



## City of Santa Rosa

City Hall  
100 Santa Rosa Avenue  
Santa Rosa, CA 95404

### **CITY COUNCIL REGULAR MEETING AGENDA AND SUMMARY REPORT NOVEMBER 5, 2013**

**Vice Mayor Carlstrom will be participating in the meeting via teleconference from 445 Denton Way, Santa Rosa, California, at a location which is publicly accessible.**

**This agenda shall be posted at this location.**

**3:00 P.M. (MAYOR'S CONFERENCE ROOM, ROOM 10)**

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

#### **2. ANNOUNCEMENT OF CLOSED SESSION ITEMS**

Following the announcement of Closed Session items and prior to recess into Closed Session, the public may speak up to three minutes on items to be addressed in Closed Session.

##### **2.1 CONFERENCE WITH LEGAL COUNCIL - ANTICIPATED LITIGATION**

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

##### **2.2 CONFERENCE WITH LABOR NEGOTIATORS (Government Code Section 54957.6)**

Agency Designated Representatives: Fran Elm, Human Resources Director, Chris Sliz, Employee Relations Manager, and Carol Stevens of Burke, Williams & Sorensen, LLP.

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).

*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.*

**2.3 CONFERENCE WITH LABOR NEGOTIATORS**  
(Government Code Section 54957.6)

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

**RECESS CLOSED SESSION(S) AND RECONVENE TO OPEN SESSION IN THE COUNCIL CHAMBER**

**3:30 P.M. (CITY COUNCIL CHAMBER)**

**3. STUDY SESSION**

Study Session items are items for in-depth discussion and possible direction to staff. No action may be taken.

**3.1 ACTUARIAL IMPACT OF PROPOSED CONTRACT CHANGES FOR UNIT 18 - MISCELLANEOUS MID- MANAGEMENT REPRESENTED BY THE SANTA ROSA MANAGEMENT ASSOCIATION AND UNREPRESENTED UNITS 10 - EXECUTIVE MANAGEMENT, 11 - MIDDLE MANAGEMENT AND 12 - CONFIDENTIAL**

AGENDA SUMMARY: On November 19, 2013, the Council is scheduled to consider the approval of a contract with Unit 18 - Miscellaneous Mid-Management, represented by the Santa Rosa Management Association. Council will also consider approval of a document that describes the wages, hours and working conditions for employees designated in the City's unrepresented Units 10- Executive Management, 11 - Middle Management and 12 - Confidential. The proposed contract changes include an increase in the pension contribution payment by members. An increase in the member contribution to PERS is generally considered a reduction in benefits. To comply with the requirements of Government Code Section 7507, Ms. Mary Beth Redding of Bartel Associates LLC will present the actuarial impact of the proposed contract changes.

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

**PUBLIC COMMENTS ON AGENDA ITEMS:**

Except for public hearing items, comments from the public will be allowed on all agenda items at the time each item is called. Comments on public hearing items may be made when the hearing is opened.

**PUBLIC COMMENT ON NON-AGENDA ITEMS:**

Comments from the public on non-agenda items will be heard under Agenda Item 15.

**4. ANNOUNCEMENT OF ROLL CALL**

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

**6. PROCLAMATIONS/PRESENTATIONS**

**6.1** PROCLAMATION - EDEN HOUSING 45TH ANNIVERSARY

**6.2** PROCLAMATION - GEYSERS OPERATIONS 10-YEAR ANNIVERSARY

**7. STAFF BRIEFINGS**

This time is reserved for City staff to provide a five-minute briefing to the Council on departmental issues of interest. No action will be taken on these matters except to possibly place a particular item on a future agenda for Council consideration.

**7.1** DATA DRIVEN APPROACH TO CRIME AND TRAFFIC SAFETY (DDACTS)

The Police Department has launched a pilot program using Data Driven Approach to Crime and Traffic Safety (DDACTS). The Police Department will provide a briefing to the City Council on how the DDACTS pilot program was developed and outcomes.

**7.2 SONOMA COUNTY WASTE MANAGEMENT AGENCY UPDATE**

Jennifer Phillips, Assistant City Manager and the City's representative on the Sonoma County Waste Management Agency (SCWMA), will provide a briefing regarding SCWMA activities and upcoming projects.

**8. APPROVAL OF MINUTES**

**8.1\*** October 1, 2013, Regular Meeting Minutes.

**8.2\*** October 8, 2013, Regular Meeting Minutes.

**8.3\*** October 15, 2013, Regular Meeting Minutes.

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

**9.1 STATEMENTS OF ABSTENTION BY COUNCILMEMBERS**

**9.2 MAYOR'S/COUNCILMEMBERS' REPORTS**

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

**9.3.1 Sonoma County Transportation Authority/Regional Climate Protection Authority (SCTA/RCPA)**

**9.3.2 Sonoma County Water Agency (SCWA) - Water Advisory Committee**

**9.3.3 Association of Bay Area Governments (ABAG)**

**9.3.4 Sonoma County Agricultural Preservation and Open Space District Advisory Committee**

**9.3.5 Sonoma Clean Power Authority (SCPA)**

**9.3.6 Other**

## **9.4 ELECTION OF VICE MAYOR**

Pursuant to Charter Section 15 and Section XII of the Council Manual of Procedures and Protocols, the Council will elect a Vice Mayor to serve a term of one year.

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

## **11. CONSENT ITEMS**

### **11.1\* MOTION - BID AWARD - UNIFORM & LINEN RENTAL SERVICES**

RECOMMENDATION: It is recommended by the Finance Department that the Council, by motion, approve bid award and issuance of a three-year term contract with two, one-year renewal options for uniform, linen and mat rental services, to the lowest responsive, responsible bidder, Mission Linen Supply Inc., Benicia, CA, in an amount not to exceed \$265,303.68, plus a contingency in the amount of \$60,000, subject to approval as to form by the City Attorney. Funds for this expenditure have been allocated in the FY 2013-14 various charge accounts and will be allocated in future fiscal year budgets when approved by the Council.

### **11.2\* MOTION - CONTRACT AWARD - UNLEADED GASOLINE AND DIESEL FUEL**

RECOMMENDATION: It is recommended by the Finance Department that the Council, by motion, approve a multiple award and issuance of two-year contracts with extension options by the City for up to three years for unleaded gasoline and diesel fuel to the lowest responsive and responsible bidders, Nick Barbieri Trucking, LLC, dba Redwood Coast Fuels, Ukiah, California, in an amount not to exceed \$5,000,000, and to Ramos Oil Company, Inc., West Sacramento, California, in an amount not to exceed \$350,000, for a combined total of \$5,350,000, subject to approval as to form by the City Attorney. Funds for this expenditure have been allocated in various departmental operational budgets for FY 2013-14, and will be budgeted in FY 2014-15 when approved by the Council.

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**11.3\* MOTION - CONTRACT EXTENSION - FINANCIAL AUDIT SERVICES**

RECOMMENDATION: It is recommended by the Finance Department that the Council, by motion, approve the Second Amendment to Professional Services Agreement Number F000364 with Macias Gini & O'Connell LLP, Sacramento, California for a two-year extension for financial audit services, with no increase in rates, in the amount of \$329,410, subject to approval as to form by the City Attorney. With approval of Amendment Number 2 in the amount of \$329,410, the cumulative value of the contract will be \$658,115. Funds for these services will be included in the operational budgets of the various departments that utilize these services, and will be budgeted in FY 14-15 and FY15-16 when approved by Council.

**11.4\* RESOLUTION - ACCEPTANCE OF DONATION FROM THE SANTA ROSA TENNIS CLUB FOR TENNIS COURT RESTORATION AT GALVIN PARK**

RECOMMENDATION: It is recommended by the Department of Recreation and Parks that the Council, by resolution, accept a \$17,000 donation from Santa Rosa Tennis Club to help provide funding for the reconstruction of courts 5 and 6 at Galvin Park and appropriate the funds to JL Key 09592 - Tennis Court Resurfacing.

**11.5\* RESOLUTION - ACCEPTANCE OF DONATION FROM THE SONOMA COUNTY PICKLEBALL CLUB FOR PICKLEBALL COURT RESURFACING AT FINLEY PARK**

RECOMMENDATION: It is recommended by the Department of Recreation and Parks that the Council, by resolution, accept a \$12,000 donation from the Sonoma County Pickleball Club to resurface one existing tennis court into four pickleball courts and install a new bench at the Finley Park tennis courts and appropriate the funds to JL Key 09742 - Pickleball Courts.

**11.6\* RESOLUTION - FIRST AMENDMENT TO PROFESSIONAL SERVICES AGREEMENT WITH ROYSTON HANAMOTO ALLEY & ABEY**

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**RECOMMENDATION:** It is recommended by the Department of Recreation and Parks and the City Manager's Office that the Council, by resolution, approve the First Amendment to the Professional Services Agreement with Royston Hanamoto Alley & Abey in the amount of \$319,706 for professional services related to master planning and preparation of documents for Bayer Neighborhood Park & Gardens for a total contract amount of \$1,352,403.60. The additional compensation is fully funded through the grant process and no General Fund monies are being used.

**11.7 RESOLUTION - AMENDING THE CITY CLASSIFICATION AND SALARY PLAN INCREASING 0.5 FTE SENIOR ADMINISTRATIVE ASSISTANT TO 1.0 FTE SENIOR ADMINISTRATIVE ASSISTANT**

**RECOMMENDATION:** It is recommended by the Police Department that the Council, by resolution, amend the City Classification and Salary Plan to increase a 0.5 FTE Senior Administrative Assistant to 1.0 FTE Senior Administrative Assistant.

**11.8 RESOLUTION - RATIFICATION OF THE COMMERCIAL LEASE WITH ZACH BERKOWITZ AND ADDENDA A AND B TO THE LEASE AND APPROVING ADDENDUM C EXTENDING THE TERM OF THE LEASE AND INCREASING RENT FOR THE POLICE DEPARTMENT'S DOWNTOWN ENFORCEMENT TEAM OFFICE LOCATED AT 19 OLD COURTHOUSE SQUARE IN SANTA ROSA**

**RECOMMENDATION:** It is recommended by the Police Department that Council, by resolution, 1) ratify the Commercial Lease and Deposit Agreement and Addendum A between the City of Santa Rosa and Zach Berkowitz for the commercial property located at 19 Old Courthouse Square in Santa Rosa, effective November 1, 2006; 2) ratify Addendum B extending the term from December 11, 2011 to November 11, 2013 at a monthly rate of \$2,533.00; and 3) approve Addendum C, extending the term of the Lease from November 12, 2013 to November 11, 2016 and increasing the monthly rent to \$2,750.00 for the remainder of the lease term.

## 12. REPORT ITEMS

### 12.1\* REPORT - ORDINANCE INTRODUCTION - MODEL CODE ADOPTION - AMENDMENTS TO CALIFORNIA FIRE CODE

BACKGROUND: Every three years the State of California updates the California Code of Regulations, Title 24 (CCR-T24), through the State code adoption cycle. The State of California adopts and publishes amendments to national model codes and updates codes specific to California during this cycle. Such model codes with State amendments and California specific codes go into effect in every City and County in the State of California 180 days after publication. The new 2013 CCR-T24 were published in July of 2013. The Health and Safety Code allows local jurisdictions to change or modify the State-adopted model codes based on local geologic, climatic, or topographic conditions.

The more significant amendments include, but are not limited to, the following: Re-inserts amendments and administrative changes previously established in the Santa Rosa City Code, but that now have revised code section numbers; re-inserts a clarification of the appeals process so that appeals of any orders, decisions or determinations made by the Fire Chief are brought to the City of Santa Rosa Board of Building Regulations Appeals; clarifies the fire sprinkler requirements applicable to additions, remodels, alterations or repairs by incorporating language from the Sonoma County Fire Prevention Officers consensus document and removes a local amendment that previously required increased fire flow and storage capacity of water supplies for firefighting in the areas designated as Wildland Urban Interface.

Government Code section 50022.3 identifies the procedure for the adoption process of codes that established the requirement for first reading of the ordinance title and establishment of the public hearing date.

RECOMMENDATION: It is recommended by the Fire Department that the Council (1) introduce an Ordinance adopting by reference the 2013 California Fire Code with local amendments; and (2) adopt a resolution setting a public hearing on December 3, 2013, for adoption of the

Ordinance.

**12.2\* REPORT - ORDINANCE INTRODUCTION - MODEL CODE ADOPTION  
- AMENDMENTS TO CALIFORNIA BUILDING AND SAFETY CODES**

BACKGROUND: The State of California has adopted and published new Model Codes. Such model codes go into effect in every City and County in the State of California 180 days after publication. The effective date for the City and Counties is January 1, 2014, for the California Building Code, California Historical Building Code, California Existing Building Code, California Plumbing Code, California Electrical Code, California Mechanical Code, California Energy Code, and the California Green Building Standards Code. The Health and Safety Code allows local jurisdictions to change or modify the State adopted model codes based on local geologic, climatic, or topographical conditions. The International Code Council has also published the 2012 International Property Maintenance Code that is proposed to be adopted by reference into the Santa Rosa City Code.

The more significant amendments include, but are not limited to, the following: Re-inserts amendments and administrative changes previously established in the Santa Rosa City Code, but that now have revised code section numbers; re-inserts a clarification of the appeals process so that appeals of any orders, decisions or determinations made by the Chief Building Official are brought to the City of Santa Rosa Board of Building Regulations Appeals; clarifies the fire sprinkler requirements applicable to additions, remodels, alterations or repairs by incorporating language from the Sonoma County Fire Prevention Officers consensus document.

The California Green Building Standards Code also known as CALGreen, is amended for new structures to include Appendix A4, Voluntary Residential Measures, and Appendix A5, Voluntary Nonresidential Measures, Tier I. Voluntary Measures to become mandatory for both residential and nonresidential structures include Planning & Design, Water Efficiency & Conservation, Material Conservation & Resource Efficiency, and Environmental Quality. The proposed local CALGreen amendments have been recommended for adoption by the Redwood Empire Association of Code Officials.

**RECOMMENDATION:** It is recommended by the Department of Community Development that the Council (1) introduce an Ordinance adopting by reference the 2013 California Administrative Code, 2013 California Building Code, 2013 California Residential Code, 2013 California Green Building Standards Code, 2013 California Electrical Code, 2013 California Mechanical Code, 2013 California Plumbing Code, 2013 California Historical Building Code, 2013 California Existing Building Code, 2013 California Energy Code, 2013 California Referenced Standard Code, and 2012 International Property Maintenance Code with local amendments; and (2) adopt a resolution setting a public hearing on December 3, 2013, for adoption of the Ordinance.

**12.3 REPORT - APPROVAL OF A LICENSE AGREEMENT BETWEEN THE CITY OF SANTA ROSA AND COUNCIL ON AGING SERVICES FOR SENIORS FOR A CONGREGATE MEAL PROGRAM**

**BACKGROUND:** The Council on Aging Services for Seniors (COA) is a non-profit organization that provides congregate lunch time meals to seniors through federal funds and donations. The COA had used the Bennett Valley Senior Center as one of several meal serving sites for many years. In June 2013, the City Council adopted a Master Fee Policy, effective on July 1, 2013 with the start of the new fiscal year 2013/14. The new fee policy requires all facility renters to pay the adopted rental rates, and does not provide for fee waivers. Unfortunately, even at the lowest non-profit rate, the rental fees proved to be beyond the capacity of the COA to pay, and the COA chose to curtail the use of Bennett Valley Senior Center as one of their meal serving sites in August 2013.

The Santa Rosa City Council requested that staff provide a recommendation to resolve any unintended consequences of the fee policy and resulting impact on the meals program. Staff does not recommend a revision to the Master Fee Schedule; rather, staff recommends the establishment and use of a License Agreement between the parties for the meals program. The value of the program provided by the COA to citizens is equal to the value of the facility that will be made available for use under the proposed Agreement.

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**RECOMMENDATION:** It is recommended by the Department of Recreation and Parks that the Council, by resolution, approve this License Agreement authorizing Council on Aging Services for Seniors to provide a free Congregate Meal Program at Bennett Valley Senior Center and authorizes the Director of Recreation and Parks to execute and administer this and any future licensing agreement with Council on Aging Services for Seniors for the same purpose.

**12.4 REPORT - VETERANS SPECIAL LICENSE PLATES PARKING METER EXEMPTION**

**BACKGROUND:** The California Vehicle Code (CVC) Section 22511.3 (a) states that a veteran displaying special license plates issued under CVC Sections 5101.3 (Pearl Harbor Survivors), 5101.4 (Legion of Valor Recipients), 5101.5 (Former Prisoners of War), 5101.6 (Congressional Medal of Honor Recipients), and 5101.8 (Purple Heart Recipients) may park his or her motor vehicle, weighing not more than 6,000 pounds gross weight, without charge, in a metered parking space.

Section 22511.3(d) states the local authority's compliance with subdivision (a) is solely contingent upon the approval of its governing body. The proposed City ordinance, would allow free parking at metered parking spaces to vehicles displaying one of the above mentioned special plates.

**RECOMMENDATION:** It is recommended by the Department of Economic Development and Housing that Council introduce the proposed ordinance to amend Section 11-24.020 to Santa Rosa City Code, Title 11, Vehicles and Traffic, approving veterans displaying certain special license plates issued by the State of California, to park his or her motor vehicle, weighing not more than 6,000 pounds gross weight, without charge, in a metered parking space in compliance of CVC 22511.3.

**12.5\* REPORT - AUTHORIZATION OF TWO-YEAR FUNDING CYCLE OPTION FOR MEASURE O CHOICE GRANT PROGRAM**

**BACKGROUND:** On June 25, 2013, staff presented the Cycle VII funding recommendations to City Council for six agencies totaling \$590,000 each year for a two year funding cycle. City Council accepted the funding

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recommendations for only one year and directed staff to return with additional justification to extend the funding term to two years. Staff will present the research methodology conducted by staff and the associated results of the assessment, and will seek City Council consideration of a two-year funding cycle.

RECOMMENDATION: It is recommended by the City Manager's Office that the Council, by resolution, authorizes a two-year funding term for future cycles of the Community Helping Our Indispensable Children Excel (CHOICE) grant program beginning with Cycle VII, with the second year of funding subject to the discretion of the City Manager and contingent upon available funds, satisfactory performance of work, and completion of the required outcomes by funded agencies.

**12.6 REPORT - UPDATE ON FEES - COMMUNITY DEVELOPMENT DEPARTMENT AND SETTING OF NEW PUBLIC HEARING DATE**

BACKGROUND: The *Full Cost of Services Study for the Community Development Department* was completed in April 2013, and it outlines the costs of the City's development review activities. Many department services are funded by fees, and the study includes the rate of cost recovery for these services.

The purpose of this report item is to update the Council on the status of the public review of the cost study since the 45-day review process was initiated on September 24, 2013. In addition, the Council will be briefed regarding the conceptual cost recovery strategy for fee adjustment currently under consideration.

RECOMMENDATION: It is recommended by the Community Development Department that the Council, by motion, schedule a public hearing before the Council on December 10, 2013 to consider potential Community Development fee adjustments. Further, if deemed appropriate by the Council, provide direction regarding the conceptual cost recovery strategy for consideration during the public review process.

**(THE COUNCIL MAY RECESS DURING THE EVENING FOR A DINNER BREAK)**

**5:00 P.M.**

**13. PUBLIC HEARINGS**

**13.1 PUBLIC HEARING - ORDINANCE INTRODUCTION - SEQUOIA GARDENS PREZONING**

**BACKGROUND:** The proposed project is the prezoning of one property, totaling 29.9 acres, to the Mobile Home Park (MH) zoning district consistent with the Mobile Homes General Plan designation of the property. This is the first step in the process to annex the parcel from the County of Sonoma to the City of Santa Rosa, with the Local Agency Formation Commission (LAFCO) making the final determination on the annexation. The well serving the property no longer meets the State maximum allowance for arsenic contamination and a connection to City services is the most effective solution to the water contamination issue. On September 12, 2013, the Planning Commission adopted a resolution (5-0-2) recommending that the City Council prezone the 29.9 acre site to the MH zoning district.

**RECOMMENDATION:** It is recommended by the Community Development Department and the Planning Commission that the City Council introduce an ordinance to prezone the 29.9 acre property located at 433 Fulton Road to the Mobile Home Park zoning district to allow annexation of the property from the County of Sonoma to the City of Santa Rosa to address contamination of the well serving the 191 on-site mobile home units.

**14. WRITTEN COMMUNICATIONS (AND POSSIBLE COUNCIL ACTION)**

**14.1 MEMO FROM MARIN/SONOMA MOSQUITO & VECTOR CONTROL BOARD OF TRUSTEES SANTA ROSA REPRESENTATIVE BILL PITCHER - INFORMATION ONLY.**

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

This is the time when any person may address the Council on matters not listed on this agenda, but which are within the subject matter jurisdiction of the Council. Each speaker is allowed three minutes. To address the Council

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you are requested to complete the yellow Speaker's Card and give it to the City Clerk. If you are unable to or do not wish to wait for the public comment portion of the agenda, you are encouraged to contact the Council or City Clerk directly by emailing your information to [cityclerk@srcity.org](mailto:cityclerk@srcity.org) or by telephoning the Council and City Manager's Office at 707-543-3010.

**16. [IF NEEDED] - ANNOUNCEMENT OF CONTINUED CLOSED SESSION ITEM(S), RECESS TO CLOSED SESSION(S) IN THE MAYOR'S CONFERENCE ROOM, RECONVENE TO OPEN SESSION, AND ANNOUNCEMENTS, IF ANY**

**17. ADJOURNMENT OF MEETING**

**\*Rescheduled from the October 29, 2013, Regular Meeting Agenda.**

**\*\*Quasi-judicial or adjudicative action.**



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