

**SANTA ROSA CITY COUNCIL MINUTES
REGULAR MEETING
CITY HALL, 100 SANTA ROSA AVENUE
MARCH 5, 2013**

1. CALL TO ORDER AND ROLL CALL (MAYOR'S CONFERENCE ROOM)

Mayor Bartley called the meeting to order at 2:00 p.m. Council Members present: Mayor Bartley, Vice Mayor Carlstrom, Council Members Combs, Olivares, Ours, Swinth, and Wysocky.

2. ANNOUNCEMENT OF CLOSED SESSION ITEMS

2.1 PUBLIC COMMENT ON CLOSED SESSION ITEMS – NONE.

2.2 RECESS TO CLOSED SESSION IN MAYOR'S CONFERENCE ROOM

2.3 CONFERENCE WITH LABOR NEGOTIATORS

Agency Designated Representatives: Fran Elm, Human Resources Director, Chris Sliz, Employee Relations Manager and Jennifer Phillips, Assistant City Manager.
Employee Organizations: Santa Rosa Firefighters Association – Local 1401 (representing City Employee Unit 2); Operating Engineers Local 3, Maintenance and Utility System Operators (Employee Units 3 and 16); Santa Rosa City Employees Association (Employee Units 4, 6, 7); Santa Rosa Police Officers Association, (Employee Unit 5); Service Employees International Union Local 1021, (Employee Units 8 and 14); Public Safety Management Association (Employee Unit 9); Santa Rosa City Attorneys' Association (Employee Unit 17), Santa Rosa Management Association (Employee Unit 18).

2.4 CONFERENCE WITH LABOR NEGOTIATOR

Agency Designated Representative: Kathleen Millison, City Manager. Unrepresented Executive Management, Middle Management, and Confidential Employees (Employee Units 10, 11 and 12).

2.5 RECESS CLOSED SESSIONS AND RECONVENE TO OPEN SESSION IN THE COUNCIL CHAMBER

Mayor Bartley recessed the City Council Regular Meeting at 2:30 p.m.

**SPECIAL JOINT MEETING OF THE
SANTA ROSA CITY COUNCIL AND
HOUSING AUTHORITY
CITY COUNCIL CHAMBER
TUESDAY, MARCH 5, 2013
2:30 P.M.**

3. CALL TO ORDER AND ROLL CALL

Mayor Bartley called to order the Special Joint Meeting of the Santa Rosa City Council and Housing Authority at 2:37 p.m. All Council Members were present. All Commissioners of the Housing Authority were present with the exception of Commissioner Castro.

3.1 PUBLIC COMMENT (PUBLIC COMMENT IS LIMITED TO ITEMS WHICH ARE THE SUBJECT OF THE SPECIAL JOINT MEETING)

David Grabill urged the Council and Housing Authority to deny the request for the Proposition 1C Application modification due to the restriction to senior housing.

Willard Richards expressed concerns regarding the restriction to senior housing in the project instead of affordable housing.

3.2 JOINT STUDY SESSION – REVIEW PROPOSED CHANGES OF A MULTI-PHASED, MIXED USE DEVELOPMENT IN RAILROAD SQUARE TO A STAND-ALONE AFFORDABLE HOUSING DEVELOPMENT AT 3 WEST THIRD STREET AND MODIFICATION TO THE PROPOSITION 1C GRANT AWARD

New Railroad Square has received certain land use entitlements, environmental clearances and/or financial pledges from local, state and federal agencies, and private entities. However, real estate and financial markets continue to be weak for new commercial and new market-rate residential construction amid other challenges to the financial feasibility of the project. The State has revised the Proposition 1C Grant program to allow a grant recipient to modify its project from a multi-phase project to a stand-alone project with a commensurate reduction in the grant award.

No action is requested; however, the Council and Housing Authority may discuss and provide questions for staff to include in its further research and discussion for the subsequent meetings at which an action will be requested.

Dave Gouin, Director of Economic Development and Housing, and Frank Kasimov, Program Specialist II, provided the staff report and responded to questions from Council Members and Commissioners. Eugene Lee, Section Chief, Deputy of California Housing and Community Development, and John Stewart, project developer, also provided information and responded to questions from Council Members and Commissioners. John Nemeth, Project Manager of SMART, and Bill Rose, Senior Planner, also responded to questions from Council Members and Commissioners.

No action was taken.

3.3 ADJOURN SPECIAL JOINT MEETING OF THE CITY COUNCIL AND HOUSING AUTHORITY

Mayor Bartley adjourned the Special Joint Meeting at 4:10 p.m.

Mayor Bartley reconvened the City Council Regular Meeting at 4:19 p.m.

4. STUDY SESSION

4.1 UPDATE ON ECONOMIC DEVELOPMENT PROGRAM ACTIVITIES

Dave Gouin, Director of Economic Development and Housing, Danielle O'Leary, Economic Development Manager, and Clare Hartman, Senior Planner, provided Council with an update on the City's Economic Development Program activities including the role of the economic development post redevelopment, current program highlights, and spotlight on strategic partnerships that advance Council's goal of a strong, sustainable, economic base.

5. ANNOUNCEMENT OF ROLL CALL

City Clerk Griffin announced that all Council Members were present.

6. REPORT, IF ANY, ON STUDY AND CLOSED SESSIONS

City Manager Millison reported on the Joint Study Session with the Housing Authority and the Council Study Session regarding Economic Development Program activities.

City Attorney Fowler reported that the Council met in closed session regarding Items 2.3 and 2.4 and there were no actions taken during the closed sessions.

7. PROCLAMATIONS/PRESENTATIONS

7.1 PROCLAMATION – NATIONAL WOMEN'S HISTORY MONTH

Vice Mayor Carlstrom read and presented the Proclamation to Rebecca Hollingsworth, Board Member, National Women's History Project.

PUBLIC COMMENT

Peter Tscherneff recited a poem.

Marsha Vas Dupre spoke regarding economic development efforts and in favor of the Proclamation and the National Organization for Women.

Eileen Bill expressed concerns regarding the BoDean asphalt plant.

7.2 PROCLAMATION – ARBOR WEEK – MARCH 7-14, 2013

Council Member Swinth read and presented the Proclamation to Lisa Grant, Park Maintenance Superintendent, and children from the Apple Valley and Valley Oak Neighborhood Community Service Program. A representative of the California Department of Forestry and Fire Protection presented a Tree City USA flag commemorating Santa Rosa's 35 years in the program.

PUBLIC COMMENT

Peter Tscherneff spoke regarding Luther Burbank and cactus.

8. STAFF BRIEFINGS – NONE

9. APPROVAL OF MINUTES

Council approved the February 12, 2013, Regular Meeting Minutes as submitted.

10. MAYOR'S/COUNCILMEMBERS' REPORTS

10.1 STATEMENTS OF ABSTENTION BY COUNCILMEMBERS

No statements of abstention were made.

10.2 MAYOR /COUNCILMEMBERS' REPORTS

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

Vice Mayor Carlstrom announced her appointment of Ashle Crocker to the Bicycle Pedestrian and Advisory Board.

Council Member Combs announced her appointment of Monica Figueroa to the Board of Community Services.

10.3 REPORTS BY MAYOR/COUNCILMEMBERS REGARDING VARIOUS AGENCY MEETINGS ATTENDED AND POSSIBLE COUNCIL DIRECTION TO ITS REPRESENTATIVES ON PENDING ISSUES BEFORE SUCH BOARDS (IF NEEDED)

a) Sonoma County Transportation Authority (SCTA) – None.

b) Sonoma County Water Agency (SCWA) – Water Advisory Committee – None.

c) Solid Waste Advisory Group (SWAG) – None.

d) Association of Bay Area Governments (ABAG) – None.

e) Other: Council Members reported on the Mayors' and Councilmembers' Association meeting on February 28, 2013. Council Members Ours reported on the February 13, 2013, meeting of the Successor Agency Oversight Board. Vice Mayor Carlstrom reported on a meeting of the Russian River Watershed Association attended by

herself and Council Member Combs. Council Member Combs reported on the Art in Public Places meeting held March 4, 2013.

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

City Manager Millison reported on the commencement of seismic retrofit work on the Sonoma Avenue water transmission main, She further announced recognition of Detective Bryan Reynolds as 2012 Sonoma County Peace Officer of the Year by the Exchange Club and recognition of Officers Dan Hackett, Michael Mieger, Hiroshi Yaguchi, Brett Siwy, Matt Sanchez and Brandon Matthies by Mothers Against Drunk Driving (MADD).

City Attorney Fowler reported on the AB 1234 Ethics Training held on Monday, March 4, 2013.

12. CONSENT ITEMS

MOVED by Vice Mayor Carlstrom, seconded by Council Member Swinth, and carried unanimously to waive reading of the text and adopt Items 12.1 through 12.5 as follows:

12.1 RESOLUTION – TRANSPORTATION DEVELOPMENT ACT (TDA) ARTICLE IV AND STATE TRANSIT ASSISTANCE (STA) CLAIM SUBMITTAL

RESOLUTION NO. 28245 ENTITLED: RESOLUTION OF THE COUNCIL OF THE CITY OF SANTA ROSA AUTHORIZING THE FILING OF A FUNDING CLAIM WITH THE METROPOLITAN TRANSPORTATION COMMISSION FOR ALLOCATION OF TRANSPORTATION DEVELOPMENT ACT ARTICLE IV / STATE TRANSIT ASSISTANCE FUNDS FOR FISCAL YEAR 2013/2014

12.2 RESOLUTION – RATIFICATION OF CITY CO-SPONSORSHIP AGREEMENT BETWEEN THE CITY OF SANTA ROSA AND LUTHER BURBANK HOME & GARDENS ASSOCIATION

RESOLUTION NO. 28246 ENTITLED: RESOLUTION OF THE COUNCIL OF THE CITY OF SANTA ROSA RATIFYING THE CO SPONSORSHIP AGREEMENT BETWEEN THE CITY OF SANTA ROSA AND LUTHER BURBANK HOME & GARDENS ASSOCIATION

12.3 RESOLUTION – MEMORANDUM OF UNDERSTANDING BETWEEN THE RECREATION & PARKS DEPARTMENT AND THE BOYS AND GIRLS CLUB OF CENTRAL SONOMA COUNTY FOR THE MIDDLE SCHOOL SOCCER PROGRAM

RESOLUTION NO. 28247 ENTITLED: RESOLUTION OF THE COUNCIL OF THE CITY OF SANTA ROSA APPROVING A MEMORANDUM OF UNDERSTANDING BETWEEN THE CITY OF SANTA ROSA AND THE BOYS AND GIRLS CLUB OF CENTRAL SONOMA COUNTY TO PROVIDE A MIDDLE SCHOOL SOCCER PROGRAM

12.4 RESOLUTION – ASSESSMENT LIEN AGAINST THE REAL PROPERTY LOCATED AT 540 LEWROSA WAY

RESOLUTION NO. 28248 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 OCCURRING ON THE PROPERTY AT 540 LEWROSA WAY, SANTA ROSA, A.P.N. 180-330-012, AND ORDERING THE ASSESSMENT BE COLLECTED ON THE TAX ROLL BY THE SONOMA COUNTY TAX COLLECTOR

12.5 RESOLUTION – RESOLUTION AMENDING THE CITY CLASSIFICATION AND SALARY PLAN TO ADD ONE ONE-HALF (0.5) FTE LIMITED TERM COMMUNITY DEVELOPMENT TECHNICIAN POSITION FOR A PERIOD OF TEN (10) MONTHS

RESOLUTION NO. 28249 ENTITLED: RESOLUTION OF THE COUNCIL OF THE CITY OF SANTA ROSA AMENDING THE CITY CLASSIFICATION AND SALARY PLAN TO ADD ONE ONE-HALF (0.5) FTE LIMITED TERM COMMUNITY DEVELOPMENT TECHNICIAN POSITION FOR A PERIOD OF TEN (10) MONTHS

13. REPORT ITEMS

13.1 REPORT – SONOMA COUNTY WATER AGENCY 2013/14 WATER TRANSMISSION BUDGET AND WATER RATE INCREASE

BACKGROUND: Sonoma County Water Agency (SCWA) staff presented the 2013/14 Water Transmission System budget to the Water Advisory Committee (WAC) on February 4, 2013. Based on budget documents provided by SCWA, the proposed wholesale water rate for the City of Santa Rosa will increase 4.95% or from \$672.03 per acre foot to \$705.29 per acre foot. This will translate into a 2.1% "pass-through" to Santa Rosa's water customers beginning July 1.

SCWA will present the 2013/14 water transmission system budget for the Council's consideration after which time the Council may make a recommendation to the City's WAC representative, Council Member Robin Swinth, on whether or not to recommend approval of the proposed 2013/14 SCWA water transmission budget.

On April 1, 2013 the WAC is scheduled to vote on whether or not to recommend approval of the proposed 2013/14 SCWA water transmission budget and water rate increase request to the SCWA Board of Directors.

RECOMMENDATION: It is recommended by the Department of Utilities and the Board of Public Utilities that Council, by motion, authorize Santa Rosa's WAC representative to vote in favor of approving the proposed 2013/14 SCWA water transmission budget and water rate increase request.

Glen Wright, Deputy Director Engineering Services, Michael Thompson, Assistant General Manager for Sonoma County Water Agency, and Lynne Rosselli, Finance and Accounting Manager for Sonoma County Water Agency, provided the staff report and responded to questions from Council members.

PUBLIC COMMENT

Peter Tscherneff spoke in favor of reducing resident utility rates and increasing winery utility rates and other topics.

Stephen Fuller-Rowell spoke in favor of increasing the differences between the rate tiers.

Following Council discussion, it was **MOVED** by Council Member Ours, seconded by Council Member , and carried 5-2 (Council Members Combs and Wysocky voting no) to authorize Council Member Swinth as Santa Rosa's representative on the Water Advisory Committee to vote in favor of approving the proposed 2013/14 Sonoma County Water Agency water transmission budget and water rate increase request.

Mayor Bartley recessed the meeting at 6:46 p.m. and reconvened the meeting at 6:55 p.m. With Council's concurrence Mayor Bartley reordered the agenda to consider Public Hearing Item 14.1 at this time.

14. PUBLIC HEARINGS

14.1 PUBLIC HEARING – RESOLUTION AUTHORIZING WEED AND RUBBISH ABATEMENT BY THE CITY OF SANTA ROSA FIRE DEPARTMENT

BACKGROUND: On February 12, 2013, Council declared, by resolution, weeds and rubbish as a public nuisance. The second procedure is to publish a notice of a public hearing, at which time a person or persons may voice an objection to the Weed and Rubbish Abatement Program. After hearing any or all protests, the Council, by resolution, may grant or overrule any protest and authorizes the Fire Department to abate the nuisances.

RECOMMENDATION: It is recommended by the Fire Department that the Council, by resolution, grant or over rule any protests and authorize the Fire Department to abate the nuisances.

Toby Rey, Fire Inspector I, provided the staff report.

PUBLIC HEARING

Mayor Bartley opened the public hearing at 6:57 p.m. Seeing no one wishing to speak, Mayor Bartley closed the public hearing at 6:57 p.m.

It was **MOVED** by Council Member Combs, seconded by Council Member Olivares, and carried unanimously to waive reading of the text and adopt:

RESOLUTION NO. 28251 ENTITLED: RESOLUTION OF THE COUNCIL OF THE CITY OF SANTA ROSA OVERRULING PROTESTS AND AUTHORIZING ABATEMENT OF WEEDS OR RUBBISH UPON OR IN FRONT OF CERTAIN PROPERTIES WITHIN THE CITY OF SANTA ROSA AS A PUBLIC NUISANCE

13.2 REPORT – MEASURE O BASELINE FUNDING RECOMMENDATION

BACKGROUND: In 2004, Ordinance 3680 added Chapter 3-26 to the Santa Rosa City Code establishing a special transactions and use tax, known as Measure O, which increased sales tax by a quarter cent to fund specific Police, Fire, and Gang Prevention/Intervention programs. The ordinance has a provision setting a baseline funding level in the General Fund for each of the three aforementioned programs. The baseline was established as the Fiscal Year (FY) 2004/05 budget for these programs adjusted annually by the Consumer Price Index (CPI). The Measure O ordinance also provides the ability to operate below the specific baseline requirements with six affirmative votes by the City Council. The Police General Fund budget is projected to be approximately \$2M under baseline for FY 2013/14. Beginning in FY 2011/12, the Police Department General Fund budget baseline has been restored by approximately \$2 million. While some of the increases to the Police budget resulted from increases in the General Fund revenue base, a significant amount came from budget reductions to other, non-Measure O-related General Fund budgets. These reductions consisted of drastic cuts to services and supplies as well as the loss of three positions since FY 2011/12. The purpose of this item is to call attention to the fact that the projected Police Department budget will continue to be below baseline for FY 2013/14, and provide a mechanism for the City Council to approve, with six affirmative votes, a budget below targeted baseline levels at the outset of the budget process instead of at the budget hearings.

RECOMMENDATION: It is recommended by the City Manager's Office and the Finance Department that the City Council, by resolution and with six affirmative votes, approve the Police Department General Fund budget baseline funding for FY 2013-14 at an amount not to exceed \$1.1 million below the Measure O target baseline.

Alan Alton, Administrative Services Officer, provided the staff report and responded to questions from Council members.

PUBLIC COMMENT

Anne Seeley, Concerned Citizens for Santa Rosa, spoke in favor of the staff recommendation.

Following Council discussion, it was **MOVED** by Council Member Swinth and seconded by Vice Mayor Carlstrom to waive reading of the text and adopt the following resolution, with the final paragraph amended to delete "in an amount not to exceed \$1.1 million below such baseline":

RESOLUTION ENTITLED: RESOLUTION OF THE COUNCIL OF THE CITY OF SANTA ROSA APPROVING LOWER LEVELS OF FUNDING FOR CERTAIN POLICE DEPARTMENT PURPOSES AND USES

The motion failed 5-2 (Council Members Combs and Wysocky voting no).

Following further Council discussion, it was **MOVED** by Council Member Combs and seconded by Council Member Wysocky to authorize the City Manager to go below baseline in an amount not to exceed \$1.6 million. The motion failed 3-4 (Mayor Bartley, Council Members Olivares, Ours and Swinth voting no).

Following further Council discussion, it was **MOVED** by Council Member Swinth, seconded by Council Member Combs, and carried unanimously to approve the Police Department General Fund baseline funding in a range not to exceed \$1.1 million to \$1.6 million below the Measure O target baseline and direct staff to provide further details at a future Council meeting regarding services provided at \$1.1 million, \$1.35 million and \$1.6 million. The motion carried unanimously and the following resolution was adopted, with the final paragraph amended to read, "NOW, THEREFORE, BE IT RESOLVED that the Council of the City of Santa Rosa for FY 2013/14 approves general fund funding for Police Department purposes and uses at levels lower than those in the approved budget for FY 2004/05, as adjusted annually pursuant to Section 3-26.120 (G) of the City Code in a range between \$1.1 million and \$1.6 million below such baseline":

RESOLUTION NO. 28250 ENTITLED: RESOLUTION OF THE COUNCIL OF THE CITY OF SANTA ROSA APPROVING LOWER LEVELS OF FUNDING FOR CERTAIN POLICE DEPARTMENT PURPOSES AND USES

15. **WRITTEN COMMUNICATIONS (AND POSSIBLE COUNCIL ACTION) – NONE.**
16. **PUBLIC COMMENTS ON NON-AGENDA MATTERS – None.**
17. **ANNOUNCEMENT OF CONTINUED CLOSED SESSION ITEM(S), RECESS TO CLOSED SESSION(S) IN THE MAYOR'S CONFERENCE ROOM, RECONVENE TO OPEN SESSION, AND ANNOUNCEMENTS – NONE.**
18. **ADJOURNMENT OF MEETING**

Hearing no further business, Mayor Bartley adjourned the meeting at 8:52 p.m. The next regularly scheduled meeting will take place on March 12, 2013, at a time to be set by the Mayor.

Approved on: April 2, 2013

/s/ Terri A. Griffin, City Clerk