



City of Santa Rosa

City Hall
100 Santa Rosa Ave
Santa Rosa, CA 95404

CITY COUNCIL REGULAR MEETING AGENDA AND SUMMARY REPORT MAY 23, 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.

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 LABOR NEGOTIATORS
(Government Code Section 54957.6)

Agency Designated Representatives: Rhonda McKinnon, Interim Human Resources Director, Art Hartinger and Adam Benson, Renne Sloan Holtzman Sakai LLP, and Deborah Lauchner, Chief Financial Officer.

Employee Organizations: Santa Rosa Firefighters Association - Local 1401 (representing City Employee Unit 2); Operating Engineers Local 3, Maintenance and Utility System Operators (Employee Units 3 and 16); Santa Rosa City Employees Association (Employee Units 4, 6, 7); Santa Rosa Police Officers Association, (Employee Unit 5); Service Employees International Union Local 1021, (Employee Units 8 and 14); Public Safety Management Association (Employee Unit 9); Executive Management (Employee Unit 10); Middle Management (Employee Unit 11); Confidential (Employee Unit 12); Mechanics (Employee Unit 13); City Attorney (Employee Unit 15); Santa Rosa City Attorneys' Association (Employee Unit 17), Santa Rosa Management Association (Employee Unit 18).

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

Name of Case: Timothy Aboudara, Jr. et al. v. City of Santa Rosa
Court Case No. USDC Northern District of CA 3:17-cv-01661

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 PRESENTATION - THE DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT 2016 HOUSING CHOICE VOUCHER PROGRAM HIGH PERFORMER AWARD

Attachments [Presentation](#)

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 AN URGENCY ORDINANCE TO REMOVE THE LIMITED LIGHT INDUSTRIAL (LIL) ZONING DISTRICT WHICH INCLUDES THE MAXWELL COURT NEIGHBORHOOD FROM THE ALLOWABLE LAND USES IN THE INTERIM ORDINANCE FOR CANNABIS CULTIVATION

BACKGROUND: At the May 16, 2017, City Council meeting, Vice Mayor Tibbetts requested a future agenda item to consider an urgency ordinance to remove the Limited Light Industrial (LIL) Zoning District, which includes the Maxwell Court neighborhood, from the eligible districts for cannabis cultivation use in the interim ordinance for cannabis cultivation. Council Member Schwedhelm concurred.

11. APPROVAL OF MINUTES - NONE

12. CONSENT ITEMS

12.1 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](#)

12.2 RESOLUTION - CONTRACT AWARD - BROADCAST MEDIA EQUIPMENT RACK

RECOMMENDATION: It is recommended by the Finance and Information Technology Departments, that the Council, by resolution, approve contract award for a broadcast media equipment rack,

installation setup, training, and warranty services for the Council media room to Mark Latimer & Associates, Inc. dba Coda Technology Group, Petaluma, CA, in the total amount not to exceed \$161,003.14.

Attachments [Staff Report](#)

[Resolution](#)

[Exhibit A](#)

[Presentation](#)

12.3 RESOLUTION - RESOLUTION OF LOCAL SUPPORT FOR THE FEDERAL TRANSIT ADMINISTRATION LOW OR NO EMISSION BUS DISCRETIONARY GRANT PROGRAM APPLICATION

RECOMMENDATION: It is recommended by the Transportation and Public Works Department that the Council, by resolution, support and authorize the City Manager or designee to execute and submit a joint City of Santa Rosa/Sonoma County Transit grant application with the Federal Transit Administration under the Federal Transit Administration Low or No Emission Bus Discretionary Grant Program for the purchase of electric buses, charging equipment and required infrastructure upgrades.

Attachments [Staff Report](#)

[Resolution](#)

[Presentation](#)

12.4 RESOLUTION - THIRD AMENDMENT TO PROFESSIONAL SERVICES AGREEMENT WITH ECONOMIC AND PLANNING SYSTEMS, INC., FOR PROJECT MANAGEMENT AND TECHNICAL SUPPORT RELATED TO THE HOUSING ACTION PLAN

RECOMMENDATION: It is recommended by the Planning and Economic Development Department that the Council, by resolution, approve a third amendment to professional services agreement with Economic and Planning Systems, Inc., of Oakland, CA, adding an additional amount of \$63,425.00 for a total contracted amount of \$194,805.00, providing for the completion of project management and technical support efforts related to refining, completing and measuring the results of the Housing Action Plan.

Attachments [Staff Report](#)
[Resolution](#)
[Exhibit A - Third Amendment to Professional Services Agreement](#)
[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 - AFFORDABLE HOUSING INCENTIVE FUND PILOT PROGRAM FUNDING RECOMMENDATIONS

BACKGROUND: Faced with a significant housing shortage and prolonged financial and market effects of the recent recession, the City Council approved a Housing Action Plan that addresses how to increase housing production and achieve a goal of Housing for All. As an early step in implementing the Housing Action Plan, the Council initiated the Affordable Housing Incentive Fund Pilot Program (“AHIFPP”) funded with \$3 million from General Fund Reserves. The AHIFPP objective is to incentivize the production or preservation of the most affordable housing in the shortest timeframe, utilizing the least amount of City funds, targeted to the lowest income level for the longest time period.

The City received eight applications seeking all or part of the \$3 million in response to a Notice of Funding Availability (“NOFA”). Funding recommendations were made by a review team consisting of Vice-Mayor Tibbetts, Councilmember Rogers and staff from the Housing and Community Services Department (“HCS”), Planning and Economic Development Department (“PED”) and the City Attorney’s Office (“CAO”).

The reviewers recommend that four applications receive funding consistent with the AHIFPP and the Housing Action Plan for a total of

\$2,750,000 to incentivize development of 27 rental units, mostly for extremely low-income households, four ownership homes for low-income families, and 6 ownership homes for moderate-income families together with 19 market rate homes for a total of 56 new housing units. The Council may reserve the remaining \$250,000 to address affordable housing or homeless services emerging needs.

RECOMMENDATION: It is recommended by the Housing and Community Services Department and the Planning and Economic Development Department that the Council approve the following actions to implement the Affordable Housing Incentive Fund Pilot Program in the total aggregate amount of \$3 million: (1) by four separate resolutions, conditionally commit \$1,134,552 for Acacia Village, \$895,448 for Benton Veterans Village, \$220,000 for Harris Place (formerly Comstock Place), and \$500,000 for Stonehouse Family Housing to assist the production of affordable rental and ownership housing; and (2) by motion, reserve \$250,000 for affordable housing or homeless services to address emerging needs.

Attachments [Staff Report](#)
[Attachment 1](#)
[Attachment 2](#)
[Resolution 1](#)
[Resolution 2](#)
[Resolution 3](#)
[Resolution 4](#)
[Presentation](#)

14.2 REPORT - PLAN BAY AREA 2040 DRAFT PLAN

BACKGROUND: An update of Plan Bay Area, the Bay Area's Sustainable Communities Strategy as required by Senate Bill 375, is underway by the Metropolitan Transportation Commission and the Association of Bay Area Governments. The purpose of this item is to review the Plan Bay Area 2040 Draft Plan which has recently been released.

RECOMMENDATION: It is recommended by the Planning and Economic Development Department that the Council, by motion, authorize the Mayor to sign a letter submitting comments to the Metropolitan

Transportation Commission and the Association of Bay Area Governments regarding the Plan Bay Area 2040 Draft Plan.

Attachments [Staff Report](#)

[Attachment 1 - Map of SR PDAs](#)

[Attachment 2 - Comments on Plan Bay Area 2040 Land Use](#)

[Attachment 3 - Memo from MTC and ABAG PBA 2040 Dra](#)

[Attachment 4 - Goals and performance targets](#)

[Attachment 5 - Preferred Scenario Comment Letter 10-12-](#)

[Attachment 6 - Plan Bay Area 2040 Draft Plan](#)

[Attachment 7 - Land Use Modeling Supplemental Report](#)

[Attachment 8 - Draft comment letter](#)

[Attachment 9 - ABAG-MTC Response Letter 12-29-16](#)

[Presentation](#)

- 14.3** REPORT - URGENCY ORDINANCE TO IMPOSE TEMPORARY MORATORIUM ON THE OUTDOOR CULTIVATION OF CANNABIS FOR EITHER PERSONAL OR COMMERCIAL PURPOSES (Continued from the May 2, 2017, Regular Meeting)

BACKGROUND: In an urban setting, the outdoor cultivation of cannabis can create adverse impacts on surrounding neighbors, including odor, security risks and environmental hazards. State law allows local jurisdictions, at their discretion, to regulate, or prohibit entirely, the outdoor cultivation of cannabis, whether for personal use and/or commercial purposes.

Over the past year, the Council's Medical Cannabis Policy Subcommittee has been working with staff and with cannabis industry stakeholders to develop comprehensive policies to regulate medical cannabis businesses within the City limits. The Subcommittee has recognized the potential adverse impacts of outdoor cannabis cultivation and has recommended that the draft policy include a ban on all outdoor growing of cannabis. The draft policy is expected to be released for public review next month.

In the interim, state law and the City Code currently permit outdoor cannabis cultivation under limited circumstances.

To best protect the public peace, health and safety while the City completes the evaluation and public processing of the draft comprehensive policy, a moratorium on all outdoor cultivation of cannabis is proposed. The proposed moratorium will affect only the outdoor cultivation of cannabis. The proposed moratorium will not affect current state and local allowances for the personal use or possession of cannabis, personal or commercial cultivation of cannabis indoors or in greenhouses, or the manufacturing, distribution or dispensing of medical cannabis

The proposed moratorium is an urgency ordinance under Government Code section 65858 that would go into effect immediately upon enactment and last for an initial period of 45 days. If, after the initial period of 45 days, additional time is necessary for the issue to be studied and regulations finalized, Council may adopt a subsequent urgency ordinance to maintain the moratorium in effect for up to an additional 10 months and 15 days. Under the City Charter, five affirmative votes are necessary to adopt an urgency ordinance.

RECOMMENDATION: It is recommended by the Planning and Economic Development Department that the Council (1) adopt an urgency ordinance to impose a temporary moratorium on the outdoor cultivation of cannabis, for either personal or commercial purposes, to allow time for development of appropriate regulations, and (2) direct staff to return to the Council on June 13, 2017 to present, for Council's consideration, a written report describing the measures taken to alleviate the condition leading to the adoption of the urgency ordinance and to provide Council an opportunity to determine whether to extend the temporary moratorium on the outdoor cultivation of cannabis for an additional 10 months and 15 days to allow additional time for study and finalization of appropriate regulations.

Attachments [Staff Report](#)
[Attachment 1 - Correspondence](#)
[Ordinance](#)
[Presentation](#)

15. PUBLIC HEARINGS - NONE.

16. WRITTEN COMMUNICATIONS (AND POSSIBLE COUNCIL ACTION)

- 16.1** MINOR CONTRACT AWARD - BRIDGE REPAIR - DECK TREATMENT
- Provided for information.

Attachments [Memo](#)

- 16.2** LETTER OF OPPOSITION TO AB 1250 COUNTIES AND CITIES:
CONTRACTS FOR PERSONAL SERVICES - Provided for information.

Attachments [Letter](#)

- 16.3** LETTER OF SUPPORT FOR SB 231 (HERTZBERG) LOCAL
GOVERNMENT: STORM WATER MANAGEMENT - For Council action.

Attachments [Memo to Council](#)
[Letter of Support](#)
[SB 231](#)

- 16.4** LETTER OF SUPPORT SONOMA LAND TRUST GRANT
APPLICATION FOR SOUTHEAST GREENWAY - For Council action.

Attachments [Letter from Mayor](#)

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](#)

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

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

City Council

MAY 23, 2017

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 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.