



**City Council  
Regular Meeting Minutes - Draft**

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Tuesday, December 17, 2019

2:00 PM

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

Mayor Schwedhelm called the meeting to order at 2:02 p.m.

**Present:** 6 - Mayor Tom Schwedhelm, Vice Mayor Victoria Fleming, Council Member Ernesto Olivares, Council Member Chris Rogers, Council Member John Sawyer, and Council Member Jack Tibbetts

**2. ANNOUNCEMENT OF CLOSED SESSION ITEMS**

Mayor Schwedhelm recessed the meeting to closed session at 2:02 p.m. to discuss Items 2.1 and 2.2 as listed on the agenda:

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

Agency Designated Representatives: Mayor Tom Schwedhelm  
Unrepresented Employee: City Manager

**2.2 PUBLIC EMPLOYEE - EVALUATION OF PERFORMANCE**  
(Government Code section 54957(b))

Title: City Manager

Mayor Schwedhelm adjourned the closed session at 3:58 p.m. and reconvened the meeting to open session in the Council Chamber at 4:05 p.m.

**3. STUDY SESSION - NONE.**

**4. ANNOUNCEMENT OF ROLL CALL**

**Present:** 6 - Mayor Tom Schwedhelm, Vice Mayor Victoria Fleming, Council Member Ernesto Olivares, Council Member Chris Rogers, Council Member John Sawyer, and Council Member Jack Tibbetts

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

Mayor Schwedhelm announced Council discussed Item 2.2 as listed on the agenda.

## **6. PROCLAMATIONS/PRESENTATIONS**

### **6.1 PRESENTATION - SISTER CITY CHERKASY, UKRAINE**

Fred Ptucha made a presentation.

## **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 Jason Nutt, Assistant City Manager; Joe Schwall, Deputy Director, Regional Water Reuse Operations; Claire Nordlie, Sustainability Coordinator; and Kimberly Zunino, Deputy Director of Water.

#### **PUBLIC COMMENT**

Peter Tscherneff spoke in opposition to the item.

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

## **9. STATEMENTS OF ABSTENTION BY COUNCIL MEMBERS**

Council Member Rogers announced his abstention from Item 14.1.

Council Member Tibbetts announced his abstention from Item 12.2, and later announced his abstention from Item 12.7.

## **10. MAYOR'S/COUNCIL MEMBERS' REPORTS**

Council Member Rogers provided a brief report regarding the Sonoma-Marín Area Rail Transit (SMART) Train connection through to Larkspur.

Mayor Schwedhelm provided a brief report on his recent attendance at the Emerald Cup event, and his attendance at a recent informational meeting for the former residents at Journey's End.

**10.1 MAYOR'S/COUNCIL MEMBERS' 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)**

**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 Home Sonoma County (HSC)**

**10.1.10 Renewal Enterprise District (RED)**

**10.1.11 Other**

**11. APPROVAL OF MINUTES - NONE.**

**12. CONSENT ITEMS**

**PUBLIC COMMENT**

Andrew Roth spoke on Item 12.7. Comment provided from speaker card: The hostile rhetoric of property owners, especially in the West End seems likely to get people hurt or killed.

Peter Tscherneff spoke on Item 12.7.

Gregory Fearon, Santa Rosa Together, spoke on Item 12.2.

Victoria Yanez, Homeless Action, spoke on Item 12.7.

## Approval of the Consent Agenda

**A motion was made by Vice Mayor Fleming, seconded by Council Member Sawyer, to waive reading of the text and adopt Consent Items 12.1, 12.3, 12.5 and 12.6.**

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

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

**12.1** MOTION - CONTRACT AWARD - CITY HALL CAMPUS SIDEWALK RECONSTRUCTION PHASE 1

RECOMMENDATION: It is recommended by the Transportation and Public Works Department that the Council, by motion, award Contract No. C02146, City Hall Campus Sidewalk Reconstruction Phase 1, in the amount of \$337,426.00 to the lowest responsible bidder, FBD Vanguard Construction of Livermore, California, approve a 15% contract contingency, and authorize a total contract amount of \$388,039.90.

**This Consent - Motion was approved.**

**12.3** RESOLUTION - SECOND AMENDMENT TO PROFESSIONAL SERVICES AGREEMENT NUMBER F001410 WITH FCS INTERNATIONAL, INC., DBA FIRST CARBON SOLUTIONS, FOR PREPARATION OF AN ENVIRONMENTAL IMPACT REPORT AND RELATED SERVICES ASSOCIATED WITH THE PROPOSED ELNOKA CONTINUING CARE RETIREMENT COMMUNITY DEVELOPMENT PROJECT

RECOMMENDATION: It is recommended by the Planning and Economic Development Department that the Council, by resolution, approve a Second Amendment to Professional Services Agreement Number F001410 with FCS International, Inc., dba First Carbon Solutions, of Irvine, California, for preparation of an Environmental Impact Report (EIR) and related services associated with the proposed Elnoka Continuing Care Retirement Community development project, increasing compensation is the amount of \$159,849 for a total amount not to exceed \$523,049, and extending the time of performance of services to July 1, 2020.

**This Consent - Resolution was adopted.**

**RESOLUTION NO. RES-2019-186 ENTITLED: RESOLUTION OF THE COUNCIL OF THE CITY OF SANTA ROSA APPROVING THE SECOND AMENDMENT TO PROFESSIONAL SERVICES AGREEMENT NUMBER F001410 WITH FCS INTERNATIONAL, INC., DBA FIRSTCARBON SOLUTIONS, FOR PREPARATION OF AN ENVIRONMENTAL IMPACT REPORT AND RELATED SERVICES ASSOCIATED WITH THE PROPOSED ELNOKA CONTINUING CARE RETIREMENT COMMUNITY DEVELOPMENT PROJECT**

- 12.5** ORDINANCE ADOPTION SECOND READING - ORDINANCE OF THE COUNCIL OF THE CITY OF SANTA ROSA AMENDING TITLE 21 OF THE SANTA ROSA CITY CODE - CORRECTING SECTION 21-02.050.B OF CHAPTER 21-02, INCLUSIONARY HOUSING ORDINANCE, TO LIMIT HOUSING IMPACT FEE AND INCLUSIONARY HOUSING INCENTIVES TO MULTIFAMILY RESIDENTIAL AND MIXED USE PROJECTS IN THE DOWNTOWN AREA - FILE NUMBER PRJ19-036

RECOMMENDATION: This ordinance, introduced at the December 3, 2019, Regular Meeting by a 6-0-0 vote, amends Title 21 of the Santa Rosa City Code to correct Section 21-02-050.B of the Inclusionary Ordinance to limit the Downtown Inclusionary Housing Incentive to multifamily residential or mixed use development projects located in the Downtown area of the City of Santa Rosa.

**This Consent - Ordinance was adopted.**

**ORDINANCE NO. ORD-2019-025 ENTITLED: ORDINANCE OF THE COUNCIL OF THE CITY OF SANTA ROSA AMENDING TITLE 21 OF THE SANTA ROSA CITY CODE - CORRECTING SECTION 21-02.050.B OF CHAPTER 21-02, INCLUSIONARY HOUSING ORDINANCE, TO LIMIT HOUSING IMPACT FEE AND INCLUSIONARY HOUSING INCENTIVES TO MULTIFAMILY RESIDENTIAL AND MIXED USE PROJECTS IN THE DOWNTOWN AREA- FILE NUMBER PRJ19-036**

- 12.6** RESOLUTION - EXTENSION OF PROCLAMATION OF EXISTENCE OF LOCAL EMERGENCY DUE TO 2017 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-2019-187 ENTITLED: RESOLUTION OF THE COUNCIL OF THE CITY OF SANTA ROSA EXTENDING THE PROCLAMATION OF EXISTENCE OF A LOCAL EMERGENCY DUE TO 2017 FIRES**

**A motion was made by Vice Mayor Fleming, seconded by Council Member Sawyer, to waive reading of the text and adopt Consent Items 12.2 and 12.7.**

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

**Yes:** 5 - Mayor Schwedhelm, Vice Mayor Fleming, Council Member Olivares, Council Member Rogers, and Council Member Sawyer

**Abstain:** 1 - Council Member Tibbetts

**12.2 RESOLUTION - KAISER PERMANENTE COMMUNITY HEALTH NEEDS ASSESSMENTS GRANT**

RECOMMENDATION: It is recommended by the Planning and Economic Development Department that the Council, by resolution, 1) approve the acceptance of a \$600,000.00 Kaiser Permanente Northern California Community Benefit Grant, and 2) upon receipt of the grant award, amend the Fiscal Year 2019-20 budget to increase appropriations by \$600,000 in General Plan Revisions project fund.

**This Consent - Resolution was adopted.**

**RESOLUTION NO. RES-2019-185 ENTITLED: RESOLUTION OF THE COUNCIL OF THE CITY OF SANTA ROSA APPROVING THE ACCEPTANCE OF A \$600,000 KAISER PERMANENTE NORTHERN CALIFORNIA COMMUNITY BENEFIT GRANT**

**12.7 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-2019-188 ENTITLED: RESOLUTION OF THE COUNCIL OF THE CITY OF SANTA ROSA EXTENDING A PROCLAMATION OF LOCAL HOMELESS EMERGENCY (Government Code Sections 8630 et seq.)**

**12.4 ORDINANCE ADOPTION SECOND READING - ORDINANCE AMENDING SECTION 10-44.040 OF THE CITY CODE TO TERMINATE THE TEMPORARY PROHIBITION ON RENTAL HOUSING PRICE**

RECOMMENDATION: This ordinance, introduced at the December 10, 2019, Regular Meeting, by a 5-1-0 vote (Vice Mayor Fleming voting no), terminates the City's temporary prohibition on rental housing price gouging and the temporary restrictions on tenant evictions effective on the 31st day after its adoption.

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

**ORDINANCE NO. ORD-2019-024 ENTITLED: ORDINANCE OF THE COUNCIL OF THE CITY OF SANTA ROSA REPEALING CHAPTER 10-44 OF THE SANTA ROSA CITY CODE THEREBY TERMINATING THE TEMPORARY PROHIBITION ON RENTAL HOUSING PRICE GOUGING ORIGINALLY ENACTED AFTER THE 2017 WILDFIRES**

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

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

**No:** 1 - Vice Mayor Fleming

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

Roger Montgomery spoke on various topics.

Natalie Crisostomo spoke regarding student parking in the Roseland District.

Jacqueline Quintero spoke regarding public speaking.

Eliza Negrete spoke regarding the Roseland neighborhood.

Carolina Perez spoke regarding homeless solutions.

Allen Thomas spoke regarding events on Ninth Street.

Peter Tscherneff spoke in admiration of the students that spoke at the meeting tonight, and was humbled by the public comments made by Roger Montgomery.

Thomas Ells spoke regarding the Board of Supervisors meeting that addressed the homeless crisis.

## **14. REPORT ITEMS**

### **14.1 REPORT - MEASURE O (2004) CYCLE X CHOICE GRANT PROGRAM FUNDING RECOMMENDATIONS**

**BACKGROUND:** The Measure O Transaction and Use Tax passed by voters in 2004 allocates grant funding to organizations for youth and parenting programs which focus on gang and anti-violence education, prevention and intervention, community safety, and a comprehensive array of social services in high need neighborhoods. On July 23, 2019 the City of Santa Rosa released a Request for Proposals for the Measure O Cycle X CHOICE Grant Program with \$840,000 in available funding per year of the two-year cycle from January 1, 2020 - December 31, 2021. Staff will present the funding recommendations from the Grant Review Team.

**RECOMMENDATION:** It is recommended by the Community Programs & Engagement Department that the Council, by resolution: 1) adopt the funding recommendations of the Grant Review Team for the Measure O (2004) CHOICE Cycle X Grant Program for January 1, 2020 - December 31, 2021 and direct the City Manager or designee to enter into funding agreements with approved providers; and 2) authorize the City Manager or designee to approve and execute the funding agreements and amendments with CHOICE Cycle X funded agencies, subject to approval as to form by the City Attorney.



Council Member Rogers left the dais.

Presented by Jason Carter, Interim Director, Community Programs & Engagement and Jerilyn Holm, Administrative Analyst.

#### PUBLIC COMMENT

Serene Cooper, Social Advocates for Youth (S.A.Y.), spoke in support of the item.

Michelle Fountain, Lifeworks of Sonoma County, spoke in support of the item.

Michelle Escobar McGarry, Center for Well-Being, spoke in support of the item.

Monique Brown, Conservation Corps North Bay, spoke in support of the item.

Rio Ray, Salvation Army, spoke in support of the item.

Melanie Dodson, Community Childcare Council (4Cs), spoke in support of the item.

Omar Gallardo, LandPaths, spoke in support of the item.

Cecile Querubin, Community Advisory Board, spoke in support of the item. Comment provided from speaker card: Grant Award - Collaborative Effort - Kudos.

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

**RESOLUTION NO. RES-2019-189 ENTITLED: RESOLUTION OF THE COUNCIL OF THE CITY OF SANTA ROSA ADOPTING THE FUNDING RECOMMENDATIONS OF THE GRANT REVIEW TEAM FOR THE MEASURE O (2004) CHOICE CYCLE X GRANT PROGRAM FOR JANUARY 1, 2020 - DECEMBER 31, 2021 AND GRANTING AUTHORITY TO THE CITY MANAGER OR DESIGNEE TO APPROVE AND EXECUTE FUNDING**

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## AGREEMENTS AND ANY AMENDMENTS THERETO

### The motion carried by the following vote:

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

**Abstain:** 1 - Council Member Rogers

### 14.2 REPORT - COUNCIL POSITION ON A PROPOSED ONE-HALF PERCENT (0.5%) SALES TAX MEASURE ENTITLED "SONOMA COUNTY WILDFIRE PREVENTION, EMERGENCY ALERT, AND RESPONSE TRANSACTIONS AND USE TAX ORDINANCE"

**BACKGROUND:** Based on the presentation by County Supervisors David Rabbitt and Lynda Hopkins and Fire Chief Gossner on December 3, 2019, Council is asked to arrive at a decision on the Council's position regarding the proposed County Tax Measure.

**RECOMMENDATION:** It is recommended by the Fire Department that the Council, 1) review the information presented by the County Supervisors and Chief Gossner on December 3, 2019, to determine Council's position on the upcoming County Tax Measure, and 2) by motion, choose one of the following positions:

- a) Support the County Tax Measure
- b) Remain Neutral on the County Tax Measure
- c) Oppose the County Tax Measure.

Presented by Tony Gossner, Fire Chief; Terri Wright, Administrative Analyst, County of Sonoma; and Sheryl Bratton, County Administrative Officer.

Mayor Schwedhelm recessed the meeting at 6:13 p.m. and reconvened the meeting at 6:18 p.m.

**A motion was made by Council Member Rogers, seconded by Council Member Tibbetts, to support the County Tax Measure**

### The motion carried by the following vote:

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

**14.3 REPORT - INSTALLATION OF A PUBLIC RESTROOM IN THE DOWNTOWN AREA**

**BACKGROUND:** The City Council directed City staff to evaluate and install a public toilet option to provide for a safe, economical and sustainable public restroom solution within the Downtown area. Nineteen (19) locations overall were evaluated by staff.

**RECOMMENDATION:** It is recommended by the Transportation and Public Works Department that the Council, by resolution, approve installation of a prefabricated restroom at City Hall Annex, 90 Santa Rosa Avenue.

Presented by Jason Nutt, Assistant City Manager/Director of Transportation and Public Works; and Camron MacDonald, Facilities Planning Coordinator.

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

**RESOLUTION NO. RES-2019-190 ENTITLED: RESOLUTION OF THE COUNCIL OF THE CITY OF SANTA ROSA - INSTALLATION OF A PUBLIC RESTROOM IN THE DOWNTOWN AREA**

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

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

**15. PUBLIC HEARINGS - NONE.**

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

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

**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 Schwedhelm adjourned the meeting at 7:05 p.m. The next regularly scheduled meeting will take

place on January 7, 2020, at a time set by the Mayor.

## **20. UPCOMING MEETINGS**

### **20.1 UPCOMING MEETINGS LIST**

Approved on:

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Dina Manis  
Acting City Clerk