED BY SERVICE EMPLOYEES INTERNATIONAL UNION, LOCAL 1021

13. PUBLIC COMMENT ON NON-AGENDA MATTERS

Carolyn Epple requested swimming pool passes for Camp Michaela residents so they can shower and questioned how many people could use the showers at one time.

Duane De Witt spoke in support of using federal and other funding sources for the homeless.

Colleen Fernald spoke regarding her daughter, Charlotte Molinari, and expressed concerns regarding the misconduct of government employees and officials.

14. REPORT ITEMS – NONE

15. PUBLIC HEARINGS – NONE

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

17. PUBLIC COMMENTS ON NON-AGENDA MATTERS

18. ANNOUNCEMENT OF CONTINUED CLOSED SESSION ITEMS, RECESS TO CLOSED SESSION IN THE MAYOR’S CONFERENCE ROOM, RECONVENE TO OPEN SESSION, AND ANNOUNCEMENTS, IF ANY

Mayor Sawyer recessed the meeting to closed session at 5:25 p.m. to discuss Items 3.1 and 3.2 as listed on the agenda.

Mayor Sawyer adjourned the closed session at 6:45 p.m. and reconvened the meeting to open session in the Mayor's Conference Room. City Attorney Fowler announced that the Council met in closed session with its legal counsel regarding litigation matters as listed on the agenda and there was no action to report.

19. ADJOURNMENT OF MEETING

Hearing no further business, Mayor Sawyer adjourned the meeting at 6:45 p.m. The next regularly scheduled meeting will take place on January 19, 2016, at a time to be set by the Mayor.

Approved on:

Terri A. Griffin
City Clerk