

**SANTA ROSA CITY COUNCIL MINUTES
REGULAR MEETING
CITY HALL, 100 SANTA ROSA AVENUE
AUGUST 16, 2016**

1. CALL TO ORDER AND ROLL CALL

Mayor Sawyer called the meeting to order at 4:06 p.m. Council Members present: Mayor Sawyer, Vice Mayor Schwedhelm, Council Members Combs, Coursey, Olivares, and Wysocky; and Council Member Carlstrom was absent.

2. ANNOUNCEMENT OF CLOSED SESSION ITEMS - NONE.

3. STUDY SESSION - NONE.

4. REPORT, IF ANY, ON STUDY AND CLOSED SESSIONS - NONE.

5. PROCLAMATIONS/PRESENTATIONS

5.1 PROCLAMATION - SCHOOL ATTENDANCE AWARENESS MONTH

Diann Kitamura, Superintendent, Santa Rosa City Schools was not present to receive the School Attendance Awareness Month.

6. STAFF BRIEFINGS - NONE.

7. CITY MANAGER'S/CITY ATTORNEY'S REPORTS – NONE.

8. STATEMENTS OF ABSTENTION BY COUNCILMEMBERS

Mayor Sawyer announced he will be abstaining from Report Items 13.1 and 13.2.

9. MAYOR'S/COUNCILMEMBERS' REPORTS

Council Member Combs requested a future agenda item to consider a discussion on the costs of using ParaTransit. Vice Mayor Coursey concurred with the request.

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

9.1.1 Council Subcommittee Reports – Vice Mayor Schwedhelm and Council Member Olivares provided a brief report on the Homeless Policy Subcommittee and Violence Prevention Partnership Prevention Task Force. Council Member Combs provided a brief report on the Homeless Policy Subcommittee.

9.1.2 Sonoma County Transportation Authority/Regional Climate Protection Authority (SCTA/RCPA) – None.

9.1.3 Sonoma County Water Agency (SCWA) - Water Advisory Committee - None.

9.1.4 Association of Bay Area Governments (ABAG) - None.

9.1.5 Sonoma County Agricultural Preservation and Open Space District Advisory Committee - None.

9.1.6 Sonoma Clean Power Authority (SCPA) - None.

9.1.7 Sonoma County Waste Management Agency (SCWMA) - None.

9.1.8 Other - None.

10. APPROVAL OF MINUTES – None

11. CONSENT ITEMS

PUBLIC COMMENT

Canini spoke on Item 11.3.

MOVED by Vice Mayor Schwedhelm, seconded by Council Member Olivares and **CARRIED** 6-0-1 (Mayor Sawyer, Vice Mayor Schwedhelm, Council Members Combs, Coursey, Olivares, Wysocky voting yes; Council Member Carlstrom was absent) to waive reading of the text and adopt Consent Items 11.1 through 11.3 as follows:

11.1 RESOLUTION - DONATION FROM THE SANTA ROSA TENNIS CLUB TO RESURFACE COURTS 9 AND 10 AT GALVIN PARK

RESOLUTION NO. 28841 ENTITLED: RESOLUTION OF THE COUNCIL OF THE CITY OF SANTA ROSA ACCEPTING A \$8,500 DONATION FROM SANTA ROSA TENNIS CLUB FOR TENNIS COURT RESURFACING AT GALVIN COMMUNITY PARK

11.2 RESOLUTION - AMENDMENT TO THE CLASSIFICATION AND SALARY PLAN TO ADD 1.25 FTE TO THE CODE ENFORCEMENT DIVISION OF THE HOUSING AND COMMUNITY SERVICES DEPARTMENT

RESOLUTION NO. 28842 ENTITLED: RESOLUTION OF THE COUNCIL OF THE CITY OF SANTA ROSA AMENDING THE CITY CLASSIFICATION AND SALARY PLAN BY 1) ADDING ONE (1) FTE HOUSING AND COMMUNITY SERVICES TECHNICIAN FOR A 1 (ONE) YEAR LIMITED TERM TO THE CODE ENFORCEMENT DIVISION; AND 2) INCREASING ONE .75 FTE SENIOR ADMINISTRATIVE ASSISTANT TO 1.0 FTE SENIOR ADMINISTRATIVE ASSISTANT IN THE CODE ENFORCEMENT DIVISION

11.3 RESOLUTION - COURTHOUSE SQUARE REUNIFICATION PROJECT - AUTHORIZATION TO INSTALL AND REMOVE TEMPORARY MID-BLOCK CROSSWALKS ON FOURTH STREET

RESOLUTION NO. 28843 ENTITLED: RESOLUTION OF THE COUNCIL OF THE CITY OF SANTA ROSA AUTHORIZING THE INSTALLATION AND REMOVAL OF TEMPORARY MID-BLOCK CROSSWALKS ON FOURTH STREET

11.4 ORDINANCE ADOPTION - ORDINANCE OF THE COUNCIL OF THE CITY OF SANTA ROSA ESTABLISHING SALARY AND OTHER COMPENSATION AND BENEFITS FOR THE CITY MANAGER

This item was continued to the August 30, 2016 Regular meeting.

The time not yet being 5:00 p.m., Mayor Sawyer took Report Item 13.1 – Adoption of Ordinance Regarding Residential Rent Stabilization and Report Item 13.2 – Adoption of Ordinance Regarding Just Cause before Item 12 – Public Comment on Non-Agenda Matters.

Mayor Sawyer recused himself from the meeting at 4:23 p.m.

Council Member Carlstrom joined the meeting at 4:45 p.m.

13. REPORT ITEMS

13.1 REPORT - CONSIDERATION FOR ADOPTION OF AN ORDINANCE OF THE CITY OF SANTA ROSA ADDING CHAPTER 6-90 TO THE SANTA ROSA MUNICIPAL CODE REGARDING 1) RESIDENTIAL RENT STABILIZATION AND OTHER TENANT PROTECTIONS FOR CERTAIN RENTAL UNITS WITHIN THE CITY OF SANTA ROSA; 2) A RESOLUTION ADOPTING A POLICY CONCERNING CAPITAL IMPROVEMENT PLANS FOR CERTAIN RENTAL UNITS WITHIN THE CITY OF SANTA ROSA; AND 3) REVIEW OF PRELIMINARY COST ESTIMATES FOR PROGRAM ADMINISTRATION THROUGH JUNE 30, 2017

BACKGROUND: On May 3, 2016, City Council directed staff to present to the Council legislation that would limit annual rent increases and limit termination of tenancies for "just cause." On May 17, 2016 the City Council acted to preserve immediately the public health, safety and general welfare to adopt interim Ordinance No. 4063, imposing a 45 day moratorium on rent increases within the City of Santa Rosa, and directed staff to draft a comprehensive rent stabilization program. On July 7, 2016, the City Council adopted Ordinance No. 4067, an urgency ordinance enacting a further 90 day moratorium on certain residential rent increases.

RECOMMENDATION: It is recommended by the Housing and Community Services Department that the Council, by ordinance, 1) add Chapter 6-90 to the Santa Rosa Municipal Code regarding residential rent stabilization and other tenant protections for certain rental units within the City of Santa Rosa, 2) adopt a resolution concerning a capital improvement plans policy for certain rental units within the City of Santa Rosa, and 3) accept preliminary cost estimates for program administration through June 30, 2017.

Presented by David Gouin, Director of Housing & Community Services.

PUBLIC COMMENT

Ronit Ribinoff spoke in support of the ordinance.

Diane Darrimon spoke in opposition of the ordinance.

Mallori Spilker spoke in opposition of the ordinance.

Anne Seeley spoke in support of the ordinance.

Pauline Laurent requested to change the language in the ordinance.

Steve Elliott spoke in support of the ordinance.

Edie Sussman requested to change the language in the ordinance.

Davin Cardenas spoke in support of the ordinance.

Carmelita Torres spoke in support of the ordinance.

Kandis Nelson spoke in support of the ordinance.

Duane DeWitt spoke in support of the ordinance.

Perry Angle spoke in support of the ordinance.

Teresa Chavez - An unidentified speaker spoke on behalf of Teresa Chavez in support of the ordinance.

Thomas Ells spoke in support of the ordinance.

Wendy Woods spoke in support of the ordinance.

Josh Katz requested to change the language in the ordinance.

Steve Birdlebough requested to change the language in the ordinance.

Darryl Paule spoke in support of the ordinance.

Peter Tscherneff –spoke in support of the ordinance.

Daniel Sanchez requested to change the language in the ordinance.

MOVED by Council Member Combs, seconded by Council Member Carlstrom, and **CARRIED** 4-2-1-0 (Council Members Carlstrom, Combs, Coursey, Wysocky voting yes; Vice Mayor Schwedhelm and Council Member Olivares voting no; Mayor Sawyer abstained/recused) with amendments made on the floor to waive reading of the text and adopt the following resolution and introduce ordinance:

ORDINANCE ENTITLED: ORDINANCE OF THE COUNCIL OF THE CITY OF SANTA ROSA ADDING CHAPTER 6-90 TO THE SANTA ROSA MUNICIPAL CODE CONCERNING, AS TO CERTAIN RESIDENTIAL RENTAL UNITS IN THE CITY, (A) RENT STABILIZATION, LIMITATIONS ON THE TERMINATION OF TENANCIES AND THE PAYMENT OF RELOCATION ASSISTANCE AND REPEALING IN THEIR ENTIRETY ORDINANCE NUMBERS 4067, 4069 AND [40___, IF ADOPTED ON AUGUST 16]

RESOLUTION NO. 28844 ENTITLED: RESOLUTION OF THE COUNCIL OF THE CITY OF SANTA ROSA ADOPTING A POLICY CONCERNING CAPITAL IMPROVEMENT PLANS FOR RENTAL UNITS IN THE CITY OF SANTA ROSA

13.2 REPORT - ORDINANCE ADOPTION - AN ORDINANCE OF THE COUNCIL OF THE CITY OF SANTA ROSA REQUIRING JUST CAUSE FOR TENANT EVICTIONS IN THE CITY OF SANTA ROSA (This item was continued from the August 2, 2016, Regular Meeting)

BACKGROUND: At the August 2, 2016, Regular Meeting, Council Member Combs made a motion to reconsider this item to the August 16, 2016, Regular Meeting. The motion to reconsider was carried by 5-0-1-1 (Vice Mayor Schwedhelm, Council Members Combs, Coursey, Olivares, Wysocky voting yes; Mayor Sawyer abstained/recused and Council Member Carlstrom absent).

RECOMMENDATION: This ordinance, introduced at the July 19, 2016, Regular Meeting by a 4-2-0-1 vote (Council Members Carlstrom, Combs, Coursey, Wysocky voting yes; Vice Mayor Schwedhelm, Council Member Olivares voting no; Mayor Sawyer abstained/recused), would require just cause for evictions in the City of Santa Rosa.

PUBLIC COMMENT

Pauline Laurent spoke in support of the ordinance.

Courtney Cox spoke in support of the ordinance.

Marlina Martarano spoke in support of the ordinance.

Michael Hilber spoke in support of the ordinance.

Peter Tscherneff spoke in support of the ordinance.

Thomas Ells spoke in support of the ordinance.

MOVED by Council Member Wysocky, seconded by Council Member Coursey, and **CARRIED** 4-2-0-1 (Council Members Carlstrom, Combs, Coursey, Wysocky voting yes; Vice Mayor Schwedhelm and Council Member Olivares voting no; Mayor Sawyer abstained/recused) to waive reading of the text and adopt ordinance:

ORDINANCE NO. 4070 ENTITLED: AN ORDINANCE OF THE COUNCIL OF THE CITY OF SANTA ROSA REQUIRING JUST CAUSE FOR TENANT EVICTIONS IN THE CITY OF SANTA ROSA

Council Member Carlstrom left the meeting at 8:12 p.m.

Vice Mayor Schwedhelm recessed the meeting at 8:12 p.m. and Mayor Sawyer reconvened the meeting at 8:40 p.m. All Council Members were present with the exception of Council Member Carlstrom.

12. PUBLIC COMMENT ON NON-AGENDA MATTERS

Michael Hilber spoke on weed abatement.

Mayor Sawyer announced that Item 14.2 would be considered prior to Report Item 13.3 – Reimagining CityBus Final Alignments.

14.2 PUBLIC HEARING - SANTA ROSA FIRE DEPARTMENT ANNUAL WEED ABATEMENT PROGRAM REPORT

BACKGROUND: Santa Rosa City Code section Chapter 9.08 requires a public hearing to hear objections to the cost of weeds and/or rubbish abatement. The City Council grants or overrules such protests.

The City Council, by resolution, may confirm the itemized report of the costs of abatement.

The City Council authorizes the Santa Rosa Fire Department, County Auditor and Tax Collector to enact a special assessment as a lien upon respective parcels subject to the weed and rubbish abatement program.

RECOMMENDATION: It is recommended that the Council, by resolution, ratify and confirm the itemized report of the Fire Department of the cost of weed and rubbish abatement as provided for in Sections 9-08.020, 9-08-080, and 9-08.090 of the Santa Rosa City Code.

Presented by Paul Lowenthal, Assistant Fire Marshal.

PUBLIC HEARING

Mayor Sawyer opened the public hearing at 8:44 p.m.

Michael Hilber spoke to opposition of resolution.

Seeing no one else wishing to speak, Mayor Sawyer closed the public hearing at 8:46 p.m.

MOVED by Council Member Corsey, seconded by Council Member Olivares, and **CARRIED** 6-0-1 (Mayor Sawyer, Vice Mayor Schwedhelm, Council Members Combs, Coursey, Olivares, Wysocky voting Yes; Council Member Carlstrom absent) to waive reading of the text and adopt:

RESOLUTION NO. 28845 ENTITLED: RESOLUTION OF THE COUNCIL OF THE CITY OF SANTA ROSA CONFIRMING THE ITEMIZED REPORT OF THE SANTA ROSA FIRE DEPARTMENT OF THE COST OF REMOVING WEEDS AND/OR RUBBISH FROM, UPON, OR IN FRONT OF CERTAIN LOTS OR PARCELS OF LAND WITHIN THE CITY OF SANTA ROSA

13.3 **REPORT - REIMAGINING CITYBUS-ROUTE 4A/4B AND ROUTE 11 FINAL ALIGNMENTS**

BACKGROUND: This item relates to three elements of the Reimagining CityBus Final Plan that were not included in the action to adopt the plan taken by the City Council at its June 7, 2016 meeting: (1) the western terminus of Route 11; (2) the eastern terminus of Route 11; and (3) the alignment of Route 4A/4B service in the Memorial Hospital area.

Transit Division staff conducted additional analysis and outreach and will present options and staff recommendations for these remaining elements of the Reimagining CityBus Final Plan.

RECOMMENDATION: It is recommended by the Transportation and Public Works Department that the Council, by resolution, adopt the original proposal for the Route 4A/4B alignment, the original proposal for the western terminus of Route 11, and an extension of the eastern terminus of Route 11 to Stagecoach Road and Fountaingrove Parkway.

Presented by Anita Winkler, Deputy Director – Transit, and Jason Nutt, Director of Transportation Public Works.

PUBLIC COMMENT

Denise Lee spoke on need of bus route.

Dorothy Press spoke on safety concern.

Thomas Piazza spoke on safety concern.

Dawn Babieri spoke on safety concern.

Steve Abrams spoke on safety concern.

Linda Adrain spoke on bus route change.

Gerry LaLonde-Berg spoke on bus route.

Steve Birdlebough, with the Transportation and Land Use Coalition, spoke on support to suggested bus route changes.

MOVED by Council Member Olivares, seconded by Council Member Combs, and **CARRIED** 6-0-1 (Mayor Sawyer, Vice Mayor Schwedhelm, Council Members Combs, Coursey, Olivares, Wysocky voting yes; Council Member Carlstrom absent) to include necessary testing, evaluation, and return findings to Council and to waive reading of the text and adopt:

RESOLUTION NO. 28846 ENTITLED: RESOLUTION OF THE COUNCIL OF THE CITY OF SANTA ROSA TO ADOPT ALIGNMENTS FOR CITYBUS ROUTES 4A/4B AND 11

At this time, Council Member Combs requested a future agenda item to consider a discussion on the costs of using ParaTransit. Vice Mayor Coursey concurred with the request.

Council Member Wysocky left the meeting at 10:18 p.m.

14. PUBLIC HEARINGS

14.1 PUBLIC HEARING - PLACEMENT OF THE ANNUAL STORM WATER ENTERPRISE CHARGES ON THE SONOMA COUNTY PROPERTY TAX ROLL

BACKGROUND: The City of Santa Rosa was required under the federal Clean Water Act to obtain and comply with a National Pollutant Discharge Elimination System (NPDES) and Waste Discharge Requirements for Discharges from the Municipal Separate Storm Sewer Systems (Storm Water Permit). To comply with permit requirements and to control and reduce flooding, property damage, erosion, and storm water quality degradation in the City, the Council, in 1996, added Title 16 to the City Code, which created a Storm Water Enterprise and Utility (“Storm Water Enterprise”) as an agency of the City. Under Title 16, the City Council was authorized to prescribe and collect charges (special assessments) for the services and facilities of the

enterprise. The Council's intention to collect the Storm Water Enterprise charges on the Sonoma County Property Tax Roll was stated in Resolution 22880, which levied the annual charges.

RECOMMENDATION: It is recommended by the Departments of Water and Finance that Council, by 2/3 vote, pass a resolution, adopting the Storm Water Enterprise Charge Report and approving placement of the Storm Water Enterprise charges on the Sonoma County Property Tax Roll to be collected by the Sonoma County Assessor - Controller - Treasurer - Tax Collector at the same time and in the same manner as Sonoma County property taxes are collected.

Presented by Heaven Moore, Supervising Engineer.

PUBLIC HEARING

Mayor Sawyer opened the public hearing at 10:18 p.m.

Seeing no one wishing to speak, Mayor Sawyer closed the public hearing at 10:19 p.m.

MOVED by Council Member Coursey, seconded by Council Member Olivares, and **CARRIED** 6-0-1 (Mayor Sawyer, Vice Mayor Schwedhelm, Council Members Carlstrom, Combs, Coursey, Olivares, Wysocky voting Yes; Council Member Coursey absent) to waive reading of the text and adopt:

RESOLUTION NO. 28847 ENTITLED: RESOLUTION OF THE COUNCIL OF THE CITY OF SANTA ROSA APPROVING AND ADOPTING REPORT FOR PROPOSAL TO PLACE STORM WATER AND DRAINAGE CHARGES ON SONOMA COUNTY PROPERTY TAX ROLL FOR COLLECTION WITH COUNTY PROPERTY TAXES - FISCAL YEAR 2016-17 AND ORDERING THAT CITY'S ANNUAL STORM WATER ENTERPRISE CHARGES BE COLLECTED ON THE SONOMA COUNTY PROPERTY TAX ROLL

15. WRITTEN COMMUNICATIONS (AND POSSIBLE COUNCIL ACTION)

15.1 REQUEST FOR GUBERNATORIAL DECLARATION OF STATEWIDE STATE OF HOMELESS EMERGENCY - Provided for information.

16. PUBLIC COMMENTS ON NON-AGENDA MATTERS – NONE.

17. ANNOUNCEMENT OF CONTINUED CLOSED SESSION ITEMS, RECESS TO CLOSED SESSION IN THE MAYOR'S CONFERENCE ROOM, RECONVENE TO OPEN SESSION, AND ANNOUNCEMENTS – NONE.

18. ADJOURNMENT OF MEETING

Hearing no further business, Mayor Sawyer adjourned the meeting at 10:23 p.m. The next regularly scheduled meeting will take place on August 30, 2016, at a time to be set by the Mayor.

Approved on: September 27, 2016

/s/ Daisy Gomez, City Clerk