



City of Santa Rosa

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

City Council Regular Meeting Minutes - Draft

Tuesday, December 12, 2017

2:30 PM

1. CALL TO ORDER AND ROLL CALL

Mayor Coursey called the closed session to order at 2:34 p.m.

Present: 7 - Mayor Chris Coursey, Council Member Jack Tibbetts, Council Member Julie Combs, Council Member Ernesto Olivares, Vice Mayor Chris Rogers, Council Member John Sawyer and Council Member Tom Schwedhelm

2. ANNOUNCEMENT OF CLOSED SESSION ITEMS

PUBLIC COMMENT

Duane DeWitt requested that Council consider freezing employee wages and to consider a two-percent wage reduction.

Mayor Coursey recessed the meeting to closed session at 2:36 p.m. to discuss Items 2.1 and 2.2 as listed on the agenda:

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

Mayor Coursey adjourned closed session at 3:55 p.m. and reconvened the meeting to open session in the Council Chamber at 4:04 p.m.

3. STUDY SESSION - NONE

4. ANNOUNCEMENT OF ROLL CALL

Present: 7 - Mayor Chris Coursey, Council Member Jack Tibbetts, Council Member Julie Combs, Council Member Ernesto Olivares, Vice Mayor Chris Rogers, Council Member John Sawyer and Council Member Tom Schwedhelm

5. REPORT, IF ANY, ON STUDY AND CLOSED SESSIONS

Mayor Coursey reported that Council gave direction to staff on Items 2.1 and 2.2.

6. PROCLAMATIONS/PRESENTATIONS - NONE

7. STAFF BRIEFINGS

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.

Presented by David Cruise, CalOES Division Supervisor and Robert M. Pesapane, FEMA Division Supervisor.

Presented by Paul Lowenthal, Debris Task Force, and Bennett Horenstein, Water Shed Task Force.

Presented by David Guhin, Housing Task Force, and Raissa De La Rosa, Economic Development Task Force.

PUBLIC COMMENT

Gregory Fearon, with Santa Rosa Together, spoke regarding the housing needs and requested that a statistical update be provided from CalOES and FEMA of those impacted from the fires and were homeless prior to the fires.

This item was received and filed.

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

City Manager McGlynn provided a brief report regarding the Recology event held at Howarth Park.

City Attorney Gallagher provided a brief report on the abatement

warrant of fire debris to one property.

9. STATEMENTS OF ABSTENTION BY COUNCILMEMBERS

Council Member Tibbetts announced he would be abstaining from Items 12.9 and 12.10.

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)

10.1.1 Council Subcommittee Reports

10.1.2 Sonoma County Transportation Authority/Regional Climate Protection Authority (SCTA/RCPA)

Mayor Coursey provided a brief report.

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

PUBLIC COMMENT

Attila Nagy spoke regarding Item 12.9 and the issues of homelessness.

Carolyn Epple spoke regarding spoke regarding Item 12.9 and the issues of homelessness.

Merlin spoke regarding Item 12.9 and the issues of homelessness.

Michael Titone spoke regarding Item 12.9 and the issues of homelessness.

Courtney Cox spoke regarding Item 12.9 and the issues of homelessness.

Duane DeWitt spoke regarding Item 12.10 and the issues of homelessness.

Scott Wagner spoke regarding Item 12.9 and the issues of homelessness.

Nikki Pyle spoke regarding Item 12.9 and the issues of homelessness.

Susan Chunco spoke regarding Item 12.9 and the issues of homelessness.

Adrienne Lauby spoke regarding Item 12.9 and the issues of homelessness.

Approval of the Consent Agenda

A motion was made by Vice Mayor Rogers, seconded by Council Member Combs, to waive reading of the text and adopt Consent Items 12.1 through 12.8 and 12.11 through 12.13. The motion carried by the following vote:

Yes: 7 - Mayor Coursey, Council Member Tibbetts, Council Member Combs, Council Member Olivares, Vice Mayor Rogers, Council Member Sawyer and Council Member Schwedhelm

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.

This Consent - Resolution was adopted.

RESOLUTION NO. RES-2017-237 ENTITLED: RESOLUTION OF THE COUNCIL OF THE CITY OF SANTA ROSA ACCEPTING A \$15,000 GIFT FROM LUCILLE SMOTHERS SURVIVOR'S TRUST FOR THE BENEFIT OF THE SANTA ROSA SENIOR CENTER

- 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.

This Consent - Resolution was adopted.

RESOLUTION NO. RES-2017-238 ENTITLED: RESOLUTION OF THE COUNCIL OF THE CITY OF SANTA ROSA APPROVING A GRANT APPLICATION TO THE STATE OF CALIFORNIA NATURAL RESOURCES AGENCY DIVISION OF BOATING AND WATERWAYS FOR BOATING PROGRAM SAFETY EQUIPMENT AT LAKE RALPHINE IN HOWARTH PARK

AND DELEGATION OF AUTHORITY TO ENTER INTO GRANT AGREEMENT WITH STATE

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).

This Consent - Resolution was adopted.

RESOLUTION NO. RES-2017-239 ENTITLED: RESOLUTION OF THE COUNCIL OF THE CITY OF SANTA ROSA DELEGATING APPROVAL AND SIGNATURE AUTHORITY FOR AGREEMENTS WITH CALIFORNIA HIGHWAY PATROL (CHP) FOR CONSTRUCTION ZONE ENHANCEMENT ENFORCEMENT PROGRAMS (COZEEP) SERVICES

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.

This Consent - Resolution was adopted.

RESOLUTION NO. RES-2017-240 ENTITLED: RESOLUTION OF THE COUNCIL OF THE CITY OF SANTA ROSA APPROVING MAINTENANCE AGREEMENT FOR RETAINING WALLS/BARRIERS IN THE CITY OF SANTA ROSA BETWEEN THE STATE OF CALIFORNIA, ACTING BY AND THROUGH THE DEPARTMENT OF TRANSPORTATION AND THE CITY OF SANTA ROSA

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.

This Consent - Resolution was adopted.

RESOLUTION NO. RES-2017-241 ENTITLED: RESOLUTION OF THE COUNCIL OF THE CITY OF SANTA ROSA APPROVING THE FIRST AMENDMENT TO GENERAL SERVICES AGREEMENT NO. F001321 WITH NORTHERN COAST OFFICIALS ASSOCIATION, INC.

- 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.

This Consent - Resolution was adopted.

RESOLUTION NO. RES-2017-242 ENTITLED: RESOLUTION OF THE COUNCIL OF THE CITY OF SANTA ROSA APPROVING SEVENTH AMENDMENT TO ENTERPRISE ASSET MANAGEMENT AGREEMENT NUMBER 01-6191 WITH INFOR PUBLIC SECTOR, INC.

- 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.

This Consent - Resolution was adopted.

RESOLUTION NO. RES-2017-243 ENTITLED: RESOLUTION OF THE COUNCIL OF THE CITY OF SANTA ROSA APPROVING THE FIRST AMENDMENT TO GENERAL SERVICES AGREEMENT NUMBER F001393

WITH SMOTHERS PARTS INTERNATIONAL, INC.

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.

This Consent - Resolution was adopted.

RESOLUTION NO. RES-2017-244 ENTITLED: RESOLUTION OF THE COUNCIL OF THE CITY OF SANTA ROSA APPROVING THE AMENDMENT OF AN AGREEMENT WITH TANNERY CREEK SYSTEMS, INC., VAUGHAN, ONTARIO, CANADA TO PROVIDE FOR ONGOING MAINTENANCE OF AUTOMATED LICENSE PLATE RECOGNITION EQUIPMENT

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.

A motion was made by Vice Mayor Rogers, seconded by Council Member Combs, to waive reading of the text and adopt Consent Item 12.9:

RESOLUTION NO. RES-2017-245 ENTITLED: RESOLUTION OF THE COUNCIL OF THE CITY OF SANTA ROSA EXTENDING A PROCLAMATION OF LOCAL HOMELESS EMERGENCY (Government Code Sections 8630 et seq.)

The motion carried by the following vote:

Yes: 6 - Mayor Coursey, Council Member Combs, Council Member Olivares, Vice Mayor Rogers, Council Member Sawyer and Council Member Schwedhelm

Recused: 1 - Council Member Tibbetts

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.

A motion was made by Vice Mayor Rogers, seconded by Council Member Combs, to waive the reading of the text and adopt Consent Item 12.10:

RESOLUTION NO. RES-2017-246 ENTITLED: RESOLUTION OF THE COUNCIL OF THE CITY OF SANTA ROSA 1) APPROVING A SECOND AMENDMENT TO THE AGREEMENT BETWEEN THE CITY OF SANTA ROSA AND CATHOLIC CHARITIES OF THE DIOCESE OF SANTA ROSA FOR THE OPERATION OF THE SAMUEL L. JONES HOMELESS SHELTER YEAR-ROUND AND WINTER SHELTER PROGRAMS FOR FISCAL YEAR 2017/2018; 2) APPROVING AN AGREEMENT BETWEEN THE CITY OF SANTA ROSA AND THE COUNTY OF SONOMA FOR THE FUNDING OF OPERATIONS AT THE SHELTER FOR FISCAL YEAR 2017/2018; AND 3) AMENDING THE FISCAL YEAR 2017/2018 ADOPTED BUDGET WITHIN THE GENERAL FUND AND HOMELESS SHELTER OPERATIONS FUND

The motion carried by the following vote:

Yes: 6 - Mayor Coursey, Council Member Combs, Council Member Olivares, Vice Mayor Rogers, Council Member Sawyer and Council Member Schwedhelm

Recused: 1 - Council Member Tibbetts

12.11 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.

This Consent - Resolution was adopted.

RESOLUTION NO. RES-2017-247 ENTITLED: RESOLUTION OF THE COUNCIL OF THE CITY OF SANTA ROSA EXTENDING THE PROCLAMATION OF EXISTENCE OF A LOCAL EMERGENCY DUE TO FIRES

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.

This Consent - Ordinance was adopted.

ORDINANCE NO. ORD-2017-023 ENTITLED: 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

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.

This Consent - Ordinance was adopted.

ORDINANCE NO. ORD-2017-024 ENTITLED: 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

13. PUBLIC COMMENT ON NON-AGENDA MATTERS

Montana Podva spoke regarding the National Bill of Rights.

Adrien Shader spoke regarding the homelessness issues.

Mikeal O'Toole spoke regarding the homelessness issues.

Merlin spoke in support of the homeless participating in the process.

Steve Dunnrite spoke regarding the concerns of the homelessness.

Duane DeWitt spoke regarding concerns of the homelessness.

Elizabeth Neylon spoke regarding the concerns of the public telephones repairs needed at the Transit Mall.

Victoria Yanez spoke regarding the concerns of the treatment towards the homelessness.

Mayor Coursey left the meeting at 5:33 p.m.

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.

Presented by Deborah Lauchner, Chief Financial Officer.

This item was received and filed.

***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).

This item was continued to a future meeting.

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.

Presented by Deborah Lauchner, Chief Financial Officer.

A motion was made by Council Member Schwedhelm, seconded by Council Member Sawyer, to waive reading of the text and adopt:

RESOLUTION NO. RES-2017-248 ENTITLED: RESOLUTION OF THE COUNCIL OF THE CITY OF SANTA ROSA APPROVING A PROFESSIONAL SERVICES AGREEMENT WITH ERNST & YOUNG, LLP, SAN FRANCISCO,

CA TO PROVIDE DISASTER RECOVERY MANAGEMENT SERVICES

The motion carried by the following vote:

Yes: 5 - Council Member Combs, Council Member Olivares, Vice Mayor Rogers, Council Member Sawyer and Council Member Schwedhelm

Absent: 2 - Mayor Coursey and Council Member Tibbetts

Vice Mayor Rogers recessed the meeting at 6:19 p.m. and reconvened the meeting at 6:51 p.m.

15. PUBLIC HEARINGS

- 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**)

This item was continued to the December 19, 2017 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)

Presented by Clare Hartman, Deputy Director of Planning and Economic Development Department.

Vice Mayor Rogers opened the public hearing at 8:32 p.m.

Caren Woodson spoke regarding the concerns of adult use dispensary.

Julie Mercer-Ingram spoke in support of adult use dispensary.

Nick Caston spoke in support of adult use dispensaries.

Joanna Cedar spoke in support of the item.

John Sugg spoke in support of the item.

Scott Wagner spoke in support of the item.

Lauren Mendelsohn spoke in support of the item.

Omar Figueroa spoke in support of the item.

Maurice Mickel spoke in support of the item.

Allen Thomas spoke in support of the item.

Vice Mayor Rogers closed the public hearing at 9:01 p.m.

A motion was made by Council Member Olivares, seconded by Vice Mayor Rogers, to waive reading of the text and introduce as amended to include that cannabis commercial cultivation facilities that have obtained a valid land use permit issued prior to the adoption of this chapter may incorporate cultivation for adult use with issuance of zoning clearance with no physical expansion or extended hours authorized, to be added to Section 20-46.050:

ORDINANCE ENTITLED: ORDINANCE OF THE COUNCIL OF THE CITY OF SANTA ROSA ENACTING COMPREHENSIVE REGULATIONS FOR CANNABIS THROUGH THE AMENDMENT OF SANTA ROSA CITY CODE SECTIONS 20-23.030, TABLE 2-2 (ALLOWED LAND USES AND PERMIT REQUIREMENTS FOR RESIDENTIAL ZONING DISTRICTS), 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 - FILE NUMBER REZ17-002

The motion carried by the following vote:

Yes: 5 - Council Member Tibbetts, Council Member Combs, Council Member Olivares, Vice Mayor Rogers and Council Member Schwedhelm

No: 1 - Council Member Sawyer

Absent: 1 - Mayor Coursey

A motion was made by Council Member Olivares, seconded by Council Member Sawyer, to waive reading of the text and adopt:

RESOLUTION NO. RES-2017-249 ENTITLED: RESOLUTION OF THE COUNCIL OF THE CITY OF SANTA ROSA TO IMPLEMENT THE CITY'S CANNABIS PROGRAM AND ENSURE EFFECTIVE OUTREACH, EDUCATION, PERMITTING, TAXATION, MONITORING AND ENFORCEMENT BY AMENDING FY 17-18 POSITION ALLOCATIONS FOR VARIOUS DEPARTMENTS BY ADDING 7.0 FTE STAFF MEMBERS, INCREASING APPROPRIATIONS FOR STAFFING AND SUPPORT COSTS FOR A TOTAL OF \$931,000 FROM ANTICIPATED FY17-18 CANNABIS BUSINESS TAX AND CANNABIS PERMIT FEE REVENUE

The motion carried by the following vote:

Yes: 6 - Council Member Tibbetts, Council Member Combs, Council Member Olivares, Vice Mayor Rogers, Council Member Sawyer and Council Member Schwedhelm

Absent: 1 - Mayor Coursey

16. WRITTEN COMMUNICATIONS - NONE

17. PUBLIC COMMENTS ON NON-AGENDA MATTERS

Scott Wagner spoke regarding various topics.

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

Hearing no further business, Vice Mayor Rogers adjourned the meeting at 9:41 p.m. The next regularly scheduled meeting will take place on December 19, 2017, at a time set by the Mayor.

20. UPCOMING MEETINGS

20.1 UPCOMING MEETINGS LIST

This item was received and filed.

Approved on:

Daisy Gomez
City Clerk