



City of Santa Rosa

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

CITY COUNCIL REGULAR MEETING AGENDA AND SUMMARY REPORT - FINAL-REVISED APRIL 3, 2018

**Council Member Julie Combs will be participating in the meeting via teleconference from the Loews Ventana Canyon Resort
7000 N. Resort Drive, Tucson, AZ 85750**

This agenda shall be posted at this location.

12:30 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.

12:30 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

2.2 PUBLIC EMPLOYEE - EVALUATION OF PERFORMANCE (Government Code section 54957(b))

Title: City Manager

2.3 CONFERENCE WITH LABOR NEGOTIATORS (Government Code Section 54957.6)

Agency Designated Representatives: Joanne Narloch, Interim Human Resources Director, Jeremia Mills, Employee Relations Manager, Art Hartinger of Renne Public Law Group, Anthony Gossner, Fire Chief and Alan Alton, Interim Chief Financial Officer.

Employee Organizations: Santa Rosa Firefighters Association - Local 1401 (representing City Employee Unit 2).

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

Name of Case: Timothy Aboudara, Jr. et al. v. City of Santa Rosa
Court Case No. USDC Northern District of CA 3:17-cv-01661-HSG

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

Name of Case: Santa Rosa Fire Fighters, IAFF Local 1401 v. City of Santa Rosa, et al.
State of California Public Employment Relations Board (PERB) Case No.: SF-CE-1559-M

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

Name of Case: Santa Rosa Fire Fighters, IAFF Local 1401 v. City of Santa Rosa, et al.
State of California Public Employment Relations Board (PERB) Case No.: SF-CE-1390-M

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

6.1 PROCLAMATION - PARENT ENGAGEMENT MONTH

Attachments: [Proclamation](#)

6.2 PROCLAMATION - CHILD ABUSE PREVENTION MONTH

Attachments: [Proclamation](#)

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.

7.2 PARKING GARAGE SOLAR PROJECT UPDATE

This item is provided to update Council on the Parking Garage Solar

Project progress and is for information only. No action will be taken.

Attachments: [Staff Report](#)
[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 December 31, 2017, the Council's representative Art Deicke's term expired on the Marin/Sonoma Mosquito & Vector Control District Board of Trustees. At that time, Mr. Deicke decided not seek reappointment; however, he was able to continue to serve in the Trustee position for 90 days past the expiration of his term. The City Clerk's Office conducted a

recruitment using Nextdoor, Facebook and a print ad in the Press Democrat to solicit applications of interest to fill the vacancy. No applications were received by the deadline to submit. In order for Mr. Deicke to continue to serve as a voting member on the Board of Trustees, the Council needs to reappoint him as their representative. Mr. Deicke has agreed to continue to serve until a new appointment can be made. The City Clerk's Office is conducting a new recruitment to solicit applications of interest for this appointment. The Council may make a motion and vote to reappoint Mr. Deicke to serve as the Santa Rosa representative to the Board of Trustees until a new appointment is made.

11. APPROVAL OF MINUTES - NONE.

12. CONSENT ITEMS

- 12.1** MOTION - APPROVAL OF A PROFESSIONAL SERVICES AGREEMENT WITH A CONSORTIUM OF LEGAL FIRMS, LED BY THE LAW FIRM OF BARON & BUDD, P.C., TO PROVIDE LEGAL REPRESENTATION ON BEHALF OF THE CITY OF SANTA ROSA IN CONNECTION WITH POTENTIAL LITIGATION AGAINST PG&E ARISING FROM THE WILDFIRES OF OCTOBER 2017

RECOMMENDATION: It is recommended that the Council, by motion, approve a Professional Services Agreement with a consortium of legal firms, led by the law firm of Baron & Budd, P.C., for legal representation on behalf of the City of Santa Rosa in connection with potential litigation against PG&E arising from the wildfires of October 2017.

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

- 12.2** RESOLUTION - STATE WATER RESOURCES CONTROL BOARD GRANT FUNDS FOR FREEWAY WELL PLANNING PROJECT

RECOMMENDATION: It is recommended by the Board of Public Utilities and the Water Department that the Council, by resolution: 1) authorize the Director of Santa Rosa Water or designee to negotiate and execute a grant funding agreement with the State Water Resources Control Board for the Freeway Well Planning Project (Project); 2)

authorize and designate the Director of Santa Rosa Water or designee as a City Representative for the Project; 3) authorize use of existing non-General Funds to match the State Funds being awarded; and 4) authorize the Chief Financial Officer to increase appropriations in the amount of the grant award.

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

12.3 RESOLUTION - GRANT FUNDED PURCHASE ORDER AWARD - SELF CONTAINED BREATHING APPARATUS (SCBA) EQUIPMENT

RECOMMENDATION: It is recommended by the Finance and Fire Departments that the Council, by resolution, approve the bid award and issuance of a purchase order for one hundred and twelve (112) Self Contained Breathing Apparatus units (SCBAs) and eight (8) additional SCBA face pieces to the lowest responsible bidder, Bauer Compressors, Inc. of Norfolk, VA, in the total amount not to exceed \$726,188.54. This is a grant funded purchase authorized under Consent Item 12.4 at the November 15, 2016 City Council Meeting.

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

12.4 RESOLUTION - THIRD AMENDMENT TO PROFESSIONAL SERVICES AGREEMENT - LAND LOGISTICS, INC.

RECOMMENDATION: It is recommended by the Planning and Economic Development Department that the Council, by Resolution: 1) waive the competitive selection procedures in Council Policy 600-01 in the best interests of the City; and 2) approve the Third Amendment to the Professional Services Agreement with Land Logistics, Inc. for plan review services, extending the time of performance to March 31, 2019 and increasing compensation by \$150,000 for a total amount not to exceed \$450,000.

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

12.5 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](#)

12.6 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. REPORT ITEMS - NONE.

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:
REVIEW OF DRAFT MAPS AND COMPOSITION OF DISTRICTS
(CALIFORNIA VOTING RIGHTS ACT) - FOURTH OF SIX 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).

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. In accordance with law, the first two public hearings were held prior to the drafting of any proposed district maps. These two initial public hearings, held on February 6, 2018 and February 13, 2018, provided the public an opportunity to provide input regarding the criteria for and composition of voting districts, as well as the sequence of elections.

On March 6, 2018, proposed maps were posted for public review on the City's website. On March 13, 2018, Council held a public hearing to provide the public an opportunity to comment on the proposed district maps, to offer alternatives, and to weigh in on an appropriate sequencing of elections.

On March 30, 2018, additional proposed maps will be posted for public review on the City's website. On April 3, 2018, Council is adding an additional public hearing, the fourth of six, to provide the public an opportunity to comment on the additional proposed district maps, to offer alternatives, and to weigh in on an appropriate sequencing of elections.

The final two public hearings regarding the proposed maps and sequence of elections (the fifth and sixth in the series) will be held on April 10th and April 17th. At the conclusion of the final public hearing, it is anticipated that the City Council will adopt an ordinance establishing

district-based elections.

RECOMMENDATION: It is recommended by the City Attorney that the City Council hold a public hearing to receive comments from the community regarding composition of new voting districts, draft maps, and the sequencing 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 1](#)
[Attachment 2 \(Added 3/30/2018\)](#)
[Attachment 3 \(Added 3/30/2018\)](#)
[Presentation](#)

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

15.2 PUBLIC HEARING - RESILIENT CITY DEVELOPMENT MEASURES

BACKGROUND: Beginning on the evening of October 8, 2017, and continuing for days thereafter, a series of wildfire events damaged or destroyed thousands of residential and commercial structures within the City of Santa Rosa. On October 9, 2017, the City Manager, in his capacity as Director of Emergency Services, proclaimed the existence of local emergency in the City, which proclamation was ratified by the City Council on October 13, 2017. Prior to the wildfires, the Council had identified "housing for all" as a priority due to the City's ongoing, unmet housing needs. As a result of both the devastation of the wildfires and the previously existing significant shortage of housing, the Council has stated the need for immediate measures to address both housing and the rebuilding of uses such as lodging and childcare facilities Citywide. The proposed Resilient City Development Measures were prepared to facilitate these priorities. The draft ordinance was unanimously recommended for approval, with minor changes, by the Planning Commission on February 8, 2018.

RECOMMENDATION: It is recommended by the Planning Commission and the Planning and Economic Development Department that the Council introduce an ordinance amending Title 20 of the Santa Rosa

City Code, adding Chapter 20-16, Resilient City Development Measures, to address housing needs and economic development within the City of Santa Rosa following the Tubbs and Nuns fires of October 2017.

Attachments: [Staff Report](#)
[Attachment 1 - Proposed Ordinance with Planning Commission](#)
[Attachment 2 - Design Review Board Meeting Minutes, dated](#)
[Attachment 3 - Planning Commission Meeting Minutes, dated](#)
[Attachment 4 - Planning Commission Resolution No. 1187, dated](#)
[Attachment 5 - Public Correspondence](#)
[Ordinance](#)
[Presentation](#)

16. WRITTEN COMMUNICATIONS

16.1 LETTERS OF SUPPORT - Provided for information.

Attachments: [Memo/Letters of Support](#)

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: [Upcoming Meetings List](#)

*Did not appear on the preliminary agenda.

**Quasi-judicial or adjudicative action.

City Council

- FINAL-REVISED

APRIL 3, 2018

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.