



City of Santa Rosa

City Hall
100 Santa Rosa Avenue
Santa Rosa, CA 95404

CITY COUNCIL REGULAR MEETING AGENDA AND SUMMARY REPORT AUGUST 2, 2016

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.

4:00 P.M. (COUNCIL CHAMBER)

1. CALL TO ORDER AND ROLL CALL

2. ANNOUNCEMENT OF CLOSED SESSION ITEMS - NONE.

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.

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.

3. STUDY SESSION - NONE

Study Session items are items for in-depth discussion and possible direction to staff. No action will be taken.

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

11. APPROVAL OF MINUTES

11.1 July 12, 2016, Regular Meeting.

Attachments [Draft Minutes](#)

12. CONSENT ITEMS

***12.1** MOTION - REQUEST AUTHORIZATION TO SUBMIT GRANT APPLICATION FOR HIGHWAY SAFETY IMPROVEMENT PROGRAM (HSIP) CYCLE 8 GRANT (This item was continued from the July 26, 2016, Regular Meeting)

RECOMMENDATION: It is recommended by the Transportation and Public Works Department that the Council, by motion, authorize the Director of Transportation and Public Works to submit a grant application to the State of California for the Highway Safety Improvement Program Cycle 8 in the amount of \$994,400 to install Flashing Yellow Turn Arrow signals throughout the city.

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

12.2 RESOLUTION - FIRST AMENDMENT TO PROFESSIONAL SERVICE AGREEMENT - TRINITY ADJUSTORS, INC. DBA RISK MANAGEMENT SERVICES, A CALIFORNIA CORPORATION

RECOMMENDATION: It is recommended by the Human Resources Department that the Council, by resolution, approve the First Amendment to Professional Services Agreement - Trinity Adjustors, Inc. dba Risk Management Services, a California Corporation, to perform liability claims administration services for an additional amount not to exceed \$80,000. The total cumulative amount of this agreement will not exceed

\$175,000.

Attachments [Staff Report](#)
[Attachment](#)
[Resolution](#)
[Exhibit](#)
[Presentation](#)

12.3 RESOLUTION - SUBORDINATION AGREEMENT, ADMINISTRATION AND OVERSIGHT AGREEMENT, AND AMENDMENT TO SUPPLEMENTAL REGULATORY AGREEMENT - LEISURE PARK, A MOBILEHOME PARK LOCATED AT 2185 OCCIDENTAL ROAD

RECOMMENDATION: It is recommended by the Housing and Community Services Department that the Council, by resolution, approve a Subordination Agreement, an Administration and Oversight Agreement, and an Amendment to the City's Supplemental Regulatory Agreement for Leisure Park, a mobilehome park located at 2185 Occidental Road.

Attachments [Staff Report](#)
[Attachment 1](#)
[Attachment 2](#)
[Attachment 3](#)
[Attachment 4](#)
[Attachment 5](#)
[Resolution](#)
[Exhibit A](#)
[Exhibit B](#)
[Exhibit C](#)
[Presentation](#)

***12.4** RESOLUTION - CITY OF SANTA ROSA AND OAKMONT VILLAGE ASSOCIATION AGREEMENT (This item was continued from the July 26, 2016, Regular Meeting)

RECOMMENDATION: It is recommended by the Transportation and Public Works Department that the Council, by resolution, approve an agreement with the Oakmont Village Association for Santa Rosa CityBus

to provide a deviated fixed route bus service for the Oakmont community, and authorize the City Manager to execute the agreement.

Attachments [Staff Report](#)
[Attachment 1 - Agreement](#)
[Resolution](#)
[Exhibit A - Agreement](#)
[Presentation](#)

- *12.5** RESOLUTION - ACCEPTANCE OF THE 2016 EDWARD BYRNE MEMORIAL JUSTICE ASSISTANCE GRANT (This item was continued from the July 26, 2016, Regular Meeting)

RECOMMENDATION: It is recommended by the Police Department that the Council, by resolution, authorize the City Manager to accept the 2016 Edward Byrne Memorial Justice Assistance Grant in the amount of \$48,367.

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

- *12.6** ORDINANCE ADOPTION - AN ORDINANCE OF THE COUNCIL OF THE CITY OF SANTA ROSA REQUIRING JUST CAUSE FOR TENANT EVICTIONS IN THE CITY OF SANTA ROSA (This item was continued from the July 26, 2016, Regular Meeting)

RECOMMENDATION: This ordinance, introduced at the July 19, 2016, Regular Meeting by a 4-2-0-1 vote (Vice Mayor Schwedhelm, Council Member Olivares voting no; Mayor Sawyer absent/recused), would require just cause for evictions in the City of Santa Rosa.

Attachments [Ordinance - Non Urgency](#)

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 - ORDINANCE INTRODUCTION - APPROVING ORDINANCE(S) TO (1) AMEND MEASURE O (ADOPTED BY CITY VOTERS AT THE NOVEMBER 2004 ELECTION) TO CHANGE THE LEVEL OF FUNDING REQUIRED TO BE DEDICATED FOR CERTAIN PUBLIC SAFETY PURPOSES, AND (2) AMEND MEASURE P (ADOPTED BY CITY VOTERS AT THE NOVEMBER 2010 ELECTION) TO EXTEND, FOR EIGHT YEARS, A ¼-CENT GENERAL TRANSACTION AND USE TAX

BACKGROUND: On July 19, 2016, the City Council provided direction on the ballot measure(s) it wishes to present to the voters on November 8, 2016 that would amend Measures O and P. The City Attorney has drafted proposed amendments to Measures O and P. Before submitting those proposed amendments to the voters, the Council must approve those amendments by way or ordinance. In addition, on July 19, 2016, the Council directed staff to complete additional research and analysis of the community sentiment based on changed ballot language and possibly combining the two tax measure amendments into one measure.

Under state law, the proposed amendment to Measure P to extend the expiration date of the ¼ cent sales tax requires approval by five Councilmembers. The proposed amendment to Measure O to adjust the annual public safety spending level requirements established in that measure requires approval by four Councilmembers. In the event the Council chooses to combine these amendments into a single ordinance, that ordinance would require the approval of five Councilmembers to meet the state law requirement for that portion of the combined ordinance approving an extension of the Measure P sales tax.

RECOMMENDATION: It is recommended by the City Manager and the Finance Department that the Council (1) receive the results from additional polling recently conducted by Fairbank, Maslin, Maullin, Metz & Associates (FM3), Inc., and (2) approve on first reading one or more ordinances to amend (a) Measure O, to modify the baseline spending

level for certain public safety purposes, and (b) Measure P, to extend for eight years the ¼ cent sales tax to generate revenues for the City's General Fund. Council approval of these ordinances is the first step for submitting those ordinances for approval by the voters at the November 8, 2016 election.

Attachments [Staff Report \(Revised 8/1/2016\)](#)
[Ordinance - Combined Measure O & P](#)
[Ordinance - Measure O Amendment](#)
[Ordinance - Measure P Amendment](#)
[Presentation - Polling Results \(revised 7/29/2016\)](#)
[Presentation](#)

- *14.2** REPORT - 2016 CERTIFICATES OF PARTICIPATION (COURTHOUSE SQUARE PROJECT AND 2007 LEASE REFINANCING) (This item was continued from the July 26, 2016, Regular Meeting)

BACKGROUND: The Finance Department requires approval of the documents affiliated with the 2016 Certificates of Participation (Courthouse Square Project and 2007 Lease Refinancing), subject to the completion of each document once certain facts are known (e.g., the identity of leased asset; interest rates and principal amounts determined at the time of the bond sale). The resolution authorizes the Finance Department to execute and deliver the documents with such changes, insertions and omissions as it deems necessary. The proposed resolution would also rescind temporary appropriations of \$4,533,752 previously authorized with Resolution No. 27882.

RECOMMENDATION: It is recommended by the Finance Department that the Council, by resolution, approve the forms of the Preliminary Official Statement which includes as an exhibit the Continuing Disclosure Certificate, Site and Facilities Lease, Lease Agreement, Trust Agreement, Escrow Deposit and Trust Agreement and Certificate Purchase Agreement in connection with the execution and delivery of 2016 Certificates of Participation (Courthouse Square Project and 2007 Lease Refinancing) (the "2016 COPs") in order to (1) finance a portion of the costs of the Courthouse Square Reunification Project costs, (2) refinance the City's outstanding Certificates of Participation (Building Acquisition Project) (the "2007 COPs") for debt service savings, (3)

approve the appointment of bond counsel/disclosure counsel and financial advisor for this financing, (4) rescind appropriation of \$4,533,752 from the General Fund unassigned fund balance as authorized in Resolution No. 27882, (5) appropriate \$4,200,000 from debt proceeds into the Courthouse Square Reunification Project, and (6) direct repayment of any funds already expended as authorized under Resolution No. 28790.

Attachments [Staff Report](#)

[Attachment 1](#)

[Attachment 2](#)

[Attachment 3](#)

[Attachment 4](#)

[Attachment 5](#)

[Attachment 6](#)

[Presentation](#)

[Resolution](#)

14.3 REPORT - ADOPTION OF A RESOLUTION OF INTENTION TO APPROVE AN AMENDMENT TO THE CITY OF SANTA ROSA'S CONTRACT WITH THE CALIFORNIA PUBLIC EMPLOYEES' RETIREMENT SYSTEM AND INTRODUCE AN ORDINANCE TO AMEND THE CONTRACT

BACKGROUND: Beginning in 2013, the Council prioritized pension cost sharing by City employees in labor contracts. Through negotiations in 2013 and 2014 all City employees participating in CalPERS began cost sharing by paying additional percentages towards the overall retirement cost. Through Government Code Section 20516, employees elect to have their cost sharing become part of the City's contract with CalPERS through this amendment process. This is the third cost sharing amendment the City has undertaken.

RECOMMENDATION: It is recommended by the Human Resources Department that Council, by resolution and ordinance, adopt a resolution of intention to approve an amendment to the City of Santa Rosa's Contract with the California Public Employees' Retirement System (CalPERS) and introduce an ordinance to amend the contract.

Attachments [Staff Report](#)
[Amendment](#)
[Resolution](#)
[Ordinance](#)
[Presentation](#)

14.4 REPORT - ZONING CODE INTERPRETATION TO ALLOW MEDICAL CANNABIS SUPPORT USES (NON-VOLATILE MANUFACTURING, TESTING, DISTRIBUTOR, AND TRANSPORTER)

BACKGROUND: The 2016 City Council Goal Setting Workshop established five priorities to better focus staff efforts towards achieving established City Council Goals. One of the “Tier 1” priorities is to “Pursue current opportunities for medical marijuana cannabis cultivation, lab testing, and employment development. Prepare for the impacts of prospective legalized recreational marijuana law in California.”

In response to the City Council’s goals and the state’s adoption of the Medical Marijuana Regulation and Safety Act (MMRSA), the Council has asserted its interest in retaining local authority over medical cannabis operations. On January 19, 2016, the Council initiated a comprehensive policy effort to support and provide direction on all aspects of the medical cannabis industry, including cultivation, sale, distribution, testing, transportation, manufacturing and taxation. In January 2016, the Council reconvened its Medical Cannabis Policy Subcommittee, which meets monthly. On February 23, 2016, the Council adopted an interim zoning ordinance allowing commercial cultivation of medical cannabis with a conditional use permit (City Code Chapter 20-46). The City is currently processing three use permit applications associated with commercial cultivation. In addition, the City continues to support medical cannabis dispensaries through previously approved regulations (City Code Chapter 10-40).

On May 26, 2016, the Subcommittee directed staff to seek Council support for a Draft Zoning Code Interpretation as an additional interim measure. The Interpretation addresses the manufacturing (non-volatile), testing, distribution, and transportation of medical cannabis.

In addition, staff is seeking direction to develop a permit compliance

program to help existing medical cannabis related businesses currently in operation within the City of Santa Rosa achieve code compliance.

RECOMMENDATION: It is recommended by the City Council's Medical Cannabis Policy Subcommittee, the Medical Cannabis Technical Advisory Committee, and the Planning & Economic Development Department, that the Council, by motion, 1) direct the Zoning Administrator to issue a Zoning Code Interpretation to allow medical cannabis support uses, specifically non-volatile manufacturing, testing, distributor, and transporter; and 2) direct staff to bring back a proposal for a permit compliance program for existing medical cannabis related businesses.

Attachments [Staff Report](#)

[Attachment 1 - Draft Zoning Code Interpretation - Medical \(](#)

[Attachment 2 - Public Correspondence](#)

[Presentation](#)

15. PUBLIC HEARINGS - NONE

Public Hearing matters will begin no earlier than 5:00 p.m. or as soon thereafter as the matters are reached on the agenda.

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's Office at 543-3015 or cityclerk@srcity.org 48 hours prior to the meeting. TDD 543-3063

Meeting information can also be accessed via the internet at <http://srcity.org>