



# City of Santa Rosa

City Hall  
100 Santa Rosa Ave  
Santa Rosa, CA 95404

## **CITY COUNCIL REGULAR MEETING AGENDA AND SUMMARY REPORT APRIL 18, 2017**

**2:00 P.M. CLOSED SESSION (MAYOR'S CONFERENCE ROOM 10)**

**2:30 P.M. BOARD INTERVIEWS (MAYOR'S CONFERENCE ROOM 10)**

**4:00 P.M. - REGULAR SESSION (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 Items 14 and 18. 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. The first public comment period on non-agenda items (Agenda Item 14) will begin no earlier than 5:00 p.m. and will be limited to ten speakers selected randomly by the Mayor. Each speaker will be allowed three minutes. Speakers who do not have an opportunity to speak during this time will be allowed to make public comment under Agenda Item 18.

To address the Council you are requested to complete a yellow Speaker 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 submitting your comments to 100 Santa Rosa Avenue, Room 10, Santa Rosa 95404 or [cityclerk@srcity.org](mailto:cityclerk@srcity.org).

**2:00 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 COUNSEL - EXISTING LITIGATION**  
(Paragraph (1) of subdivision (d) of Government Code Section 54956.9)

Name of Case: Timothy Aboudara, Jr. et al. v. City of Santa Rosa  
Court Case No. USDC Northern District of CA 3:17-cv-01661

**RECESS CLOSED SESSION(S) AND RECONVENE TO OPEN SESSION FOR  
BOARD INTERVIEWS IN THE MAYOR'S CONFERENCE ROOM.**

**2:30 P.M. (MAYOR'S CONFERENCE ROOM, ROOM 10)**

**3. INTERVIEWS FOR BOARDS, COMMISSIONS AND COMMITTEES**

**3.1 INTERVIEWS FOR BOARDS, COMMISSIONS AND COMMITTEES**

The Council will interview applicants to fill vacancies on the following boards:

Housing Authority - to fill two at-large positions, each to serve a four-year term expiring on December 31, 2020

Personnel Board - to fill one at-large position to serve a four-year term expiring on December 31, 2020

Waterways Advisory Committee - to fill one at-large position to serve the remainder of a term expiring on December 31, 2017.

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

[Attachment 1 - Applications Notice of Availability](#)

[Attachment 2 - Council Policy 000-06 Appointments to Boa](#)

[Attachment 3 - Housing Authority Res. No. 1601](#)

[Attachment 4 - Personnel Board City Code Sec. 2-28](#)

[Attachment 5 - Waterways - Res. No. 26791](#)

**4. STUDY SESSION - NONE.**

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

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

**5. ANNOUNCEMENT OF ROLL CALL**

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

## 7. PROCLAMATIONS/PRESENTATIONS

### 7.1 PROCLAMATION - SEXUAL ASSAULT AWARENESS MONTH

**Attachments** [Proclamation](#)

### 7.2 PROCLAMATION - ROSELAND BEAUTIFICATION WEEK

**Attachments** [Proclamation](#)

## 8. 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.

### 8.1 2017 EARTH DAY ONSTAGE FESTIVAL

Water Department staff will provide information on Santa Rosa's annual Earth Day OnStage event, which will take place Saturday, April 22, from 12-4 p.m. on First Street in front of City Hall. Staff will provide an overview of the event and information on the activities that will take place.

**Attachments** [Presentation](#)

## 9. CITY MANAGER'S/CITY ATTORNEY'S REPORTS

## 10. STATEMENTS OF ABSTENTION BY COUNCILMEMBERS

## 11. MAYOR'S/COUNCILMEMBERS' REPORTS

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

#### 11.1.1 Council Subcommittee Reports

#### 11.1.2 Sonoma County Transportation Authority/Regional Climate Protection Authority (SCTA/RCPA)

#### 11.1.3 Sonoma County Water Agency (SCWA) - Water Advisory Committee

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

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

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

**11.1.7 Sonoma County Waste Management Agency (SCWMA)**

**11.1.8 Other**

**11.2 BOARD, COMMISSION & COMMITTEE APPOINTMENTS**

Council may vote to make appointments to the following Boards:

Housing Authority - two At-Large positions

Personnel Board - two At-Large positions

Waterways Advisory Committee - one At-Large position

**12. APPROVAL OF MINUTES**

**12.1** March 7, 2017, Regular Meeting.

**Attachments** [Draft Minutes](#)

**12.2** March 14, 2017, Regular Meeting.

**Attachments** [Draft Minutes](#)

**13. CONSENT ITEMS**

**13.1** RESOLUTION - ADOPTION OF RESOLUTION OF INTENTION TO APPROVE AN AMENDMENT TO THE CITY OF SANTA ROSA'S CONTRACT WITH THE CALIFORNIA PUBLIC EMPLOYEES' RETIREMENT SYSTEM AND INTRODUCE AN ORDINANCE TO AMEND THE CONTRACT; REPEAL OF PRIOR ORDINANCE

RECOMMENDATION: It is recommended by the Human Resources Department that the Council, by resolution and ordinance: 1) adopt a resolution of intention to approve an amendment to the City of Santa Rosa's Contract with the California Public Employees' Retirement System (CalPERS) and introduce an ordinance to amend the contract;

and 2) repeal Ordinance number 4071.

**Attachments** [Staff Report](#)  
[Attachment](#)  
[Resolution](#)  
[Exhibit](#)  
[Ordinance](#)  
[Presentation](#)

**13.2 RESOLUTION - RESOLUTION OF LOCAL SUPPORT FOR TRANSIT PERFORMANCE INITIATIVE PROGRAM GRANT APPLICATION**

RECOMMENDATION: It is recommended by the Transportation and Public Works Department that the Council, by resolution, authorize the City Manager or designee to execute and file the grant application under the Transit Performance Initiative Program to the Metropolitan Transportation Commission (MTC) for the "Support of the Implementation of Reimagining CityBus" project.

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

**13.3 RESOLUTION - CONTRACT EXTENSION - F000760 DOCUMENT REPRODUCTION SERVICES**

RECOMMENDATION: It is recommended by the Finance Department that the Council, by resolution, approve the Second Amendment to General Services Agreement Number F000760 for document reproduction services for a one-year extension, with a 1% increase in pricing, with Green Tara, Inc., dba Clone Digital Print and Copy, Santa Rosa, California, in the amount not to exceed \$125,000.

**Attachments** [Staff Report](#)  
[Resolution](#)  
[Exhibit A](#)  
[Presentation](#)

**13.4 RESOLUTION - COOPERATIVE AGREEMENT BETWEEN THE STATE OF CALIFORNIA AND THE CITY OF SANTA ROSA FOR THE IMPROVEMENTS TO THE HEARN AVENUE INTERCHANGE AT HIGHWAY 101**

RECOMMENDATION: It is recommended by the Transportation and Public Works Department that Council, by resolution, approve the Cooperative Agreement No. 04-2600 between the State of California and the City of Santa Rosa for Independent Quality Assurance during the preparation of the project plans, specifications and estimate; right-of-way support; and right-of-way acquisition for the improvements to the Hearn Avenue Interchange at Highway 101.

**Attachments** [Staff Report](#)  
[Resolution](#)  
[Exhibit A](#)  
[Presentation](#)

#### 14. PUBLIC COMMENT 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. This public comment period will begin no earlier than 5:00 p.m. and will be limited to ten speakers selected randomly by the Mayor. Each speaker will be allowed three minutes. Speakers who do not have an opportunity to speak during this time will be allowed to make public comment under Agenda Item 18.

#### 15. REPORT ITEMS

##### 15.1 REPORT - RESOLUTION APPROVING AMENDED AND RESTATED JOINT EXERCISE POWERS AGREEMENT FOR THE SONOMA COUNTY WASTE MANAGEMENT AGENCY (SCWMA)

BACKGROUND: SCWMA was formed in 1992 to address state legislation requiring Cities and Counties to divert a minimum of 50% of their waste from landfill disposal by 2000. SCWMA's core programs currently include Wood Waste and Yard Debris (organic material) processing, Household Hazardous Waste (HHW) collection and proper disposal, solid waste education and outreach, and state-required solid waste planning and reporting. The SCWMA's term was originally set for 25 years, but all members, including the City, agreed to extend the term an additional year, so the current term expiration is February 11, 2018. If the SCWMA is not extended or replaced, the services the SCWMA provides must be assumed by its members within their jurisdictions.

RECOMMENDATION: It is recommended by the City Manager's Office

that the Council, by resolution, approve the attached Amended and Restated Joint Exercise of Powers Agreement (JPA) for the Sonoma County Waste Management Agency (SCWMA). Approval of the agreement would continue the City's participation in the services provided by the SCWMA, including organic material management, household hazardous waste collection and disposal, solid waste education and outreach, and regional solid waste planning and reporting.

**Attachments** [Staff Report](#)  
[Attachment 1](#)  
[Attachment 2](#)  
[Resolution](#)  
[Exhibit](#)  
[Presentation \(uploaded 4/18/17\)](#)

**15.2** REPORT - ANNUAL POLICE AUDITOR'S REPORT AND CONTRACT FOR PROFESSIONAL SERVICES AGREEMENT WITH ROBERT HUNTER AARONSON, INDEPENDENT AUDITOR TO REVIEW THE POLICE DEPARTMENT

BACKGROUND: Mr. Aaronson will present his first-year report. The purpose of this contract is to continue the services of Mr. Aaronson as an independent auditor to the Santa Rosa Police Department (SRPD). He will conduct audits of the Police Department's policies, practices and records, meet with various stakeholders in the community, ride-along with patrol, and respond to and assist complainants.

RECOMMENDATION: It is recommended by the City Manager's Office that the Council, by motion, accept the first-year report from Robert Aaronson, Independent Police Auditor (IPA), and, by resolution, approve the Professional Services Agreement with Robert Hunter Aaronson, Palo Alto, CA, in the amount of \$100,000.

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

**15.3** REPORT - REQUEST TO SUMMARILY VACATE 1014 SQUARE FEET OF PUBLIC RIGHT-OF-WAY ON MELITA ROAD AND REQUEST FOR

A DETERMINATION OF SURPLUS PROPERTY AND DISPOSITION OF SURPLUS PROPERTY FOR A 683 SQUARE FOOT PARCEL AND A 986 SQUARE FOOT PARCEL NEAR THE PROPERTY LOCATED AT 5850 MELITA ROAD - VAC16-001

BACKGROUND: Application for a summary vacation of public right-of-way (ROW) as well as a determination and disposition of surplus property for an area of approximately 1,700 square feet adjacent to the Melita Station Inn parcel. Additionally, the application involves a request for determination of surplus property for a triangular 986 square foot segment of the parcel containing Montgomery Drive.

RECOMMENDATION: It is recommended by the Planning and Economic Development Department that the Council, by Resolution, approve a summary vacation of public right-of-way and make determinations and dispositions of surplus property to clear title on historic encroachments of the existing Melita Station building and to create a clear path of travel for proposed pedestrian improvements along Montgomery Drive.

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

[Attachment 1 - Disclosure Form](#)

[Attachment 2 - Location Map](#)

[Attachment 3 - Project Proposal and Drawings](#)

[Attachment 4 - Proposed Pedestrian Path](#)

[Attachment 5 - Letter from Barbara Schussman 12-8-14](#)

[Resolution](#)

[Exhibit A](#)

[Exhibit B](#)

[Exhibit C](#)

[Exhibit D](#)

[Presentation](#)

**15.4** REPORT - APPROVAL OF THE PRELIMINARY 2017/18 REGIONAL WATER REUSE SYSTEM OPERATING AND MAINTENANCE, CAPITAL IMPROVEMENT, AND DEBT SERVICE BUDGET AND ALLOCATION OF COSTS

BACKGROUND: The Regional Water Reuse System, managed by the City of Santa Rosa per Agreement, is a state-of-the-art wastewater treatment facility serving five member agencies (Santa Rosa, Rohnert



Park, Sebastopol, Cotati, and the Sonoma County South Park Sanitation District, each hereinafter referred to as “User Agency” or collectively as “User Agencies”). The Laguna Treatment Plant is a tertiary-level treatment facility permitted for 21.34 million gallons per day (MGD) average dry weather flow. The operating Agreement requires that the City annually prepare a Preliminary Budget and Allocation of Costs for the Regional Water Reuse System and notify the User Agencies of these costs by May 1st of each year. The Agreement further requires that the proposed budget and allocation of costs be reviewed by the Regional Water Reuse Technical Advisory Committee (TAC), the Board of Public Utilities (BPU) and the Council of the City of Santa Rosa prior to noticing the partners of operating and debt service costs due.

The Regional Water Reuse Operations and Maintenance (O&M) Fund budget request is \$34,717,521, the Regional Water Reuse cash-funded Capital Improvement Program (CIP) is \$4,080,000 and the Regional Water Reuse debt service due is \$22,643,932.

RECOMMENDATION: It is recommended by the Water Department, the Regional Water Reuse System Technical Advisory Committee and the Board of Public Utilities that the Council, by resolution, approve the Preliminary 2017/18 Regional Water Reuse System Operating and Maintenance, Capital Improvement, and Debt Service Budget and Allocation of Costs for the purpose of notifying the participating Regional Water Reuse User Agencies of their allocation of such costs prior to May 1 as per agreement.

**Attachments** [Staff Report](#)  
[Attachment 1](#)  
[Resolution](#)  
[Presentation](#)  
[Resolution Corrected \(4.17.2017\)](#)

**15.5** REPORT - APPOINTMENT OF CITY ATTORNEY, APPROVAL OF CITY ATTORNEY EMPLOYMENT AGREEMENT AND INTRODUCTION OF ORDINANCE SETTING CITY ATTORNEY COMPENSATION

BACKGROUND: The City Council retained Ralph Andersen & Associates to conduct an executive recruitment for the City Attorney position. On March 28, 2017, the City Council announced that it had voted to appoint Sue Gallagher as the City Attorney subject to reaching satisfactory terms

and conditions for an employment contract.

RECOMMENDATION: It is recommended by the City Manager and the Human Resources Department that the Council, by resolution, formally appoint Sue Gallagher to the position of City Attorney effective on May 8, 2017, and approve the Employment Agreement - City Attorney and authorize the Mayor to execute said agreement on behalf of the City. It is further recommended that the Council introduce an ordinance establishing the City Attorney's compensation in the amount of \$17,083.34 per month.

**Attachments** [Staff Report](#)  
[Resolution](#)  
[Exhibit A](#)  
[Ordinance](#)

## 16. PUBLIC HEARINGS

Public Hearing matters will begin no earlier than 5:00 p.m. or as soon thereafter as the matters are reached on the agenda.

### 16.1 PUBLIC HEARING - GASPARINI REZONING - 368 YOLANDA AVENUE - APN 044-072-009 - FILE NO. REZ16-004

BACKGROUND: On February 9, 2017, the Planning Commission unanimously approved Resolution No. 11811 recommending that the Council introduce an ordinance to rezone the property located at 368 Yolanda Avenue from the CG (General Commercial) zoning district to IL (Light Industrial) district to achieve General Plan consistency.

RECOMMENDATION: It is recommended by the Planning Commission and the Planning and Economic Development Department that the Council introduce an Ordinance to rezone the property located at 368 Yolanda Ave from CG (General Commercial) to IL (Light Industrial) District consistent with the General Plan.

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

[Attachment 1 - Disclosure Form](#)

[Attachment 2 - Location Map](#)

[Attachment 3 - Neighborhood Context Map](#)

[Attachment 4 - General Plan & Zoning Map](#)

[Attachment 5 - Planning Commission Meeting Minutes of F](#)

[Attachment 6 - Planning Commission Resolution 11811](#)

[Ordinance](#)

[Presentation](#)

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

- 17.1 LETTER OF SUPPORT AB 297: ALCOHOLIC BEVERAGES: LICENSES: WINE AND FOOD CULTURAL MUSEUM AND EDUCATIONAL CENTER - Provided for information.

**Attachments** [Letter](#)

**18. 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 will be allowed three minutes.

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

**20. ADJOURNMENT OF MEETING**

**21. UPCOMING MEETINGS**

This schedule is tentative and subject to change pending final publication and posting of the City Council Meeting Agenda.

- 21.1 UPCOMING MEETINGS LIST

**Attachments** [List](#)

\*Did not appear on the preliminary agenda.

\*\*Quasi-judicial or adjudicative action.

## City Council

APRIL 18, 2017

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The City of Santa Rosa does not discriminate on the basis of disability in the admissions or access to, or treatment of or employment in, its programs or activities. Disability-related aids or services, including printed information in alternate formats, to enable persons with disabilities to participate in public meetings are available by contacting the City Clerk Office at 543-3015 or [cityclerk@srcity.org](mailto:cityclerk@srcity.org) one week prior to the meeting. TDD 543-3063

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

*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.*