



**City Council
Regular Meeting Minutes - Draft**

Tuesday, December 19, 2017

2:30 PM

1. CALL TO ORDER AND ROLL CALL

Mayor Coursey called the closed session to order at 2:31 p.m.

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

2. ANNOUNCEMENT OF CLOSED SESSION ITEMS

Mayor Coursey recessed the meeting to closed session at 2:31 p.m. to discuss Items 2.1 and 2.2 as listed on the agenda:

2.1 CONFERENCE WITH LABOR NEGOTIATORS
(Government Code Section 54957.6)

Agency Designated Representatives: Joanne Narloch, Interim Human Resources Director, Jeremia Mills, Employee Relations Manager, Art Hartinger of Renne Sloan Holtzman Sakai, LLP, Anthony Gossner, Fire Chief and Deborah Lauchner, Chief Financial Officer.

Employee Organizations: Santa Rosa Firefighters Association - Local 1401 (representing City Employee Unit 2)

2.2 CONFERENCE WITH LABOR NEGOTIATORS
(Government Code Section 54957.6)

Agency Designated Representatives: Jon Holtzman, Renne Sloan Holtzman Sakai LLP

Unrepresented Employees: City Manager and City Attorney

Mayor Coursey adjourned closed session at 3:44 p.m. and reconvened the meeting to open session in the Council Chamber at 4:02 p.m.

3. STUDY SESSION - NONE.

4. ANNOUNCEMENT OF ROLL CALL

Present: 7 - Mayor Chris Coursey, Council Member Jack Tibbetts, Council Member Julie Combs, Council Member Ernesto Olivares, Vice Mayor 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 gave direction to labor negotiator.

Mayor Coursey reported on Item 2.2 that Council gave direction to labor negotiator.

6. PROCLAMATIONS/PRESENTATIONS - NONE.

Item 8 was heard before Item 7.1 at this time.

7. STAFF BRIEFINGS

PUBLIC COMMENT

Canini spoke regarding the consideration of not rebuilding homes in the same areas affected by the fires and providing sprinklers outside the property.

Duane DeWitt spoke regarding the footprint of the previous fires and shared concerns of the location for future homes being rebuilt.

Thomas Ells spoke regarding the concerns of rebuilding homes in certain locations.

Peter Tscherneff spoke regarding the concerns of falsely accusing the electric company.

7.1 FIRE RECOVERY AND REBUILD UPDATE

This will be a standing item on the agenda. No action will be taken except for possible direction to staff.

Presented by Paul Lowenthal and David Guhin, Director of Planning and Economic Development.

Heaven Moore provided a report from Water Shed Task Force.

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

City Manager McGlynn provided a brief report regarding Captain Schwartz and his achievements.

9. STATEMENTS OF ABSTENTION BY COUNCILMEMBERS

Council Member Sawyer announced that he will be abstaining from Item 14.1.

Council Member Tibbetts announced that he will be abstaining from Item 14.1.

Council Member Combs announced that she will be abstaining from Item 14.1.

10. MAYOR'S/COUNCILMEMBERS' REPORTS

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

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

Council Member Schwedhelm provided a brief report on the Violence Prevention Partnership.

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 Groundwater Sustainability Agency (GSA)

10.1.9 Other

11. APPROVAL OF MINUTES - NONE.

12. CONSENT ITEMS

Public Comment

Peter Tscherneff spoke regarding Item 12.1 and the concerns of hiring local employees.

Approval of the Consent Agenda

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

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

12.1 RESOLUTION - FIRST AMENDMENT TO SOLID WASTE COLLECTION SERVICES AGREEMENT BETWEEN THE CITY OF SANTA ROSA AND RECOLOGY SONOMA MARIN, DBA RECOLOGY SANTA ROSA, TO INCLUDE LOW-INCOME DISCOUNT PROGRAM

RECOMMENDATION: It is recommended by the City Manager's Office that the Council, by resolution, approve the First Amendment to the Solid Waste Collection Services Agreement between City of Santa Rosa and Recology Sonoma Marin, dba Recology Santa Rosa to include a Low-Income Discount Program.

This Consent - Resolution was adopted.

RESOLUTION NO. RES-2017-250 ENTITLED: RESOLUTION OF THE COUNCIL OF THE CITY OF SANTA ROSA APPROVING THE FIRST AMENDMENT TO THE SOLID WASTE COLLECTION SERVICES AGREEMENT BETWEEN THE CITY OF SANTA ROSA AND RECOLOGY, INC., TO INCLUDE A LOW INCOME RATE DISCOUNT PROGRAM UTILIZING COLLECTION SERVICES FRANCHISE FEES TO FUND THE PROGRAM

12.2 RESOLUTION - SANTA ROSA JUNIOR COLLEGE PILOT PROGRAM TO PROVIDE AN UNLIMITED ACCESS PASS TO STUDENTS - EXTENSION FOR REMAINDER OF FY 2017-18

RECOMMENDATION: It is recommended by the Transportation and Public Works Department that the Council, by resolution, authorize an extension of the pilot CityBus unlimited pass program for Santa Rosa Junior College students for the remainder of FY 2017-18, subject to the terms of the existing agreement.

This Consent - Resolution was adopted.

RESOLUTION NO. RES-2017-251 ENTITLED: RESOLUTION OF THE COUNCIL OF THE CITY OF SANTA ROSA APPROVING AMENDMENT NO. 1 TO THE MEMORANDUM OF UNDERSTANDING WITH SANTA ROSA JUNIOR COLLEGE, EXTENDING THE CITYBUS PILOT PROGRAM TO PROVIDE AN UNLIMITED ACCESS PASS ON CITYBUS TO STUDENTS THROUGH JUNE 30, 2018

12.3 ORDINANCE ADOPTION - ORDINANCE OF THE COUNCIL OF THE CITY OF SANTA ROSA ENACTING COMPREHENSIVE REGULATIONS FOR CANNABIS THROUGH THE AMENDMENT OF SANTA ROSA CITY CODE SECTIONS 20-23.030, TABLE 2-2 (ALLOWED LAND USES AND PERMIT REQUIREMENTS FOR RESIDENTIAL ZONING DISTRICTS), TABLE 2-6 (ALLOWED LAND USES AND PERMIT REQUIREMENTS FOR COMMERCIAL ZONING DISTRICTS), SECTION 20-24.030, TABLE 2-10 (ALLOWED LAND USES AND PERMIT REQUIREMENTS FOR INDUSTRIAL DISTRICTS), SECTION 20-36.040, TABLE 3-4 (AUTOMOBILE AND BICYCLE PARKING REQUIREMENTS BY LAND USE TYPE), SECTION 20-70.020 (DEFINITIONS), THE REPEAL AND REPLACEMENT OF CHAPTER 20-46 (MEDICAL CANNABIS CULTIVATION) WITH CHAPTER 20-46 (CANNABIS), THE REPEAL OF CHAPTER 10-40 (MEDICAL CANNABIS DISPENSARIES) AND THE ADOPTION OF EXEMPTION FINDINGS PURSUANT TO THE CALIFORNIA ENVIRONMENTAL QUALITY ACT - FILE NUMBER REZ17-002

RECOMMENDATION: This ordinance, introduced at the December 12, 2017, Regular Meeting by a 5-1-1 vote (Council Member Sawyer voted No; Mayor Coursey absent), enacts comprehensive regulations for

cannabis through the amendment of Santa Rosa City Code Sections 20-23.030, Table 2-2 (allowed land uses and permit requirements for residential zoning districts), Table 2-6 (allowed land uses and permit requirements for commercial zoning districts), Section 20-24.030, Table 2-10 (allowed land uses and permit requirements for industrial districts), Section 20-36.040, Table 3-4 (automobile and bicycle parking requirements by land use type), Section 20-70.020 (definitions), the repeal and replacement of Chapter 20-46 (Medical Cannabis Cultivation) with Chapter 20-46 (Cannabis), the repeal of Chapter 10-40 (Medical Cannabis Dispensaries) and the adoption of exemption findings pursuant to the California Environmental Quality Act.

This Consent - Ordinance was adopted.

ORDINANCE NO. ORD-2017-025 ENTITLED: ORDINANCE OF THE COUNCIL OF THE CITY OF SANTA ROSA ENACTING COMPREHENSIVE REGULATIONS FOR CANNABIS THROUGH THE AMENDMENT OF SANTA ROSA CITY CODE SECTIONS 20-23.030, TABLE 2-2 (ALLOWED LAND USES AND PERMIT REQUIREMENTS FOR RESIDENTIAL ZONING DISTRICTS), TABLE 2-6 (ALLOWED LAND USES AND PERMIT REQUIREMENTS FOR COMMERCIAL ZONING DISTRICTS), SECTION 20-24.030, TABLE 2-10 (ALLOWED LAND USES AND PERMIT REQUIREMENTS FOR INDUSTRIAL DISTRICTS), SECTION 20-36.040, TABLE 3-4 (AUTOMOBILE AND BICYCLE PARKING REQUIREMENTS BY LAND USE TYPE), SECTION 20-70.020 (DEFINITIONS), THE REPEAL AND REPLACEMENT OF CHAPTER 20-46 (MEDICAL CANNABIS CULTIVATION) WITH CHAPTER 20-46 (CANNABIS), THE REPEAL OF CHAPTER 10-40 (MEDICAL CANNABIS DISPENSARIES) AND THE ADOPTION OF EXEMPTION FINDINGS PURSUANT TO THE CALIFORNIA ENVIRONMENTAL QUALITY ACT – FILE NUMBER REZ17-002

Mayor Coursey recessed the meeting at 4:51 p.m. and reconvened at 5:07 p.m.

13. PUBLIC COMMENT ON NON-AGENDA MATTERS

Duane DeWitt spoke regarding the need for housing at Journey's End.

Peter Tscherneff spoke regarding various topics.

Teri Shore, representing Greenbelt Alliance, spoke regarding the North Bay firestorm.

Kathleen Finigan spoke regarding the concerns of the homeless issues and lack of hotel vouchers being available.

Bob Hansen spoke regarding the quality of life for veterans.

Davin Cardenas spoke in support of the Council adopting a just cause for eviction policy.

Karen Wehagen spoke in support of the Council adopting a just cause for eviction policy.

Marlina Martarano spoke in support of the Council adopting a just cause for eviction policy.

Kathleen Cipolla spoke in support of the Council adopting a just cause for eviction policy.

Thomas Ells spoke regarding the challenges of the residents that cannot afford to relocate.

Council Member Sawyer left the meeting at 5:30 p.m.

14. REPORT ITEMS

14.1 REPORT - URGENCY ORDINANCE TEMPORARILY REGULATING TENANT EVICTIONS IN THE CITY OF SANTA ROSA

BACKGROUND: The fires destroyed approximately 5% of the City's housing stock. The sudden and substantial loss of residential units, both rental and owner-occupied, exacerbated the City's already existing housing shortage and further disrupted an already unstable rental market. There is evidence that the rental market is further skewed by the presence of insurance proceeds, which may allow some households displaced by the fire to afford higher rents, while increasing the risk that other households may be displaced or priced out of the market.

Staff of Housing and Community Services has received multiple reports that some landlords may be taking advantage of the exceptional

circumstances to evict existing lower income tenants in order to rent, at significantly higher rates, to insured households displaced by the fires. The combination of the City's extremely low vacancy rates and the sudden spike in rents may make it difficult, if not impossible, for lower income tenants to find affordable rental housing within Santa Rosa, placing those individuals and families at increased risk of housing instability and homelessness.

At the request of Council members, this item offers a temporary urgency ordinance for the Council's consideration. The proposed ordinance would establish limited restrictions on residential tenant evictions during the term of the state and federal declarations of emergency, and is intended provide protections to existing tenants and bring greater stability to the rental market. Although drafted as an urgency ordinance to take effect immediately, the Council may, as an alternative, consider its adoption as a regular ordinance.

RECOMMENDATION: In light of conditions created by the wildfires of October 2017, it is recommended that the Council consider an urgency ordinance establishing temporary restrictions on tenant evictions in Santa Rosa. The proposed ordinance would take effect immediately upon adoption and would be of limited scope and duration.

This item was continued to a future meeting.

15. PUBLIC HEARINGS

- 15.1 PUBLIC HEARING - ROUND BARN VILLAGE PROJECT - MITIGATED NEGATIVE DECLARATION, GENERAL PLAN AMENDMENT AND REZONING - 0 ROUND BARN BOULEVARD - PRJ17-004 **(This item was continued from the December 12, 2017, Regular Meeting)**

BACKGROUND: The project proposes a General Plan Amendment to change the existing land use designation from Business Park to Medium Low Density Residential and Open Space and a Rezoning from PD72-001 (Planned Development) to R-1-6 (Single-Family Residential) and OSC (Open Space - Conservation) for the 40.18-acre property located at 0 Round Barn Boulevard. Although no formal development applications have been received to date, the General Plan Amendment and Rezone would allow for future residential development on a portion of the property and the preservation of riparian, woodland areas and

steeply sloped areas of the property in open space. A Mitigated Negative Declaration was prepared in compliance with the California Environmental Quality Act (CEQA) for the project.

RECOMMENDATION: It is recommended by the Planning Commission and the Planning and Economic Development Department that the City Council, by resolution, adopt a Mitigated Negative Declaration, approve a General Plan Amendment to change the land use designation from Business Park to Medium Low Density Residential and Open Space, and introduce an ordinance to rezone the site from PD72-001 to Single-Family Residential (R-1-6) and Open Space-Conservation (OSC) for the property located at 0 Round Barn Boulevard.

Presented by Aaron Hollister, Planning Consultant.

PUBLIC COMMENT

Mayor Coursey opened the public hearing at 6:03 p.m.

Duane DeWitt spoke in opposition to the item.

Terri Shore spoke in support of the Council's decision and requested to work closely with the developers as this item moves forward.

Thomas Ells spoke in opposition to the item.

Charity Wagner, applicant, provided a presentation and spoke in support of the item.

Mike Cook spoke in support of the item.

Mayor Coursey closed the public hearing at 6:16 p.m.

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

RESOLUTION ENTITLED: RESOLUTION OF THE COUNCIL OF THE CITY OF SANTA ROSA APPROVING A MITIGATED NEGATIVE DECLARATION FOR A GENERAL PLAN AMENDMENT FROM BUSINESS PARK TO

MEDIUM LOW DENSITY RESIDENTIAL AND OPEN SPACE FOR ASSESSOR'S PARCEL NUMBERS 173-020-030 THROUGH 173-020-036 (0 ROUND BARN BOULEVARD), AND A REZONING FROM THE PLANNED DEVELOPMENT 72-001 ZONING DISTRICT TO THE R-1-6 (SINGLE-FAMILY RESIDENTIAL) AND OPEN SPACE CONSERVATION ZONING DISTRICTS FOR ASSESSOR'S PARCEL NUMBERS 173-020- 030 THROUGH 173-020-036 (0 ROUND BARN BOULEVARD) - FILE NUMBER PRJ17-004

The motion failed by the following vote:

Yes: 3 - Council Member Olivares, Council Member Schwedhelm and Council Member Tibbetts

No: 3 - Mayor Coursey, Vice Mayor Rogers and Council Member Combs

Absent: 1 - Council Member Sawyer

A substitute motion was made by Vice Mayor Rogers, seconded by Council Member Combs, to continue the item until staff has had the opportunity to address the development of this project to Council in the fire-prone areas and address the approach needed to ensure safety measures. The motion failed by the following vote:

Yes: 3 - Mayor Coursey, Vice Mayor Rogers and Council Member Combs

No: 3 - Council Member Olivares, Council Member Schwedhelm and Council Member Tibbetts

Absent: 1 - Council Member Sawyer

A motion was made by Council Member Schwedhelm, seconded by Council Member Olivares, to continue the next Council meeting with all Council Members present.

Mayor Coursey recessed the meeting at 6:47 p.m. and reconvened at 6:55 p.m.

A motion was made by Council Member Tibbetts, seconded by Vice Mayor Rogers to continue the public hearing item to the February 6, 2018 meeting. The motion carried by the following vote:

Yes: 5 - Mayor Coursey, Vice Mayor Rogers, Council Member Olivares, Council Member Schwedhelm and Council Member Tibbetts

No: 1 - Council Member Combs

Absent: 1 - Council Member Sawyer

15.2 PUBLIC HEARING - ACCESSORY DWELLING UNIT IMPACT FEE REDUCTION

BACKGROUND: On December 5, 2017, the City Council introduced an ordinance amending the Santa Rosa Zoning Code to allow for Accessory Dwelling Units (ADU) and Junior Accessory Dwelling Units (JADU) in compliance with State law and in support of the City's Housing Action Plan, and approved a resolution reducing Capital Facilities and Park Impact fees for new ADU's. During the meeting, it was noted that the Southeast and Southwest Area Development Impact fees (SEADIF and SWADIF, respectively) pose a significant cost burden on development of ADU's in the southeast and southwest areas of the City. The City is currently working on an impact fee program update, including potentially eliminating the SEADIF and SWADIF, however, the update will likely not be considered by Council until the early 2018. In the interest of time, Council directed staff to return with a resolution to reduce the SEADIF and SWADIF fees for new ADU's immediately.

RECOMMENDATION: It is recommended by the Planning and Economic Development Department that the Council, by resolution, reduce the Southeast and Southwest Area Development Impact fees for new Accessory Dwelling Units.

Presented by Jessica Jones, Supervising Planner, and David Guhin, Director of Planning and Economic Development.

PUBLIC COMMENT

Mayor Coursey opened the public hearing at 7:11 p.m.

Duane DeWitt spoke in opposition to the item.

Thomas Ells spoke in opposition to the item.

Joni Goshorn spoke in support of the item.

Charles Smith spoke regarding the concerns of the regulations preventing vacation homes.

Mayor Coursey closed the public hearing at 7:20 p.m.

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

RESOLUTION NO. RES-2017-252 ENTITLED: RESOLUTION OF THE COUNCIL OF THE CITY OF SANTA ROSA APPROVING A REDUCTION IN THE SOUTHEAST AND SOUTHWEST AREA DEVELOPMENT IMPACT FEES FOR ACCESSORY DWELLING UNITS

The motion carried by the following vote:

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

Absent: 1 - Council Member Sawyer

16. WRITTEN COMMUNICATIONS - NONE.

17. PUBLIC COMMENTS ON NON-AGENDA MATTERS

Bob Hansen spoke in support of having the homeless work.

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 7:24 p.m. The next regularly scheduled meeting will take place on January 9, 2018, at a time set by the Mayor.

20. UPCOMING MEETINGS

20.1 UPCOMING MEETINGS LIST

This item was received and filed.

Approved on:

Daisy Gomez, City Clerk