



**City Council  
Regular Meeting Minutes - Final**

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Tuesday, November 27, 2018

2:30 PM

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

Mayor Coursey called the closed session to order at 2:32 p.m.

**Present:** 6 - Mayor Chris Coursey, Council Member Julie Combs, Council Member Ernesto Olivares, Council Member John Sawyer, Council Member Tom Schwedhelm, and Council Member Jack Tibbetts

**Absent:** 1 - Vice Mayor Chris Rogers

**2. ANNOUNCEMENT OF CLOSED SESSION ITEMS**

Mayor Coursey recessed the meeting to closed session at 2:32 p.m. to discuss Item 2.1 as listed on the agenda:

**2.1 CONFERENCE WITH LEGAL COUNSEL - ANTICIPATED LITIGATION**

Initiation of litigation pursuant to paragraph (4) of subdivision (d) of Government Code Section 54956.9: one potential case.

Mayor Coursey adjourned the closed session at 3:14 p.m. and reconvened the meeting at 3:19 p.m.

**3. STUDY SESSION**

**3.1 REVIEW OF SANTA ROSA'S COMMUNITY DEVELOPMENT BLOCK GRANT- DISASTER RECOVERY (CDBG-DR) TUBBS AND NUNS FIRE RECOVERY UNMET NEEDS ASSESSMENT**

In April 2018, the U.S. Department of Housing and Urban Development (HUD) allocated \$124,155,000 in CDBG-DR funding to the State of California Housing and Community Development Department (HCD) to assist with recovery efforts for the fire disasters that occurred in California in 2017, including but not limited to, the Tubbs and Nuns Fires. In August 2018, Congress published the Federal Register providing the timelines associated with the funds. HCD is required to submit an Action Plan to HUD by December 14, 2018 stating their analysis of each qualifying jurisdiction's recovery needs, designating eligible uses of the funding, and allocating the funding. HCD's draft

Action Plan was published on November 12, 2018 and includes their analysis of unmet needs for all qualifying jurisdictions state-wide. The City of Santa Rosa retained Hagerty Consulting, Inc to prepare an unmet needs assessment specific to Santa Rosa, using local data, which will be reviewed in Study Session.

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

Presented by David Gouin, Director of Housing and Community Services; and Matt Hochstein, Hagerty Consulting.

#### PUBLIC COMMENT

Teri Shore spoke regarding the low income housing.

Gregory Fearon spoke regarding concerns not providing homeless as one of the goals on Disaster Recovery and CDBG-DR presentation.

Thomas Ells spoke regarding low-income housing related to recovery.

Peter Tscherneff spoke regarding homeless concerns and various topics.

**This Study Session was received and filed.**

#### **4. ANNOUNCEMENT OF ROLL CALL**

**Present:** 6 - Mayor Chris Coursey, Council Member Julie Combs, Council Member Ernesto Olivares, Council Member John Sawyer, Council Member Tom Schwedhelm, and Council Member Jack Tibbetts

**Absent:** 1 - Vice Mayor Chris Rogers

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

City Attorney Gallagher announced that Council provided direction to staff for Item 2.1.

#### **6. PROCLAMATIONS/PRESENTATIONS - NONE.**

#### **7. STAFF BRIEFINGS**

**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.

There was nothing to report.

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

City Manager McGlynn provided a brief report acknowledging those serving as mutual aid responders.

**9. STATEMENTS OF ABSTENTION BY COUNCILMEMBERS**

Council Member Olivares announced that he would be abstaining from Item 11.1.

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

The 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**

**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)**

Council Member Combs provided a brief report.

**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

Council Member Combs provided a brief report on the Committee to House the Bay Area (CASA).

## 10.2 BOARD, COMMISSION & COMMITTEE APPOINTMENTS

### 10.2.1 LIBRARY COMMISSION JOINT CITY/COUNTY COMMISSIONER APPOINTMENT

On September 4, 2018, the Council conducted candidate interviews to fill one City of Santa Rosa/Sonoma County Commissioner and one City of Santa Rosa Commissioner on the Library Commission. On October 2, 2018, the Council elected Karen Schneider as the City/County Commissioner and David Cahill as the City Commissioner. Subsequently, a question was raised concerning the adequacy of the election process. Pursuant to Resolution No. 28469, the appointment of the City/County Commissioner is to begin with a joint recommendation by the City of Santa Rosa Mayor and Chair of the Sonoma County Board of Supervisors submitted for Council consideration. The Mayor and Chair have now formally and jointly recommended Karen Schneider as the City/County Commissioner. It is recommended that the Council, by motion, approve the appointment of Karen Schneider as the City/County Commissioner to the Sonoma County Library Commission to serve a four-year term set to expire August 1, 2022.

**Attachments:** [CC - Resolution 28469.pdf](#)

**A motion was made by Mayor Coursey, seconded by Council Member Tibbetts, to approve the appointment of Karen Schneider as the City/County Commissioner to the Sonoma County Library Commission to serve a four-year term set to expire August 1, 2022. The motion carried by the following vote:**

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

**Absent:** 1 - Vice Mayor Rogers

## 10.3 MATTERS FROM COUNCIL REGARDING FUTURE AGENDA ITEMS

### 10.3.1 REQUEST FOR AGENDA ITEM REGARDING REAL PROPERTY

## TRANSFER TAX (RPTT) AND ITS RELATION TO AFFORDABLE HOUSING AND HOMELESS ISSUES

BACKGROUND: At the November 13, 2018, City Council Meeting, Council Member Tibbetts requested a future agenda item to discuss RPTT and its relation to affordable housing and homeless issues. Council Member Schwedhelm concurred with the request.

**A motion was made by Council Member Tibbetts, seconded by Council Member Schwedhelm, to approve a future agenda item to discuss Real Property Transfer Tax and its relation to affordable housing and homeless issues. The motion carried by the following vote:**

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

**Absent:** 1 - Vice Mayor Rogers

## 11. APPROVAL OF MINUTES

11.1 October 16, 2018, Regular Meeting.

Attachments: [Draft Minutes](#)

**Approved as submitted with Council member Olivares abstaining.**

11.2 October 23, 2018, Regular Meeting.

Attachments: [Draft Minutes](#)

**Approved as submitted.**

## 12. CONSENT ITEMS

### PUBLIC COMMENT

Gregory Fearon spoke regarding Item 12.1; and that Santa Rosa Together would like to work with the Downtown Station Area Specific Plan.

Peter Tscherneff spoke in support of Item 12.9.

Anita Lafollette spoke in support of Item 12.9.

Pat Nicholson spoke in support of Item 12.9.

Thomas Ells spoke in support of Items 12.8 and 12.9.

George Uberti spoke in support of Item 12.9.

Merlin Davis spoke in support of Item 12.9.

Kathleen Finigan spoke in support of Item 12.9.

### Approval of the Consent Agenda

**A motion was made by Mayor Coursey, seconded by Council Member Olivares, to waive reading of the text and adopt Consent Items 12.1 through 12.9, except for Item 12.3. The motion carried by the following vote:**

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

**Absent:** 1 - Vice Mayor Rogers

**12.1 RESOLUTION - PROFESSIONAL SERVICES AGREEMENT WITH DYETT & BHATIA, URBAN AND REGIONAL PLANNERS - DOWNTOWN STATION AREA SPECIFIC PLAN UPDATE**

RECOMMENDATION: The Planning and Economic Development Department recommends that the Council, by resolution, approve a Professional Services Agreement with Dyett & Bhatia, Urban and Regional Planners, Oakland, California for preparation of the Downtown Station Area Specific Plan Update in an amount not to exceed \$800,000.

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

**This Consent - Resolution was adopted.**

**RESOLUTION NO. RES-2018-201 ENTITLED: RESOLUTION OF THE COUNCIL OF THE CITY OF SANTA ROSA APPROVING A PROFESSIONAL SERVICES AGREEMENT WITH DYETT & BHATIA, URBAN AND REGIONAL PLANNERS, OAKLAND, CALIFORNIA, IN AN AMOUNT NOT TO EXCEED \$800,000 FOR PREPARATION OF THE DOWNTOWN STATION AREA**

**SPECIFIC PLAN UPDATE**

- 12.2** RESOLUTION - PROFESSIONAL SERVICES AGREEMENT WITH CARLILE MACY INC. TO PROVIDE LANDSCAPE ARCHITECTURAL DESIGN SERVICES TO PREPARE A MASTER PLAN AND CONSTRUCTION DOCUMENTS FOR COFFEY NEIGHBORHOOD PARK

RECOMMENDATION: It is recommended by the Recreation and Parks Department that Council, by resolution, approve the Professional Services Agreement between the City of Santa Rosa and Carlile Macy, Inc., Santa Rosa, CA, in an amount not to exceed \$217,140 to provide a master plan and construction documents for Coffey Neighborhood Park which was damaged by the October 2017 wildfires.

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

**This Consent - Resolution was adopted.**

**RESOLUTION NO. RES-2018-202 ENTITLED: RESOLUTION OF THE COUNCIL OF THE CITY OF SANTA ROSA APPROVING THE PROFESSIONAL SERVICES AGREEMENT WITH CARLILE MACY, INC. TO PROVIDE LANDSCAPE ARCHITECTURAL DESIGN SERVICES FOR A MASTER PLAN FOR CONSTRUCTION DOCUMENTS FOR COFFEY NEIGHBORHOOD PARK**

- 12.3** RESOLUTION - MEASURE O CHOICE GRANT PROGRAM CYCLE IX YEAR 2 FUNDING RECOMMENDATIONS AND AUTHORIZATION TO APPROVE FUNDING AGREEMENTS

RECOMMENDATION: It is recommended by the Office of Community Engagement that the Council, by resolution: 1) Adopt the funding recommendations of the Grant Review Team for year two of the Cycle IX Measure O Community Helping Our Indispensable Children Excel (CHOICE) grant program for Calendar Year 2019; and 2) directing the City Manager or designee to approve and execute funding agreements with the approved providers; and 3) authorizing the City Manager or his designee to approve and execute any amendments to the funding agreements.

**Attachments:** [Staff Report](#)  
[Attachment 1](#)  
[Resolution](#)  
[Exhibit A](#)  
[Exhibit B](#)  
[Presentation](#)  
[Resolution 1 Revised](#)  
[Resolution 2 Revised](#)  
[Exh A - Resoution 1 Revised](#)  
[Exh A - Resolution 2 Revised](#)  
[Exh B - Resos 1 and 2 Revised](#)

**A motion was made by Mayor Coursey, seconded by Council Member Tibbetts, to waive the reading of the text to accept all of the programs listed under Measure O Grant Program Cycle IX, excluding The Salvation Army program and adopt as amended:**

**RESOLUTION NO. RES-2018-208 ENTITLED: RESOLUTION OF THE COUNCIL OF THE CITY OF SANTA ROSA ADOPTING THE FUNDING RECOMMENDATIONS OF THE GRANT REVIEW TEAM FOR YEAR TWO OF CYCLE IX OF THE CHOICE GRANT PROGRAM AND DIRECTING THE CITY MANAGER TO APPROVE AND EXECUTE FUNDING AGREEMENTS**

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

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

**No:** 1 - Council Member Schwedhelm

**Absent:** 1 - Vice Mayor Rogers

**A motion was made by Mayor Coursey, seconded by Council Member Sawyer, to waive reading of the text to fund The Salvation Army program under Measure O Grant Program Cycle IX as amended and adopt:**

**RESOLUTION NO. RES-2018-209 ENTITLED: RESOLUTION OF THE COUNCIL OF THE CITY OF SANTA ROSA ADOPTING THE FUNDING RECOMMENDATIONS OF THE GRANT REVIEW TEAM FOR YEAR TWO OF CYCLE IX OF THE CHOICE GRANT PROGRAM AND DIRECTING THE CITY MANAGER TO APPROVE AND EXECUTE FUNDING AGREEMENTS**

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

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

**No:** 1 - Council Member Combs



**Absent:** 1 - Vice Mayor Rogers

**12.4 RESOLUTION - APPROVAL OF SECOND AMENDMENT TO PROFESSIONAL SERVICES AGREEMENTS WITH RENNE PUBLIC LAW GROUP LLP FOR LABOR AND EMPLOYMENT SERVICES**

RECOMMENDATION: It is recommended by the Human Resources Department, City Attorney's Office, and City Manager that the Council, by resolution, approve the Second Amendment to Professional Services Agreements with Renne Public Law Group LLP in an amount of \$250,000 for continued legal services related to specialized labor relations and employment law issues, for total compensation not to exceed \$422,068.56, and amend the fiscal year (FY) 2018-19 General Fund adopted budget in the Human Resources Department.

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

**This Consent - Resolution was adopted.**

**RESOLUTION NO. RES-2018-203 ENTITLED: RESOLUTION OF THE COUNCIL OF THE CITY OF SANTA ROSA APPROVING A SECOND AMENDMENT TO PROFESSIONAL SERVICES AGREEMENT F001787 WITH RENNE PUBLIC LAW GROUP LLP AND AMENDING THE FISCAL YEAR 2018-19 ADOPTED BUDGET**

**12.5 RESOLUTION - APPROVAL OF MUTUAL NON-DISCLOSURE AGREEMENT BETWEEN SONOMA COUNTY, ONSOLVE LLC AND THE CITY OF SANTA ROSA TO ALLOW USE OF CERTAIN SANTA ROSA WATER CUSTOMER DATA FOR EMERGENCY NOTIFICATION PURPOSES**

RECOMMENDATION: It is recommended by the Santa Rosa Fire Department that the Council, by Resolution, approve a Mutual Non-Disclosure Agreement with OnSolve LLC and Sonoma County, through Its Department of Fire & Emergency Services, which will allow the City to share certain information from the City Water Department customer billing database for the purpose of entering such information into the City/County shared emergency notification system, SoCoAlert.

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

**This Consent - Resolution was adopted.**

**RESOLUTION NO. RES-2018-204 ENTITLED: RESOLUTION OF THE COUNCIL OF THE CITY OF SANTA ROSA APPROVING A MUTUAL NON-DISCLOSURE AGREEMENT BETWEEN SANTA ROSA, THE COUNTY OF SONOMA AND ONSOLVE LLC FOR USE OF CERTAIN CITY WATER DATA FOR EMERGENCY NOTIFICATION**

- 12.6 RESOLUTION - APPROVAL OF PROFESSIONAL SERVICES AGREEMENT FOR EOC SOFTWARE WITH BUFFALO COMPUTER GRAPHICS, INC.

RECOMMENDATION: It is recommended by the Fire and Finance Departments that the Council, by resolution, approve the Professional Services Agreement with Buffalo Computer Graphics, Inc., of Blasdell, New York, for web-based emergency incident management software and maintenance in an amount not to exceed \$169,796.72.

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

**This Consent - Resolution was adopted.**

**RESOLUTION NO. RES-2018-206 ENTITLED: RESOLUTION OF THE COUNCIL OF THE CITY OF SANTA ROSA APPROVING THE PROFESSIONAL SERVICES AGREEMENT WITH BUFFALO COMPUTER GRAPHICS, INC., BLASDELL, NY FOR WEB BASED EMERGENCY INCIDENT MANAGEMENT SOFTWARE AND MAINTENANCE, IN AN AMOUNT NOT TO EXCEED \$169,796.72**

- 12.7 MOTION - SECOND AMENDMENT TO AGREEMENT NO. F001360 WITH DAYDREAMER CINEMA LLC DBA CULTURE POP FILMS

RECOMMENDATION: It is recommended by the City Manager's Office that the Council, by motion, approve the Second Amendment to Professional Services Agreement No. F001360 with Daydreamer Cinema LLC dba Culture Pop Films in an amount not to exceed \$15,000

for a total contract amount of \$110,000, in substantially the same form as Attachment 1 to the Staff Report, subject to approval as to form by the City Attorney.

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

**This Consent - Motion was approved.**

**12.8        RESOLUTION - EXTENSION OF PROCLAMATION OF EXISTENCE OF LOCAL EMERGENCY DUE TO FIRES**

RECOMMENDATION: It is recommended by the City Attorney's Office that the Council, by resolution, declare that the proclamation of a state of local emergency within the City of Santa Rosa has been and remains in full force and effect without interruption.

**Attachments:**    [Resolution](#)

**This Consent - Resolution was adopted.**

**RESOLUTION NO. RES-2018-205 ENTITLED: RESOLUTION OF THE COUNCIL OF THE CITY OF SANTA ROSA EXTENDING THE PROCLAMATION OF EXISTENCE OF A LOCAL EMERGENCY DUE TO FIRES**

**12.9        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](#)

**This Consent - Resolution was adopted.**

**RESOLUTION NO. RES-2018-207 ENTITLED: RESOLUTION OF THE COUNCIL OF THE CITY OF SANTA ROSA EXTENDING A PROCLAMATION OF LOCAL HOMELESS EMERGENCY (Government Code Sections 8630 et seq.)**

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

Peter Tscherneff spoke regarding flat business tax rates and income inequality.

Miles Burgin spoke regarding economic imbalance in Sonoma County, and focusing on small business.

Mike Turgeon, Santa Rosa Climate Action Plan, spoke in support of all-electric ordinance.

Robert Hansen spoke regarding Family Court systems.

Adrienne Lauby spoke in support of assisting the homeless.

Kevin Conway spoke regarding all-electric ready ordinance.

Merlin Davis spoke regarding political engagement.

Keith Woods spoke regarding the homeless encampment at Northpoint.

Briena Panka spoke regarding homeless concerns.

## **14. REPORT ITEMS**

Mayor Coursey heard Item 14.7 before Item 14.4.

### **14.1 REPORT - REVIEW AND COMMENT ON THE STATE OF CALIFORNIA COMMUNITY DEVELOPMENT BLOCK GRANT-DISASTER RECOVERY (CDBG-DR) DRAFT ACTION PLAN AND PROVIDE DIRECTION IF SANTA ROSA SHOULD REQUEST AND NEGOTIATE A TUBBS AND NUNS FIRE RECOVERY STATE SUBRECIPIENT STATUS**

**BACKGROUND:** In April 2018, the U.S. Department of Housing and Urban Development (HUD) allocated \$124,155,000 in CDBG-DR funding to the State of California Housing and Community Development Department to assist with recovery efforts for the fire disasters that occurred in California in 2017, including but not limited to, the Tubbs and Nuns Fires. In August 2018, Congress published the Federal

Register providing the timelines associated with the funds. As the grantee, HCD is required to submit an Action Plan to HUD within 120 days following the publishing of the Federal Register or December 18, 2018. The Action Plan includes an analysis of each qualifying jurisdiction's unmet recovery needs, designating eligible uses of the funding, and the method of distribution to include any allocation of the funding to Units of Local Government. HCD's draft Action Plan was published on November 13, 2018 and includes their analysis of unmet needs for all qualifying jurisdictions state-wide. The City of Santa Rosa retained Hagerty Consulting, Inc. to prepare an unmet needs assessment specific to Santa Rosa, which was reviewed in Study Session earlier today. This is an opportunity for the Council to reach consensus on feedback to provide to HCD regarding their draft Action Plan; and direct the City Manager whether to request, negotiate and execute a subrecipient contract with HCD.

**RECOMMENDATION:** It is recommended by the Housing and Community Services Department, that the Council direct staff, via motion, to provide the Council's consensus commentary on the State of California Housing and Community Development Department (HCD) draft Action Plan via a letter from the Mayor to HCD; and, if Council directs via motion, authorize the City Manager to request, negotiate and execute a subrecipient agreement with HCD to include management of CDBG-DR funds.

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

Vice Mayor Rogers joined the meeting at 5:37 p.m.

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

#### PUBLIC COMMENT

George Uberti spoke in opposition to the item.

Peter Tscherneff spoke in opposition to the item.

Peter Tscherneff disrupted the meeting. Mayor Coursey recessed

the meeting at 6:20 p.m. and reconvened the meeting at 6:40 p.m.

Steve Birdlebough, Transportation and Land Use Coalition, spoke regarding displaced persons.

**A motion was made by Council Member Schwedhelm, seconded by Council Member Combs, to authorize the City Manager to request, negotiate, and execute a subrecipient agreement with Housing and Community Development to include management State of California Community Development Block Grant - Disaster Recovery funds. 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

**A motion was made by Council Member Schwedhelm, seconded by Council Member Sawyer, to approve the Council's consensus commentary on the State of California Housing and Community Development Department (HCD) draft Action Plan with possible future amendments. 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

**A motion was made by Council Member Schwedhelm, seconded by Council Member Olivares, to approve a letter of support from the Mayor to request additional funding from the State of California on behalf of the City of Santa Rosa based on our unmet need report. 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

**14.2 REPORT - MEMORANDUM OF UNDERSTANDING WITH SONOMA COUNTY JUNIOR COLLEGE DISTRICT AND SCJCD ASSOCIATED STUDENTS FOR CITYBUS UNLIMITED ACCESS PASS PROGRAM FOR SANTA ROSA JUNIOR COLLEGE STUDENTS**

**BACKGROUND:** The students of the SCJCD recognized the importance of transit services and elected to use revenue generated from the Student Transportation Fee (STF), to seek agreements with the transit providers within Sonoma County to provide an unlimited transit ridership program. A successful pilot program has allowed SRJC

students ride CityBus free starting in September 2017 through the end of December 2018. The proposed MOU would initiate a new agreement, moving the program out of its pilot phase and extend this benefit to the SRJC students through June 2020.

**RECOMMENDATION:** It is recommended by the Transportation and Public Works Department that the Council, by resolution, approve the Memorandum of Understanding (MOU) with the Sonoma County Junior College District (SCJCD) and the SCJCD Associated Students, establishing the CityBus Unlimited Pass Program for Santa Rosa Junior College students through June 30, 2020.

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

Presented by Yuri Koslen, Transit Planner, Transportation and Public Works.

#### PUBLIC COMMENT

Robert Ethington, Senior Dean of Santa Rosa Junior College, spoke in support of the item.

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

**RESOLUTION NO. RES-2018-210 ENTITLED: RESOLUTION OF THE COUNCIL OF THE CITY OF SANTA ROSA APPROVING THE MEMORANDUM OF UNDERSTANDING WITH SONOMA COUNTY JUNIOR COLLEGE DISTRICT AND SCJCD ASSOCIATED STUDENTS FOR THE CITYBUS UNLIMITED ACCESS PASS PROGRAM THROUGH JUNE 30, 2020**

**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

**14.3** REPORT - SUSPEND PARKSMART SHUTTLE PILOT ON MARCH 1, 2019 AND USE TRANSPORTATION DEMAND MANAGEMENT STRATEGIES TO CONNECTING DOWNTOWN SMART STATION AND RAILROAD SQUARE WITH DOWNTOWN AND CITY PARKING

## GARAGES

**BACKGROUND:** In preparation for initiation of SMART rail service in 2017, the City Council directed staff to implement a pilot shuttle service to provide a connection between the Santa Rosa Downtown SMART Station and parking garages in the downtown area. The shuttle service was implemented on December 13, 2017. Staff now seeks Council approval to discontinue the pilot shuttle service due to poor unitization and productivity but expand the ParkSMART program to pilot other transportation strategies to strengthen connections between the Downtown SMART Station, parking facilities, and the Downtown area.

**RECOMMENDATION:** It is recommended by the Finance Department and the Transportation and Public Works Department that the Council, by Resolution, direct staff to, 1) suspend the pilot ParkSMART shuttle service effective March 1, 2019; and 2) further develop a ParkSMART Transportation Demand Management (TDM) program to pilot TDM strategies strengthening the link between Railroad Square, the Downtown SMART Station, and the Downtown area.

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

Presented by Yuri Koslen, Transit Planner, Transportation and Public Works.

## PUBLIC COMMENT

Daisy Pistey Lyhne, Executive Director of Sonoma County Conservation Action, spoke in support of the item and the need of marketing the benefits.

Steve Birdlebough, Friends of SMART, spoke in support of the item and the need of marketing the benefits.

Thomas Ells spoke in support of the item; and the concern of the parking impact.

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



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**RESOLUTION NO. RES-2018-211 ENTITLED: RESOLUTION OF THE COUNCIL OF THE CITY OF SANTA ROSA AUTHORIZING THE SUSPENSION OF PARKSMART SHUTTLE SERVICES, EFFECTIVE MARCH 1, 2019, AND THE INITIATION OF OTHER PILOT TRANSPORTATION DEMAND MANAGEMENT STRATEGIES TO STRENGTHEN THE LINK BETWEEN THE DOWNTOWN SMART STATION AND DOWNTOWN SANTA ROSA THRU JUNE 30, 2020**

**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

**14.4 REPORT - PARKING GARAGE 9 - 2017 REPAIR PROJECT**

**BACKGROUND:** The Parking Garage 9 - 2017 Repair Project arises from a recommendation received by the City in a condition appraisal report prepared by Walker Restoration Consultants, dated March 2007. The most significant deficiency to be addressed by the proposed project involves replacement of the top layer of concrete (the “wear slab”) on the top level of Garage 9. Other work includes selective concrete repair, crack sealing and waterproofing. The repairs will protect structural components and extend the service life of the parking garage.

On September 4, 2018, an award of Contract No. C01823 to Ashron Construction and Restoration, Inc., of Santa Clara, California was presented to the City Council for consideration. The motion to award the contract resulted in a tie vote (3 ayes, 3 noes). The Council thereafter directed staff to bring back a smaller scale repair project and wait a year to bring back a project for full repairs. The Council did not act to reject all bids. A rejection of all bids is necessary where a construction contract is not awarded. An alternative action would be to award the contract to the responsible low bidder.

**RECOMMENDATION:** It is recommended by the Transportation and Public Works Department and Finance Department that the Council, either:

1) by Motion: reject all bids for the City of Santa Rosa Parking Garage #9 - 2017 Repairs project and reaffirm Council’s direction on September 4, 2018 to bring back a smaller scale repair project for contract award

and wait a year to bring back a project for full repairs, or:

2) by Motion, award Contract No. C01823, City of Santa Rosa Parking Garage #9 - 2017 Repairs, in the amount of \$2,180,095.00 to the lowest responsible bidder, Ashron Construction & Restoration, Inc. of Santa Clara, California, approve a 10% contract contingency, and authorize a total contract amount of \$2,398,104.50; and by Resolution, approve a FY 2018/19 budget allocation of \$706,569.00 to Key 45029- Garage 9 Repairs, from the Parking Fund-1641.

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

Presented by Steve Dittmer, Supervising Engineer, and Kim Nadeau, Parking Manager.

**A motion was made by Council Member Sawyer, seconded by Council Member Olivares, to award Contract No. C01823, City of Santa Rosa Parking Garage #9 - 2017 Repairs, in the amount of \$2,180,095.00 to the lowest responsible bidder, Ashron Construction & Restoration, Inc. of Santa Clara, California, approve a 10% contract contingency, and authorize a total contract amount of \$2,398,104.50; and to waive reading of the text and adopt:**

**RESOLUTION ENTITLED: RESOLUTION OF THE COUNCIL OF THE CITY OF SANTA ROSA AUTHORIZING A MIDYEAR FY 2018-19 BUDGET APPROPRIATION FOR GARAGE 9 REPAIRS**

**Motion was withdrawn by Council Member Sawyer.**

**A motion was made by Vice Mayor Rogers, seconded by Council Member Combs, to reject all bids for the City of Santa Rosa Parking Garage #9 - 2017 Repairs project and reaffirm Council's direction on September 4, 2018 to bring back a smaller scale repair project for contract award and wait a year to bring back a project for full repairs. The motion carried by the following vote:**

**Yes:** 4 - Mayor Coursey, Vice Mayor Rogers, Council Member Combs, and Council Member Tibbetts

**No:** 3 - Council Member Olivares, Council Member Sawyer, and Council Member Schwedhelm

**14.5** REPORT - WASTEWATER REVENUE REFUNDING BONDS, SERIES 2018A AND WATER REVENUE REFUNDING BONDS, SERIES 2018

**BACKGROUND:** *2018 Wastewater Bonds.* The City previously issued multiple series of wastewater revenue bonds pursuant to an Indenture of Trust dated as of February 1, 1988 (the "Master Indenture"), by and between the City and U.S. Bank National Association (the "Trustee"), as successor trustee, and multiple supplements to the Master Indenture, including the following two series of bonds:

(i) \$67,010,000 initial principal amount City of Santa Rosa Wastewater Revenue Bonds, Series 2007A, which were issued pursuant to a Fifteenth Supplemental Indenture, dated as of June 1, 2007 (the "Series 2007A Bonds"). The City issued the 2007A Bonds to finance and refinance improvements to the Wastewater System, including, among others, recycled water system improvements, subregional system improvements, improvements to the Laguna Facility and related capital upgrades, and construction and development of the Geysers Recharge Project. The 2007A Bonds are currently outstanding in the principal amount of \$17,685,000.

(ii) \$95,805,000 initial principal amount City of Santa Rosa Wastewater Revenue Refunding Bonds, Series 2016A (the "Series 2016A Bonds"), which were issued pursuant to a Nineteenth Supplemental Indenture, dated as of August 1, 2016; the proceeds of the Series 2016A Bonds were used, in part, to refund the portion of the Series 2007A Bonds that could be refunded with tax-exempt bonds on an advance basis.

*2018 Water Bonds.* The City previously issued its City of Santa Rosa Water Revenue Bonds, Series 2008, in the initial principal amount of \$13,850,000 (the "2008 Bonds") for the purpose of financing Water System improvements, including a portion of the construction of an operations building at the West College Facility. The 2008 Bonds are the only outstanding bonds payable from revenues of the Water System. The 2008 Bonds are currently outstanding in the principal amount of \$11,035,000.

**RECOMMENDATION:** It is recommended by the Finance Department, the Water Department, and the Board of Public Utilities that the Council,

by resolution, take the following actions to authorize the issuance of refunding bonds to achieve debt service savings:

Wastewater System: In connection with the issuance of Wastewater Revenue Refunding Bonds, Series 2018A (the “2018 Wastewater Bonds”) for the City’s wastewater system (“Wastewater System”), approve the forms of the Preliminary Official Statement, Continuing Disclosure Certificate, Twentieth Supplemental Indenture of Trust, Escrow Deposit and Trust Agreement and Bond Purchase Agreement.

Water System: In connection with the issuance of Water Revenue Refunding Bonds, Series 2018 (the “2018 Water Bonds”) for the City’s water system (“Water System”), approve the forms of the Preliminary Official Statement, Continuing Disclosure Certificate, Indenture of Trust, Irrevocable Refunding Instructions and Bond Purchase Agreement.

**Attachments:**    [Staff Report](#)  
[Attachment 1](#)  
[Attachment 2](#)  
[Attachment 3](#)  
[Attachment 4](#)  
[Attachment 5](#)  
[Attachment 6](#)  
[Attachment 7](#)  
[Attachment 8](#)  
[Resolution 1](#)  
[Resolution 2](#)  
[Presentation](#)

Council Member Combs left the meeting at 9:45 p.m.

Presented by Kimberly Zunino, Deputy Director of Water Department.

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

**RESOLUTION NO. RES-2018-212 ENTITLED: RESOLUTION OF THE COUNCIL OF THE CITY OF SANTA ROSA AUTHORIZING THE ISSUANCE AND SALE OF CITY OF SANTA ROSA WASTEWATER REVENUE REFUNDING BONDS, SERIES 2018A, APPROVING AND AUTHORIZING AND DIRECTING EXECUTION OF A SUPPLEMENTAL INDENTURE OF TRUST, A BOND PURCHASE CONTRACT, AN ESCROW DEPOSIT AND TRUST AGREEMENT AND OTHER RELATED DOCUMENTS, APPROVING**

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**AN OFFICIAL STATEMENT, AND AUTHORIZING OFFICIAL ACTION**

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

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

**Absent:** 1 - Council Member Combs

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

**RESOLUTION NO. RES-2018-213 ENTITLED: RESOLUTION OF THE COUNCIL OF THE CITY OF SANTA ROSA AUTHORIZING THE ISSUANCE AND SALE OF CITY OF SANTA ROSA REFUNDING WATER REVENUE BONDS, SERIES 2018, APPROVING AND AUTHORIZING AND DIRECTING EXECUTION OF AN INDENTURE OF TRUST, A BOND PURCHASE CONTRACT, AN ESCROW DEPOSIT AND TRUST AGREEMENT AND OTHER RELATED DOCUMENTS, APPROVING AN OFFICIAL STATEMENT, AND AUTHORIZING OFFICIAL ACTION**

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

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

**Absent:** 1 - Council Member Combs

**14.6 REPORT - AMENDMENT TO THE CITY CLASSIFICATION AND SALARY PLAN TO MODIFY SALARY AND JOB TITLES OF MULTIPLE WATER DEPARTMENT CLASSIFICATIONS**

**BACKGROUND:** In September 2015, the City contracted with Koff & Associates (K&A) to conduct a classification and compensation study for select classifications in the Water Department. Those findings were delivered in draft form in March 2017 but were not acted on due to the use of nonstandard comparables in the market survey and a change in Water Department objectives. In January 2018, the City contracted with K&A to update the study using standard comparables and those findings were delivered in April 2018. K&A found the Utilities System Operator II classification to be approximately 5% below market, the Laboratory Supervisor to be approximately 10% below market, and recommended changes to classifications in the Mechanical Services

Section.

**RECOMMENDATION:** It is recommended by the Water and Human Resources Departments that the Council, by resolution, amend the City's Classification and Salary Plan to do the following: create the classifications Supervising Instrumentation Technician, Supervising Electrical Technician, and Supervising Mechanical Technologist; reclassify the classifications of Senior Instrumentation Technician to Supervising Instrumentation Technician and Senior Electrical Technician to Supervising Electrical Technician and increase salary 5%; reclassify the Senior Mechanical Technologist classification to Supervising Mechanical Technologist and increase salary 5.9%; increase the step salary ranges of Utilities Systems Operator I, Utilities System Operator II, Senior Utilities Systems Operator by 5%; increase the salary range of Utility System Supervisor, Utility System Superintendent by 5%; increase the salary range of Laboratory Supervisor by 10%.

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

Presented by Bennett Horenstein, Director of Water Department, and Jeremia Mills, Interim Director of Human Resources Department.

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

**RESOLUTION NO. RES-2018-214 ENTITLED: RESOLUTION OF THE COUNCIL OF THE CITY OF SANTA ROSA AMENDING THE CITY'S CLASSIFICATION AND SALARY PLAN TO MODIFY SALARY AND JOB TITLES OF MULTIPLE WATER DEPARTMENT CLASSIFICATIONS**

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

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

**Absent:** 1 - Council Member Combs

**14.7**            **REPORT - URGENCY ORDINANCE AMENDING SECTION 10-44.040 OF THE CITY CODE TO EXTEND THE TEMPORARY PROHIBITION**

## ON RENTAL HOUSING PRICE GOUGING FOR THE DURATION OF THE CITY'S PROCLAMATION OF LOCAL EMERGENCY DUE TO FIRES

**BACKGROUND:** Beginning on the evening of October 8, 2017, and continuing for days thereafter, a series of wildfire events damaged or destroyed thousands of residential and commercial structures within the City of Santa Rosa. On October 9, 2017, the City Manager proclaimed the existence of a local emergency. That proclamation was ratified by the City Council on October 13, 2017 and remains in effect to this day.

Soon after the wildfires swept through the region, City officials were alerted to price gouging in rental housing within the City. To address this issue, the Council adopted Urgency Ordinance ORD-2017-020 adding Chapter 10-44 to the City Code. The Ordinance established a temporary prohibition on rental housing price gouging as well as temporary restrictions on tenant evictions. By its initial terms, the Ordinance was to remain in effect until April 18, 2018.

On May 8, 2018, Council adopted Urgency Ordinance ORD-2018-11 extending the temporary prohibition on rental housing price gouging, as well as temporary restrictions on tenant evictions, so they remain in effect until December 4, 2018 or for as long as the City remains under a State declaration of emergency, whichever is later.

The urgency ordinance now before the Council would amend Section 10-44.040 to further extend the temporary prohibition on rental housing price gouging and the temporary restrictions on tenant evictions, so they remain in effect for so long as the City remains under the City's Proclamation of Local Emergency due to fires. Under the City Charter, five affirmative votes are necessary to adopt an urgency ordinance.

**RECOMMENDATION:** Pursuant to Council request, it is recommended by the City Attorney that the Council consider adoption of an urgency ordinance to amend Section 10-44.040 of the Santa Rosa City Code, to extend the term of the City's prohibition on rental housing price gouging and the temporary restrictions on tenant evictions, such that the prohibition and restrictions remain in effect for so long as the City remains under a proclamation of local emergency due to fires.

**Attachments:**    [Staff Report](#)  
                          [Ordinance](#)  
                          [Presentation](#)  
                          [Ordinance Revised](#)

Presented by Sue Gallagher, City Attorney.

#### PUBLIC COMMENT

Kendall Jarvis spoke in support of the item.

Justine Toms spoke in support of the item.

Miles Burgin spoke in support of the item.

Dorothy Beattie spoke in support of the item.

Maria Garcia, North Bay Job of Justice, spoke in support of the item.

Anne Seeley, Concerned Citizens for Santa Rosa, spoke in support of the item.

Carmen Flores spoke in support of the item.

Peter Adams spoke in support of the item.

Irma Garcia spoke in support of the item.

Dana Bellwether spoke in support of the item.

Christina Ramirez spoke in support of the item.

Candida Zaragoza spoke in support of the item.

Flona Reizner spoke in support of the item.

Michele Misino deLuca spoke in support of the item.

Annie Acker spoke in support of the item.



Julia Rapkin spoke in support of the item.

Daisy Pistey Lyhne, Executive Director of Sonoma County Conservation Action, spoke in support of the item.

Clara Zaragoza spoke in support of the item.

Linda Evans spoke in support of the item.

Bonnie Petty spoke in opposition to the item.

Keith Becker spoke in opposition to the item.

Marisol Angeles spoke in support of the item.

Steve Birdlebough spoke in support of the item.

Thomas Ells spoke in support of the item.

Merlin Davis spoke in support of the item.

Thea Hensel in support of the item.

**A motion was made by Council Member Schwedhelm, seconded by Council Member Combs, to waive reading of the text that this ordinance shall be effective immediately upon its adoption and shall continue in effect until at least October 9, 2019, at which time it shall be subject to review by the City Council at a regularly scheduled Council meeting. In the event that the City's proclamation of local emergency due to the October 2017 wildfires is terminated prior to October 9, 2019, this Ordinance shall thereupon be placed on the City Council's agenda for review at the next available regularly scheduled Council meeting and adopt as amended:**

**ORDINANCE NO. ORD-2018-021 ENTITLED: AN URGENCY AND INTERIM ORDINANCE OF THE COUNCIL OF THE CITY OF SANTA ROSA AMENDING CHAPTER 10-44 OF THE SANTA ROSA CITY CODE TO EXTEND THE TEMPORARY PROHIBITION ON RENTAL HOUSING PRICE GOUGING FOR THE DURATION OF THE CITY'S PROCLAMATION OF LOCAL EMERGENCY DUE TO FIRES**

**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

**15. PUBLIC HEARINGS - NONE.**

**16. WRITTEN COMMUNICATIONS (AND POSSIBLE COUNCIL ACTION) - NONE.**

**17. PUBLIC COMMENTS ON NON-AGENDA MATTERS - NONE.**

**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 10:02 p.m. The next regularly scheduled meeting will take place on December 4, 2018, at a time set by the Mayor.

**20. UPCOMING MEETINGS**

Approved on: December 18, 2018  
/s/ Daisy Gomez, City Clerk