



City Council  
Regular Meeting Minutes - Draft

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Tuesday, April 2, 2019

11:30 AM

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

Mayor Schwedhelm called the closed session to order at 11:30 a.m.

**Present:** 4 - Mayor Tom Schwedhelm, Vice Mayor Chris Rogers, Council Member Julie Combs, and Council Member Ernesto Olivares

**Absent:** 3 - Council Member Victoria Fleming, Council Member John Sawyer, and Council Member Jack Tibbetts

**2. ANNOUNCEMENT OF CLOSED SESSION ITEMS**

PUBLIC COMMENT

Duane DeWitt spoke in opposition to Item 2.2 being referenced as a threat; that the police exercising restraint and escort to the civil disobedient should not be considered a threat; and requested that the overhead projector be provided to the public to display comments.

Council Member Fleming joined the meeting at 11:55 a.m.

Mayor Schwedhelm recessed the meeting to closed session at 11:33 a.m. to discuss Items 2.1 through 2.5 as listed on the agenda:

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

Title: City Manager

**2.2 THREAT TO PUBLIC SERVICES OR FACILITIES**  
(Government Code Section 54957(a))

Consultation with: Santa Rosa Police Department, Police Chief and Risk Manager.

**2.3 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-HSG

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

Agency Designated Representatives: Agency Designated Representatives: Gloria Hurtado, Deputy City Manager, Jon Holtzman of Renne Public Law Group, Amy Reeve, Human Resources Director, Jeremia Mills, Employee Relations Manager, Anthony Gossner, Fire Chief, and Chuck McBride, Chief Financial Officer.

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

**2.5** CONFERENCE WITH LEGAL COUNSEL - ANTICIPATED LITIGATION

Initiation of litigation pursuant to paragraph (4) of subdivision (d) of Government Code Section 54956.9: one potential case.

Mayor Schwedhelm adjourned the closed session at 1:30 p.m. and reconvened the meeting at 1:35 p.m.

**Present:** 5 - Mayor Tom Schwedhelm, Vice Mayor Chris Rogers, Council Member Julie Combs, Council Member Victoria Fleming, and Council Member Ernesto Olivares

**Absent:** 2 - Council Member John Sawyer, and Council Member Jack Tibbetts

**3. STUDY SESSION**

**3.1** GENERAL PLAN ANNUAL REVIEW, HOUSING ACTION PLAN UPDATE, DOWNTOWN STATION AREA SPECIFIC PLAN UPDATE, AND GENERAL PLAN UPDATE

Each year, the Planning Commission and City Council review the General Plan consistent with State planning and zoning law. This study session will allow time to cover General Plan actions in 2018, housing needs information, as well as to review the operation of the Growth Management Ordinance and the Housing Allocation Plan over the last year. A review of the progress that has been made on implementation of the Housing Action Plan, as well as a review of the upcoming Downtown Station Area Specific Plan and General Plan update

projects, will also be provided.

Planning Commissioners also present: Chair Patti Cisco, Vice Chair Karen Weeks, Commissioner Akash Kalia, Commissioner Charles Carter, Commissioner Vicki Duggan, Commissioner Julian Peterson, Commissioner Jeff Okrepkie

Presented by Amy Nicholson, City Planner, Raissa de la Rosa, Economic Development Manager, and David Guhin, Assistant City Manager and Director of Planning and Economic Development.

#### PUBLIC COMMENT

Duane DeWitt spoke regarding alternative housing.

Susan Lamont spoke in support of Section 8 housing.

George Uberti spoke regarding the rate of permits issued per year to keep up with demand for low income housing.

Kristin Kiefer spoke in support of the downtown subcommittee and concerned for technical committee.

Mayor Schwedhelm adjourned the joint study session at 3:35 p.m.

Mayor Schwedhelm recessed the meeting at 3:36 p.m. and reconvened the meeting at 3:46 p.m.

**This joint study session was received and filed.**

### **3.2** CITYBUS FLEET ELECTRIFICATION (Continued from February 26, 2019 Regular Meeting)

The Transit Division's largest ongoing capital obligation is the periodic replacement of the 28 fixed-route buses in its active fleet. With the developments in the Zero Emissions Bus (ZEB) industry and the California Air Resources Board's (CARB) Innovative Clean Transit (ICT) regulation requiring statewide transit bus electrification by 2040, the timing to begin the transition from diesel vehicles to electric buses is optimal. This transition requires collaboration with state and local

partners and a comprehensive understanding of the electrification process. This study session will provide an overview of the Transit Division's fleet electrification activities and allow Council to provide feedback to staff on CityBus's fleet plan and anticipated electrification timeline in light of fiscal, regulatory, and infrastructure-related factors.

Presented by Rachel Ede, Deputy Director of Transit, and Yuri Koslen, Transit Planner.

#### PUBLIC COMMENT

Peter Tscherneff spoke regarding deployment of other electric vehicles.

Thomas Ells spoke in support of the item.

**This study session was received and filed.**

#### 4. ANNOUNCEMENT OF ROLL CALL

**Present:** 5 - Mayor Tom Schwedhelm, Vice Mayor Chris Rogers, Council Member Julie Combs, Council Member Victoria Fleming, and Council Member Ernesto Olivares

**Absent:** 2 - Council Member John Sawyer, and Council Member Jack Tibbetts

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

City Attorney Gallagher announced that Council gave direction to staff for Items 2.1 through 2.5.

#### 6. PROCLAMATIONS/PRESENTATIONS

##### 6.1 PROCLAMATION - NATIONAL SERVICE RECOGNITION DAY

Council Member Fleming read the proclamation and presented it to David Walters and Cara Dunaway with AmeriCorps.

#### PUBLIC COMMENT

Peter Tscherneff spoke in support of the proclamation.

##### 6.2 PROCLAMATION - SEXUAL ASSAULT AWARENESS MONTH

Council Member Olivares read the proclamation and presented it to

Caitlin Quinn and Jeanette Espinoza with Verity.

**6.3 PROCLAMATION - VOLUNTEER APPRECIATION MONTH**

Council Member Sawyer read and presented the proclamation to Jeff Tibbetts, Supervisor of Recreation and Parks Volunteer Department, Sandra Wright Frary, and Raymond Owen.

**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.

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

City Manager McGlynn provided a brief report on Recreation and Park's annual St. Patty's Day 5K; and the first newsletter issue of City Connections was released to the public.

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

There were no abstentions made.

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

Mayor and Council Members announced reports of interest to the Council.

**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 Homeless System of Care (HSC)**

**10.1.10 Renewal Enterprise District (RED)**

**10.1.11 Other**

**10.2 SONOMA COUNTY MAYORS' AND COUNCILMEMBERS' ASSOCIATION/CITY SELECTION COMMITTEE**

**10.2.1** The City Council will, by motion, provide direction to the Mayor regarding letters of interest received for appointment to Housing Legislative Task Force, which will be made by the City Selection Committee at its April 11, 2019 meeting:

(1) Housing Legislative Task Force, two positions

- Letter received from Gina Belforte (Rohnert Park)
- Letter received from Julie Combs (Santa Rosa)
- Letter received from Amy Harrington (City of Sonoma)

Council Member Combs withdrew her letter of interest.

**A motion was made by Vice Mayor Rogers, seconded by Council Member Combs, to approve the nominations of Gina Belforte, Rohnert Park, and Amy Harrington, City of Sonoma, to the Housing Legislative Task Force. The motion carried by the following vote:**

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

**Absent:** 2 - Council Member Sawyer, and Council Member Tibbetts

**10.3 MEASURE M CITIZENS' OVERSIGHT COMMITTEE (PARKS FOR ALL)**

**10.3.1** The City Council will, by motion, approve Dan Condrón as the Mayor's nominee(s) to the Measure M Citizens' Oversight Committee (Parks for All).

The nominee(s) will then be submitted to the Sonoma County Board of Supervisors for appointment consideration at its April 23, 2019

meeting.

**A motion was made by Vice Mayor Rogers, seconded by Council Member Olivares, to approve Dan Condrón as the Mayor's nominee to the Measure M Citizens' Oversight Committee (Parks for All) and submit nomination to the Sonoma County Board of Supervisors for appointment consideration at its April 23, 2019 meeting. The motion carried by the following vote:**

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

**Absent:** 2 - Council Member Sawyer, and Council Member Tibbetts

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

## **12. CONSENT ITEMS**

### **PUBLIC COMMENT**

Duane DeWitt spoke in support of Items 12.2 and 12.3 and requested that collaboration with the County to assist those impacted from the wild fires located at Journey's End.

Peter Tscherneff spoke regarding Item 12.2.

Mayor Schwedhelm recessed the meeting at 4:56 p.m. and reconvened at 5:01 p.m.

### **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 12.3. The motion carried by the following vote:**

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

**Absent:** 2 - Council Member Sawyer, and Council Member Tibbetts

#### **12.1 RESOLUTION - AUTHORIZATION TO APPLY FOR PG&E FLEETREADY PROGRAM (Continued from February 26, 2019 Regular Meeting)**

**RECOMMENDATION:** It is recommended by the Transportation and Public Works Department that the Council, by resolution, authorize the

Director of Transportation and Public Works to approve and submit a grant application under the PG&E's FleetReady program for electric vehicle charging infrastructure.

**This Consent - Resolution was adopted.**

**RESOLUTION NO. RES-2019-033 ENTITLED: RESOLUTION OF THE COUNCIL OF THE CITY OF SANTA ROSA AUTHORIZING A GRANT APPLICATION UNDER THE PG&E FLEETREADY PROGRAM**

**12.2 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-2019-034 ENTITLED: RESOLUTION OF THE COUNCIL OF THE CITY OF SANTA ROSA EXTENDING A PROCLAMATION OF LOCAL HOMELESS EMERGENCY (Government Code Sections 8630 et seq.)**

**12.3 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-2019-035 ENTITLED: RESOLUTION OF THE COUNCIL OF THE CITY OF SANTA ROSA EXTENDING THE PROCLAMATION OF EXISTENCE OF A LOCAL EMERGENCY DUE TO FIRES**

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

Duane DeWitt spoke regarding climate action plan.



Anne Seeley spoke in support of Item 15.2.

Peter Tscherneff spoke regarding various topics.

Public Hearing Items 15.1 and 15.2 was heard before Report Item 14.1.

## 14. REPORT ITEMS

### 14.1 REPORT - RESOLUTION - PROFESSIONAL SERVICES AGREEMENT FOR THE DEVELOPMENT OF A WILDFIRE ANNEX TO THE EXISTING LOCAL HAZARD MITIGATION PLAN AND CREATION OF A COMMUNITY WILDFIRE PROTECTION PLAN IN COMPLIANCE WITH THE HEALTHY FORESTS RESTORATION ACT

**BACKGROUND:** The Disaster Mitigation Act of 2000 requires that State and local governments develop and adopt a LHMP to be eligible to receive federal grants pertaining to disaster preparedness. From November 2015 to February 2016, City staff from multiple departments worked with the City's consultant to create an updated plan. On April 7, 2016, the Draft Local Hazard Mitigation Plan was submitted to California Department of Emergency Services (Cal OES). The plan was adopted by Council on January 10, 2017.

In December 2017 City staff created an application to develop a CWPP intended to be an annex to the LHMP, specific to the Wildfire section of the currently adopted plan. The application was reviewed by State and Federal officials and funding was awarded in June 2018.

In December 2018, the RFP process was opened to solicit proposals for the development of the CWPP. In January four applications were reviewed and one candidate, Geo Elements, LLC was selected based on their prior experience.

**RECOMMENDATION:** It is recommended by the Fire Department that the Council, by Resolution, approve a Professional Services Agreement with Geo Elements, LLC of Leeds, UT, for the development of a Wildfire Annex to the existing Local Hazard Mitigation Plan and creation of a Community Wildfire Protection Plan in compliance with the Healthy Forests Restoration Act, in an amount not to exceed \$200,000.

Presented by Tony Gossner, Fire Chief, and Scott Moon, Division Chief Fire Marshal.

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

**RESOLUTION NO. RES-2019-037 ENTITLED: RESOLUTION OF THE COUNCIL OF THE CITY OF SANTA ROSA APPROVING A PROFESSIONAL SERVICES AGREEMENT WITH GEO ELEMENTS, LLC OF LEEDS, UTAH FOR THE DEVELOPMENT OF A WILDFIRE ANNEX TO THE EXISTING LOCAL HAZARD MITIGATION PLAN AND CREATION OF A COMMUNITY WILDFIRE PROTECTION PLAN IN COMPLIANCE WITH THE HEALTHY FORESTS RESTORATION ACT**

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

**Yes:** 4 - Mayor Schwedhelm, Vice Mayor Rogers, Council Member Fleming, and Council Member Olivares

**Absent:** 3 - Council Member Combs, Council Member Sawyer, and Council Member Tibbetts

## **15. PUBLIC HEARINGS**

### **15.1 PUBLIC HEARING - COFFEY NEIGHBORHOOD PARK MASTER PLAN**

**BACKGROUND:** Coffey Park was a 5.85 acre, fully developed Neighborhood Park destroyed by the October 2017 wildfires. A master plan is needed to rebuild Coffey Neighborhood Park and neighborhood input regarding the park redesign was gathered during the master planning process from August 2018 to February 2019. Neighborhood outreach regarding the proposed Master Plan resulted in the requests for all park amenities previously located in Coffey Park prior to the wildfires and the addition of a portable restroom, fitness stations, dog park, community corner, pollinator/native garden and public art.

**RECOMMENDATION:** It is recommended by the Recreation and Parks Department that the Council, conduct a public hearing and thereafter by resolution, adopt the Coffey Park Master Plan which includes two playground areas (ages 2-5 and 5-12), fitness stations, picnic areas, barbeques, pathways, pollinator/native garden, community corner, dog park, portable restroom, landscaping, turf, irrigation, two monument signs, shade structures, fencing, security lighting, bollards, boulders,

and future public art.

Presented by Jen Santos, Recreation and Parks Deputy Director.

Mayor Schwedhelm opened the public hearing at 5:53 p.m.

#### PUBLIC COMMENT

Duane DeWitt spoke in support of continual public input and opposition to additional portable restrooms.

Jeff Okrepkie spoke in support of the item.

John Allen spoke in support of the item.

Brian Bushon spoke in support of the item.

Oliver Bushon spoke in support of the item.

Debbie Bratberg spoke in support of the item.

Kara Lemieuy spoke in support of the item.

Mark Richardson spoke in opposition to the dog park.

Pamela VanHalsema spoke in support of the item.

Jessica Leduc spoke in opposition to the dog park location.

Ella Way spoke in support of the item.

Hearing no one else wishing to speak, Mayor Schwedhelm closed the public hearing at 6:14 p.m.

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

**RESOLUTION NO. RES-2019-036 ENTITLED: RESOLUTION OF THE COUNCIL OF THE CITY OF SANTA ROSA APPROVING THE COFFEY**

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## NEIGHBORHOOD PARK MASTER PLAN

### The motion carried by the following vote:

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

**Absent:** 2 - Council Member Sawyer, and Council Member Tibbetts

### 15.2 PUBLIC HEARING - AMENDING TITLE 20 (ZONING) OF THE SANTA ROSA CITY CODE - PUBLIC NOTICING TEXT AMENDMENT

**BACKGROUND:** The Planning Division within the Planning and Economic Development Department (PED) has specific requirements related to public noticing for projects during various phases of entitlement application review. In concert with recommendations from the City's Community Advisory Board (CAB), Open Government Task Force, the PED's Housing Action Plan (HAP), and members of the public, the proposed Zoning Code text amendment would modify existing requirements to result in more clear, effective, and inclusive noticing. On February 28, 2019, the Planning Commission unanimously recommended that the Council approve the proposed Zoning Code Text Amendments.

**RECOMMENDATION:** It is recommended by the Planning Commission and the Planning and Economic Development Department that the City Council, by Ordinance, amend Title 20 of the Santa Rosa City Code to modify public noticing requirements.

Presented by Amy Nicholson, City Planner, and Jessica Jones, Supervising Planner.

Council Member Combs left the meeting at 6:40 p.m.

Hearing no one wishing to speak, Mayor Schwedhelm opened and closed the public hearing at 6:44 p.m.

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

**ORDINANCE ENTITLED: ORDINANCE OF THE COUNCIL OF THE CITY OF SANTA ROSA AMENDING TITLE 20 OF THE SANTA ROSA CITY CODE, SECTIONS 20-50.040, 20-50.050, 20-52.030 AND 20- 66.020 TO MODIFY**

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**PUBLIC NOTICING REQUIREMENTS - FILE NUMBER REZ19-001**

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

**Yes:** 4 - Mayor Schwedhelm, Vice Mayor Rogers, Council Member Fleming, and Council Member Olivares

**Absent:** 3 - Council Member Combs, Council Member Sawyer, and Council Member Tibbetts

**16. WRITTEN COMMUNICATIONS (AND POSSIBLE COUNCIL ACTION) - 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 Schwedhelm adjourned the meeting in memory Brian Elliot, at 6:50 p.m. The next regularly scheduled meeting will take place on April 9, 2019, at a time set by the Mayor.

**20. UPCOMING MEETINGS**

**20.1 UPCOMING MEETINGS LIST**

**This item was received and filed.**

Approved on:

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Daisy Gomez  
City Clerk