



**City Council  
Regular Meeting Minutes - Final**

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Tuesday, August 29, 2017

2:00 PM

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**1. CALL TO ORDER AND ROLL CALL**

Mayor Coursey called the closed session to order at 2:07 p.m.

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

**2. ANNOUNCEMENT OF CLOSED SESSION ITEMS**

Mayor Coursey recessed the meeting to closed session at 2:07 p.m. to discuss Item 2.1 as listed on the agenda:

**2.1 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 Coursey adjourned the closed session at 3:42 p.m. and reconvened the meeting to open session in the Council Chamber at 4:03 p.m.

**3. STUDY SESSION - NONE.**

**4:00 P.M. (CITY COUNCIL CHAMBER)**

**4. ANNOUNCEMENT OF ROLL CALL**

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

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

City Attorney Gallagher reported on Item 2.1 that Council provided direction and that there was no action to report.

## **6. PROCLAMATIONS/PRESENTATIONS**

### **6.1 PROCLAMATION - 2017 EMPLOYEE FUND DRIVE**

Attachments: [Proclamation](#)

Vice Mayor Tibbetts read the proclamation and presented it to Chair Kimberly Zunino, Co-Chair Julie Guzy, and Dominique Flores, with United Way.

## **7. STAFF BRIEFINGS - NONE.**

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

City Manager McGlynn provided a brief report regarding the hurricane in Texas; Santa Rosa Fire rescue and relief efforts in Texas and Oregon; Economic Planning Department tour; and of the scheduled Community Engagement Open House series.

## **9. STATEMENTS OF ABSTENTION BY COUNCILMEMBERS**

There were no statements of abstention made.

## **10. MAYOR'S/COUNCILMEMBERS' REPORTS**

Mayor and Council Members made announcements and reports of interest to the Council.

Council Member Sawyer announced his appointment of Zach Darling to the Art in Public Places Committee; and thanked Peter Stanley for his service on the Planning Commission.

### **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)**

Council Member Sawyer provided a brief report.

**10.1.8 Groundwater Sustainability Agency (GSA)**

**10.1.9 Other**

**11. APPROVAL OF MINUTES**

11.1 August 8, 2017, Regular Meeting.

Attachments: [Draft Minutes](#)

**Approved as submitted.**

**12. CONSENT ITEMS**

PUBLIC COMMENT

Duane DeWitt requested for additional information for Items 12.1 and 12.2; spoke in opposition to Item 12.9; and requested for additional options for Item 12.10.

Colleen Fernald spoke in opposition to Item 12.1.

**Approval of the Consent Agenda**

**A motion was made by Vice Mayor Tibbetts, seconded by Council Member Rogers, to waive reading of the text and adopt Consent Items 12.1, 12.3 through 12.8, and 12.10 through 12.12. The motion carried by the following vote:**

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

12.1 RESOLUTION - COMMUNITY CRIME PREVENTION ASSOCIATES CONTRACT EXTENSION

RECOMMENDATION: It is recommended by the Office of Community

Engagement that the Council, by Resolution: 1) extend the term for the Community Crime Prevention Associates contract from September 1, 2017 through February 28, 2018 to allow time for completion of the new Santa Rosa Violence Prevention Partnership's Strategic Plan for the period of 2017-2022 and approve the corresponding increase in funding, and 2) authorize the City Manager or designee to approve and execute the amendment with Community Crime Prevention Associates, subject to approval as to form by the City Attorney.

**Attachments:**    [Staff Report](#)  
                          [Resolution](#)  
                          [Exhibit A](#)  
                          [Presentation](#)

**This Consent - Resolution was approved.**

**RESOLUTION NO. RES-2017-162 ENTITLED: RESOLUTION OF THE COUNCIL OF THE CITY OF SANTA ROSA APPROVING A THIRD AMENDMENT TO THE PROFESSIONAL SERVICE AGREEMENT F001036 WITH COMMUNITY CRIME PREVENTION ASSOCIATES FOR EVALUATION SERVICES FOR THE MEASURE O CHOICE GRANT PROGRAM**

**12.2            RESOLUTION - MEASURE O CYCLE VIII CHOICE GRANT PROGRAM EXTENSION**

RECOMMENDATION: It is recommended by the Office of Community Engagement that the Council, by resolution: 1) extend the term for Cycle VIII of the CHOICE grant program from September 1, 2017 through December 31, 2017 to allow time for completion of the new Santa Rosa Violence Prevention Partnership's Strategic Plan for the period of 2017-2022 and approve the corresponding increase in funding, and 2) authorize the City Manager or designee to approve and execute the amendments with CHOICE Cycle VIII funded agencies, subject to approval as to form by the City Attorney.

**Attachments:**    [Staff Report](#)  
                          [Resolution](#)  
                          [Exhibit A](#)  
                          [Exhibit B](#)  
                          [Presentation](#)  
                          [Resolution Revised \(Redline\)](#)  
                          [Resolution Revised](#)

**A motion was made by Vice Mayor Tibbetts, seconded by Council Member Schwedhelm to waive reading of the text and adopt Consent Item 12.2.**

**A second motion was made by Council Member Combs, seconded by Council Member Sawyer, to waive reading of the text as amended to include language in the Salvation Army's Funding Agreement Amendment for the Double Punches Boxing Club program that modifies the current scope of work to limit sparring to preclude those 14 and under from sparring activities and adopt:**

**RESOLUTION NO. RES-2017-170 ENTITLED: RESOLUTION OF THE COUNCIL OF THE CITY OF SANTA ROSA APPROVING THE FUNDING EXTENSION FOR THE CYCLE VIII CHOICE GRANT PROGRAM THROUGH DECEMBER 31, 2017 AND GRANTING AUTHORITY TO THE CITY MANAGER OR HIS DESIGNEE TO APPROVE AND EXECUTE FUNDING AGREEMENT AMENDMENTS**

**The motion carried by the following vote:**

**Yes:** 5 - Mayor Coursey, Vice Mayor Tibbetts, Council Member Combs, Council Member Rogers and Council Member Sawyer

**No:** 2 - Council Member Olivares and Council Member Schwedhelm

**12.3 RESOLUTION - CONTRACT AMENDMENT 2 - DIESEL AND UNLEADED GAS WITH DELIVERY**

RECOMMENDATION: It is recommended by the Finance Department that the Council, by resolution, approve the Second Amendment to General Services Agreement (GSA) #F000649 with Ramos Oil Company, Inc., Sacramento, California, to exercise the final one-year extension option of the Agreement and increase contract compensation by \$360,000, for a total amount not to exceed \$805,000.

**Attachments:** [Staff Report](#)  
[Resolution](#)  
[Exhibit A](#)  
[Presentation](#)

**This Consent - Resolution was adopted.**

**RESOLUTION NO. RES-2017-163 ENTITLED: RESOLUTION OF THE COUNCIL OF THE CITY OF SANTA ROSA APPROVING THE SECOND AMENDMENT TO GENERAL SERVICES AGREEMENT NUMBER F000649 WITH RAMOS OIL COMPANY, INC**

**12.4 RESOLUTION - EXTEND TERM OF FRANCHISE AGREEMENT FOR**

## TOW VENDOR OPERATORS FOR A SECOND ONE-YEAR EXTENSION

RECOMMENDATION: It is recommended by the Police Department that the Council, by resolution, pursuant to Chapter 6-84.010 of the Santa Rosa City Code, extend the term of the Franchise Agreements for Tow Vendor Operators for a second, one-year extension.

**Attachments:**    [Staff Report](#)  
                          [Resolution](#)  
                          [Exhibit A](#)  
                          [Exhibit B](#)

**This Consent - Resolution was adopted.**

## **RESOLUTION NO. RES-2017-164 ENTITLED: RESOLUTION OF THE COUNCIL OF THE CITY OF SANTA ROSA GRANTING A SECOND ONE-YEAR EXTENSION OF THE TERM OF TOW VENDOR FRANCHISES**

**12.5**      RESOLUTION - AUTHORIZING SUBMITTAL OF AN OUTDOOR ENVIRONMENTAL EDUCATION FACILITIES GRANT APPLICATION TO THE NATURAL RESOURCES AGENCY OF THE DEPARTMENT OF PARKS AND RECREATION FOR THE IMPROVEMENT OF A PLACE TO PLAY COMMUNITY PARK

RECOMMENDATION: It is recommended by the Recreation and Parks Department that the Council, by resolution, authorize the submittal of an application to the Natural Resources Agency of the California Department of Parks and Recreation, Outdoor Environmental Education Facilities Grant for the improvement of A Place to Play Community Park in the amount of \$500,000 and further authorize the Director of Recreation and Parks to act as the designated position to submit the application, execute a grant agreement and any amendments, subject to approval as to from by City Attorney, and administer the grant, and to authorize the Chief Financial Officer to increase appropriations in revenue and expenditures by the approved grant award.

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

**This Consent - Resolution was adopted.**

## **RESOLUTION NO. RES-2017-165 ENTITLED: RESOLUTION OF THE**

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**COUNCIL OF THE CITY OF SANTA ROSA APPROVING THE APPLICATION FOR OUTDOOR ENVIRONMENTAL EDUCATION FACILITIES GRANT FUNDS FOR A PLACE TO PLAY PARK; DELEGATION OF AUTHORITY TO APPROVE AND EXECUTE GRANT DOCUMENTS TO THE DIRECTOR OF RECREATION AND PARKS DEPARTMENT**

**12.6 MOTION - CONTRACT AWARD - PAVEMENT PREVENTIVE MAINTENANCE 2017**

RECOMMENDATION: It is recommended by the Transportation and Public Works Department that the Council, by motion, award Contract No. C02122, Pavement Preventive Maintenance 2017, applying slurry seal coating to five arterial and collector streets, in the amount of \$888,748.80 to the lowest responsible bidder, Argonaut Constructors, Inc. of Santa Rosa, California, approve a 15% contract contingency, and authorize a total contract amount of \$1,022,061.12.

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

**This Consent - Motion was approved.**

**12.7 RESOLUTION - CONTRACT - ADD FUNDS - MAINTENANCE AND REPAIR OF HVAC EQUIPMENT**

RECOMMENDATION: It is recommended by the Water, Transportation and Public Works and Finance Departments that the Council, by resolution, (1) approve the Second Amendment to General Services Agreement (GSA) #F001312 with Alan Troxel, dba Troxel HVAC, Petaluma, California, to add funding to the contract term in the amount of \$200,000, for a total amount not to exceed of \$389,000 which includes \$29,800 in unpaid invoices for miscellaneous repair services performed in excess of the approved not to exceed amount for the period of February 2017 and May 2017 through August 2017 and (2) amend the fiscal year (FY) 2017-18 adopted General Fund Budget in the Transportation and Public Works Department appropriating an additional \$200,000 from the General Fund unassigned fund balance.

**Attachments:**    [Staff Report](#)  
                          [Resolution](#)  
                          [Exhibit A](#)  
                          [Presentation](#)

**This Consent - Resolution was adopted.**

**RESOLUTION NO. RES-2017-166 ENTITLED: RESOLUTION OF THE COUNCIL OF THE CITY OF SANTA ROSA APPROVING THE SECOND AMENDMENT TO GENERAL SERVICES AGREEMENT F001312 WITH ALAN TROXEL, DBA TROXEL HVAC, PETALUMA, CA**

**12.8 RESOLUTION - SUBMITTAL OF BP SOLAR CLASS ACTION SETTLEMENT CLAIMS**

RECOMMENDATION: It is recommended by Santa Rosa Water and Recreation & Parks Department staff that the Council, by resolution, approve the submittal of settlement claims in the BP Solar International, Inc. class action litigation and authorize the Water Department Director and the Recreation & Parks Director, or their designee, to sign the claim forms on behalf of the City.

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

**This Consent - Resolution was adopted.**

**RESOLUTION NO. RES-2017-167 ENTITLED: RESOLUTION OF THE COUNCIL OF THE CITY OF SANTA ROSA AUTHORIZING SUBMITTAL OF BP SOLAR CLASS ACTION SETTLEMENT CLAIM FORMS AND AUTHORIZING THE WATER DEPARTMENT DIRECTOR AND RECREATION AND PARKS DIRECTOR TO SIGN THE CLAIM FORMS**

**12.9 RESOLUTION - THIRD AMENDMENT TO PROFESSIONAL SERVICES AGREEMENT F001128 WITH THE SANTA ROSA CHAMBER OF COMMERCE**

RECOMMENDATION: It is recommended by the Planning and Economic Development Department that the Council, by resolution, approve a Third Amendment to Professional Services Agreement number F001128 with the Santa Rosa Chamber of Commerce for downtown services for the remainder of the 5-year contract established on March 7, 2016 for a total of \$113,760, with a not to exceed amount of \$190,160.



**Attachments:**   [Staff Report](#)  
                          [Resolution](#)  
                          [Exhibit A](#)  
                          [Presentation](#)

**A motion was made by Vice Mayor Tibbetts, seconded by Council Member Sawyer, to waive reading of the text and adopt:**

**RESOLUTION NO. RES-2017-171 ENTITLED: RESOLUTION OF THE COUNCIL OF THE CITY OF SANTA ROSA APPROVING THE THIRD AMENDMENT TO PROFESSIONAL SERVICES AGREEMENT WITH SANTA ROSA CHAMBER OF COMMERCE TO ACT AS THE DOWNTOWN MERCHANT ASSOCIATION**

**The motion carried by the following vote:**

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

**No:** 1 - Council Member Combs

**12.10        RESOLUTION - AMENDMENT TO SAMUEL L. JONES HALL HOMELESS SHELTER AGREEMENT**

**RECOMMENDATION:** It is recommended by the Housing and Community Services Department that the Council, by resolution, approve the First 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, per Council direction at its meeting on July 11, 2017 to consolidate these programs into a 188-bed year-round housing-focused shelter, and increase the total compensation under the agreement from \$572,803 to \$1,069,714, utilizing \$496,911 of the \$600,000 approved as part of the Fiscal Year 2017/2018 budget for the expansion of Housing First homeless services.

**Attachments:**   [Staff Report](#)  
                          [Resolution](#)  
                          [Exhibit A](#)  
                          [Presentation](#)

**This Consent - Resolution was adopted.**

**RESOLUTION NO. RES-2017-168 ENTITLED: RESOLUTION OF THE COUNCIL OF THE CITY OF SANTA ROSA APPROVING A FIRST**

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**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, LOCATED AT 4020 FINLEY AVENUE**

- 12.11** RESOLUTION - ASSESSMENT LIEN AGAINST THE REAL PROPERTY LOCATED AT 1350 & 1352 PAGE COURT, SANTA ROSA, CA 95407

RECOMMENDATION: It is recommended by the Department of Housing and Community Services that the Council, by resolution, approve the special assessment lien in the amount of \$1,793.00 against the property located at 1350 & 1352 Page Court for violations of the City Code that remain uncorrected by the responsible parties, Steven Mc Donald, and authorize recording of a lien and placing the assessment on the property tax roll for collection.

**Attachments:**    [Staff Report](#)  
[Attachment 1 - Administrative Enforcement Order](#)  
[Attachment 2 - Cert Of Service](#)  
[Attachment 3 - Case File Photographs](#)  
[Attachment 4 - Property Detail Report](#)  
[Attachment 5 - Vicinity Map](#)  
[Resolution](#)  
[Presentation](#)

**This Consent - Resolution was adopted.**

**RESOLUTION NO. RES-2017-169 ENTITLED: RESOLUTION OF THE COUNCIL OF THE CITY OF SANTA ROSA CONFIRMING THE AMOUNT OF A SPECIAL ASSESSMENT, CONFIRMING AND ORDERING THE RECOVERY OF PENALTIES AND COSTS ASSESSED AND IMPOSED BY THE ADMINISTRATIVE HEARING OFFICER FOR VIOLATIONS OF CITY CODE PROVISIONS OCCURING ON THE PROPERTY AT 1350 & 1352 PAGE COURT, SANTA ROSA, A.P.N. 125-342-031, AND ORDERING THE ASSESSMENT BE COLLECTED ON THE TAX ROLL BY THE SONOMA COUNTY TAX COLLECTOR**

- 12.12** ORDINANCE ADOPTION - APPROVING A REZONING REQUEST TO ALLOW A MODIFICATION TO THE COURTSIDE VILLAGE POLICY STATEMENT TO ALLOW A DENSITY TRANSFER FOR THE DEVELOPMENT OF THE PARK LANE II APARTMENTS, LOCATED AT 1001 DOUBLES DRIVE, ASSESSOR'S PARCEL NO. 035-690-103,

FILE NO. MJP14-010

RECOMMENDATION: This ordinance, introduced at the August 15, 2017, Regular Meeting by a 6-0-1 vote (Council Member Combs absent), rezones a modification to the Courtyard Village Policy Statement to allow a density transfer for the development of the Park Lane II Apartments, located at 1001 Doubles Drive, Assessor's Parcel No. 035-690-103, File No. MJP14-010.

Attachments: [Ordinance](#)

**This Consent - Ordinance was adopted.**

**ORDINANCE NO. RES-2017-014 ENTITLED: ORDINANCE OF THE COUNCIL OF THE CITY OF SANTA ROSA APPROVING A REZONING REQUEST TO ALLOW A MODIFICATION TO THE COURTSIDE VILLAGE POLICY STATEMENT TO ALLOW A DENSITY TRANSFER FOR THE DEVELOPMENT OF THE PARK LANE II APARTMENTS, LOCATED AT 1001 DOUBLES DRIVE, ASSESSOR'S PARCEL NO. 035-690-103, FILE NO. MJP14-010**

The time not yet being 5:00 p.m., Mayor Coursey took Report Item 14.1 before Item 13.1 - Public Comment on Non-Agenda Matters.

### **13. PUBLIC COMMENT ON NON-AGENDA MATTERS**

Marty Bennett spoke regarding affordable housing and living wages for hotel workers.

Thomas Ells spoke regarding the emergency shelters provided in other jurisdictions.

Duane DeWitt spoke regarding the Citizen Involvement Task Force report.

Mikeal O'Toole spoke regarding the Housing First model.

Colleen Fernald spoke regarding the use of force.

Peter Tscherneff spoke regarding transparency.

Leticia Pacheco spoke in support of increasing the hotel worker

living wage.

Elba Guevera spoke in support of increasing the hotel worker living wage.

Juanita Galipo spoke in support of increasing the hotel worker living wage.

Gary Federico spoke in support of increasing the hotel worker living wage.

Mayor Coursey recessed the meeting at 7:45 p.m. and reconvened the meeting at 8:07 p.m.

#### **14. REPORT ITEMS**

##### **14.1 REPORT - RESOLUTION APPROVING SOLID WASTE COLLECTION SERVICES AGREEMENT BETWEEN THE CITY OF SANTA ROSA AND RECOLOGY**

**BACKGROUND:** The City and North Bay Corporation have had an exclusive franchise agreement in place for the collection of solid waste, organic waste and recyclable materials since 2003. The agreement was last amended in 2010 and expires on December 31, 2017.

In September, 2016, City staff held two public meetings to receive public input and feedback regarding collection services in the City. The public expressed a desire for improved recycling and diversions rates, the need for education and outreach from the new collection services provider, improved customer service, and a preference for the selection of a quality services provider rather than the selection of the least expensive provider.

On October 20, 2016, the City issued a request for proposals (RFP) for collection services providers for the award of an exclusive franchise agreement in the City of Santa Rosa to commence on January 1, 2018.

**RECOMMENDATION:** It is recommended by the City Manager's Office that the Council, by resolution, approve the Solid Waste Collection Services Agreement between the City of Santa Rosa and Recology.

**Attachments:** [Staff Report](#)  
[Resolution](#)  
[Exhibit A](#)  
[Presentation](#)

Presented by Gloria Hurtado, Deputy City Manager.

## PUBLIC COMMENT

Betty Rowell spoke in opposition to replacing the trash bins and to rate increases.

Duane DeWitt spoke in opposition to replacing the trash bins and to rate increases..

Matt Myres spoke in support of a zero waste policy.

June Brashares spoke in support of the item.

Sunny Galbraith spoke in support of the item.

Mara Ventura spoke in support of the item.

Laura Neish spoke in support of the item.

Peter Tscherneff spoke in support of the item.

Brian Ling, Sonoma County Alliance, spoke in opposition to the timing, requested for transparency, and opposition to rate increases.

Annette Elder spoke in opposition to the increase of rates.

Thomas Ells spoke in opposition to the length of time to submit the waste management bids.

Colleen Fernald spoke in opposition to the item.

Gregory Fearon spoke in support of the item.

Patrick Carter spoke in support of the item.

Katie Sanchez spoke in opposition to not include city schools.

Nicole Rinauro spoke in opposition to not include city schools.

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

**RESOLUTION NO. RES-2017-172 ENTITLED: RESOLUTION OF THE COUNCIL OF THE CITY OF SANTA ROSA APPROVING THE SOLID WASTE COLLECTION SERVICES AGREEMENT BETWEEN THE CITY OF SANTA ROSA AND RECOLOGY SONOMA MARIN, DBA RECOLOGY SANTA ROSA TO PROVIDE THE CITY'S GARBAGE, RECYCLABLE MATERIAL AND ORGANIC WASTE COLLECTION SERVICES**

**Council requested that staff return with reduced rate options for senior and low-income customers at a future meeting.**

**The motion carried by the following vote:**

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

**14.2 REPORT - RESOLUTION - CALIFORNIA VOTING RIGHTS ACT**

BACKGROUND: The Southwest Voter Registration Education Project (the "Education Project"), through its attorney Kevin Shenkman, has submitted a certified letter challenging the City's at-large election of council members. The Education Project alleges that racially polarized voting within the City has combined with the City's at-large election system to impair the ability of Latino voters to elect candidates of their choice or to influence the outcome of an election. The Education Project thus alleges that the City's at-large election system may violate the California Voting Rights Act, and it threatens litigation if the City does not voluntarily transition to a district-based election system. Attorney Shenkman has submitted similar claims against cities, counties and school districts throughout California. The City Attorney recommends that the Council give direction as to the appropriate response to the allegations.

RECOMMENDATION: It is recommended by the City Attorney that

Council state its intent to respond to a legal challenge, brought under the California Voting Rights Act, to Santa Rosa's at-large voting system. Council action may be by: 1) Motion directing staff to research and defend against claims that the City's at-large election system violates the California Voting Rights Act; 2) Resolution stating Council's intent to place a measure on the ballot in June 2018, or as soon thereafter as is practical, proposing an amendment to the City Charter to transition the City to a district-based election system, and directing staff to undertake associated actions; 3) Resolution stating Council's intent to transition to district-based elections by ordinance adopted pursuant to Elections Code Section 10010 and Government Code Section 34886, and directing staff to undertake associated actions; or 4) Motion directing staff to seek declaratory relief in Superior Court.

**Attachments:**    [Staff Report](#)  
                          [Attachment 1](#)  
                          [Resolution 1](#)  
                          [Exhibit A Res 1](#)  
                          [Resolution 2](#)  
                          [Exhibit A Res 2](#)  
                          [Exhibit A Res 2 REVISED 9/8/17](#)  
                          [Presentation](#)

Presented by Sue Gallagher, City Attorney.

## PUBLIC COMMENT

Duane DeWitt spoke in support of district elections and the safe harbor provision.

John McHugh spoke in opposition to district elections.

Colleen Fernald spoke in support of district elections.

Elaine B. Holtz spoke in support of district elections.

Lee Dibble spoke in support of district elections and requested that an alternate term and methods be considered, such as cumulative voting.

Bob Hansen spoke in support of district elections.

Caroline Banuelos spoke in support of district elections.

Thomas Ells spoke in support of district elections.

**A motion was made by Mayor Coursey, seconded by Council Member Combs, to waive reading of the text and adopt:**

**RESOLUTION NO. RES-2017-173 ENTITLED: RESOLUTION OF THE COUNCIL OF THE CITY OF SANTA ROSA DECLARING ITS INTENT TO INITIATE PROCEDURES FOR A TRANSITION FROM AT-LARGE TO DISTRICT-BASED COUNCIL MEMBER ELECTIONS PURSUANT TO ELECTIONS CODE SECTION 10010 AND GOVERNMENT CODE SECTION 34886, DIRECTING STAFF TO RETAIN A QUALIFIED DEMOGRAPHER AND OTHER CONSULTANTS AS NECESSARY; AND APPROVING A TENTATIVE TIMELINE FOR CONDUCTING PUBLIC HEARINGS, FORMULATING PROPOSED DISTRICT MAPS AND ELECTION SYSTEMS, AND PRESENTING DRAFT ORDINANCE TO COUNCIL FOR DECISION**

**The motion carried by the following vote:**

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

**15. PUBLIC HEARINGS - NONE.**

**16. WRITTEN COMMUNICATIONS - NONE.**

**17. PUBLIC COMMENTS ON NON-AGENDA MATTERS**

Annette Elder spoke regarding court rulings.

David Petritz spoke in support of a zero waste policy.

Eric Fraser, of the Cherry Street Historic District Neighborhood, spoke in support of sidewalk repairs and expressed safety concerns.

Elaine B. Holtz spoke in support of election districts and commended the Council for their efforts.



**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, Mayor Coursey adjourned the meeting at 9:52 p.m. The next regularly scheduled meeting will take place on September 5, 2017, at a time set by the Mayor.

**20. UPCOMING MEETINGS**

**20.1 UPCOMING MEETINGS LIST**

**Attachments:** [List](#)

**This item was received and filed.**

Approved on: September 26, 2017

/s/  
Daisy Gomez  
City Clerk