

**SANTA ROSA CITY COUNCIL MINUTES
REGULAR MEETING
CITY HALL, 100 SANTA ROSA AVENUE
NOVEMBER 4, 2014**

1. CALL TO ORDER AND ROLL CALL

Mayor Bartley called the regular meeting to order at 3:00 p.m. in the Mayor's Conference Room. Council Members present: Mayor Bartley, Vice Mayor Swinth, Council Members Carlstrom, Combs, Ours, and Wysocky. Council Member Olivares was absent. Teen Council Member Taylor Wang was also in attendance from 4:00 p.m. to 5:00 p.m.

2. ANNOUNCEMENT OF CLOSED SESSION ITEMS

Mayor Bartley recessed the meeting to closed session at 3:00 p.m. to discuss the following matters:

2.1 CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION

(Paragraph (1) of subdivision (d) of Government Code Section 54956.9)

Name of Case: The Tuxhorn Company, Inc., et al., v. City of Santa Rosa Court Case No. Sonoma County Superior Court Case No. SCV-256192

2.2 CONFERENCE WITH LEGAL COUNSEL - ANTICIPATED LITIGATION

Significant exposure to litigation pursuant to paragraph (2) of subdivision (d) of Government Code Section 54956.9: One potential case.

Mayor Bartley adjourned closed session at 3:25 p.m. and reconvened the meeting to open session in the Council Chamber at 4:00 p.m.

3. STUDY SESSION - NONE

4. ANNOUNCEMENT OF ROLL CALL

City Clerk Griffin announced that all Council Members were present with the exception of Council Member Olivares.

5. REPORT ON STUDY AND CLOSED SESSIONS

City Attorney Fowler announced that the Council conferred in closed session with its legal counsel regarding Items 2.1 and 2.2 and there were no actions to report from those closed sessions.

6. PROCLAMATIONS/PRESENTATIONS

6.1 PROCLAMATION - SANTA ROSA SALUTES

Council Member Ours presented the proclamation to Karen Carrion, Suzy Lewman, and Renee Jourdain, Mothers of Active Military Members. Council Members stepped outside the Chamber to view the banners hanging on Sonoma Avenue adjacent to City Hall.

7. STAFF BRIEFINGS - NONE

8. APPROVAL OF MINUTES

8.1 October 14, 2014, Regular Meeting

Approved as submitted.

8.2 October 21, 2014, Regular Meeting

Approved as submitted with Council Member Combs abstaining.

9. MAYOR'S/COUNCILMEMBERS' REPORTS

The Mayor, members of the Council made comments, announcements and reports of interest to the Council. Teen Council Member Wang also provided a report.

9.1 STATEMENTS OF ABSTENTION BY COUNCILMEMBERS

No statements of abstention were made.

9.2 MAYOR'S/COUNCILMEMBERS' REPORTS

9.2.1 Council Subcommittee Reports – None.

9.3 REPORTS REGARDING AGENCY MEETINGS ATTENDED AND POSSIBLE COUNCIL DIRECTION TO REPRESENTATIVES ON PENDING ISSUES BEFORE SUCH BOARDS (IF NEEDED)

9.3.1 Sonoma County Transportation Authority/Regional Climate Protection Authority (SCTA/RCPA) – None.

9.3.2 Sonoma County Water Agency (SCWA) - Water Advisory Committee – Council Member Carlstrom reported on the November 3 meeting and provided a drought update.

9.3.3 Association of Bay Area Governments (ABAG) – None.

9.3.4 Sonoma County Agricultural Preservation and Open Space District Advisory Committee – None.

9.3.5 Sonoma Clean Power Authority (SCPA) – None.

9.3.6 Sonoma County Waste Management Agency (SCWMA) – None.

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

None.

11. CONSENT ITEMS

Debbi Lauchner, Chief Financial Officer, responded to questions regarding Item 11.2.

MOVED by Vice- Mayor Swinth, seconded by Council Member Ours, and **CARRIED** 6-0-1 (Mayor Bartley, Vice Mayor Swinth, Council Members, Carlstrom, Combs, Ours, and Wysocky voting yes; Council Member Olivares absent) to waive reading of the text and adopt Consent Items 11.1 through 11.3 as follows:

11.1 RESOLUTION - APPROVAL OF POLICY DELEGATING APPROVAL OF ARTWORK LOAN AGREEMENTS TO RECREATION AND PARKS DIRECTOR

RESOLUTION NO. 28571 ENTITLED: RESOLUTION OF THE COUNCIL OF THE CITY OF SANTA ROSA APPROVING A POLICY GRANTING AUTHORITY TO THE DIRECTOR OF RECREATION AND PARKS TO APPROVE AND EXECUTE ARTWORK LOAN AGREEMENTS

11.2 RESOLUTION - GOVERNMENT ACCOUNTING STANDARDS BOARD STATEMENT NO. 54 FUND BALANCE ASSIGNMENTS

RESOLUTION NO. 28572 ENTITLED: RESOLUTION OF THE COUNCIL OF THE CITY OF SANTA ROSA ASSIGNING FUND BALANCE AS OF JUNE 30, 2014 ACCORDING TO THE GOVERNMENT ACCOUNTING STANDARDS BOARD STATEMENT NO. 54

11.3 RESOLUTION - AMENDMENT TO THE CITY CLASSIFICATION AND SALARY PLAN TO MODIFY THE SALARY OF THE PAYROLL MANAGER JOB CLASS

RESOLUTION NO. 28573 ENTITLED: RESOLUTION OF THE COUNCIL OF THE CITY OF SANTA ROSA AMENDING THE CITY CLASSIFICATION AND SALARY PLAN TO MODIFY THE SALARY OF THE PAYROLL MANAGER JOB CLASS AND AUTHORIZING THE CITY MANAGER TO IMPLEMENT THESE CHANGES

12. REPORT ITEMS

12.1 REPORT - REQUEST BY PRIVATE DONOR FOR CITY FUNDING TO COMMUNITY ACTION PARTNERSHIP OF SONOMA COUNTY FOR THE ADMINISTRATION OF THE HCA FAMILY FUND PROGRAM, A HOUSING FINANCIAL ASSISTANCE PROGRAM

BACKGROUND: Since 1988, the HCA Family Fund (an anonymous donor) has provided approximately \$8 million to Community Action Partnership of Sonoma County (CAPSC) for housing financial assistance to Sonoma County residents. The City previously provided funds for the administration of the HCA Family Fund Program (Program) as part of its Public Services Program up until the end of Fiscal Year 2008/2009. The donor's representative, Dean Moser, has indicated that the HCA Family Fund is prepared to terminate all funding to CAPSC's Program unless the City is willing to provide administrative funds. Staff is proposing that the Council match the Sonoma County Community Development Commission's (CDC) 2014/2015 commitment (\$47,675) up to \$40,000 to support the administration of the Program through the end of the current fiscal year.

RECOMMENDATION: It is recommended by the Department of Economic Development and Housing that Council, by resolution, approve the Grant Agreement for the HCA Family Fund Program between the City of Santa Rosa and Community Action Partnership of Sonoma County for the period of November 5, 2014 to June 30, 2015 and appropriation of \$40,000 from General Fund (unassigned fund balance) to Key 340707.

Presenters: Kelli Kuykendall, Program Specialist, and Tim Reese, Executive Director of Community Action Partnership of Sonoma County

PUBLIC COMMENT

Dean Moser, representative of the HCA Family Fund, provided background information regarding the creation and administration of the program.

MOVED by Council Member Wysocky, seconded by Council Member Combs, and **CARRIED** 6-0-1 (Mayor Bartley, Vice Mayor Swinth, Council Members, Carlstrom, Combs, Ours, and Wysocky voting yes; Council Member Olivares absent) to waive reading of the text and adopt:

RESOLUTION NO. 28574 ENTITLED: RESOLUTION OF THE COUNCIL OF THE CITY OF SANTA ROSA APPROVING A GRANT AGREEMENT BETWEEN THE CITY

OF SANTA ROSA AND COMMUNITY ACTION PARTNERSHIP OF SONOMA COUNTY FOR THE ADMINISTRATION OF THE HCA FAMILY FUND PROGRAM AND APPROPRIATING \$40,000 FROM THE UNASSIGNED FUND BALANCE OF THE GENERAL FUND FOR THIS PURPOSE, AUTHORIZING THE MAYOR TO SIGN THE AGREEMENT AND AUTHORIZING THE CHIEF FINANCIAL OFFICER TO PAY ALL PROPER CLAIMS AND COSTS

12.2 REPORT - AB 109/REALIGNMENT AND THE SONOMA COUNTY COMMUNITY CORRECTIONS PARTNERSHIP

BACKGROUND: The Public Safety Realignment Act, AB 109, was signed into law by Governor Brown on April 4, 2011. This historic legislation altered the California Criminal Justice System by changing the definition of a felony and shifting responsibility for certain classes of offenders from the State to the County level. In response to AB 109, the County of Sonoma developed the Sonoma County Community Corrections Partnership (CCP) to manage the responsibilities and impacts of Realignment. In August 2013 Council approved Resolution No. 28322 authorizing the City Manager or designee to accept funds from the County of Sonoma related to AB 109. The CCP will make up to fifty thousand dollars (\$50,000) available to the Police Department as reimbursement for participation in special field operations related to AB109/Realignment during fiscal year 2014/2015. The Police Department is now requesting authorization to allow the Chief of Police to enter into agreements and amendments with the County of Sonoma related to the ongoing administration of AB 109 and Realignment.

RECOMMENDATION: It is recommended by the Police Department that the Council, by resolution, authorize the Chief of Police, or the Chief's designee, to negotiate, approve and execute future agreements and amendments with the County of Sonoma related to AB 109, Realignment and the Community Corrections Partnership.

Presenter: Hank Schreeder, Police Chief

Council Member Wysocky left the dais at 4:47 p.m.

MOVED by Council Member Ours, seconded by Council Member Carlstrom, and **CARRIED** 5-0-2 (Mayor Bartley, Vice Mayor Swinth, Council Members Carlstrom, Combs, and Ours voting yes; Council Members Olivares and Wysocky absent) to waive reading of the text and adopt:

RESOLUTION NO. 28575 ENTITLED: RESOLUTION OF THE COUNCIL OF THE CITY OF SANTA ROSA RATIFYING THE MOU BETWEEN THE CITY AND COUNTY OF SONOMA RELATED TO AB 109/REALIGNMENT AND AUTHORIZING THE CHIEF OF POLICE, OR THE CHIEF'S DESIGNEE, TO NEGOTIATE, APPROVE AND EXECUTE AGREEMENTS WITH THE COUNTY OF SONOMA ASSOCIATED WITH AB 109/REALIGNMENT AND THE COMMUNITY CORRECTIONS PARTNERSHIP

12.3 REPORT - SCHLESIGER RESIDENCE UTILITY CERTIFICATE (736 BLOSSOM WAY) - FILE NO. UC14-001

BACKGROUND: This request has been brought forward to the Council for a decision as the request for the sewer connection is inconsistent with Council Policy 300-02(c)(2)(a) in that City sewer service may be extended only to an "existing use" in a County island. The subject property is vacant, with a proposal to construct a new 1,800 square foot single-family residence within the Clover Drive County island. Pursuant to Council Policy 300-02(c)(9), the Council has the ability to waive sections of the Policy if

it is deemed warranted. A similar request came before the City Council on October 28, 2008, and was approved unanimously, and therefore, approval is recommended for this request.

RECOMMENDATION: It is recommended by the Community Development Department that the Council, by resolution, approve a Utility Certificate for the proposed Schlesiger residence located at 736 Blossom Way.

Presenter: Joel Galbraith, Senior Planner

Council Member Wysocky returned to the dais at 4:54 p.m.

MOVED by Council Member Carlstrom, seconded by Vice Mayor Swinth, and **CARRIED** 5-1-1 (Mayor Bartley, Vice Mayor Swinth, Council Members Carlstrom, Ours, and Wysocky voting yes; Council Member Combs voting no; Council Member Olivares absent) to waive reading of the text and adopt the following resolution as amended to include the condition requested by LAFCO, “Prior to the issuance of a City encroachment permit to connect to City sewer, LAFCO approval of an Outside Service Area Agreement is required.”:

RESOLUTION NO. 28576 ENTITLED: RESOLUTION OF THE COUNCIL OF THE CITY OF SANTA ROSA APPROVING A UTILITY CERTIFICATE FOR A NEW 1,800-SQUARE FOOT SINGLE-FAMILY RESIDENCE FOR THE PROPERTY LOCATED AT 736 BLOSSOM WAY, (APN 037-032-038) SANTA ROSA – FILE NO. UC14-001

13. PUBLIC HEARINGS

13.1 PUBLIC HEARING - SAMUEL JONES HALL HOMELESS SHELTER EXPANSION - CONDITIONAL USE PERMIT AND OPERATING AGREEMENT

BACKGROUND: The Economic Development and Housing Department filed a Conditional Use Permit application proposing to expand the number of permanent shelter beds at the Samuel Jones Hall homeless shelter to 138 and allow the operation of a 50-bed winter shelter. The application was filed in response to Council direction to explore options to expand the number of beds available to serve the homeless population of Santa Rosa.

Given the impending cold weather months, the Department is also requesting Council action on the proposed operating agreement and contract with the Shelter operator, Catholic Charities.

RECOMMENDATION: It is recommended by the Department of Community Development and the Department of Economic Development and Housing that the Council, by two resolutions, approve a conditional use permit to allow the proposed permanent expansion of homeless shelter services at Sam Jones Hall from 120 beds, to 138-beds, allow an additional 50-beds during the winter months of November-March and approve the operating agreement/contract with the proposed shelter operator, Catholic Charities.

Presenter: Noah Housh, Senior Planner

Nancy Gornowicz, Housing Manager, responded to questions.

PUBLIC HEARING

Mayor Bartley opened the public hearing at 5:25 p.m.

Michael Hilber spoke regarding the lack of a screening process for persons living at the homeless shelter.

Jim Walter spoke regarding home invasions in the neighborhood of the homeless shelter, other persons in the neighborhood who are turned away, issues involving the bus stop across the street from the shelter, and the shelter capacity being too dense for the neighborhood.

Bill Henry spoke regarding negative impacts to his property caused by the bus stop in front of his residence across the street from the homeless shelter.

Seeing no one else wishing to speak, Mayor Bartley closed the public hearing at 5:33 p.m.

Anita Winkler, Deputy Director Transit, and City Manager McGlynn responded to questions regarding the bus stop and indicated the bus stop issue will be further examined for potential solutions.

MOVED by Council Member Combs, seconded by Council Member Carlstrom, and **CARRIED** 6-0-1 (Mayor Bartley, Vice Mayor Swinth, Council Members Carlstrom, Combs, Ours, and Wysocky voting yes; Council Member Olivares absent) to waive reading of the text and adopt:

RESOLUTION NO. 28577 ENTITLED: RESOLUTION OF THE COUNCIL OF THE CITY OF SANTA ROSA MAKING FINDINGS AND DETERMINATIONS AND APPROVING A CONDITIONAL USE PERMIT FOR THE SAMUEL L. JONES HALL HOMELESS SHELTER EXPANSION - LOCATED AT 4020 FINLEY AVENUE - FILE NUMBER CUP14-065

MOVED by Council Member Combs, seconded by Council Member Carlstrom and **CARRIED** 6-0-1 (Mayor Bartley, Vice Mayor Swinth, Council Members, Carlstrom, Combs, Ours, and Wysocky voting yes; Council Member Olivares absent) to waive reading of the text and adopt:

RESOLUTION NO. 28578 ENTITLED: RESOLUTION OF THE COUNCIL OF THE CITY OF SANTA ROSA APPROVING AN AGREEMENT BETWEEN THE CITY OF SANTA ROSA AND CATHOLIC CHARITIES OF THE DIOCESE OF SANTA ROSA FOR THE OPERATION OF THE WINTER SHELTER BED PROGRAM AT SAMUEL L. JONES HALL HOMELESS SHELTER FROM NOVEMBER 5, 2014 TO MARCH 31, 2015 AND AMENDING EXISTING OPERATING AGREEMENT TO INCREASE PERMANENT BEDS FROM 120 TO 138 BOTH LOCATED AT 4020 FINLEY AVENUE, AUTHORIZING THE MAYOR TO SIGN THE AGREEMENT AND AUTHORIZING THE CHIEF FINANCIAL OFFICER TO PAY ALL PROPER CLAIMS AND COSTS

14. WRITTEN COMMUNICATIONS (AND POSSIBLE COUNCIL ACTION) – NONE.

15. PUBLIC COMMENTS ON NON-AGENDA MATTERS

Anne Seeley spoke in support of establishing a task force to identify additional homeless shelter sites.

16. ANNOUNCEMENT OF CONTINUED CLOSED SESSION ITEMS, RECESS TO CLOSED SESSION IN THE MAYOR’S CONFERENCE ROOM, RECONVENE TO OPEN SESSION, AND ANNOUNCEMENTS – NONE

17. ADJOURNMENT OF MEETING

Hearing no further business, Mayor Bartley adjourned the meeting at 5:47 p.m. in honor of CityBus Bus Operator Ludwig “Duke” Westphal. The next regularly scheduled meeting will take place on November 18, 2014, at a time to be set by the Mayor.

Approved on:

Terri A. Griffin
City Clerk