



# City of Santa Rosa

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

## CITY COUNCIL REGULAR MEETING AGENDA AND SUMMARY REPORT DECEMBER 12, 2017

**2:30 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](mailto:cityclerk@srcity.org).

### **2:30 P.M. (MAYOR'S CONFERENCE ROOM)**

#### **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 EMPLOYEES - EVALUATION OF PERFORMANCE**  
(Government Code section 54957(b))

Titles: City Manager and City Attorney

**2.2 CONFERENCE WITH LABOR NEGOTIATORS**  
(Government Code Section 54957.6)

Agency Designated Representatives: Mayor Chris Coursey  
Unrepresented Employees: City Manager and City Attorney

**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 - NONE**

**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.

**Attachments:** [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**

**11. APPROVAL OF MINUTES - NONE**

**12. CONSENT ITEMS**

**12.1 RESOLUTION - DONATION FROM LUCILLE SMOTHERS SURVIVOR'S TRUST**

RECOMMENDATION: It is recommended by the Recreation and Parks Department that the Council, by resolution, accept a \$15,000 donation from the Lucille Smothers Survivor's Trust and authorize the Chief Financial Officer to appropriate the donated funding to the Senior Center.

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

**12.2** RESOLUTION - AUTHORIZING SUBMITTAL OF GRANT APPLICATION TO THE STATE OF CALIFORNIA NATURAL RESOURCES AGENCY DEPARTMENT OF PARKS AND RECREATION DIVISION OF BOATING AND WATERWAYS, FOR BOATING PROGRAMS SAFETY EQUIPMENT AT LAKE RALPHINE IN HOWARTH PARK

RECOMMENDATION: It is recommended by the Recreation and Parks Department that the Council, by resolution, (1) authorize the submittal of a grant application to the State of California Natural Resources Agency Department of Parks and Recreation Division of Boating and Waterways in the amount of \$6,000 to enhance boating safety and education programs at Lake Ralphine in Howarth Park through the purchase of lifejackets and vessel replacement parts and hardware; (2) authorize the Director of Recreation and Parks to submit the application, execute agreements and amendments, subject to approval as to form by the City Attorney, and administer the grant; and (3) authorize the Chief Financial Officer to increase appropriations in revenue and expenditures by the approved grant award.

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

**12.3** RESOLUTION - CALIFORNIA HIGHWAY PATROL DOCUMENTS - DELEGATION OF SIGNATURE AUTHORITY TO EXECUTE AGREEMENTS FOR CONSTRUCTION ZONE ENHANCEMENT ENFORCEMENT PROGRAM (COZEEP) SERVICES

RECOMMENDATION: It is recommended by the Transportation and Public Works Department that the Council, by resolution, delegate authority to the Directors of the Departments of Transportation and Public Works, and Water or their designees to approve and execute California Highway Patrol (CHP) standard forms and agreements for the Construction Zone Enhancement Enforcement Program (COZEEP).

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

**12.4** RESOLUTION - APPROVAL OF MAINTENANCE AGREEMENT FOR  
RETAINING WALLS/BARRIERS IN THE CITY OF SANTA ROSA

RECOMMENDATION: It is recommended by the Transportation and Public Works Department that the Council, by resolution, approve the Maintenance Agreement for Retaining Walls/Barriers in the City of Santa Rosa, with the State of California relating to Bicentennial Avenue and Mendocino Avenue interchanges with State Route 101.

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

**12.5** RESOLUTION - CONTRACT EXTENSION - LEAGUE SPORTS  
OFFICIALS

RECOMMENDATION: It is recommended by the Finance Department that the Council, by resolution, approve the First Amendment to General Services Agreement (GSA) #F001321 with Northern Coast Officials Association, Inc., Santa Rosa, California to extend the contract for an additional one-year term, and add funding in the amount of \$55,630 for a total Agreement amount not to exceed \$111,796.

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

**12.6** RESOLUTION - SEVENTH AMENDMENT - ENTERPRISE ASSET  
MANAGEMENT AGREEMENT WITH INFOR PUBLIC SECTOR, INC.

RECOMMENDATION: It is recommended by the Water and Finance Departments that the Council, by resolution, approve the Seventh Amendment to Agreement Number 01-6191 with Infor Public Sector, Inc. in the total amount not to exceed \$1,438,393.28.

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

**12.7** RESOLUTION - CONTRACT AMENDMENT 1 - AUTO PART SUPPLY

RECOMMENDATION: It is recommended by the Finance and Transportation and Public Works Departments that the Council, by resolution, approve the First Amendment to General Services Agreement (GSA) #F001393 with Smothers Parts International, Inc. Santa Rosa, California, to increase contract compensation by \$300,000, for a total amount not to exceed \$398,064.47.

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

**12.8** RESOLUTION - FIRST AMENDMENT TO TANNERY CREEK AGREEMENT FOR LICENSE PLATE RECOGNITION EQUIPMENT AND MAINTENANCE

RECOMMENDATION: It is recommended by the Finance Department that the Council, by resolution, approve an amendment to a cooperative agreement under a contract awarded by the City of Santa Barbara and approved by the City of Santa Rosa's City Manager, for maintenance services serving two Automated License Plate Reader (ALPR) systems for a five-year period, with Tannery Creek Systems, Inc., Vaughan, Ontario, Canada, for additional compensation of \$105,230.

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

**12.9** 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](#)

**12.10** RESOLUTION - SECOND AMENDMENT TO SAMUEL L. JONES HALL HOMELESS SHELTER AGREEMENT AND FUNDING AGREEMENT WITH THE COUNTY OF SONOMA FOR SHELTER OPERATIONS

RECOMMENDATION: It is recommended by the Housing and Community Services and Finance Departments that the Council, by resolution 1) approve a Second Amendment to Agreement for the Operation and Use of the Samuel L. Jones Hall Homeless Shelter Year-Round and Winter Shelter Programs with Catholic Charities of the Diocese of Santa Rosa, in the amount of \$279,617, bringing the total amount under the agreement to \$1,349,331 for Fiscal Year 2017/2018; 2) approve an Agreement Between the City of Santa Rosa and the County of Sonoma for the Funding of Operations at the Samuel L. Jones Hall Homeless Shelter for Fiscal Year 2017/2018 in the amount of \$265,000; and 3) amend the Fiscal Year 2017/2018 adopted budget within the General Fund and Homeless Shelter Operations Fund to recognize revenues of \$90,000 and appropriate those revenues to the Housing and Community Services budget along with an additional amount of \$189,617 for a total appropriation of \$279,617.

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

**12.11** 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](#)

- 12.12** ORDINANCE ADOPTION - ORDINANCE OF THE COUNCIL OF THE CITY OF SANTA ROSA INCREASING THE COMPENSATION OF THE CITY MANAGER BY PROVIDING, EFFECTIVE JULY 9, 2017, (1) A 3% COST OF LIVING SALARY INCREASE AND (2) A CONTRIBUTION BY THE CITY FOR THE 2017-2018 FISCAL YEAR EQUAL TO 0.25% OF BASE SALARY TO THE CITY MANAGER'S RETIREE HEALTH SAVINGS PLAN

RECOMMENDATION: This ordinance, introduced at the December 5, 2017, Regular Meeting by a 6-0-1 vote (Council Member Tibbetts absent), increases the compensation of the City Manager by providing, effective July 9, 2017, (1) a 3% cost of living salary increase and (2) a contribution by the city for the 2017-2018 fiscal year equal to 0.25% of base salary to the City Manager's Retiree Health Savings Plan.

**Attachments:** [Ordinance](#)  
[Exhibit](#)

- 12.13** ORDINANCE ADOPTION - ORDINANCE OF THE COUNCIL OF THE CITY OF SANTA ROSA AMENDING TITLE 20 OF THE SANTA ROSA CITY CODE SECTIONS - 20-22.030, 20-36.040, 20-42.130 AND 20-70.020 - FILE NUMBER REZ17-006

RECOMMENDATION: This accessory dwelling unit ordinance, introduced at the December 5, 2017, Regular Meeting by a 5-2 vote (Council Members Olivares and Sawyer voting No), amends Title 20 of the Santa Rosa City Code - Sections 20-22.030, 20-36.040, 20-42.130, 20-58.060, and 20-70.020 and all other City Code sections for consistency - File Number REZ17-006.

**Attachments:** [Ordinance](#)

### 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.

**(THE COUNCIL WILL RECESS DURING THE EVENING FOR A DINNER BREAK)**

**14. REPORT ITEMS**

**14.1 REPORT - UPDATE ON REVENUE IMPACT DUE TO TUBBS FIRE**

BACKGROUND: The Tubbs Fire had an immediate impact on City of Santa Rosa operations. This item provides an update of General Fund revenue losses as a result of the disaster. The City estimates that the loss of General Fund revenue will be approximately \$4.8 million for the remainder of Fiscal Year (FY) 2017-18, and an estimated \$6.7 million loss projected for FY 2018-19.

RECOMMENDATION: This item is for information only.

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

**Item 14.2 may be discussed and acted upon by the Council upon a showing of good cause and with the concurrence of five (5) Council Members, per Council Policy 000-35 - Early Council Agenda Policy.**

**\*14.2 REPORT - AUTHORIZATION FOR LIMITED ACCESS TO PROPERTIES DESTROYED IN THE TUBBS FIRE TO EVALUATE SEWER LATERALS AND, IF NECESSARY, SUSPEND DISCHARGE TO THE TREATMENT PLANT**

BACKGROUND: The Tubbs fire damaged or destroyed approximately 3,000 residential and commercial structures that are connected to the City of Santa Rosa's sewer collection system. During recent storm events, these damaged sewer laterals allowed storm water runoff, ash, debris and hazardous waste to enter the sewer collection system.

Depending on the magnitude of the rain event, this excessive inflow and infiltration has the potential to cause sanitary sewer overflows throughout the collection system and could foul the filtration and biological treatment systems at wastewater treatment plant. The exposed sewer laterals pose a threat to the health and safety of the general public and to the operations at the wastewater collection and treatment facility. Staff has made every effort to coordinate with the debris removal process underway through the direction of the Army Corps of Engineers, which include plugging the open and damaged sewer laterals. City staff believe, however, given the uncertainties surrounding the cleanup schedule, both the Army Corps and private efforts, as well as the risks to the regional wastewater system and the Laguna Treatment Plant, that a three-pronged approach that will also include work contracted for by the City's Water Department will be the most effective in protecting public health and the environment.

Proposals are currently being solicited to plug open sewer laterals in the Fountaingrove and Upper Hidden Valley areas. The solicitation for proposals for Coffey Park may be released for advertisement in the near future, if necessary.

**RECOMMENDATION:** It is recommended by the Water Department that Council, by resolution, authorize the Director of Santa Rosa Water, his staff and his delegates limited access to enter upon damaged or destroyed properties within the City located in the Tubbs fire area in order to evaluate and determine whether it is necessary, and where determined it is necessary, to immediately suspend the user's discharge into the City's Public Owned Treatment Works by the temporary plugging of the sewer lateral to prevent discharge to the Public Owned Treatment Works (POTW).

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

**14.3** REPORT - APPROVAL OF PROFESSIONAL SERVICES  
AGREEMENT WITH ERNST & YOUNG, LLP FOR DISASTER  
RECOVERY MANAGEMENT SERVICES

**BACKGROUND:** In the early morning hours of October 9, 2017, a firestorm swept through Santa Rosa and the surrounding communities. The fires were unprecedented in the destruction left in its wake. A request for proposals (RFP) to provide disaster recovery management services was issued on November 15, 2017. Ernst & Young was selected after a panel of staff and members of the Recovery Ad Hoc committee reviewed the proposals and heard the presentations.

**RECOMMENDATION:** It is recommended by the City Manager's Office and the Finance Department that the Council, by resolution, approve the Professional Services Agreement with Ernst & Young operating out of their San Francisco office to provide disaster recovery management services in an amount not to exceed \$500,000.

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

## 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 - ROUND BARN VILLAGE PROJECT - MITIGATED NEGATIVE DECLARATION, GENERAL PLAN AMENDMENT AND REZONING - 0 ROUND BARN BOULEVARD - PRJ17-004 (This item is being continued to December 19, 2017, Regular Meeting)
- 15.2 PUBLIC HEARING - COMPREHENSIVE CANNABIS ORDINANCE AND CANNABIS PROGRAM IMPLEMENTATION - CITY CODE TEXT AMENDMENTS AND FY17-18 BUDGET AMENDMENT - REZ17-002

**BACKGROUND:** On January 19, 2016, the City Council directed staff (7-0) to prepare comprehensive regulations for cannabis uses. In addition, the Council reconvened the Cannabis Policy Subcommittee. On November 9, 2017, the Planning Commission held a public hearing and recommended the City Council approve (5-0) a Draft Comprehensive Cannabis Ordinance which includes the following

components: Amending Section 20-23.030, Table 2-6 (Allowed Land Uses and Permit Requirements for Commercial Zoning Districts), Section 20-24.030, Table 2-10 (Allowed Land Uses and Permit Requirements for Industrial Districts), Section 20-36.040, Table 3-4 (Automobile and Bicycle Parking Requirements by Land Use Type), Repealing and replacement of Chapter 20-46 (Medical Cannabis Cultivation) with Chapter 20-46 (Cannabis), Amending Section 20-70.020 (Definitions), Repeal of Chapter 10-40 Medical Cannabis Dispensaries, and adoption of exemption findings pursuant to the California Environmental Quality Act. These amendments would allow for both medical and adult use cannabis for personal and commercial purposes.

In addition, the Council will consider amending Fiscal Year 17-18 position allocations for various departments by increasing appropriations for staffing and related costs totaling \$931,000 from General Fund revenue generated by the City's Cannabis Business Tax and by Cannabis permit and inspection fees to support effective implementation of the City's Cannabis Program.

**RECOMMENDATION:** It is recommended by the Planning Commission, that the City Council, by ordinance, enact comprehensive regulations for cannabis through the amendment of Santa Rosa City Code Section 20-23.030, Table 2-2 (Allowed Land Uses and Permit Requirements for Residential Zoning Districts), Section 20-23.030, Table 2-6 (Allowed Land Uses and Permit Requirements for Commercial Zoning Districts), Section 20-24.030, Table 2-10 (Allowed Land Uses and Permit Requirements for Industrial Districts), Section 20-36.040, Table 3-4 (Automobile and Bicycle Parking Requirements by Land Use Type), Section 20-70.020 (Definitions), the repeal and replacement of Chapter 20-46 (Medical Cannabis Cultivation) with Chapter 20-46 (Cannabis), the repeal of Chapter 10-40 (Medical Cannabis Dispensaries) and the adoption of exemption findings pursuant to the California Environmental Quality Act (CEQA).

It is further recommended that the City Council, by resolution, implement the City's Cannabis Program to ensure effective permitting,

outreach/education, monitoring, taxation and enforcement by amending Fiscal Year 2017-18 position allocations for various departments of 7.0 FTE staff members, increasing appropriations for staffing and related costs, for a total of \$931,000 from anticipated FY 17-18 Cannabis Business Tax and General Fund revenue from cannabis business taxes, permit and inspection fees. (5/7 vote)

**Attachments:**    [Staff Report](#)  
[Attachment 1 - Cannabis Permit Activity Update - September](#)  
[Attachment 2 - Comprehensive Land Use Policy Chart dated](#)  
[Attachment 3 - Study of Potential Cannabis Dispensary Locations](#)  
[Attachment 4 - Correspondence \(In Favor\)](#)  
[Attachment 5 - Correspondence \(Opposed\)](#)  
[Attachment 6 - Correspondence \(Commercial Cannabis\) 2/17/17](#)  
[Attachment 7 - Planning Commission Minutes - November 2017](#)  
[Attachment 8 – Planning Commission Resolution 11859 \(with](#)  
[Ordinance](#)  
[Resolution](#)  
[Presentation](#)

**16. WRITTEN COMMUNICATIONS - NONE**

**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](mailto: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.*