

**SANTA ROSA CITY COUNCIL MINUTES
REGULAR MEETING
CITY HALL, 100 SANTA ROSA AVENUE
MARCH 15, 2016**

1. CALL TO ORDER AND ROLL CALL

Mayor Sawyer called the meeting to order at 4:00 p.m. Council Members present: Mayor Sawyer, Vice Mayor Schwedhelm, Council Members Carlstrom, Combs, and Wysocky. Council Member Carlstrom arrived at 4:14 p.m. Council Members Coursey and Olivares were absent.

2. ANNOUNCEMENT OF CLOSED SESSION ITEMS – NONE.

3. STUDY SESSION – NONE.

4. ANNOUNCEMENT OF ROLL CALL

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

6. PROCLAMATIONS/PRESENTATIONS

6.1 PROCLAMATION – WOMEN'S HISTORY MONTH

Council Member Combs read the proclamation and presented it to Rebecca Slay from the Women's History Project.

PUBLIC COMMENT

Cactus Pete spoke on various topics.

6.2 PROCLAMATION – WEST COAST LYME DISEASE AWARENESS MONTH

Mayor Sawyer read the proclamation and presented it to Karen Miller, Target Lyme.

PUBLIC COMMENT

Peter Tscherneff spoke on various topics.

7. STAFF BRIEFINGS – NONE.

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

City Manager McGlynn reported Santa Rosa is hosting the annual Water Reuse Association Conference.

City Attorney Fowler reported she concluded a day and a half of testimony at the California Public Utility Commission meeting for an application for an at-grade crossing at Jennings Avenue and that the City should have the judge's decision sometime in June.

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.

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

PUBLIC COMMENT

Rick Coates asked if the Climate Action Plan has policies adopted by the City for assessment of its projects with regard to greenhouse gas neutrality.

10.1.1 Council Subcommittee Reports

10.1.2 Sonoma County Transportation Authority/Regional Climate Protection Authority (SCTA/RCPA) – Council Member Combs report RCPA asked for a letter of support for SB 1033.

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 – Council Member Wysocky provided a short report.

10.1.6 Sonoma Clean Power Authority (SCPA)

10.1.7 Sonoma County Waste Management Agency (SCWMA)

10.1.8 Other

11. APPROVAL OF MINUTES – NONE.

12. CONSENT ITEMS

PUBLIC COMMENT

Peter Tscherneff spoke on Item 12.5 and various topics.

Jack Osborn spoke on Item 12.3.

MOVED by Vice Mayor Schwedhelm, seconded by Council Member Combs, and **CARRIED** 5-2 (Mayor Sawyer, Vice Mayor Schwedhelm, Council Members Carlstrom, Combs, Wysocky voting Yes; Council Members Coursey and Olivares absent) to waive reading of the text and adopt Consent Items 12.1 through 12.6 as follows:

12.1 MOTION - CONTRACT EXTENSION SIXTH AMENDMENT F000505 SECURITY GUARD SERVICES

MOTION approving the Sixth Amendment to Contract F000505 for security guard services for a one-year extension, with a 44% increase to money pick up services only, and increase services to Luther Burbank Home & Gardens, from April 1, 2016 through March 31, 2017, with Weinstein Security, Inc., Windsor, California, in the amount not to exceed of \$71,146.

12.2 MOTION – CONTRACT FIFTH AMENDMENT – F000321 SMOTHERS PARTS INTERNATIONAL, INC. (This item was continued from the March 8, 2016, Regular Meeting)

MOTION approving the Fifth Amendment to Contract F000321 for the final available one-year contract extension to Smothers Parts International, Inc., Santa Rosa, CA in the amount of \$100,000 for a total contract amount not to exceed \$620,000. The funds for this expense are included in the Fiscal Year 2015-16 adopted budget and as a regular expenditure, funds to pay the future years' portion will be included in subsequent fiscal year budget proposals.

- 12.3 RESOLUTION - REBUILDING TOGETHER - REQUEST TO SUMMARILY VACATE A 25-FOOT WIDE TEMPORARY CONSTRUCTION EASEMENT RUNNING EAST-WEST ON PROPERTY LOCATED AT 1156 CLOVER DR - FILE NO. VAC15-003**
- RESOLUTION NO. 28749 ENTITLED:** RESOLUTION OF THE COUNCIL OF THE CITY OF SANTA ROSA SUMMARILY VACATING TWENTY-FIVE FEET (25') OF TEMPORARY PUBLIC SERVICE EASEMENT LOCATED ACROSS THE PROPERTY LOCATED AT 1156 CLOVER DRIVE, ASSESSOR'S PARCEL NO. 010-521-027 - FILE NO. VAC15-003
- 12.4 RESOLUTION - APPROVAL OF THE SANTA ROSA CITYBUS TITLE VI PROGRAM UPDATE**
- RESOLUTION NO. 28750 ENTITLED:** RESOLUTION OF THE COUNCIL OF THE CITY OF SANTA ROSA APPROVING THE UPDATE TO THE SANTA ROSA CITYBUS TITLE VI PROGRAM
- 12.5 RESOLUTION - MEMORANDUM OF UNDERSTANDING WITH THE COUNTY OF SONOMA FOR GENERAL MAINTENANCE AND LANDSCAPING SERVICES (This item was continued from the March 8, 2016, Regular Meeting)**
- RESOLUTION NO. 28751 ENTITLED:** RESOLUTION OF THE COUNCIL OF THE CITY OF SANTA ROSA APPROVING A MEMORANDUM OF UNDERSTANDING WITH THE COUNTY OF SONOMA FOR SUPERVISED ADULT CREW MAINTENANCE AND LANDSCAPE SERVICES AND DESIGNATING SIGNATURE AUTHORITY TO THE CITY MANAGER
- 12.6 ORDINANCE ADOPTION - ORDINANCE OF THE COUNCIL OF THE CITY OF SANTA ROSA ADDING CHAPTER 20-46, TITLED MEDICAL CANNABIS CULTIVATION, TO THE SANTA ROSA CITY CODE WHICH PERMITS COMMERCIAL CULTIVATION OF MEDICAL CANNABIS IN THE LIGHT INDUSTRIAL (IL), GENERAL INDUSTRIAL (IG), AND LIMITED LIGHT INDUSTRIAL (LIL) DISTRICTS WITH A CONDITIONAL USE PERMIT UNTIL SUCH TIME AS THE CITY COMPLETES ITS COMPREHENSIVE POLICY EFFORT TO REGULATE MEDICAL CANNABIS - FILE NUMBER REZ15-007 (This item was continued from the March 8, 2016, Regular Meeting)**
- ORDINANCE NO. 4060 ENTITLED:** ORDINANCE OF THE COUNCIL OF THE CITY OF SANTA ROSA ADDING CHAPTER 20-46, TITLED MEDICAL CANNABIS CULTIVATION, TO THE SANTA ROSA CITY CODE WHICH PERMITS COMMERCIAL CULTIVATION OF MEDICAL CANNABIS IN THE LIGHT INDUSTRIAL (IL), GENERAL INDUSTRIAL (IG), AND LIMITED LIGHT INDUSTRIAL (LIL) DISTRICTS WITH A CONDITIONAL USE PERMIT UNTIL SUCH TIME AS THE CITY COMPLETES ITS COMPREHENSIVE POLICY EFFORT TO REGULATE MEDICAL CANNABIS – FILE NUMBER REZ15-007

The time not yet being 5:00 p.m., Mayor Sawyer took Report Item 14.1 before Agenda Item 13 – Public Comment on Non-Agenda Items.

14. REPORT ITEMS

14.1 REPORT - RESOLUTION AUTHORIZING EXECUTION OF AN AMENDMENT EXTENDING THE TERM OF THE JOINT POWERS AGENCY KNOWN AS THE SONOMA COUNTY WASTE MANAGEMENT AGENCY

BACKGROUND: In 1992, the City entered into an Agreement with the County and other Cities of Sonoma County to create a Joint Powers Agency to deal with wood waste, yard waste, household hazardous waste and public education. This agency became known as the Sonoma County Waste Management Agency (SCWMA). The Agreement provided for a term of 25 years. The current agreement is therefore scheduled to terminate in February 2017.

Discussions have been underway for some time to determine if the County and the Cities wish to extend the SCWMA. The parties had numerous discussions including a presentation to the City Council in June 2014 regarding a matrix setting forth various issues for discussion of a proposed amendment. Any amendment would require the unanimous vote of all members under the terms of the current JPA.

In light of the fact that agreement could not be reached on substantive changes to the JPA, the agency is now proposing a simple amendment to extend the term of the JPA for one year with no other changes to the agreement.

RECOMMENDATION: It is recommended by the City Manager and City Attorney that the Council authorize the City Manager to execute an Amendment to the Joint Powers Agreement extending the term of the Agency for one year to February 11, 2018.

Presented by Caroline Fowler, City Attorney.

MOVED by Council Member Wysocky, seconded by Council Member Carlstrom, and **CARRIED** 5-2 (Mayor Sawyer, Vice Mayor Schwedhelm, Council Members Carlstrom, Combs, Wysocky voting Yes; Council Members Coursey and Olivares absent) to waive reading of the text and adopt:

RESOLUTION NO. 28752 ENTITLED: RESOLUTION OF THE COUNCIL OF THE CITY OF SANTA ROSA AUTHORIZING THE CITY MANAGER TO EXECUTE A ONE (1) YEAR EXTENSION TO THE TERM OF THE AGREEMENT BETWEEN THE CITITES OF SONOMA COUNTY AND SONOMA COUNTY FOR A JOINT POWERS AGENCY TO DEAL WITH WASTE MANAGEMENT ISSUES

13. PUBLIC COMMENT ON NON-AGENDA MATTERS

Jennifer Colerman spoke on public participation on CIP and monies spent on Courthouse Square.

Robert Hansen spoke on his experience in protesting in Courthouse Square.

Jack Osborne spoke on global warming, climate change and the effect of building more homes.

Sebastian Vrankovecki spoke on rent stabilization and the issue of homeless student.

Richard Canini spoke on public participation on CIP, violating the City Charter and the law.

14.2 REPORT - FISCAL YEAR 2015-16 BUDGET AMENDMENT

BACKGROUND: The purpose of this item is to request approval to fund a number of projects during the current fiscal year. These requests have been identified and prioritized by City staff as those that should be approved and begin now rather than wait until the next fiscal year. Most of this budget amendment is to fund one-time expenditures with General Fund reserves, of which there is a sufficient amount to support the requests. In addition, there are nominal requests for ongoing General Fund and non-General Fund resources which can be supported under the City's current financial situation.

RECOMMENDATION: It is recommended by the City Manager and the Finance Department that the Council, by resolution, amend the Fiscal Year (FY) 2015-16 adopted budget and the FY 2015-16 number of authorized positions as set forth in Exhibit A of the resolution.

Presented by Deborah Lauchner, Chief Financial Officer.

PUBLIC COMMENT

Richard Canini spoke on developer costs being fully recovered, costs of Courthouse Square, and gas tax.

Jennifer Coleman spoke on public improvements mentioned in the City Charter and the Courthouse Square budget process.

Jeff Weber spoke on Chamber of Commerce advocacy group monitor public policy issues, the timely reunification of Courthouse Square and the support of the Chamber of Commerce of the budget for reunification on Courthouse Square.

Kieth Woods, CEO North Coast builders Exchange, spoke on supports changes to Planning and Economic Development process and improved customer service.

MOVED by Council Member Carlstrom, seconded by Council Member Combs, and **CARRIED 5-2** (Mayor Sawyer, Vice Mayor Schwedhelm, Council Members Carlstrom, Combs, Wysocky voting Yes; Council Members Coursey and Olivares absent) to waive reading of the text and adopt:

RESOLUTION NO. 28753 ENTITLED: A RESOLUTION OF THE COUNCIL OF THE CITY OF SANTA ROSA AMENDING THE FISCAL YEAR 2015-2016 BUDGET AND AMENDING THE CLASSIFICATION AND SALARY PLAN

15. PUBLIC HEARINGS

15.1 PUBLIC HEARING - RESOLUTION DECLARING WEEDS AND RUBBISH IN THE SANTA ROSA CITY LIMITS A PUBLIC NUISANCE (This item was continued from the March 8, 2016, Regular Meeting)

BACKGROUND: On February 2, 2016, Council declared by resolution, weeds and rubbish as a public nuisance. The second procedure is to publish a notice for a public hearing, at which time a person or persons may voice an objection to the Weed and rubbish Abatement Program. After hearing any or all protests, the Council, by resolution, may grant or overrule any protest and authorize the Fire Department to abate the nuisances.

Chapter 9-08 of the Santa Rosa City Code requires a public hearing to hear all objections or protests to the proposed removal of weed and rubbish upon property that such a public nuisance has been declared to exist.

The City Council grants or overrules any such protests.

The City Council, then, by resolution, may authorize the Fire Department to abate all weeds and rubbish on or upon private property within the City of Santa Rosa.

RECOMMENDATION: It is recommended by the Fire Department that Council, by resolution, over rule any protests and authorize the Fire Department to abate the nuisances.

PUBLIC HEARING

Mayor Sawyer opened the public hearing at 6:57 p.m.

Seeing no one else wishing to speak, Mayor Sawyer closed the public hearing at 6:57 p.m.

MOVED by Council Member Combs, seconded by Council Member Wysocky, and **CARRIED 5-2** (Mayor Sawyer, Vice Mayor Schwedhelm, Council Members Carlstrom, Combs, Wysocky voting Yes; Council Members Coursey and Olivares absent) to waive reading of the text and adopt:

RESOLUTION NO. 28754 ENTITLED: RESOLUTION OF THE COUNCIL OF THE CITY OF SANTA ROSA OVERRULING PROTESTS AND AUTHORIZING ABATEMENT OF WEEDS FOR RUBBISH UPON OR IN FRONT OF CERTAIN PROPERTIES WITHIN THE CITY OF SANTA ROSA AS A PUBLIC NUISANCE

16. WRITTEN COMMUNICATIONS (AND POSSIBLE COUNCIL ACTION)

16.1 MINOR CONTRACT AWARD MEMO - PARKING GARAGE #5 - 2015 REPAIRS. Provided for information. (This item was continued from the March 8, 2016, Regular Meeting.

16.2 FINAL MAP - CALISTOGA VILLAGE SUBDIVISION. Provided for information. (This item was continued from the March 8, 2016, Regular Meeting)

17. PUBLIC COMMENTS ON NON-AGENDA MATTERS

Jennifer Coleman spoke on

18. ANNOUNCEMENT OF CONTINUED CLOSED SESSION ITEMS, RECESS TO CLOSED SESSION IN THE MAYOR'S CONFERENCE ROOM, RECONVENE TO OPEN SESSION, AND ANNOUNCEMENTS – NONE.

19. ADJOURNMENT OF MEETING

Hearing no further business, Mayor Sawyer adjourned the meeting in memory of Lou Bertolini, owner of Western Farm Center at 6:59 p.m. The next regularly scheduled meeting will take place on March 29, 2016, at a time to be set by the Mayor.

Approved on:

Stephanie A. Williams
Interim City Clerk