



City Council  
Regular Meeting Minutes - Draft

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Tuesday, April 30, 2019

1:00 PM

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

Mayor Schwedhelm called the closed session to order at 1:03 p.m.

All Council Members were present with the exception of Council Member Tibbetts. Council Member Olivares joined the closed session at 1:10 p.m. Council Member Sawyer joined the closed session at 1:25 p.m.

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

**Absent:** 1 - Council Member Jack Tibbetts

**2. ANNOUNCEMENT OF CLOSED SESSION ITEMS**

PUBLIC COMMENT

Robert Edmonds spoke regarding Senate Bill 1421 requesting for release of Peace Officer records.

Jerry Threet spoke regarding Senate Bill 1421 requesting for release of Peace Officer records.

Mayor Schwedhelm recessed the meeting to closed session at 1:10 p.m. to discuss Item 2.1 as listed on the agenda:

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

Significant exposure to litigation pursuant to paragraph (2) of subdivision (d) of Government Code Section 54956.9: Potential release of Santa Rosa Police Department records under SB 1421.

Mayor Schwedhelm adjourned the closed session at 1:45 p.m. and reconvened the meeting at 2:00 p.m.

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

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

The Council will interview applicants to fill (1) Senior Representative vacancy on the Bicycle and Pedestrian Advisory Board, to serve a two-year term expiring on December 31, 2020.

Mayor Schwedhelm adjourned the interviews at 2:25 p.m. and reconvened the meeting to study session at 2:35 p.m.

Council Member Tibbetts joined the study session at 2:35 p.m.

## **4. STUDY SESSION**

### **4.1 REVIEW OF THE CITY-WIDE AFTER-ACTION REPORT - OCTOBER 2017 WILDFIRES**

This independent After-Action Report was commissioned by the City of Santa Rosa to review the events and actions around the October 2017 Wildfires that directly affected the community and neighboring areas. The focus of this report highlights the response to the Tubbs and other fires, which created unprecedented devastation in Santa Rosa on October 8-9, 2017, and continuing until October 31, 2017.

Presented by Tony Gossner, Fire Chief and Charlie Fisher, Sr, Managing Director with Witt O'Brien's LLC.

#### **PUBLIC COMMENT**

Duane DeWitt spoke regarding the effectiveness of sirens as a backup alert mechanism.

Thomas Ells spoke regarding evacuation efforts during emergencies.

## **5. ANNOUNCEMENT OF ROLL CALL**

Mayor Schwedhelm recessed the meeting at 3:55 p.m. and reconvened at 4:02 p.m.

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

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

City Attorney Gallagher reported that on Item 2.1 the Council provided direction to staff.

## **7. PROCLAMATIONS/PRESENTATIONS**

### **7.1 PROCLAMATION - CHILDREN'S MEMORIAL FLAG DAY**

Council Member Fleming read and presented the proclamation to Greg Spaulding and Mike Miller.

### **7.2 PROCLAMATION - VOLUNTEERS IN POLICE SERVICES**

Council Member Olivares read and presented the proclamation to Ken Coker, Dave Tacla, Ron Puccinelli, Susie Johnson, Rich Sandvick, and Sandra Sewell.

## **8. STAFF BRIEFINGS**

### **8.1 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.

Gabe Osburn, Deputy Director of Development Services, Planning and Economic Development, and Jason Nutt, Director of Transportation and Public Works provided brief presentations.

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

City Manager McGlynn provided a brief report of the Recreation and Parks Department's annual Senior Expo; and the Santa Rosa Violence Prevention Partnership hosted the Third Annual Parent Engagement Month.

### **9.1 QUARTERLY REPORT OF SETTLEMENTS AND ACTIVE LITIGATION**

The City Attorney will report on settlements over \$50,000 within the first

quarter of 2019 (01/01/2019 -03/31/2019) as well as provide a summary of pending litigation against the City.

City Attorney Gallagher provided a brief report.

**This item was received and filed.**

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

Mayor Schwedhelm announced his abstention on Item 12.4.

Council Member Tibbetts announced his abstention on Item 11.4.

Council Member Combs announced her abstention on Items 12.2 and 12.4.

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

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

### **11.1 MAYOR'S/COUNCIL MEMBERS' 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**

#### **PUBLIC COMMENT**

George Uberti spoke regarding financing and water management.

#### **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 Groundwater Sustainability Agency (GSA)**

Mayor Schwedhelm provided a brief report.

### **11.1.9 Homeless System of Care (HSC)**

Mayor Schwedhelm provided a brief report.

### **11.1.10 Renewal Enterprise District (RED)**

Council Member Tibbetts provided a brief report.

### **11.1.11 Other**

Council Member Tibbetts requested a future agenda item to discuss Assembly Bill 857 once Vice Mayor Rogers reports out from the League of California Cities Mayors and Councilmembers Legislative Liaison meeting. Council Member Combs concurred with the request.

## **11.2 MAYORS' & COUNCILMEMBERS' ASSOCIATION OF SONOMA COUNTY**

### **11.2.1 ACTION TO TAKE A POSITION ON CASA COMPACT LETTER**

#### **PUBLIC COMMENT**

Miles Burgin spoke regarding the housing crisis in Santa Rosa and the CASA Compact letter.

Duane DeWitt spoke regarding the CASA Compact letter.

**Council Members Combs, Fleming, Olivares, Sawyer, Tibbetts, and Vice Mayor Rogers provided direction to Mayor Schwedhelm to sign the letter of opposition to the CASA Compact policies.**

## **11.3 MATTERS FROM COUNCIL REGARDING FUTURE AGENDA ITEMS**

### **11.3.1 REQUEST FOR A STUDY SESSION ITEM ON A CITYWIDE \$15 MINIMUM WAGE MEASURE BACKGROUND**

BACKGROUND: At the April 9, 2019, City Council meeting, Council Member Combs requested a future study session item to discuss a citywide \$15 minimum wage measure. Council Member Tibbetts concurred with the request.

## PUBLIC COMMENT

Duane DeWitt supports a study session on this item.

George Uberti spoke in support of the item.

Maria Garcia, Northbay Jobs for Justice, spoke in support of the item, agendizing the item by June 19, 2019.

Bonnie Petty, Northbay Jobs for Justice, spoke in support of the item, agendizing as soon as possible.

Jack Buckhorn, Executive Director of Northbay Labor Council, spoke in support of the item, and agendizing the item as soon as possible.

**This item was continued to a future meeting date.**

## 11.4 BOARD, COMMISSION & COMMITTEE APPOINTMENTS

By Roll Call Vote, the City Council appointed Denise DeNeau as the Bicycle and Pedestrian Advisory Board Senior Community Representative, with Council Member Tibbetts abstaining.

## 12. APPROVAL OF MINUTES

12.1 February 21, 2019, Special Meeting Minutes.

**Approved as submitted.**

12.2 February 22, 2019, Special Meeting Minutes.

**Approved as submitted, with Council Member Combs abstaining.**

12.3 March 5, 2019, Special Meeting Minutes.

**Approved as submitted.**

12.4 March 12, 2019, Regular Meeting Minutes.

Mayor Schwedhelm and Council Member Combs abstained from Item 12.2.

**Approved as submitted, with Council Member Combs and Mayor**

**Schwedhelm abstaining.**

### **13. CONSENT ITEMS**

#### **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 Item 13.1. The motion carried by the following vote:**

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

- 13.1 RESOLUTION - RESOLUTION AUTHORIZING THE FILING AND EXECUTION OF AN APPLICATION FOR FUNDING FROM THE FEDERAL TRANSIT ADMINISTRATION LOW OR NO EMISSION BUS PROGRAM FOR FISCAL YEAR 2019 AND APPROPRIATING ANY NECESSARY MATCHING FUNDS**

**RECOMMENDATION:** It is recommended by the Transportation and Public Works Department that the Council, by resolution, authorize the Director of Transportation and Public Works or designee to file and execute a grant application and related documents under the Federal Transit Administration Low or No Emission Bus Discretionary Grant Program requesting \$1,272,600 in federal funds for the purchase of electric bus charging equipment, installation costs, and work force development, and appropriate any necessary matching funds.

**This Consent - Resolution was adopted.**

**RESOLUTION NO. RES-2019-043 ENTITLED: RESOLUTION OF THE COUNCIL OF THE CITY OF SANTA ROSA AUTHORIZING THE FILING AND EXECUTION OF AN APPLICATION FOR FUNDING FROM THE FEDERAL TRANSIT ADMINISTRATION LOW OR NO EMISSION BUS PROGRAM FOR FISCAL YEAR 2019 AND APPROPRIATING ANY NECESSARY MATCHING FUNDS**

### **14. PUBLIC COMMENT ON NON-AGENDA MATTERS**

**PUBLIC COMMENT**

Norma Baumsteiger spoke regarding speeding and other traffic

issues in Oakmont.

Deanna Bernard spoke regarding cell tower placements throughout the community.

Michael Hilber spoke regarding empty butane cannisters in the community.

Elizabeth Neylon spoke regarding various topics.

Michael Swanson-Frank spoke regarding Boy Scouts sexual abuse cases.

Sean Drayer spoke in opposition to small cell towers.

Kevin Conway spoke regarding the All-Electric Ready Ordinance, requesting it be brought forward sooner than the currently proposed October date.

Emery Dann spoke in opposition to small cell towers and 5G roll-out.

Shelly Browning spoke in support of public banking and Assembly Bill 857.

## **15. REPORT ITEMS**

### **15.1 REPORT - RE-CERTIFICATION OF SEWER SYSTEM MANAGEMENT PLAN (SSMP) AND DELEGATION OF APPROVAL AUTHORITY FOR FUTURE RE-CERTIFICATIONS TO THE BOARD OF PUBLIC UTILITIES**

**BACKGROUND:** On May 2, 2006, the State Water Resources Control Board (SWRCB) adopted Order No. 2006-0003 Statewide General Waste Discharge Requirements (WDR) for Sanitary Sewer Systems, developing a regulatory mechanism to provide a consistent statewide approach for reducing sanitary sewer overflows (SSOs). The City's sanitary sewer system is subject to this WDR, which required each agency to create a Sewer System Management Plan (SSMP). The WDR requires that the SSMP be updated and re-certified every five



years. Re-certification and submittal to the State is due by May 1, 2019. Delegating approval authority for future re-certifications to the Board of Public Utilities will streamline the process of adopting future revisions and is consistent with the general policy and management authority over the water and sewer utilities granted to the Board under Section 25 of the Charter of the City of Santa Rosa.

**RECOMMENDATION:** It is recommended by the Water Department and the Board of Public Utilities that Council, by resolution, approve re-certification of the Sewer System Management Plan (SSMP) as required by the State Water Resources Control Board Order No. 2006-0003 Statewide General Waste Discharge Requirements for Sanitary Sewer Systems and delegate authority to the Board of Public Utilities to approve future re-certifications of the SSMP.

Presented by Joe Schiavone, Deputy Director Water Operations.

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

**RESOLUTION NO. RES-2019-044 ENTITLED: RESOLUTION OF THE COUNCIL OF THE CITY OF SANTA ROSA APPROVING THE RECERTIFICATION OF THE SEWER SYSTEM MANAGEMENT PLAN AS REQUIRED BY THE STATE WATER RESOURCES CONTROL BOARD ORDER NO. 2006-0003 STATEWIDE GENERAL WASTE DISCHARGE REQUIREMENTS FOR SANITARY SEWER SYSTEMS AND DELEGATING APPROVAL AUTHORITY FOR FUTURE RE-CERTIFICATIONS TO THE BOARD OF PUBLIC UTILITIES**

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

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

**15.2 REPORT - APPROVAL OF THE PRELIMINARY 2019/20 SUBREGIONAL SYSTEM OPERATING AND MAINTENANCE, CAPITAL IMPROVEMENT, AND DEBT SERVICE BUDGET AND ALLOCATION OF COSTS**

**BACKGROUND:** The Subregional 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 Subregional System and notify the User Agencies of these costs by May 1 of each year. Each year, Santa Rosa Water staff present the proposed budget and allocation of costs to be reviewed by the Subregional 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 Subregional Operations and Maintenance (O&M) Fund budget request is \$31,354,411 the Subregional cash-funded Capital Improvement Program (CIP) request is \$6,000,000 and the Subregional debt service due is \$22,966,151.

**RECOMMENDATION:** It is recommended by Santa Rosa Water, the Subregional Technical Advisory Committee and the Board of Public Utilities that the Council, by resolution, approve the Preliminary 2019/20 Subregional System Operating and Maintenance, Capital Improvement, and Debt Service Budget and Allocation of Costs for the purpose of notifying the participating Subregional User Agencies of their allocation of such costs on May 1, 2019.

Presented by Kimberly Zunino, Deputy Director of Water Administration.

#### **PUBLIC COMMENT**

George Uberti spoke regarding water quality issues.

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

**RESOLUTION NO. RES-2019-045 ENTITLED: RESOLUTION OF THE COUNCIL OF THE CITY OF SANTA ROSA APPROVING THE PRELIMINARY FY 2019/20 SUBREGIONAL SYSTEM OPERATING AND MAINTENANCE, CAPITAL IMPROVEMENT AND DEBT SERVICE BUDGET AND ALLOCATION OF COSTS**

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

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

**15.3 REPORT - REIMBURSE 50% SHARE OF REPAIR COSTS TO SONOMA COUNTY LIBRARY FOR REPAIR OF SCREW COMPRESSOR**

**BACKGROUND:** The City of Santa Rosa and Sonoma County Library have a Joint Powers Agreement signed April 30, 2014 for three Santa Rosa libraries - Coddington, Rincon Valley, and Central. The agreement states the parties will work together regarding capital improvements and repairs including heating, ventilation, and air conditioning (HVAC). A major HVAC component (screw compressor) recently failed at the central library. Labor and material costs for the completed repair are \$92,983.60. The library requests a 50% reimbursement for the City's share of costs. The agreement does not authorize City staff to reimburse the library. Funding is available in the current Capital Improvement Program and Facilities Operations and Maintenance budget.

**RECOMMENDATION:** It is recommended by the Transportation and Public Works and Finance Departments that the Council, by Resolution, reimburse the Sonoma County Library for 50% of the cost to repair the Central Library screw compressor.

Presented by Doug Williams, Facilities Maintenance Coordinator, Transportation and Public Works; Steve Kroeck, Deputy Field Director, Transportation and Public Works; and Jason Nutt, Director of Transportation and Public Works.

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

**RESOLUTION NO. RES-2019-046 ENTITLED: RESOLUTION OF THE COUNCIL OF THE CITY OF SANTA ROSA TO REIMBURSE 50% SHARE OF REPAIR COSTS TO SONOMA COUNTY LIBRARY FOR REPAIR OF SCREW COMPRESSOR**

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

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

**16. PUBLIC HEARINGS - NONE.**

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

17.1 Final Map - Somerset Place Subdivision - Provided for Information  
**This item was received and filed.**

17.2 QUARTERLY BOARDS, COMMISSIONS AND COMMITTEES  
ATTENDANCE REPORT. Provided for information.  
**This item was received and filed.**

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

**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**

Hearing no further business, Mayor Schwedhelm adjourned the meeting at 6:35 p.m. The next regularly scheduled meeting will take place on May 7, 2019, at a time set by the Mayor.

**21. UPCOMING MEETINGS**

21.1 UPCOMING MEETINGS LIST  
**This item was received and filed.**

Approved on:

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Daisy Gomez  
City Clerk