



City of Santa Rosa

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

CITY COUNCIL REGULAR MEETING AGENDA AND SUMMARY REPORT MARCH 12, 2019

Council Member Julie Combs will be participating in the meeting via teleconference from CUENCA 2-05, JOSE ASUTDILLO Y MIGUEL MOROCHO, 070701 ECUADOR.

This agenda shall be posted at this location.

3:00 P.M. - CLOSED SESSION (MAYOR'S CONFERENCE ROOM)

4:00 P.M. - REGULAR SESSION (COUNCIL CHAMBER)

COUNCIL MAY RECESS DURING THE EVENING FOR A DINNER BREAK

PUBLIC HEARING MATTERS WILL BEGIN NO EARLIER THAN 5:00 P.M.

MATTERS ON THE AGENDA MAY BE TAKEN OUT OF ORDER

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.

3:00 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 CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION
(Paragraph (1) of subdivision (d) of Government Code Section 54956.9)

Name of Related Cases:

1) City of Santa Rosa v. Pacific Gas & Electric Company; PG&E Corporation

Court Case No.: Sonoma County Superior Court SCV-262772

2) Coordination Proceeding Special Title: California North Bay Fire Cases

Court Case No.: San Francisco Superior Court CGC-17-004955
(Judicial Council Coordination Proceeding No. 4955)

3) In re: PG&E Corporation and Pacific Gas and Electric Company, Debtors

Court Case No.: United States Bankruptcy Court, Northern District of California, San Francisco Division - Chapter 11 - 19-30088 (DM) and 19-30089 (DM)

2.2 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.

Public Utilities Commission of the State of California Proceedings related to Pacific Gas & Electric Utility.

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 - SONOMA MOUNTAIN PRESERVATION 25 YEAR ANNIVERSARY

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 COUNCIL MEMBERS

10. MAYOR'S/COUNCIL MEMBERS' REPORTS

10.1 MAYOR'S/COUNCIL MEMBERS' 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 Homeless System of Care (HCS)

10.1.10 Renewal Enterprise District (RED)

10.1.11 Other

11. APPROVAL OF MINUTES

11.1 February 12, 2019 Regular Meeting.

Attachments: [Draft Minutes](#)

12. CONSENT ITEMS

12.1 RESOLUTION - FIRST AMENDMENT TO PROFESSIONAL
SERVICES AGREEMENT - FIRST AMERICAN TITLE COMPANY
(Continued from February 26, 2019 Regular Meeting)

RECOMMENDATION: It is recommended by the City's Right Of Way Agent that the Council, by resolution, approve the First Amendment to Professional Services Agreement Number F001200 with First American Title Company to increase compensation under the Agreement for City-wide title and escrow services by \$120,000 for a total amount not to exceed \$170,000, paid out of various project keys as approved by the Chief Financial Officer.

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

- 12.2** RESOLUTION - APPROVAL OF USE OF DESIGN-BUILD PROCUREMENT FOR REMOVAL AND REPLACEMENT OF UTILITIES FIELD OPERATIONS AUDIO/VISUAL SYSTEM (Continued from February 26, 2019 Regular Meeting)

RECOMMENDATION: It is recommended by the Information Technology and Finance Departments, that the Council, by resolution, approve the use of the design build method of procurement for the removal and replacement of the Audio/Video system at the Utilities Field Operations building at 35 Stony Point Road.

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

- 12.3** RESOLUTION - APPROVAL OF TWO AGREEMENTS WITH THE CALIFORNIA DEPARTMENT OF TAX AND FEE ADMINISTRATION FOR THE COLLECTION OF MEASURE O (ESSENTIAL CITY SERVICES) REVENUE PASSED BY VOTERS IN NOVEMBER 2018 (Continued from February 26, 2019 Regular Meeting)

RECOMMENDATION: It is recommended by the Finance Department and City Attorney that the Council, by resolution, approve two required agreements with the California Department of Tax and Fee Administration to administer the revenues collected under Measure O, passed by voters in November 2018.

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

- 12.4** RESOLUTION - RESOLUTION OF THE COUNCIL OF THE CITY OF SANTA ROSA AUTHORIZING REQUEST FOR \$383,271 IN LOW

CARBON TRANSIT OPERATIONS PROGRAM (LCTOP) FUNDS FOR FY 2018-19; AUTHORIZING THE DIRECTOR OF TRANSPORTATION AND PUBLIC WORKS TO SIGN THE CERTIFICATIONS AND ASSURANCES; AUTHORIZING THE MAYOR TO SIGN THE AUTHORIZED AGENT FORM

RECOMMENDATION: It is recommended by the Transportation and Public Works Department that the Council, by Resolution: 1) authorize the Director of Transportation and Public Works or designee to request \$383,271 in Low Carbon Transit Operations Program funds to assist in operating the improved service on CityBus Routes 1 and 2; 2) authorize the Director of Transportation and Public Works or designee to execute the certifications and assurances documents; 3) authorize the Mayor to execute the authorized agent form; and 4) authorize the Chief Financial Officer to increase appropriations in revenue and expenditures by the approved grant award.

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

12.5 RESOLUTION - MEASURE O (PUBLIC SAFETY) CHOICE GRANT PROGRAM CYCLE IX YEAR 2 FUNDING RECOMMENDATION AND APPROVAL TO EXECUTE A GRANT FUNDING AGREEMENT WITH BREAKOUT PRISON OUTREACH, DBA CALIFORNIA YOUTH OUTREACH UNDER THE CHOICE GRANT PROGRAM (Continued from the February 26, 2019 Regular Meeting)

RECOMMENDATION: It is recommended by the Office of Community Engagement that the Council, by Resolution: 1) Adopt the funding recommendation of the Grant Review Team for California Youth Outreach under the Measure O (2004) Community Helping Our Indispensable Children Excel (CHOICE) Cycle IX Grant Program; 2) direct the City Manager or designee to approve and execute a funding agreement with California Youth Outreach for an amount not to exceed \$120,000; and 3) authorize the City Manager or his designee to approve and execute any amendments to the funding agreement.

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

- 12.6** RESOLUTION - APPROVAL OF USE OF DESIGN-BUILD PROCUREMENT FOR ROOF REPLACEMENT FOR SAMUEL L. JONES HALL - 4020 FINLEY AVENUE, AND WATER STATIONS 4 - 2260 SONOMA AVENUE AND 13 - 801 WHITE OAK DRIVE

RECOMMENDATION: It is recommended by the Department of Transportation and Public Works that the Council, by resolution, approve the use of the Design-Build method of procurement for a roof replacement for Samuel L. Jones Hall and Santa Rosa Water Station 4 and Station 13.

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

- 12.7** RESOLUTION - AMENDMENT TO THE CITY CLASSIFICATION AND SALARY PLAN

RECOMMENDATION: It is recommended by the Human Resources Department that the Council, by resolution, amend the City's Classification and Salary Plan to reinstate the classification of Associate Traffic Engineer, reclassify one existing Associate Civil Engineer position to Associate Traffic Engineer, reclassify one vacant Sustainability Technician position to Sustainability Representative, and convert one Limited Term Administrative Technician position to a regular position.

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

- 12.8** RESOLUTION - APPROVAL AND ADOPTION OF THE CITY'S SALARY PLAN AND SCHEDULE

RECOMMENDATION: It is recommended by the Human Resources Department that the Council, by Resolution, approve and adopt the City's Salary Plan and Schedule.

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 - 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](#)

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 - APPEAL OF CANNABIS POLICY SUBCOMMITTEE DECISION TO SELECT HIGHWAY RETAIL OUTLET TO MOVE FORWARD IN THE CONDITIONAL USE PERMIT ENTITLEMENT PROCESS FOR A PROPOSED COMMERCIAL CANNABIS ADULT USE RETAIL FACILITY, LOCATED AT 470 SEBASTOPOL ROAD; ASSESSOR'S PARCEL NUMBER 044-072-008; FILE NO. CUP18-078 (Continued from February 26, 2019 Regular Meeting)

BACKGROUND: On November 14, 2018, the Cannabis Policy Subcommittee, by motion, selected Highway Retail Outlet (File No. CUP18-078) to move forward in the Conditional Use Permit entitlement process, voiding Phenotopia. On November 26, 2018, Padraic Fahey, representing Phenotopia, filed an appeal of the Cannabis Policy Subcommittee's decision based on six grounds for appeal.

RECOMMENDATION: The City Council's Cannabis Policy Subcommittee recommends that Council, by resolution, deny the appeal of Phenotopia (Applicant B) and affirm the Cannabis Policy Subcommittee's decision to select Highway Retail Outlet (Applicant A) to move forward in the Conditional Use Permit Process for a proposed commercial cannabis adult use retail facility, located at 470 Sebastopol Road.

Attachments: [Staff Report](#)
[Attachment 1](#)
[Attachment 2](#)
[Attachment 3](#)
[Attachment 4](#)
[Attachment 5](#)
[Attachment 6](#)
[Attachment 7](#)
[Attachment 8](#)
[Attachment 9](#)
[Attachment 10](#)
[Attachment 11](#)
[Attachment 12](#)
[Attachment 13](#)
[Resolution](#)
[Presentation](#)
[Late Correspondence \(Uploaded 2/25/2019\)](#)
[Late Correspondence \(Uploaded 2/26/2019\)](#)
[Late Correspondence \(Uploaded 3/6/2019\)](#)
[Late Correspondence \(Uploaded 3/11/2019\)](#)
[Late Correspondence \(Uploaded 3/11/2019\)](#)
[Late Correspondence \(Uploaded 3/12/2019\)](#)

14.2 REPORT - APPEAL OF CANNABIS POLICY SUBCOMMITTEE DECISION TO SELECT FRIENDS & FARMERS (FORMERLY GREEN TROVE WELLNESS) TO MOVE FORWARD IN THE CONDITIONAL USE PERMIT ENTITLEMENT PROCESS FOR A PROPOSED COMMERCIAL CANNABIS ADULT USE RETAIL FACILITY, LOCATED AT 330/358 YOLANDA AVENUE; ASSESSOR'S PARCEL NUMBERS 044-072-006, -007, and -008; FILE NO. CUP18-070

BACKGROUND: On November 14, 2018, the Cannabis Policy Subcommittee, by motion, selected Friends & Farmers (File No. CUP18-070) to move forward in the Conditional Use Permit entitlement process, voiding CN Santa Rosa, Louies Gouies, and Black Elm. On November 26, 2018, Tyler Champlin, representing CN Santa Rosa. filed

an appeal of the Cannabis Policy Subcommittee's decision based on eight grounds for appeal. The grounds for appeal question the validity of the merit based review process.

RECOMMENDATION: The Planning and Economic Development Department recommends that Council, by resolution, deny the appeal and uphold the Cannabis Policy Subcommittee's decision to select Friends & Farmers (Applicant C) to move forward in the Conditional Use Permit Process for a proposed commercial cannabis adult use retail facility, located at 330/358 Yolanda Avenue; Assessor's Parcel Numbers 044-072-006, -007, and -008; File No. CUP18-070.

Attachments: [Staff Report](#)
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[Attachment 11](#)
[Resolution](#)
[Presentation](#)
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- 14.3** REPORT - FIRST AMENDMENT TO PROFESSIONAL SERVICES AGREEMENT NO. F001622 WITH BUREAU VERITAS NORTH AMERICA FOR POST FIRE RECOVERY AND REBUILDING SERVICES; FISCAL YEAR 2018-19 BUDGET AMENDMENT(Continued from February 26, 2019 Regular Meeting)

BACKGROUND: Over the past year, staff from the City of Santa Rosa and Bureau Veritas North America, Inc. have provided a variety of permit processing, plan check and inspection services for the repair and reconstruction activities associated with the Tubbs Fire. Over 1,500

permits were processed in 2018, resulting in approximately 16,000 inspections. Additionally, the Department continues to see a high volume of permit activity outside of the fire damaged areas. City staff time has been partially redirected from current development projects to support the rebuild efforts, resulting in an increased need for professional services to augment staffing support for the review and processing of new housing and commercial projects.

Revenue received from permit fees paid related to services provided by Planning & Economic Development for all development and rebuilding projects are considerably more than budgeted estimates for FY 18-19. City staff is proposing to appropriate these funds to pay for one-time, professional services needs relative to Planning, Engineering, and Building to meet commitments associated with plan review and inspection turnaround times for all development and rebuild efforts.

RECOMMENDATION: It is recommended by the Planning and Economic Development and Finance Departments that the Council, by Resolution: 1) approve the First Amendment to Professional Services Agreement No. F001622 with Bureau Veritas North America, Inc., increasing compensation by \$377,052 for a total amount not to exceed \$9,263,312; and, 2) amend the Fiscal Year (FY) 2018-19 adopted budget to increase appropriations for plan check and inspection professional services in the amount of \$4,357,322, which will be offset by an increase in associated fee revenue.

Attachments: [Staff Report](#)
[Resolution](#)
[Exhibit A](#)
[Exhibit B](#)
[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 - APPEAL OF PLANNING COMMISSION DECISION TO APPROVE A CONDITIONAL USE PERMIT FOR BKIND LLC, A

CANNABIS RETAIL AND DELIVERY BUSINESS FOR MEDICINAL AND ADULT USE, IN AN EXISTING BUILDING LOCATED AT 1128 SONOMA AVE, SANTA ROSA, CA; ASSESSOR'S PARCEL NUMBER 014-121-002; FILE NO. CUP18-079 (Continued from the February 26, 2019 Regular Meeting)

BACKGROUND: On November 29, 2018, the Planning Commission approved (6-1) a Conditional Use Permit for a cannabis retail dispensary and delivery for medicinal and adult use in an existing 2,314 square foot building located at 1128 Sonoma Ave. On December 10, 2018, the Santa Rosa City School District filed an appeal of the Planning Commission's action. The grounds for the appeal are the proximity of the dispensary to the Santa Rosa French-American Charter School and to the abutting residences.

RECOMMENDATION: The Planning Commission recommends that Council, by resolution, deny the appeal and approve a Conditional Use Permit for the proposed cannabis retail dispensary and delivery for medicinal and adult use located at 1128 Sonoma Ave; Assessor's Parcel Number 014-121-002: File No. CUP 18-079.

Attachments: [Staff Report](#)
[Attachment 1](#)
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[Attachment 12](#)
[Attachment 13](#)
[Resolution](#)
[Late Correspondence \(Uploaded 2/26/2019\)](#)
[Presentation-pdf](#)
[Late Correspondence \(Uploaded 3/11/2019\)](#)

15.2 PUBLIC HEARING - BICYCLE AND PEDESTRIAN MASTER PLAN UPDATE 2018

BACKGROUND: On February 15, 2011, the City Council, by Resolution No. 27835, adopted the 2010 Bicycle and Pedestrian Master Plan. The updated bicycle and pedestrian projects, programs and policies are included in the Bicycle and Pedestrian Master Plan Update 2018 (Plan Update 2018). The proposal includes the Plan Update 2018 and text amendments to the General Plan consistent with the Bicycle and Pedestrian Master Plan.

RECOMMENDATION: It is recommended by the Planning Commission and the Transportation and Public Works Department that the City Council, by resolution, adopt the Bicycle and Pedestrian Master Plan Update 2018 and approve a General Plan Amendment, consistent with the Bicycle and Pedestrian Master Plan.

Attachments: [Staff Report](#)
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[Attachment 8](#)
[Resolution](#)
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16. WRITTEN COMMUNICATIONS (AND POSSIBLE COUNCIL ACTION) - 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: [Upcoming Meetings List.pdf](#)

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

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

City Council

MARCH 12, 2019

The City of Santa Rosa does not discriminate against individuals with disabilities in its employment, services, benefits, facilities, programs, or activities. Requests for accommodations, auxiliary aids, or services necessary to participate in a City program, service, or activity, including printed information in alternate formats, are available by contacting the City Clerk's Office at 707-543-3015 (TTY Relay at 711) or cityclerk@srcity.org. Requests should be submitted as far in advance as possible, but no later than two business days before the scheduled meeting.

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.