



**CITY COUNCIL  
REGULAR MEETING AGENDA AND  
SUMMARY REPORT  
JANUARY 31, 2017**

**2:00 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](mailto:cityclerk@srcity.org).

**2:00 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 Case: Brian Kestler v. City of Santa Rosa, et al.

Court Case No.: USDC Northern District of CA C 15-1361 TEH

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

Titles: City Manager and Interim 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 - NONE.**

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.

**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 Other**

**10.2 MATTERS FROM COUNCIL REGARDING FUTURE AGENDA ITEMS**

This time is reserved for Council to discuss whether to place matters on a future agenda for further discussion.

**10.2.1 REQUEST FOR AGENDA ITEM TO CONSIDER DECLARING SANTA ROSA AS A SANCTUARY CITY**

BACKGROUND: At the January 24, 2017, City Council meeting, Mayor Coursey requested a future agenda item to consider a resolution declaring Santa Rosa as a welcoming city, or non-cooperative city, or a sanctuary city, or one of those suggestions. Council Member Olivares concurred.

**11. APPROVAL OF MINUTES - NONE.**

**12. CONSENT ITEMS**

**12.1 RESOLUTION - ROSELAND AREA REZONING, PREZONING AND GENERAL PLAN LAND USE CLERICAL CORRECTIONS**

RECOMMENDATION: It is recommended by the Planning and Economic Development Department that the Council, 1) by resolution, approve a change in General Plan land use designation for the properties located at 2028 and 2279 W. Hearn Avenue and an unaddressed parcel on W. Hearn Avenue located at Assessor's Parcel Number 134-001-013, from

Low Density Residential to Very Low Density Residential, correcting a clerical error in the October 18, 2016 resolution adopting changes to the General Plan as part of the Roseland Area/Sebastopol Road Specific Plan, and 2) introduce two ordinances, one to prezone the W. Hearn Avenue County island to Rural Residential-Rural Heritage (RR-20-RH), and the other to rezone the properties located at 2046 and 2048 W. Hearn Avenue to RR-20-RH, correcting clerical errors in the October 25, 2016 ordinances that rezoned and prezoned parcels within the Specific Plan and Roseland Area Annexation boundaries.

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

[Attachment 1 - Location Map](#)

[Attachment 2 - Council Staff Report, October 18, 2016](#)

[Attachment 3 - Council Presentation, October 18, 2016](#)

[Attachment 4 - Council Resolution No. 28874](#)

[Attachment 5 - Council Ordinance No. 4075](#)

[Attachment 6 - Council Ordinance No. 4076](#)

[Attachment 7 - Rural Heritage \(-RH\) Combining District Te;  
Resolution](#)

[Ordinance - Prezoning](#)

[Ord Summary - Prezoning](#)

[Ordinance Rezoning](#)

**12.2** RESOLUTION - RESOLUTION AUTHORIZING FILING OF APPLICATON FOR FTA FORMULA PROGRAM AND SURFACE TRANSPORTATION PROGRAMS FUNDING

RECOMMENDATION: It is recommended by the Transportation and Public Works Department that the Council, by resolution, authorize the City Manager or designee to execute and file the annual grant applications under the Federal Transit Administration (FTA) formula program and Surface Transportation Programs for FY 16-17 through FY 19-20.

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

[Resolution](#)

[Presentation](#)

**12.3** RESOLUTION - APPROPRIATION OF SUBREGIONAL WASTEWATER FUNDS FOR SUBREGIONAL SYSTEM IMPROVEMENTS (This item

was continued from the January 24, 2017, Regular Meeting)

RECOMMENDATION: It is recommended by the Water Department and the Santa Rosa Subregional Wastewater Technical Advisory Committee that the Council, by resolution, appropriate \$1.8 million of reserves in Subregional Wastewater funds for Subregional System improvements.

**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

#### 14.1 REPORT - REQUEST TO SUMMARILY VACATE 2,655 SQUARE-FEET OF A PUBLIC STORM DRAIN EASEMENT LOCATED AT 4015 SKYFARM DRIVE

BACKGROUND: The applicant has requested that the City vacate a portion of a public storm drain easement that is no longer necessary due to the final storm drain pipe system design. The 3.03-acre parcel was created as part of a larger subdivision in 1996. In 2005, the Engineering Division approved a revision to the subdivision improvement plans and relocated the 2,665-square-foot open swale.

RECOMMENDATION: It is recommended by the Planning and Economic Development Department that the Council, by resolution, approve a summary vacation of 2,655 square-feet of a public storm drain easement located at 4015 Skyfarm Drive.

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

[Attachment 1 – Disclosure Form](#)

[Attachment 2 – Location Map](#)

[Attachment 3 – Project Plans](#)

[Attachment 4 – Exhibit B](#)

[Attachment 5 – Map Check Easement Vacation](#)

[Resolution](#)

[Exhibit A](#)

[Presentation](#)

**14.2** REPORT - QUIET ZONES - NOTICE OF ESTABLISHMENT

BACKGROUND: The Transportation and Public Works Department will provide an update on the status of the Quiet Zone process for Santa Rosa. Staff will recommend submitting a Notice of Establishment to the Federal Railroad Authority, authorizing the City Manager to coordinate with the County of Sonoma and SMART on the implementation date of the Quiet Zone in Santa Rosa from Bellevue Avenue to San Miguel Road. This does not prohibit trains from using their horns in the event of emergencies or in the exercise of discretion by the train operator as deemed necessary.

RECOMMENDATION: It is recommended by the Transportation and Public Works Department that the Council, by resolution, authorize the City Manager to file a Notice of Establishment with the Federal Railroad Administration; the railroads that operate within the City of Santa Rosa; and with the State agencies responsible for highway-rail grade crossing safety establishing a 24-hour Quiet Zone through the City of Santa Rosa, from Bellevue Avenue to San Miguel Road, including all grade crossings between these limits.

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

[Resolution](#)

[Presentation](#)

**14.3** REPORT - AMENDMENT TO SANTA ROSA CITY CODE CHAPTER 3-44, PUBLIC WORKS CONTRACT POLICY

BACKGROUND: The purpose and intent of these amendments are to: a) enhance City employees' ability to perform maintenance or repair work; b) formally enact a prevailing wage ordinance governing all City public

works contracts, which include requirements that are equal to the requirements imposed by the provisions of the California Prevailing Wage Law; c) clarify the definition of “competitive bidding”; and d) allow progress payments to be made on minor public works contracts.

RECOMMENDATION: It is recommended by the Transportation and Public Works Department that the Council introduce an ordinance amending Sections 3-44.020, 3-44.070, and 3-44.080; Repealing Sections 3-44.160 and 3-44.180; and adding Section 3-44.210 Chapter 3-44 of The Santa Rosa City Code.

**Attachments** [Staff Report](#)  
[Attachment 1 - Ordinance - Redlined Version](#)  
[Ordinance](#)  
[Presentation](#)

**14.4** REPORT - COURTHOUSE SQUARE REUNIFICATION PROJECT UPDATE AND EXPENDITURE REPORT

BACKGROUND: This item will update the Council on the progress of the Courthouse Square Reunification project and provide information regarding expenditures for construction, construction management/inspection, and contingency. Staff is working with the contractor to complete construction of the project as soon as weather and scheduling allows during these winter months.

RECOMMENDATION: It is recommended by the Transportation and Public Works Department that the Council, by motion, accept the Courthouse Square Reunification expenditure report.

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

**14.5** REPORT - FOURTH AMENDMENT - DIGITAL GOVERNMENT / OPEN DATA AGREEMENT WITH SOCRATA, INC. (This was continued from the January 10, 2017, Regular Meeting)

BACKGROUND: The City utilizes several products and services from Socrata, Inc., key to open data and digital government services. This amendment extends the current agreement by one additional year. In addition, the Council is being asked to ratify all contracts, amendments and Purchase Orders to date.

RECOMMENDATION: It is recommended by the Information Technology and Finance Departments that the Council, by motion, (1) ratify all contracts, amendments and Purchase Orders made with Socrata, Inc., Seattle, WA, to date, (2) approve a Fourth Amendment to Agreement Number F001090 with Socrata, Inc., Seattle, WA, to extend the contract for an additional one year, and (3) add additional funding, for a total renewal amount of \$114,128.40, and a total cumulative contract amount of \$244,797.90.

**Attachments** [Staff Report](#)  
[Attachment 1](#)  
[Attachment 2](#)  
[Presentation](#)

**(THE COUNCIL MAY RECESS DURING THE EVENING FOR A 30-MINUTE 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 - DETURK WINERY VILLAGE - THE COUNCIL WILL CONSIDER AN APPEAL OF THE DESIGN REVIEW AND CULTURAL HERITAGE BOARDS' DECISION TO DENY PRELIMINARY DESIGN REVIEW, AND THE CULTURAL HERITAGE BOARD'S DECISION TO DENY LANDMARK ALTERATION, FOR THE PROPERTIES LOCATED AT 806 DONAHUE STREET AND 8 W. 9TH STREET, FILE NO. PRJ16-012

BACKGROUND: DeTurk Winery Village is a proposal to develop a mixed use development located at 806 Donahue Street and 8 W. 9th Street. The project includes 185 apartments, of which 15 will be designated to very low income occupants, and will retain approximately 20,000 square feet of existing commercial space.

On November 3, 2016, the Design Review Board and Cultural Heritage Board acted jointly to deny Preliminary Design Review for the DeTurk Winery Village project with a Design Review Board vote of 4-1-2, and Cultural Heritage Board vote of 5-0-2. At the same meeting, the Cultural Heritage Board acted independently to deny a Landmark Alteration with a vote of 5-0-2.



On November 10, 2016, the project applicant, Rick Deringer, submitted an appeal form addressing both entitlement.

RECOMMENDATION: It is recommended by the Design Review Board and Cultural Heritage Board that the Council, by resolution, deny the appeal and uphold the Boards' decision to deny Preliminary Design Review for the DeTurk Winery Village mixed use development.

It is further recommended by the Cultural Heritage Board that the Council, by resolution, deny the appeal and uphold the Board's decision to deny a Landmark Alteration Permit for the DeTurk Winery Village mixed use development.

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

[Attachment 1 - Disclosure Form](#)

[Attachment 2 - Location & Neighborhood Context Map](#)

[Attachment 3a - Appeal Application, 11-10-16](#)

[Attachment 3b - Appeal Application, 12-02-16](#)

[Attachment 4a - Current Plans, dated 10-12-16](#)

[Attachment 4b - Current Plans, dated 10-12-16](#)

[Attachment 4c - Current Plans, dated 10-12-16](#)

[Attachment 4d - Current Plans, dated 10-12-16](#)

[Attachment 4e - Current Plans, dated 10-12-16](#)

[Attachment 4f - Summary of changes and elevations](#)

[Attachment 5 - Technical Studies](#)

[Attachment 6 - CC Minutes, 04-19-16](#)

[Attachment 7 - DRB-CHB minutes, 11-05-15](#)

[Attachment 8 - CHB-DRB Draft Minutes, 10-06-16](#)

[Attachment 9 - CHB-DRB Draft Minutes, 11-03-16](#)

[Attachment 10 - Applicant Correspondence](#)

[Attachment 11 - Public Correspondence, thru 2016](#)

[Resolution 1 - Grant Appeal & Approve Preliminary Design](#)

[Resolution 2 - Grant Appeal & Approve Landmark Alteratio](#)

[Exhibit A](#)

[Resolution 3 - Deny Appeal \(Preliminary Design Review\)](#)

[Resolution 4 - Deny Appeal \(Landmark Alteraion\)](#)

[Presentation](#)

## **16. WRITTEN COMMUNICATIONS - NONE.**

- 16.1** QUARTERLY BOARDS, COMMISSIONS AND COMMITTEE ATTENDANCE REPORT. Provided for information.

[Attachments](#) [Report](#)

## **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.*