



City of Santa Rosa

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

CITY COUNCIL REGULAR MEETING AGENDA AND SUMMARY REPORT MAY 1, 2018

1:00 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.

1:00 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 PUBLIC EMPLOYEE - EVALUATION OF PERFORMANCE
(Government Code section 54957(b))

Title: City Manager

2.2 CONFERENCE WITH LABOR NEGOTIATORS
(Government Code Section 54957.6)

Agency Designated Representatives: Jeremia Mills, Employee Relations Manager, Alan Alton, Interim Chief Financial Officer, Gloria Hurtado, Deputy City Manager, and Jon Holtzman, Renne Public Law Group.

Employee Organizations: Santa Rosa Firefighters Association - Operating Engineers Local 3, Maintenance and Utility System Operators (Employee Units 3 and 16); Santa Rosa City Employees Association (Employee Units 4, 6, 7); Service Employees International Union Local 1021 (Employee Units 8 and 14); 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).

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

Name of Case: Deborah Drake, et al. v. County of Sonoma, et al.
Court Case No. USDC Northern District of California Case No. 3:18-cv-1955 LB

2.4 THREAT TO PUBLIC SERVICES OR FACILITIES
(Government Code Section 54957(a))

Consultation with: Santa Rosa Police Department and Risk Management representatives.

RECESS CLOSED SESSION(S) AND RECONVENE TO OPEN SESSION IN THE COUNCIL CHAMBER

3. STUDY SESSION - NONE.

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 - WATER AWARENESS MONTH & WATER-USE EFFICIENCY AWARDS

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.

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

11. APPROVAL OF MINUTES - NONE.

11.1 January 30, 2018, Regular Meeting.

Attachments: [Draft Minutes](#)

11.2 February 6, 2018, Regular Meeting.

Attachments: [Draft Minutes](#)

12. CONSENT ITEMS

12.1 RESOLUTION - MEMORANDUM OF UNDERSTANDING WITH THE
CONSERVATION CORPS NORTH BAY FOR LITTER ABATEMENT
AND VEGETATION MANAGEMENT

RECOMMENDATION: It is recommended by the Water Department that the Council, by resolution, approve a Memorandum of Understanding (MOU) with the Conservation Corps North Bay for litter abatement and vegetation management, and authorize the Chief Financial officer to encumber funds.

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

12.2 RESOLUTION - CONTRACT AWARD - CEMENT CONCRETE SUPPLY SERVICES

RECOMMENDATION: It is recommended by the Finance Department that the Council, by resolution, approve a one-year General Services Agreement (GSA) F001695, with four (4) one-year renewal options for cement concrete supply services to Superior Supplies, Inc., Santa Rosa, CA, in an amount not to exceed \$1,300,000.

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

12.3 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](#)

12.4 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](#)

12.5 RESOLUTION - GOVERNOR'S OFFICE OF EMERGENCY SERVICES (CALOES) DESIGNATION OF APPLICANT'S AGENT RESOLUTION FOR NON-STATE AGENCIES

RECOMMENDATION: It is recommended by the Santa Rosa Fire

Department (SRFD) that the Council, by resolution, grant certain staff the ability to sign on behalf of the City as Authorized Agents on state and federal grant applications and other forms related to disaster financial assistance for a period of three years.

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

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

14.1 REPORT - KELSEY KNOLLS EMERGENCY VEHICLE ACCESS GATE PROPOSED OPENING

BACKGROUND: On March 9, 2018, neighborhood representatives of the Kelsey Knolls area provided a petition to Transportation and Public Works requesting that the Emergency Vehicle Access (EVA) gate on Kelsey Knolls be removed. Kelsey Knolls has been constructed to a minor street standard and, at one point, was planned to be opened to through traffic. The residents, at that time, requested the EVA gate to remain closed. Due to the recent fire events, the residents have now requested the gate be removed and the road opened to through traffic. Other residents have requested the gate remain closed. Transportation and Public Works, the Fire Department and the Police Department have no objections to the proposed gate removal.

RECOMMENDATION: It is recommended by the Transportation and Public Works Department that the Council, by resolution, approve the opening of the Emergency Vehicle Access (EVA) Gate on Kelsey Knolls between Altruria Drive and Baldwin Way to through traffic to evaluate traffic impacts.

Attachments: [Staff Report](#)
[Attachment 1](#)
[Attachment 2](#)
[Attachment 3](#)
[Attachment 4](#)
[Attachment 5](#)
[Attachment 6](#)
[Resolution](#)
[Presentation](#)

14.2 REPORT - APPROVAL OF THE PRELIMINARY 2018/19
SUBREGIONAL SYSTEM OPERATING AND MAINTENANCE,
CAPITAL IMPROVEMENT, AND DEBT SERVICE BUDGET AND
ALLOCATION OF COSTS

BACKGROUND: The Subregional System, managed by the City of Santa Rosa per Agreement, is a state-of-the-art wastewater treatment facility serving five member agencies (Santa Rosa, Rohnert Park, Sebastopol, Cotati, and the Sonoma County South Park Sanitation District, each hereinafter referred to as "User Agency" or collectively as "User Agencies"). The Laguna Treatment Plant is a tertiary-level treatment facility permitted for 21.34 million gallons per day (MGD) average dry weather flow. The operating Agreement requires that the City annually prepare a Preliminary Budget and Allocation of Costs for the Subregional System and notify the User Agencies of these costs by May 1st of each year. The Agreement further requires that the proposed budget and allocation of costs be reviewed by the Subregional Technical Advisory Committee (TAC), the Board of Public Utilities (BPU) and the Council of the City of Santa Rosa prior to noticing the partners of operating and debt service costs due.

The Preliminary Subregional System Operations and Maintenance (O&M) Fund budget request is \$35,161,214, the Subregional System cash-funded Capital Improvement Program (CIP) is \$11,739,000 and the Subregional System debt service due is \$22,319,235.

RECOMMENDATION: It is recommended by the Water Department, the

Subregional Technical Advisory Committee and the Board of Public Utilities that the Council, by resolution, approve the Preliminary 2018/19 Subregional System Operating and Maintenance, Capital Improvement, and Debt Service Budget and Allocation of Costs for the purpose of notifying the participating Subregional User Agencies of their allocation of such costs on May 2nd.

Attachments: [Staff Report](#)
 [Staff Report \(Corrected 4/30/18\)](#)
 [Attachment 1](#)
 [Resolution](#)
 [Presentation](#)

14.3 REPORT - SUBDIVISION IMPROVEMENTS AND BOND PROCEEDS DISBURSEMENT AGREEMENT BETWEEN THE CITY OF SANTA ROSA AND SECTARIAN PROPERTIES, INC.

BACKGROUND: The Village Gardens project, a 110 lot residential subdivision located at the intersection of Sebastopol Avenue and Boyd Street, was left dormant with incomplete public improvements during the recent economic downturn. Performance bonds were obtained from the original developer to ensure the successful completion of the public improvements associated with the project. The City and bonding company entered into a Takeover Agreement, whereupon the surety accepted the obligation of completing the remaining improvements. The surety ultimately determined that it would not complete the work and instead tendered a sum of \$1,186,340.98 to cover the cost of completing the remaining public improvements. Sectarian Properties, Inc., the current developer of the Village Gardens project, is requesting a reimbursement equaling a portion of the amount tendered by the surety in exchange for completing the public improvements for Village Gardens.

RECOMMENDATION: It is recommended by the Planning and Economic Development Department that the Council, by resolution, approve the Subdivision Improvements and Bond Proceeds Disbursement Agreement between the City of Santa Rosa and Sectarian Properties, Inc.

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

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

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 - RESILIENT CITY DEVELOPMENT MEASURES (This item was continued from the April 24, 2018, Regular Meeting)

BACKGROUND: Zoning Code Chapter 20-16, Resilient City Development Measures, was prepared to address housing needs and economic development Citywide following the Tubbs and Nuns fires of October 2017. The draft ordinance was unanimously recommended for approval, with minor changes, by the Planning Commission on February 8, 2018. On April 3, 2018, the City Council voted 6-1 to adopt the sections of the ordinance that relate to temporary housing and structures, and accessory dwelling units. Through a separate action, the Council voted unanimously to continue proposed Sections 20-16.060 (Reduced Review Authority for Certain Uses), 20-16.070 (Modifications to the Design Review Process), and 20-16.080 (Changes to an Approved Residential, Lodging or Childcare Facility Project) to the April 24, 2018 City Council meeting. Direction was provided to staff to develop specific criteria for those projects that would receive reduced review authority, require that Zoning Administrator meetings for affected projects be held in the evening, to include Emergency Shelters in the list of uses for reduced review authority, excluding the Open Space zoning districts, and to require monthly reports to Council on implementation of the ordinance.

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 Sections 20-16.060 through 20-16.090 to 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 - Redlined - Proposed Resilient City Develop](#)
[Attachment 2- Public Correspondence](#)
[Ordinance](#)
[Presentation](#)
[Presentation \(Revised 4/24/18\)](#)

15.2 PUBLIC HEARING - PUBLIC HEARING AUTHORIZING SUBMISSION OF THE 2016 - 2020 AMENDED CONSOLIDATED PLAN AND FISCAL YEAR 2018/2019 ACTION PLAN, AND APPROVAL OF GRANT AGREEMENTS FOR PUBLIC SERVICES, FAIR HOUSING, AND HOUSING OPPORTUNITIES FOR PERSONS WITH AIDS

BACKGROUND: The proposed action will authorize submission of the 2016 - 2020 Amended Consolidated Plan and the Fiscal Year 2018/2019 Action Plan to the U.S. Department of Housing & Urban Development (HUD) and approve Grant Agreements for public services, fair housing and Housing Opportunities for Persons with AIDS (HOPWA). The Consolidated Plan is being substantially amended as required by the City's Citizen Participation Plan (CPP) to include the contemplation of the use of HOME Investments Partnership Act (HOME) funds for tenant-based rental assistance (TBRA). The use of a portion of HOME funds for TBRA could provide additional funding for rental subsidies. Submission of the annual Action Plan and the Amended Consolidated Plan is required by HUD so that the City can continue to receive federal housing and community development funds from HUD in the form of Community Development Block Grant (CDBG), HOME, and HOPWA grants.

In the past, HUD has required Santa Rosa to submit its Plans by May 15, however, because the funding allocations for grantees have not yet been announced by HUD, HUD has instructed its grantees to delay submission of their Plans to HUD until 60 days after the date funding allocations are announced by Congress, or August 16, 2018, whichever

comes first. Because the timing for allocation announcements is uncertain, the Housing & Community Services Department recommends that Council act on the Plans and the Grant Agreements now so that the Plans can be submitted when HUD instructs the City to do so, Grant Agreements can be executed as soon as actual grant allocation amounts are certain, and there is no interruption in public services.

As directed by HUD, and because HUD will not execute its grant agreements with the City until it receives Plans that include the actual amounts Santa Rosa will receive, the Plans include the statement that all proposed activities' budgets are estimates and will be proportionately adjusted from the estimated funding levels to match the actual allocation amounts.

RECOMMENDATION: It is recommended by the Housing & Community Services Department that the Council, by resolution:

- Authorize submission of the 2016 - 2020 Amended Consolidated Plan and the Fiscal Year 2018/2019 Action Plan to the U.S. Department of Housing & Urban Development (HUD);
- Approve the Fiscal Year 2018/2019 Grant Agreements for public services, fair housing, and Housing Opportunities for Persons with AIDS (HOPWA) funds in the estimated amount of \$648,469; and
- Authorize the City Manager to execute the Grant Agreements with service providers, the annual federal funding agreements with HUD, and any additional forms or documents required by HUD to implement the 2016 - 2020 Amended Consolidated Plan and the Fiscal Year 2018/2019 Action Plan.

Attachments: [Staff Report](#)
[Attachment 1](#)
[Attachment 2](#)
[Attachment 3A](#)
[Attachment 3B](#)
[Attachment 3C](#)
[Attachment 3D](#)
[Attachment 4](#)
[Resolution](#)
[Exhibit A](#)
[Presentation](#)

15.3 PUBLIC HEARING - YOLANDA REZONING - 376, 380, 386 AND 414
YOLANDA AVENUE, CITY FILE NO. REZ17-011

BACKGROUND: The project proposes to reclassify four properties along Yolanda Avenue from the CG (General Commercial) zoning district to the IL (Light Industrial) zoning district, for General Plan consistency. On March 8, 2018, the Planning Commission reviewed the project and supported staff's recommendation.

RECOMMENDATION: It is recommended by the Planning Commission and the Planning & Economic Development Department that the Council, by ordinance, reclassify the properties located at 376, 380, 386 and 414 Yolanda Avenue to the IL (Light Industrial) zoning district.

Attachments: [Staff Report](#)
[Attachment 1 - Disclosure Form](#)
[Attachment 2 - Location Map](#)
[Attachment 3 - General Plan & Zoning Exhibit](#)
[Attachment 4 - Zoning Code Chapter 20-24](#)
[Attachment 5 - Letter to 414 Yolanda Avenue Property Ow](#)
[Attachment 6 - PC Resolution 11886](#)
[Ordinance](#)
[Presentation](#)
[Public Hearing Notice](#)

15.4 PUBLIC HEARING - BALDI CORNER ANNEXATION PREZONING - 43, 77, AND 91 MIDDLE RINCON ROAD & 4785, 4801, 4847, AND 4865 HIGHWAY 12 - FILE NO. ANX17-003

BACKGROUND: It is recommended by the Planning & Economic Development Department and the Planning Commission that the Council, by resolution, introduce an ordinance to Prezone the properties located at 43, 77, and 91 Middle Rincon Road and 4785, 4801, 4847, and 4865 Highway 12 to the R-1-6 (Single-family Residential) and CG (General Commercial) zoning districts to accommodate the proposed Baldi Corner annexation.

RECOMMENDATION: It is recommended by the Planning & Economic Development Department and the Planning Commission that the Council, by resolution, introduce an ordinance to Prezone the properties located at 43, 77, and 91 Middle Rincon Road and 4785, 4801, 4847, and 4865 Highway 12 to the R-1-6 (Single-family Residential) and CG (General Commercial) zoning districts to accommodate the proposed Baldi Corner annexation.

Attachments: [Staff Report](#)
[Attachment 1- Disclosure Form](#)
[Attachment 2- Location Map](#)
[Attachment 3- General Plan Zoning Map](#)
[Attachment 4- Project Description](#)
[Attachment 5- Proposed Annexation Area Maps](#)
[Attachment 6- Annexation Consent Forms](#)
[Attachment 7- Public Services Plan](#)
[Attachment 8- Comments from LAFCO 3-19-17](#)
[Attachment 9- Comments from PRMD 3-24-17](#)
[Attachment 10-PC Minutes 8-24-2017](#)
[Attachment 11- PC Resolution 11846](#)
[Attachment 12 - Change of Ownership Letter Ordinance](#)
[Presentation](#)
[Public Hearing Notice](#)

16. WRITTEN COMMUNICATIONS

- 16.1 FINAL MAP MONTGOMERY CREEK SUBDIVISION. Provided for information.

Attachments: [Notice of Submittal of Final Map](#)
[Location Map](#)

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: [List](#)

***Did not appear on the preliminary agenda.**

****Quasi-judicial or adjudicative action.**

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.