



City of Santa Rosa

City Hall
100 Santa Rosa Avenue
Santa Rosa, CA 95404

City Council Regular Meeting Minutes - Draft

Tuesday, January 10, 2017

4:00 PM

1. CALL TO ORDER AND ROLL CALL

Mayor Coursey called the meeting to order at 4:05 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 - NONE.

3. STUDY SESSION - NONE.

4. REPORT, IF ANY, ON STUDY AND CLOSED SESSIONS - NONE.

5. PROCLAMATIONS/PRESENTATIONS

5.1 PROCLAMATION - SANTA ROSA STANDS TOGETHER FOR WOMEN DAY

Council Member Combs read the proclamation and presented it to Ann McGivern, Founder of Sonoma County Stands Together for Women Movement.

6. STAFF BRIEFINGS - NONE.

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

City Manager McGlynn reported that Colleen Ferguson, Deputy Director of Transportation and Public Works, will receive an Outstanding Public Official Award by the American Society of Civil Engineers; an update to the effects of the storm in Santa Rosa; the expanded efforts from homeless agencies providing charity services; the status of PG&E customers having power in Santa Rosa; that the Russian River will rise to 38.3 feet of flood stage according to the California Nevada River Forecast Center; that the Sonoma County Emergency Operations Center will continue to monitor the flood impact until January 12, 2017; that the Veterans Memorial Building will be open to accommodate those that were impacted by the advised evacuation; that the City will work with the County to assist them in this effort; and that residents can continue to monitor

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.

the storm at srcity.org/emergency and follow the Fire Department social media accounts, such as Facebook and Twitter.

8. STATEMENTS OF ABSTENTION BY COUNCILMEMBERS

Vice Mayor Tibbetts will be abstaining from Items 10.1, 10.2, and 13.3.

Council Member Rogers will be abstaining from Items 10.1 and 10.2.

Council Member Sawyer will be abstaining from Item 13.2.

9. MAYOR'S/COUNCILMEMBERS' REPORTS

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

Council Member Rogers requested a future agenda item to consider \$20,000 of GAP Funding for Legal Aid. Vice Mayor Tibbetts concurred with the request.

Council Member Rogers announced his appointments of Cherie Marie Alvarez to the Community Advisory Board, North East representative; and Stan Gown to the Board of Community Services.

Council Member Combs announced her appointments of Victoria Duggan to the Planning Commission, Lucinda Moore to the Community Advisory Board, Magdalena Redley to the Measure O Citizens Oversight Committee, and Laura Fennel to the Cultural Heritage Board; and requested a reposting for the vacancy for Design Review Board and Board of Community Services.

Mayor Coursey announced the appointments of Council Member Schwedhelm and Council Member Sawyer to Liaisons to Board of Public Utilities; of Mayor Coursey, Council Member Sawyer, and Council Member Olivares to Downtown Subcommittee; of Mayor Coursey, Council Member Sawyer, and Vice Mayor Tibbetts to Economic Development Subcommittee; of Council Member Schwedhelm and Council Member Rogers to Violence Prevention Partnership Steering Subcommittee; of Council Member Schwedhelm and Council Member Rogers to Violence Prevention Partnership Policy Subcommittee; of Council Member Rogers, Council Member Sawyer and Mayor Coursey to Long Term Financial and Audit Subcommittee; of Council Member Olivares, Council Member Combs, Council Member Sawyer to Joint City and County Roseland Subcommittee; of Mayor Coursey, Council Member Combs, and Vice Mayor Tibbetts to Rent Stabilization Subcommittee; of Council Member Sawyer, Council Member Olivares, and Council Member Rogers to Medical Cannabis Subcommittee.

9.1 MAYOR'S/COUNCILMEMBERS' SUBCOMMITTEE AND LIAISON REPORTS (AND POSSIBLE COUNCIL DIRECTION TO BOARD REPRESENTATIVE ON PENDING ISSUES, IF NEEDED)

9.1.1 Council Subcommittee Reports

Council Member Combs provided a brief report on the Housing Subcommittee.

Council Member Schwedhelm provided a brief report on the Violence Prevention Policy Subcommittee, Homeless Subcommittee Meeting, and Groundwater Management Act.

9.1.2 Sonoma County Transportation Authority/Regional Climate Protection Authority (SCTA/RCPA) - None.

9.1.3 Sonoma County Water Agency (SCWA) - Water Advisory Committee - None.

9.1.4 Association of Bay Area Governments (ABAG) - None.

9.1.5 Sonoma County Agricultural Preservation and Open Space District Advisory Committee - None.

9.1.6 Sonoma Clean Power Authority (SCPA)

Council Member Combs provided a brief report.

9.1.7 Sonoma County Waste Management Agency (SCWMA) - None.

9.1.8 Other - None.

10. APPROVAL OF MINUTES

10.1 November 29, 2016, Regular Meeting.

A motion was made by Council Member Sawyer, seconded by Council Member Combs, to approve as submitted. The motion carried by the following vote:

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

Abstain: 2 - Vice Mayor Tibbetts and Council Member Rogers

10.2 December 6, 2016, Regular Meeting.

A motion was made by Mayor Coursey, seconded by Council Member Olivares, to approve as submitted. The motion carried by the following vote:

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

Abstain: 2 - Vice Mayor Tibbetts and Council Member Rogers

10.3 December 13, 2016, Regular Meeting.

A motion was made by Mayor Coursey, seconded by Council Member Olivares, to approve as submitted. The motion carried by the following vote:

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

Abstain: 2 - Vice Mayor Tibbetts and Council Member Rogers

11. CONSENT ITEMS

11.1 MOTION - FOURTH AMENDMENT - DIGITAL GOVERNMENT / OPEN DATA AGREEMENT WITH SOCRATA, INC.

RECOMMENDATION: It is recommended by the Information Technology Department that the Council, by motion, ratify all contracts, amendments and Purchase Orders made with Socrata, Inc., Seattle, WA, to date, approve a Fourth Amendment to Agreement Number F001090 with Socrata, Inc., Seattle, WA, to extend the contract for an additional one (1) year, and add additional funding, for a total renewal amount of \$114,128.40, and a total cumulative contract amount of \$244,797.50.

Consent Item 11.1 was continued to a future City Council meeting.

11.2 RESOLUTION - DEBT MANAGEMENT AND DISCLOSURE POLICY AMENDMENT

RECOMMENDATION: It is recommended by the Finance Department that the Council, by resolution, amend Council Policy 000-58 Statement of Debt Management and Disclosure

Policy to include requirements of SB 1029 which go into effect January 1, 2017.

A motion was made by Vice Mayor Tibbetts, seconded by Council Member Olivares, to waived reading of the text and adopted the following Consent Item 11.2:

RESOLUTION NO. RES-17-0001 ENTITLED: RESOLUTION OF THE COUNCIL OF THE CITY OF SANTA ROSA AMENDING COUNCIL POLICY 000-58 - STATEMENT OF DEBT MANAGEMENT AND DISCLOSURE POLICY.

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

The time not yet being 5:00 p.m., Mayor Sawyer took Report Items 13.1 and 13.2 before Item 12 – Public Comment on Non-Agenda Matters.

12. PUBLIC COMMENT ON NON-AGENDA MATTERS

Jeff Ashi Olshiau requested to update the housing code and shared concerns of illegal home conversions.

Duane DeWitt provided suggestions for housing units.

Courtney Cox spoke requesting that City Council consider Santa Rosa as a sanctuary city.

Anne McGivern requested that City Council consider Santa Rosa as a sanctuary city.

Marc Armstrong spoke regarding public banking.

Colleen Fernald spoke regarding various topics.

Judy Kennedy spoke regarding Bayer Park Mural proposal; and provided a document.

Tesia Blonski spoke regarding concerns of oil and the irrigation of water in Kern County; she requested that laws protect the water being used.

Michael Titone requested that City Council consider Santa Rosa as a sanctuary city.

Beth Power requested that City Council consider Santa Rosa as a sanctuary city.

Peter Tscherneff spoke on various topics.

Adrienne Lauby requested that City Council consider Santa Rosa as a sanctuary city.

Mary Green spoke regarding developments; and provided a handout.

Michaela requested that City Council consider Santa Rosa as a sanctuary city.

Enrique Yarce requested that City Council consider Santa Rosa as a sanctuary city.

Richard Coshnear requested that City Council to support State legislation and work with other officials to protect residents from deportation.

Mayor Coursey recessed the meeting at 6:21 p.m. and was reconvened at 6:45 p.m.

13. REPORT ITEMS

13.1

REPORT - ORDINANCE AMENDING CHAPTER 11-40 OF THE SANTA ROSA CITY CODE - PUBLIC PARADES

BACKGROUND: The current language in Chapter 11-40 outlines street closure and permitting requirements for parades only. Council Policy 000-09 was developed to establish permitting procedures for special events and staff will recommend revisions to this policy in the near future. The proposed amendments to City Code Chapter 11-40 are intended to update the code to reflect actual permitting practices for a variety of special events and film production.

RECOMMENDATION: It is recommended by the Recreation &

Parks Department and the Transportation & Public Works Department that the Council introduce an Ordinance amending Chapter 11-40 "Public Parades" of the Santa Rosa City Code.

Presented by Adriane Mertens, Marketing and Outreach Coordinator of Recreation and Parks.

PUBLIC COMMENT

Peter Tscherneff spoke in opposition to the item.

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

ORDINANCE ENTITLED: ORDINANCE OF THE COUNCIL OF THE CITY OF SANTA ROSA AMENDING CHAPTER 11-40 PUBLIC PARADES, OF THE SANTA ROSA CITY CODE.

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

13.2 REPORT - REFERENDUM PETITION AGAINST ORDINANCE NO. 4072 (Rent Stabilization and Other Tenant Protections Ordinance)

BACKGROUND: On September 26, 2016, a timely Referendum Petition was filed with the City Clerk challenging portions of Ordinance No. 4072, establishing rent stabilization, eviction control and other residential tenant protections in Santa Rosa. The Petition challenged all provisions of the Ordinance except the provision of the Ordinance that repealed both the 90-day moratorium on rent increases (which took effect on July 7, 2016) and the Just Cause Eviction Ordinance (which took effect on September 16, 2016). Both of those earlier ordinances have now been repealed.

On September 26, 2016, the City Clerk submitted the petition to the Sonoma County Registrar of Voters Office (ROV) for a prima

facie review, signature verification, and final count.

On December 21, 2016, the ROV submitted to the City Clerk its determination that the Petition contained a sufficient number of signatures of qualified voters.

RECOMMENDATION: It is recommended by the City Clerk that the Council, (1) by motion, accept the City Clerk's Certificate of Sufficiency, based on the determination of the Sonoma County Registrar of Voters, for the referendum petition challenging portions of Ordinance No. 4072; and (2) take one of the following two actions: (a) introduce an ordinance repealing the portions of Ordinance No. 4072 challenged by the Petition, or (b) direct staff to bring back to Council an appropriate resolution to submit the challenged portions of Ordinance No. 4072 to the voters at a Special Election to be held on June 6, 2017.

Presented by Daisy Gomez, City Clerk.

PUBLIC COMMENT

Courtney Cox spoke in support to the item and encouraged the Council to call an election.

Duane DeWitt spoke in support of the item and encouraged the Council to call an election.

Thomas Ells spoke in support of the item and encouraged the Council to call an election.

Marlina Martarano spoke in support of the item and encouraged the Council to call an election.

Eddie Sussman spoke in support of the item and encouraged the Council to call an election.

Anne Seeley spoke in support of the item and encouraged the Council to call an election.

Karin Jones spoke in support of the item and encouraged the Council to call an election.

Jack Cabot spoke in support of the item and encouraged the Council to call an election.

Colleen Fernald spoke in support of the item and encouraged the Council to call an election.

Peter Tscherneff spoke in support of the item and encouraged the Council to call an election.

Steve Dunnrite spoke in support of the item and encouraged the Council to call an election.

Shelly Kappel spoke in support of the item, but has concerns on portions of the Ordinance No. 4072.

Shan Magnuson spoke in support of the item and encouraged the Council to call an election.

Jeff Ashi Olshiau spoke in support of the item, and suggested changes to housing permits.

Carolyn Epple spoke in support to the item and encouraged the Council to call an election.

A motion was made by Council Member Combs, seconded by Council Member Schwedhelm, to accept the City Clerk's Certificate of Sufficiency based on the determination of the Sonoma County Registrar of Voters, for the Referendum Petition challenging portions of Ordinance No. 4072. The motion carried by the following vote:

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

Abstain: 1 - Council Member Sawyer

A motion was made by Council Member Combs, seconded by Vice Mayor Tibbetts, to direct staff to bring back to Council an appropriate resolution to submit the challenged portions of Ordinance No. 4072 to the voters at a Special Election to be held on June 6, 2017. The motion carried by the following vote:

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

Abstain: 1 - Council Member Sawyer

13.3

REPORT - EXTENSION OF PROCLAMATION OF LOCAL HOMELESS EMERGENCY, ADOPTION OF HOUSING FIRST STRATEGY AND WORK PLAN, DIRECTION ON POSSIBLE COMMUNITY HOMELESS ASSISTANCE PROGRAM AMENDMENTS, AND WINTER SHELTER EXPANSION

BACKGROUND: On August 9, 2016, pursuant to the authority set forth in California Government Code Sections 8630 thru 8634, Council, by Resolution No. 28839, formally proclaimed a local homeless emergency within Santa Rosa. Section 8630 requires that the Council review the need for continuing the local emergency at least every 30 days until such local emergency is terminated. Council has approved an extension of the proclamation of local homeless emergency on a monthly basis since the original proclamation in August. In light of the continuing conditions of homelessness within the city, staff is recommending that the Council maintain the proclamation in full force and effect at this time. If approved, this will be the sixth extension. Staff is also asking Council to adopt the Housing First Strategy and Fiscal Year 2016/2017 Work Plan and to provide direction on possible amendments to the Community Homeless Assistance Program (CHAP) and additional winter shelter on public property.

RECOMMENDATION: It is recommended by the Housing and Community Services Department that the Council, 1) by resolution, approve an extension of Resolution No. 28839 which formally proclaimed a local homeless emergency within Santa Rosa; and 2) by resolution, adopt the Housing First Strategy and Fiscal Year 2016/2017 Work Plan; and 3) by motion, provide direction on possible amendments to the Community Homeless Assistance Program (CHAP) and additional winter shelter on public property.

Presented by David Gouin, Director of Housing and Community Services.

PUBLIC COMMENT

Jennielynn Holmes-Davis, Director of Shelter and Housing at Catholic Charities, answered questions from the Council.

Annie O'Mallion spoke in support to the item and expressed the need for additional assistance.

Catherine Dale spoke regarding the negative impact of homeless encampments.

Mikeal O'Toole spoke against winter shelter and supports homeless encampments.

John Sabin spoke in support to the item and expressed the need of winter shelter.

Glenn Stoneking-Jones spoke in support to the item and expressed the need of winter shelter.

Thomas Ells spoke in support to the item and expressed the need of winter shelter.

Adrienne Lauby in support to the item and expressed the need of winter shelter.

Beth Power in support to the item and expressed the need of winter shelter.

Peter Tscherneff in support to the item and expressed the need of winter shelter.

Eileen Bill in support to the item and expressed the need of winter shelter.

Anita LaFollette in support to the item and expressed the need of winter shelter.

Cynthia Toran in support to the item and expressed the need of winter shelter.

Colleen Fernald in support to the item and expressed the need of winter shelter.

Don Nowacki in support to the item and expressed the need of winter shelter.

Adrian Shader in support to the item and expressed the need of winter shelter.

Heidi Prottas in support to the item and expressed the need of winter shelter.

Steve Dunnrite in support to the item and expressed the need of winter shelter.

Victoria Yanez in support to the item and expressed the need of winter shelter.

Steve Birdlebough in support to the item and expressed the need of winter shelter.

Courtney Cox in support to the item and expressed the need of winter shelter.

Annie Barrimon in support to the item and expressed the need of winter shelter.

Krissie Tripati in support to the item and expressed the need of winter shelter.

David Mongeau in support to the item and expressed the need of winter shelter.

Moe Waltz in support to the item and the expressed need of winter shelter.

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

RESOLUTION NO. RES-17-0002 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, Council Member Rogers, Council Member Sawyer and Council Member Schwedhelm

Abstain: 1 - Vice Mayor Tibbetts

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

RESOLUTION NO. RES-17-0003 ENTITLED: RESOLUTION OF THE COUNCIL OF THE CITY OF SANTA ROSA ADOPTING A HOUSING FIRST STRATEGY AND FISCAL YEAR 2016/2017 WORK PLAN TO ADDRESS HOMELESSNESS IN SANTA ROSA.

The motion carried by the following vote:

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

Abstain: 1 - Vice Mayor Tibbetts

A motion was made by Council Member Olivares, seconded by Council Member Combs, to directed staff to include commercial property, staff involvement in direct education and outreach to specific sites, expanded shelter options, rapid rehousing funding, expanded services on Samuel Jones parking lot, activate The National Guard Armory, and to continue to explore the feasibility to use Veterans Memorial Building and the former Fire Station Number 5. The motion carried by the following vote:

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

Abstain: 1 - Vice Mayor Tibbetts

13.4 REPORT - ADOPTION OF LOCAL HAZARD MITIGATION PLAN

BACKGROUND: The Draft Local Hazard Mitigation Plan has been updated consistent with the requirements of the Federal Emergency Management Agency (FEMA) to provide a set of strategies to reduce vulnerability to disaster through education and outreach programs, the development of partnerships, and the implementation of actions to reduce the impacts from a disaster.

RECOMMENDATION: It is recommended by the Planning and Economic Development and Fire Departments that the Council, by resolution, adopt the Local Hazard Mitigation Plan.

Presented by Erin Morris, City Manager Fellow.

PUBLIC COMMENT

Colleen Fernald spoke regarding need of emergency services.

Thomas Ells spoke regarding emergency plan implementation.

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

RESOLUTION NO. RES-17-0004 ENTITLED: RESOLUTION OF THE COUNCIL OF THE CITY OF SANTA ROSA ADOPTING THE LOCAL HAZARD MITIGATION PLAN, FILE NO. ST16-005.

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. PUBLIC HEARINGS - NONE.

15. WRITTEN COMMUNICATIONS - NONE.

16. PUBLIC COMMENTS ON NON-AGENDA MATTERS

Thomas Ells spoke regarding conversion of housing units.

Victoria Yanez spoke regarding immigration rights.

17. ANNOUNCEMENT OF CONTINUED CLOSED SESSION ITEMS, RECESS TO CLOSED SESSION IN THE MAYOR'S CONFERENCE ROOM, RECONVENE TO OPEN SESSION, AND ANNOUNCEMENTS [IF NEEDED]

18. ADJOURNMENT OF MEETING

Hearing no further business, Mayor Sawyer adjourned the meeting at 9:36 p.m. The next regularly scheduled meeting will take place on January 24, 2017, at a time set by the Mayor.

City Council

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January 10, 2017

Approved on:

Daisy Gomez
City Clerk