



**City Council
Regular Meeting Minutes - Draft**

Tuesday, May 22, 2018

1:30 PM

1. CALL TO ORDER AND ROLL CALL

Mayor Coursey called the closed session to order at 1:30 p.m. Vice Mayor Rogers joined the meeting at 1:57 p.m.

PUBLIC COMMENT

Duane DeWitt spoke regarding Item 2.4; and requested for representation to a fair and equitable distribution of neighborhoods among the lower income individuals.

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

2. ANNOUNCEMENT OF CLOSED SESSION ITEMS

Mayor Coursey recessed the meeting to closed session at 1:33 p.m. to discuss Items 2.1 through 2.4 as listed on the agenda:

2.1 CONFERENCE WITH LABOR NEGOTIATORS
(Government Code Section 54957.6)

Agency Designated Representatives: Gloria Hurtado, Deputy City Manager, Jeremia Mills, Employee Relations Manager, Art Hartinger of Renne Public Law Group, Anthony Gossner, Fire Chief and Alan Alton, Interim Chief Financial Officer.

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

2.2 LIABILITY CLAIM
(Government Code Section 54956.95(b))

Claimant: S. Cagle

Agency Claimed Against: City of Santa Rosa

2.3 CONFERENCE WITH LEGAL COUNSEL - ANTICIPATED LITIGATION

Significant exposure to litigation pursuant to paragraph (2) of subdivision (d) of Government Code Section 54956.9: one potential case.

2.4 CONFERENCE WITH LEGAL COUNSEL - ANTICIPATED LITIGATION

Significant exposure to litigation pursuant to paragraph (2) of subdivision (d) of Government Code Section 54956.9: Demand letter under California Voting Rights Act

Mayor Coursey adjourned the closed session at 2:52 p.m. and reconvened the meeting at 4:03 p.m.

3. STUDY SESSION - NONE.

4. ANNOUNCEMENT OF ROLL CALL

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

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

City Attorney Gallagher announced that Council provided direction to staff on Items 2.1 through 2.4.

6. PROCLAMATIONS/PRESENTATIONS

6.1 PRESENTATION - WATER-USE EFFICIENCY POSTER CONTEST

Presented by Heather Aviles, Sustainability Technician, Water Department.

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.

Presented by Charles Rabamad, CalOES Acting Recovery Director; Jenni Klose, President, Representative to the Sonoma County

Committee on School District Organization; and Ana Lugo, Director of Communications and Community Relations.

PUBLIC COMMENT

Richard Canini spoke regarding mitigation proposal rejections.

Duane DeWitt spoke regarding SoCo Rises community engagement and that the policy changes should include minorities.

Thomas Ells spoke regarding the effective use of water on City properties.

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

There was nothing to report.

9. STATEMENTS OF ABSTENTION BY COUNCILMEMBERS

Mayor Coursey and Council Member Sawyer announced that they would be abstaining from Item 11.2.

10. MAYOR'S/COUNCILMEMBERS' REPORTS

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

10.1 MAYOR'S/COUNCILMEMBERS' SUBCOMMITTEE AND LIAISON REPORTS (AND POSSIBLE COUNCIL DIRECTION TO BOARD REPRESENTATIVE ON PENDING ISSUES, IF NEEDED)

10.1.1 Council Subcommittee Reports

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

11. APPROVAL OF MINUTES

11.1 February 13, 2018, Regular Meeting.

Approved as submitted.

11.2 February 27, 2018, Regular Meeting.

Approved as submitted with Mayor Coursey and Council Member Sawyer abstaining.

12. CONSENT ITEMS

PUBLIC COMMENT

Duane DeWitt spoke regarding Item 12.4 and 12.5, in support of providing assistance to the veterans.

Richard Canini spoke regarding Item 12.4.

Adrien Shader spoke regarding Item 12.4; in support of housing the homeless and in opposition to providing shelters.

Annette Pierson spoke regarding Item 12.4; in support of homeless encampments and housing the homeless.

Pat Nicholson spoke regarding Item 12.4; in support of housing the homeless, provided suggestions, and requested to improve public communication.

Merlin Davis spoke regarding Item 12.4; and requested that police not harass the homeless encampments.

Thomas Ells spoke in support of the Item 12.4; and requested to

seek funding and benefits from the State.

Dana Bellwether spoke in support of Item 12.4; in support of immediate assistance for the homeless, challenges homeless face in attending Council Meetings, and police concerns.

Peggy Hendrix spoke in support of Item 12.4; and spoke of personal experiences.

Susan Lamont spoke in support of Item 12.4; and in support of providing services to the homeless encampments.

Approval of the Consent Agenda

A motion was made by Vice Mayor Rogers, seconded by Council Member Combs, to waive reading of the text and adopt Consent Items 12.1 through 12.4. The motion carried by the following vote:

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

12.1 RESOLUTION - GENERAL SERVICES AGREEMENT APPROVAL - FIRE SUPPRESSION SYSTEMS INSPECTION, MAINTENANCE AND TESTING SERVICES, RED HAWK FIRE AND SECURITY (CA), LLC, FREMONT, CA

RECOMMENDATION: It is recommended by the Finance Department that the Council, by resolution, approve a two-year term General Services Agreement (GSA) F001647, with three (3) one-year renewal options to Red Hawk Fire and Security (CA) LLC, Fremont, CA, to provide inspections, maintenance, and repair services as needed of citywide fire suppression systems and their appurtenances in an amount not to exceed \$300,000.

This Consent - Resolution was approved.

RESOLUTION NO. RES-2018-073 ENTITLED: RESOLUTION OF THE COUNCIL OF THE CITY OF SANTA ROSA APPROVING A GENERAL SERVICES AGREEMENT F001647 WITH RED HAWK FIRE & SECURITY (CA), LLC, FREMONT, CA

12.2 RESOLUTION - APPROVAL OF EMANUELS JONES AND

ASSOCIATES AMENDMENT FOR LOBBYIST SERVICES

RECOMMENDATION: It is recommended by the City Manager's Office that the Council, by resolution, 1) waive the competitive bidding process; and 2) approve Amendment Number Ten to Professional Services Agreement with Emanuels Jones and Associates, of Sacramento, for one year of lobbyist services in an amount not to exceed \$43,200.

This Consent - Resolution was adopted.

RESOLUTION NO. RES-2018-074 ENTITLED: RESOLUTION OF THE COUNCIL OF THE CITY OF SANTA ROSA 1) WAIVING THE COMPETITIVE SELECTION PROCESS AND 2) APPROVING AMENDMENT NUMBER TEN TO PROFESSIONAL SERVICES AGREEMENT FOR CONTINUED CONSULTING SERVICES WITH EMANUEL JONES AND ASSOCIATES

12.3 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.

This Consent - Resolution was adopted.

RESOLUTION NO. RES-2018-075 ENTITLED: RESOLUTION OF THE COUNCIL OF THE CITY OF SANTA ROSA EXTENDING THE PROCLAMATION OF EXISTENCE OF A LOCAL EMERGENCY DUE TO FIRES

12.4 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.

This Consent - Resolution was adopted.

RESOLUTION NO. RES-2018-076 ENTITLED: RESOLUTION OF THE COUNCIL OF THE CITY OF SANTA ROSA EXTENDING A PROCLAMATION

OF LOCAL HOMELESS EMERGENCY (Government Code Sections 8630 et seq.)

- 12.5** ORDINANCE ADOPTION - ORDINANCE OF THE COUNCIL OF THE CITY OF SANTA ROSA AMENDING TITLE 20 OF THE SANTA ROSA CITY CODE - ADDING SECTIONS 20-16.060 THROUGH 20-16.090 TO CHAPTER 20-16, RESILIENT CITY DEVELOPMENT MEASURES, TO ADDRESS HOUSING NEEDS AND ECONOMIC DEVELOPMENT WITHIN THE CITY OF SANTA ROSA FOLLOWING THE TUBBS AND NUNS FIRES OF OCTOBER 2017 - FILE NUMBER REZ17-013 (This item was continued from the May 8, 2018, Regular Meeting)

RECOMMENDATION: This ordinance, introduced at the May 1, 2018, Regular Meeting by a 5-2 vote (Vice Mayor Rogers and Council Member Combs voting No), adds Sections 20-16.060 through 20-16.090 to Chapter 20-16, Resilient City Development Measures, to address housing needs and economic development within the City of Santa Rosa following the Tubbs and Nuns fires of October 2017 - File Number REZ17-013.

Presented by Jessica Jones, Supervising Planner, Planning and Economic Development.

PUBLIC COMMENT

Duane DeWitt spoke in opposition to a Planned Development Area in the larger part of Roseland due to the concerns of vernal pools and California tiger salamander conservation, which are located in the Roseland area.

Richard Canini spoke in support of building a resilient city and not attempting to replicate vernal pools or building on ridge lines.

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

ORDINANCE NO. ORD-2018-012 ENTITLED: ORDINANCE OF THE COUNCIL OF THE CITY OF SANTA ROSA AMENDING TITLE 20 OF THE SANTA ROSA CITY CODE - ADDING SECTIONS 20-16.060 THROUGH 20-16.090 TO CHAPTER 20-16, RESILIENT CITY DEVELOPMENT MEASURES, TO ADDRESS HOUSING NEEDS AND ECONOMIC

**DEVELOPMENT WITHIN THE CITY OF SANTA ROSA FOLLOWING THE
TUBBS AND NUNS FIRES OF OCTOBER 2017 - FILE NUMBER REZ17-013**

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

13. PUBLIC COMMENT ON NON-AGENDA MATTERS

Alisha O'Loughlin, Sonoma County Bicycle Coalition, spoke regarding the safety of the Joe Rodota trail and requested for immediate action to safety concerns for trail users.

Michael Frank spoke regarding the boy scout investigation against abuse based on personal experiences.

Bob Harder spoke regarding the rebuilding of a livable corridor Hopper Avenue.

Kathryn Jurik spoke in support of providing homeless villages.

Annette Pierson spoke in support of homeless encampments at the Joe Rodota trail.

Adrien Shader spoke in support of homeless encampments and police concerns.

Thomas Ells spoke in support of an inclusive community.

Michael Titone spoke in support homeless encampments.

Elizabeth Neylon spoke regarding the need of another public pay phone at the Transit Mall.

Mayor Coursey recessed the meeting at 6:21 p.m. and reconvened at 7:05 p.m. All Council Members were present.

14. REPORT ITEMS

14.1 REPORT - FACILITIES ASSESSMENT AND MAINTENANCE ANALYSIS RESULTS

BACKGROUND: The Transportation and Public Works Department is responsible for maintenance of the City's buildings and public structures. On July 18, 2017, the Santa Rosa City Council, by resolution 2017-142, authorized the award of a professional services agreement to Cannon/Parkin, Incorporated to conduct a Facilities Condition Assessment and Maintenance Analysis for 114 of 118 city-owned structures. The ultimate goal of the study was to determine how much funding is needed each year to properly maintain each facility while meeting the city fiscal sustainability goals. The assessment has been completed, including a comprehensive inventory of all major systems, their condition, identification of a proper maintenance cycle, a 20-year maintenance and management plan to bring the structures into good condition and a general seismic observation

RECOMMENDATION: It is recommended by the Transportation and Public Works Department that Council, by motion: (1) authorize the director of Transportation and Public Works to raze or remove buildings and structures recommended for razing in Attachment 3 (lines 18 through 29), to raze or remove the Sonoma Avenue House, the Sonoma Avenue Garage and the Doyle Shop Storage Building (lines 9, 10 and 17 on Attachment 3), to raze or remove the former liquor store building at 2810 4th Street listed on Attachment 4 and to investigate potential options for razing or replacement of the Doyle Clubhouse/Scout Building shown on line 16 on Attachment 3; (2) authorize the director of Santa Rosa Water to raze or remove buildings and structures identified for razing in Attachment 4; and (3) authorize the Director of Planning and Economic Development to include those properties recommended for divesting in Attachment 3 in the downtown core as potential assets to be evaluated for a public-private partnership development project in the downtown.

Presented by Douglas Williams, Facilities Maintenance and Operations Coordinator.

PUBLIC COMMENT

Duane DeWitt spoke regarding concerns related to 1400 Burbank Ave and 1027 McMinn Ave properties.

A motion was made by Council Member Combs, seconded by Council Member Tibbetts, to approve as amended the following: (1) authorize the director of Transportation and Public Works to raze or remove buildings and structures recommended for razing in Attachment 3 (lines 18 through 20 and 22 through 29), to raze or remove the Sonoma Avenue House, the Sonoma Avenue Garage and the Doyle Shop Storage Building (lines 9, 10 and 17 on Attachment 3), to raze or remove the former liquor store building at 2810 4th Street listed on Attachment 4 and to investigate potential options for razing or replacement of the Doyle Clubhouse/Scout Building shown on line 16 and the Galvin Park Tennis Club on line 21 on Attachment 3; (2) authorize the director of Santa Rosa Water to raze or remove buildings and structures identified for razing in Attachment 4; and (3) authorize the Director of Planning and Economic Development to include those properties recommended for divesting in Attachment 3 in the downtown core (lines 1 through 8) as potential assets to be evaluated for a public-private partnership development project in the downtown and direct staff to explore single and joint use options for temporary shelter at the Bennett Valley Senior Center and return to Council. 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 - SANTA ROSA DOWNTOWN COMMUNITY BENEFIT DISTRICT RESOLUTION OF INTENTION

BACKGROUND: Ordinance No. 2018-004 enabling the establishment of Community Benefit Districts (CBD) was adopted on March 20, 2018. Subsequently, in an effort to establish the first CBD, a petition, cover letter, summary management District Plan (MDP) and return envelope was mailed to Courthouse Square area property owners within a pre-determined area roughly encompassing 25 square blocks between Morgan Street to Brookwood Avenue, and First Street to Seventh Street. Per the ordinance, owners of at least 30% of the total assessments of the proposed CBD area must submit signed petitions in order for Council to move forward with approval of a Resolution of Intention, balloting and public hearing; a threshold which was achieved. This resolution allows the City to receive and file the petitions, and authorizes the City Manager to sign the petition and forthcoming ballot

pertaining to City-owned properties. Additionally, the resolution approves the Management District Plan and Assessment Engineer's Report, and sets in motion the next steps in the CBD formation process.

RECOMMENDATION: It is recommended by the Planning and Economic Development Department that the Council, by resolution, take the following actions related to the proposed Community Benefit District: 1. Receive and file the Santa Rosa Downtown Community Benefit District petition results; and 2. Adopt a Resolution of Intention to form the Downtown Santa Rosa CBD authorizing the City Manager to sign the petition and forthcoming ballot, set in motion the balloting, schedule the public hearing for July 17, 2018, approve the Management District Plan and Engineer's Report, and direct the City Clerk to mail ballots to the proposed CBD property owners.

Presented by Raissa de la Rosa, Economic Development Manager; and David Guhin, Director of Planning and Economic Development.

PUBLIC COMMENT

Mike Montague spoke in support of item.

A motion was made by Council Member Sawyer, seconded by Council Member Combs, to waive reading of the text and adopt as amended:

RESOLUTION NO. RES-2018-077 ENTITLED: RESOLUTION OF THE COUNCIL OF THE CITY OF SANTA ROSA STATING ITS INTENTION TO ESTABLISH THE SANTA ROSA DOWNTOWN COMMUNITY BENEFIT DISTRICT AND TO LEVY AND COLLECT ASSESSMENTS WITHIN SUCH DISTRICT PURSUANT TO LOCAL ENABLING ORDINANCE, ARTICLE 5 TO CHAPTER 6-56 OF THE SANTA ROSA CITY CODE RELATING TO THE ESTABLISHMENT OF COMMUNITY BENEFIT DISTRICTS AND APPOINTING A TIME AND PLACE FOR HEARING OBJECTIONS THERETO

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

15.1 PUBLIC HEARING - BICYCLE TRAIL ROUTE AMENDMENT

BACKGROUND: In December 2016, a legal settlement directed the City to initiate the process of deleting a segment of a proposed bicycle route, depicted as Route 231, from the General Plan, Bicycle and Pedestrian Master Plan, and related references in the Citywide Creek Master Plan. The segment of planned bicycle route proposed for removal is on property owned by the Villages at Wild Oak Association and the Roman Catholic Bishop of Santa Rosa. No physical changes will result from the proposed Plan revisions. On April 12, 2018, the Planning Commission voted unanimously to recommend that the Council approve the requested General Plan Amendment.

RECOMMENDATION: It is recommended by the Planning Commission and the Planning and Economic Development Department that the Council, by three resolutions, 1) amend the General Plan, 2) Bicycle and Pedestrian Master Plan, and 3) Citywide Creek Master Plan to delete a segment of proposed Bicycle Route 231, which would connect Annadel State Park to White Oak Drive.

Presented by Jessica Jones, Supervising Planner.

Mayor Coursey opened the public hearing at 8:47 p.m.

PUBLIC COMMENT

David Vandel, President, Villages at White Oak Homeowners Association, spoke in support of the item.

Seeing no one else wishing to speak, Mayor Coursey closed the public hearing at 8:48 p.m.

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

RESOLUTION NO. RES-2018-078 ENTITLED: RESOLUTION OF THE COUNCIL OF THE CITY OF SANTA ROSA AMENDING THE GENERAL PLAN TO REVISE FIGURE 5-2 IN THE GENERAL PLAN, REMOVING A SEGMENT OF BICYCLE ROUTE 231 - FILE NUMBER PRJ17-064

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 Tibbetts, seconded by Vice Mayor Rogers, to waive reading of the text and adopt:

RESOLUTION NO. RES-2018-079 ENTITLED: RESOLUTION OF THE COUNCIL OF THE CITY OF SANTA ROSA AMENDING THE BICYCLE AND PEDESTRIAN MASTER PLAN TO REVISE TEXT AND FIGURES TO REMOVE A SEGMENT OF PROPOSED BICYCLE ROUTE 231 - FILE NUMBER PRJ17-064

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 Tibbetts, seconded by Council Member Sawyer, to waive reading of the text and adopt:

RESOLUTION NO. RES-2018-080 ENTITLED: RESOLUTION OF THE COUNCIL OF THE CITY OF SANTA ROSA AMENDING THE CITYWIDE CREEK MASTER PLAN AMENDMENT TO REVISE TEXT AND FIGURES TO REMOVE A SEGMENT OF PROPOSED BICYCLE ROUTE 231 - FILE NUMBER PRJ17-064

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

15.2 PUBLIC HEARING - SANTA ROSA FIRE STATION GENERAL PLAN AMENDMENT

BACKGROUND: The Santa Rosa Fire Department's most recent coverage analysis identified revised future locations for Fire Stations #8 and #9 to better serve the community. The General Plan's Public Services and Facilities Element needs to be updated to reflect the revised station location plan. Other changes include updating Figure 6-3 of the General Plan to reflect the temporary location Fire Station #5, which was destroyed by the October 2017 fires, and the future permanent location of the station in the Fountaingrove area. Also, to

better reflect the City's fire facilities, the Rincon Valley Fire Protection District facilities identified on Figure 6-3 would be removed because they are not staffed or maintained by the Santa Rosa Fire Department. On April 12, 2018, the Planning Commission voted unanimously to recommend that the Council approve the requested General Plan Amendment.

RECOMMENDATION: It is recommended by the Planning Commission and the Planning and Economic Development Department that the Council, by resolution, amend the text and figures of the Santa Rosa General Plan, Public Services and Facilities Element, to reflect the Fire Department's updated long-term station location plan, including the location of Fire Stations #5, #8 and #9, and the elimination of two Rincon Valley Fire Protection District stations identified on Figure 6-3 of the General Plan.

Presented by Jessica Jones, Supervising Planner.

Mayor Coursey opened the public hearing at 9:10 p.m.

PUBLIC COMMENT

Duane DeWitt concerned that the Hearn Ave overpass was not included.

Seeing no one else wishing to speak, Mayor Coursey closed the public hearing at 9:12 p.m.

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

RESOLUTION NO. RES-2018-081 ENTITLED: RESOLUTION OF THE COUNCIL OF THE CITY OF SANTA ROSA AMENDING THE GENERAL PLAN TO UPDATE THE TEXT AND FIGURES OF THE PUBLIC SERVICES AND FACILITIES ELEMENT TO REFLECT THE FIRE DEPARTMENT'S UPDATED LONG-TERM STATION LOCATION PLAN, INCLUDING THE LOCATION OF FIRE STATIONS #5, #8 AND #9, AND THE REMOVAL OF TWO RINCON VALLEY FIRE PROTECTION DISTRICT FACILITIES FROM FIGURE 6-3 OF THE GENERAL PLAN -FILE NUMBER PRJ17-061

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

No: 1 - Council Member Combs

15.3 PUBLIC HEARING - ADOPTION OF IMPACT FEE PROGRAM UPDATE REPORT, INTRODUCTION OF ORDINANCES AMENDING THE CITY CODE PERTAINING TO CAPITAL FACILITIES FEES (CFF) AND PARK IMPACT FEES, AND REPEALING THE SOUTHWEST AREA DEVELOPMENT IMPACT FEES (SWADIF) AND SOUTHEAST AREA DEVELOPMENT IMPACT FEES (SEADIF), ADOPTION OF REVISED CFF AND PARK FEES, AND ADOPTION OF REVISED COUNCIL POLICY FOR CFF CREDIT/REIMBURSEMENT

BACKGROUND: Development impact fees provide a mechanism for new development projects to contribute financially to the one-time cost of improving and expanding the public infrastructure and facilities needed to accommodate that development. Impact fees are commonly used by local agencies throughout California and in many other states as one of many funding sources for capital improvement programs. Fees are a one-time, non-recurring revenue source paid at the start of a development project, typically at building permit issuance. Since the mid -1990's, impact fees have been adopted by the City of Santa Rosa (City) to finance the City's infrastructure needs. The last update to these fees occurred between 2002 and 2005. Commencing in 2016, a study was conducted to analyze the development needs and impact fees for the following areas:

- Capital Facilities Fee (CFF)
- Southwest Area Development Impact Fee (SWADIF)
- Southeast Area Development Impact Fee (SEADIF)
- Park Impact Fee

In addition, studies are underway to assess the housing impact fee that is imposed on market-rate residential development to support affordable housing projects. Staff is also in the process of examining a potential commercial linkage fee that would be imposed on nonresidential development only, complimenting the housing impact fee as a funding source for affordable housing. The housing fee will not be considered

as part of this Council item.

The City retained a fee consultant, Urban Economics, to conduct a study of the City's current development impact fee program and public infrastructure needs and to prepare a report. The City of Santa Rosa Impact Fee Program Update, February 2018, explains the methodology that establishes a reasonable relationship between new development and the need for and use of impact fees, also known as a "nexus analysis". Based on the nexus analysis, the report presents a schedule of maximum justified fees by land use category. The City may adopt fees up to the maximum amount for each land use category. The report also includes a financial feasibility analysis that examines the potential impact of proposed impact fees, and fee increases, based upon prototype development projects. The report further recommends revisions to sections of the City Code consistent with the report and proposed changes to the fees. Due to the fire disaster, staff and Urban Economics have been delayed with bringing forward the report to City Council for adoption.

RECOMMENDATION: It is recommended by the Planning & Economic Development, Transportation & Public Works, and Recreation & Parks Departments that the Council, 1) adopt, by motion, the Impact Fee Program Update Report, 2) introduce two ordinances, one to amend City Code Sections pertaining to the Capital Facilities Fee (CFF) (Chapter 21-04), and repealing the Southwest Area Development Impact Fee (SWADIF) and Southeast Area Development Impact Fee (SEADIF), the other to amend City Code Sections pertaining to the Park Impact Fee (Chapter 19-70), 3) adopt, by two resolutions, revised CFF and Park Fees, and 4) adopt, by resolution, a revised Council policy for CFF credit/reimbursement.

Presented by David Guhin, Planning and Economic Development Director, assisted by Robert Spencer, Consultant, and Molly MacLean, Assistant City Attorney.

Mayor Coursey opened the public hearing at 9:45 p.m.

PUBLIC COMMENT

Hugh Futrell spoke regarding the concerns of lower fee schedule

area of Fountaingrove; opposes 6% return on cost fees.

Duane DeWitt spoke regarding quadrant abuse and lowering priorities of various projects in Roseland, such as Roseland Creek Community Park.

Anne Seeley spoke regarding taking recent critical projects into account, planning for further reduction of funds, and the overall budget process.

Seeing no one else wishing to speak, Mayor Coursey closed the public hearing at 9:53 p.m.

A motion was made by Council Member Schwedhelm, seconded by Vice Mayor Rogers, to approve the Impact Fee Program Update 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

A motion was made by Council Member Schwedhelm, seconded by Council Member Combs, to waive reading of the text and introduce:

ORDINANCE ENTITLED: ORDINANCE OF THE COUNCIL OF THE CITY OF SANTA ROSA AMENDING SECTION 21-01.020 AND CHAPTER 21-04 CAPITAL FACILITIES FEES, AND REPEALING CHAPTER 21-05 SOUTHWEST AREA DEVELOPMENT IMPACT FEE AND CHAPTER 21- 06 SOUTHEAST AREA DEVELOPMENT IMPACT FEE

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 waive reading of the text and introduce:

ORDINANCE ENTITLED: ORDINANCE OF THE COUNCIL OF THE CITY OF SANTA ROSA AMENDING CHAPTER 19-70 PARK AND RECREATION LAND AND FEES

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 waive reading of the text and adopt:

RESOLUTION NO. RES-2018-082 ENTITLED: RESOLUTION OF THE COUNCIL OF THE CITY OF SANTA ROSA ESTABLISHING CAPITAL FACILITIES FEES PURSUANT TO CHAPTER 21-05 OF THE CITY CODE AND AUTHORIZING ANNUAL ADJUSTMENTS AND REPEALING ALL PRIOR RESOLUTIONS SETTING SOUTHWEST AREA DEVELOPMENT IMPACT FEES, SOUTHEAST AREA DEVELOPMENT IMPACT FEES, AND CAPITAL FACILITIES FEES

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 waive reading of the text and adopt:

RESOLUTION NO. 2018-083 ENTITLED: RESOLUTION OF THE COUNCIL OF THE CITY OF SANTA ROSA ESTABLISHING PARK FEES AND AUTHORIZING PERIODIC ADJUSTMENT - FILE NUMBER XX-XXXX

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 waive reading of the text and adopt:

RESOLUTION NO. 2018-084 ENTITLED: RESOLUTION OF THE COUNCIL OF THE CITY OF SANTA ROSA AMENDING COUNCIL POLICY NUMBER 200-22 - CREDIT AND REIMBURSEMENT POLICIES AND PROCEDURES

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

16. WRITTEN COMMUNICATIONS - 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 10:03 p.m. The next regularly scheduled meeting will take place on June 5, 2018, at a time set by the Mayor.

20. UPCOMING MEETINGS

20.1 UPCOMING MEETINGS LIST

This item was received and filed.

Approved on:

Daisy Gomez
City Clerk