



City of Santa Rosa

City Hall
100 Santa Rosa Avenue
Santa Rosa, CA 95404

CITY COUNCIL REGULAR MEETING AGENDA AND SUMMARY REPORT NOVEMBER 18, 2014

2:30 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 COUNSEL - EXISTING LITIGATION (Paragraph (1) of subdivision (d) of Government Code Section 54956.9)

Name of Case: Mateos-Sandoval, et al. v. County of Sonoma, et al.
Court Case No. USDC Northern District of California, CV 11 5817 THE

3:00 P.M. (CITY COUNCIL CHAMBER)

PUBLIC COMMENTS:

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

3. STUDY SESSION

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

3.1 DRAFT PUBLIC ART MASTER PLAN

In 2012, the Public Art Program in the Recreation and Parks Department was awarded an Our Town Grant from the National Endowment for the Arts to develop a Public Art Master Plan. Todd W. Bressi, a public art consultant from Philadelphia, was contracted to develop the plan.

Any writings or documents provided to a majority of the City Council prior to this meeting regarding any item on this agenda, excluding closed session items, are available for public review in the City Clerk's Office, Room 10, City Hall, 100 Santa Rosa Ave, during normal business hours.

The draft plan includes recommendations related to where to install new projects, what types of projects should be supported, how and when to partner with other organizations, and how to restructure the Art in Public Places Committee (APPC) to improve effectiveness. Public Art Master Plan recommendations will be reflected and implemented through future amendments to the Public Art Policy.

The planning process included broad community engagement and public participation through surveys, interviews, meetings, lectures, and workshops. To inform other boards and commissions of the development of this plan, staff presented the draft to the Design Review Board, Board of Community Services, Planning Commission and Cultural Heritage Board to gather feedback. This report is provided as information only.

Attachments [Staff Report](#)
[Attachment 1](#)
[Presentation PDF](#)

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

4. ANNOUNCEMENT OF ROLL CALL

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

6. PROCLAMATIONS/PRESENTATIONS - NONE

7. STAFF BRIEFINGS - NONE

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.

8. APPROVAL OF MINUTES

8.1 November 4, 2014, Regular Meeting

Attachments [Draft Minutes](#)

9. MAYOR'S/COUNCILMEMBERS' REPORTS

9.1 STATEMENTS OF ABSTENTION BY COUNCILMEMBERS

9.2 MAYOR'S/COUNCILMEMBERS' REPORTS

9.2.1 Council Subcommittee Reports

9.2.2 Other

9.3 REPORTS REGARDING AGENCY MEETINGS ATTENDED AND POSSIBLE COUNCIL DIRECTION TO 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 Sonoma County Waste Management Agency (SCWMA)

9.3.7 Other

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

11. CONSENT ITEMS

11.1 RESOLUTION - AMENDMENT TO THE CITY CLASSIFICATION AND SALARY PLAN TO RECLASSIFY ASSISTANT CITY MANAGER IN THE CITY MANAGER'S OFFICE TO DEPUTY CITY MANAGER

RECOMMENDATION: It is recommended by the City Manager's Office that the Council, by resolution, amend the classification and salary plan

to reclassify the Assistant City Manager classification in the City Manager's Office to Deputy City Manager. The approximate ongoing annual general fund cost is \$31,000. No additional FTE or funding is requested for the 2014/2015 fiscal year as current salary savings within the City Manager's Office budget can cover the cost.

Attachments [Staff Report](#)
[Resolution](#)

(THE COUNCIL MAY RECESS DURING THE EVENING FOR A 30-MINUTE DINNER BREAK)

12. REPORT ITEMS

- 12.1** REPORT - SONOMA COUNTY ROAD TAX MEASURE (This item was continued from the October 14, 2014, Regular Meeting)

BACKGROUND: The County of Sonoma voted on August 12, 2014 to place a one-quarter of one percent general sales tax measure on the March 3, 2015 ballot along with an Advisory Measure specifying the manner in which the sales tax is proposed to be spent. Santa Rosa, as directed by the City Council at a staff briefing, advised the County that the City wished to allocate ten percent (10%) of the City's share of the revenues to Transit.

As a result of polling results, the County elected to place the measure on the ballot as a general sales tax measure which only requires a majority vote with a companion advisory measure instead of a special sales tax which would require a two thirds vote. On October 28, 2014, the Board of Supervisors voted 5-0 to rescind the prior resolution and adopted a new resolution setting an election for June 2015. The Board further decided to pursue only a general tax measure with no companion advisory measure and to reduce the term of the tax from 20 years to 5 years.

RECOMMENDATION: It is recommended by the City Attorney and the Director of Transportation and Public Works that the Council discuss the proposed Sonoma County General Tax for Roads and by motion provide staff with direction, if any.

Attachments [Staff Report](#)
[Attachment 1](#)
[Attachment 2](#)
[Attachment 3](#)
[Presentation PDF](#)

12.2 REPORT - JUILLIARD PARK MASTER PLAN AMENDMENT CHURCH OF ONE TREE SITE ADDING A FENCE

BACKGROUND: The Recreation and Parks Department desires to increase use of the Church of One Tree and protect the building. The Church of One Tree site abuts Juilliard Park. The Master Plan for Juilliard Park was established in 1932, and was most recently amended on February 11, 2014. The Church of One Tree (Church) was placed on the site adjacent to Juilliard Park in 1957, and the building was used as the Ripley Memorial Museum from 1970 to 1998. The building was designated by City Council as a Landmark in 1998. The building has been restored and also modified to comply with the Americans with Disabilities Act.

The Recreation and Parks Department is tasked with increasing use and generating revenue at the Church. Ongoing issues at the exterior of the building and the entryways, including vandalism, graffiti, discarded drug paraphernalia and illegal encampments, have made it difficult to rent and program the facility. Santa Rosa Police Department staff has suggested that the Recreation and Parks Department install a fence in order to increase control over the site. The installation of a fence with gates - on the south side within Juilliard Park and on the north side on the Church site - will protect the building and provide a safe and clean environment for customers.

A motion to recommend approval of the fence was approved by the Board of Community Services on July 23, 2014. A resolution to approve the fence design, with conditions, was approved by the Cultural Heritage Board on November 5, 2014.

RECOMMENDATION: It is recommended by the Department of Recreation and Parks that the Council, by resolution, approve the Juilliard Park Master Plan Amendment, adding a fence to enclose the

Church of One Tree.

Attachments [Staff Report](#)
[Attachment 1](#)
[Attachment 2](#)
[Resolution](#)
[Exhibit A](#)
[Presentation PDF](#)

12.3 REPORT - FISCAL YEAR 2013-14 MEASURE O ANNUAL REPORT

BACKGROUND: Ordinance No. 3680 added Chapter 3-26 to the Santa Rosa City Code establishing a special transactions and use tax. The special tax measure, known as Measure O, increased sales tax by a quarter percent to fund specific Police, Fire, and Gang Prevention/Intervention programs, as set forth in the Ordinance.

The tax revenues generated by Measure O are split between Fire (40%), Police (40%) and Gang Prevention/Intervention Programs (20%), with these revenues spent in accordance with an Implementation Plan which was adopted by the City Council.

The ordinance also established a Citizen Oversight Committee, with members appointed by the City Council, to ensure the proper use of the Measure O funds. Each year, an Annual Report is prepared by City staff, reviewed by the Citizen Oversight Committee and presented to the City Council reporting on expenditures and activities during the past fiscal year.

RECOMMENDATION: It is recommended by the Finance, Police, Fire, and Recreation and Parks Departments, the City Manager's Office and the Measure O Citizen Oversight Committee, that the Council, by motion, accept the Measure O Annual Report for FY 2013-14.

Attachments [Staff Report](#)
[Attachment 1 - Measure O Annual Report](#)
[Presentation PDF](#)

5:00 P.M.

13. PUBLIC HEARINGS

13.1 PUBLIC HEARING - JENNINGS AVENUE PEDESTRIAN AND BICYCLE RAIL CROSSING DRAFT ENVIRONMENTAL IMPACT REPORT

BACKGROUND: On November 12, 2013, a Notice of Preparation of the Draft Environmental Impact Report (EIR) for the Jennings Avenue Pedestrian and Bicycle Rail Crossing project was issued. On October 17, 2014, the Jennings Avenue Pedestrian and Bicycle Rail Crossing Draft EIR was released for public review. The 45-day comment period is scheduled to end on December 1, 2014. The Council will hold a public hearing on the Draft EIR to elicit public comments and to provide comments on the Draft EIR

RECOMMENDATION: It is recommended by the Community Development and Transportation and Public Works Departments that Council hold a public hearing regarding the Jennings Avenue Pedestrian and Bicycle Rail Crossing Draft Environmental Impact Report.

Attachments [Staff Report](#)

[Attach 1 - Location Map](#)

[Attach 2 - CC Resolution No. 28181](#)

[Attach 3 - CC Meeting Minutes 8-14-12](#)

[Attach 4 - CC Meeting Minutes 11-13-12](#)

[Attach 5 - CC Resolution No. 28284](#)

[Attach 6 - CC Meeting Minutes 5-21-13](#)

[Attach 7 - Draft EIR](#)

[Hyperlink to DEIR](#)

[Attach 8 - Council email](#)

[Attach 8 - NOA - English](#)

[Attach 8 - NOA - Spanish](#)

[Presentation uploaded 11-17-14](#)

**13.2 PUBLIC HEARING - RECONSIDER THE CITY COUNCIL'S DECISION TO GRANT AN APPEAL AND REVERSE THE PLANNING COMMISSION'S DECISION TO ADOPT A MITIGATED NEGATIVE DECLARATION AND APPROVE A TENTATIVE PARCEL MAP, AND TO

DENY A GENERAL PLAN AMENDMENT AND A REQUEST TO REZONE FOR CALISTOGA COTTAGES, A 4-LOT SUBDIVISION LOCATED AT 408 CALISTOGA ROAD, APN 153-430-032. FILE NO. MJP13-007

BACKGROUND: On September 16, 2014, a motion to deny an appeal and approve Calistoga Cottages, a four lot subdivision at 408 Calistoga Road failed 3-4 and staff was instructed to bring a resolution granting the appeal and denying the Calistoga Cottages subdivision to a future meeting.

On September 23, 2014, Council Member Wysocky requested the Council reconsider its position to grant the appeal and deny the Calistoga Cottages subdivision stating the project warranted additional consideration due to information provided late in the discussion at the September 16, 2014 meeting. Council voted in favor of the reconsideration 4-2, with one Council member absent.

RECOMMENDATION: It is at the discretion of the Council to reconsider its position regarding Calistoga Cottages and either:

- grant the appeal and deny the Calistoga Cottages subdivision by overturning the Planning Commission's action to adopt a Mitigated Negative Declaration and approve a Tentative Parcel Map; and to deny a General Plan Amendment from Very Low Density Residential (0.2-2.0 units per acre) to Low Density Residential (2.0-8.0 units per acre) and Rezone from the RR-40 (Rural Residential) zoning district to the R-1-6 (Single Family Residential) zoning district for Calistoga Cottages, a 4-lot subdivision located at 408 Calistoga; or
- deny the appeal and approve the Calistoga Cottages subdivision by adopting a Mitigated Negative Declaration for the proposed project, approving a General Plan Amendment from Very Low Density Residential (0.2-2.0 units per acre) to Low Density Residential (2.0-8.0 units per acre) and Rezoning from the RR-40 (Rural Residential) zoning district to the R-1-6 (Single Family Residential) zoning district for the property located at 408 Calistoga Road, and approving a Tentative Parcel Map for a 4-lot subdivision

located at that site.

Attachments [Reconsideration Memo](#)

[Attach 1 - CC Packet with attachments 1-6 maps and discl](#)

[Attach 1 - CC Packet with attachments 7-12 MND, Cultural](#)

[Attach 1 - CC Packet with attachments 13 Appeal Form](#)

[Attach 2 - CC - Minutes - 2014-09-16](#)

[Attach 3 - CC - Minutes - 2014-09-23](#)

[Attach 4 - Corresp rcvd through October 20, 2014](#)

[Appellant Attorney Response](#)

[Correspondence](#)

[Late Correspondence \(uploaded 11/17/2014\)](#)

[Resolution - Denial](#)

[Resolution - MND](#)

[Resolution - GPAM](#)

[Ordinance - Rezoning](#)

[Resolution - TM](#)

[Exhibit](#)

[Public Hearing Notice](#)

[Presentation PDF](#)

[Appellant Presentation - pdf](#)

14. WRITTEN COMMUNICATIONS (AND POSSIBLE COUNCIL ACTION)

14.1 FREE TRANSIT FARE CONCEPT - Provided for information.

Attachments [Memo](#)

14.2 LETTER TO SONOMA COUNTY BOARD OF SUPERVISORS REGARDING AB 2470 - CALIFORNIA SEED LAW - Provided for information.

Attachments [Letter](#)

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 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 or by telephoning the Council and City Manager's Office at 707-543-3010.

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

17. ADJOURNMENT OF MEETING

18. UPCOMING MEETINGS

18.1 UPCOMING MEETINGS LIST

Attachments [List](#)

***Did not appear on the preliminary agenda.**

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



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Meeting information can also be accessed via the internet at <http://srcity.org>