



**City Council
Regular Meeting Minutes - Final**

Tuesday, February 12, 2019

12:30 PM

1. CALL TO ORDER AND ROLL CALL

Mayor Schwedhelm called the closed session to order at 12:39 p.m.

Present: 6 - Mayor Tom Schwedhelm, Council Member Julie Combs, Council Member Victoria Fleming, Council Member Ernesto Olivares, Council Member John Sawyer, and Council Member Jack Tibbetts

Absent: 1 - Vice Mayor Chris Rogers

2. ANNOUNCEMENT OF CLOSED SESSION ITEMS

PUBLIC COMMENT

George Uberti spoke regarding Item 2.1 and voiced concern regarding employee wages and salaries.

Mayor Schwedhelm recessed the meeting to closed session at 12:43 p.m. to discuss Item 2.1 as listed on the agenda:

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

Agency Designated Representatives: Gloria Hurtado, Deputy City Manager, Jon Holtzman of Renne Public Law Group, Jeremia Mills, Interim Human Resources Director, Anthony Gossner, Fire Chief, Hank Schreeder, Police Chief, and Chuck McBride, Chief Financial Officer.
Employee Organizations: Santa Rosa Firefighters Association - Local 1401 (representing City Employee Unit 2); Santa Rosa Police Officers Association (Employee Unit 5); Public Safety Management Association (Employee Unit 9).

Mayor Schwedhelm adjourned the closed session at 1:47 p.m. and reconvened the meeting at 1:52 p.m.

3. INTERVIEWS FOR BOARDS, COMMISSIONS AND COMMITTEES

3.1 INTERVIEWS FOR BOARDS, COMMISSIONS AND COMMITTEES

The Council will interview applicants to fill the following vacancies on the Housing Authority: three At-Large positions, each to serve a four-year term expiring on December 31, 2022; and one Tenant-Commissioner position, to serve a two-year term expiring on December 31, 2020.

Attachments: [Staff Report](#)
[Attachment 1 - Notice of Application Availability.pdf](#)
[Attachment 2 - 000-06 - Appointment Policy.pdf](#)
[Attachment 3 - Housing Authority Res. No. 1601.pdf](#)

Mayor Schwedhelm adjourned the interviews at 3:15 p.m. and reconvened the meeting to open session at 3:27 p.m.

4. STUDY SESSION

4.1 POTENTIAL USE OF FORMER BENNETT VALLEY SENIOR CENTER FOR HOMELESS SERVICES, PERMANENT SUPPORTIVE HOUSING, AND/OR AFFORDABLE HOUSING; AND STATE HOMELESS EMERGENCY AID PROGRAM (S-HEAP) FUNDS FOR SAMUEL L. JONES HALL HOMELESS SHELTER AND BENNETT VALLEY SENIOR CENTER

On December 18, 2018, the Sonoma County Community Development Commission (CDC), as lead agency for the Sonoma County Continuum of Care (CoC), recently rebranded as Home Sonoma County, submitted an application to the State for Homeless Emergency Aid Program (hereinafter "S-HEAP") funding in the amount of \$12.1 million. This application included a set-aside for capital requests from local cities totaling \$4.9 million, including a request from Santa Rosa in the amount of \$3.6 million for the Samuel L. Jones Hall Homeless Shelter (SJH) and former Bennett Valley Senior Center (BVSC). Staff based its application for \$3.6 million in S-HEAP funding on the immediate need to replace the roof at SJH, identified in a May 2018 report to Council, as well as Council's interest in exploring the use of the BVSC for homeless services (shelter or safe haven) per its June 2018 request for a study session on this subject.

Staff is seeking Council direction on the following: 1) potential short-term use of the BVSC for homeless services, including shelter, safe haven, and/or navigation center to be coordinated with Catholic

Charities of the Diocese of Santa Rosa in association with SJH or independently through another provider; 2) application to the CDC for \$3.6 million in S-HEAP funding for the SJH and BVSC; and 3) potential long-term use of the BVSC site for permanent supportive housing and/or affordable housing.

Attachments: [Staff Report](#)
 [Attachment 1](#)
 [Presentation](#)

Presented by Kelli Kuykendall, Housing and Community Services Manager and David Gouin, Director of Housing and Community Services.

PUBLIC COMMENT

Scott Wagner spoke regarding capital and service portions, requesting clarification.

Thomas Ells spoke in support of the item, and expressed concerns regarding not going out for request for proposals for management of center.

George Uberti spoke regarding concerns on this item.

Christina Healy spoke in support of this item, and the possibility of the Green New Deal.

Karen Fitzgerald, with the Living Room, spoke in support of the item.

Adrienne Lauby, Homeless Action, spoke in support HEAP funds being specifically distributed to the homeless emergency funds, and supported going out to bid for this request for proposals.

Steve Dunnrite spoke regarding how the money is being distributed.

Bill Paterson spoke regarding the viability of Bennett Valley Senior Center, and alternative solutions to existing services.

Brianna Pauha spoke in support of this item.

Anita Lafollette spoke regarding the need for additional beds, locations, and services for the homeless.

Victoria Yanez spoke in opposition to Catholic Charities' management of the Bennett Valley Senior Center.

Vice Mayor Rogers joined the meeting at 4:16 p.m.

This item was received and filed.

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

4.2 COMMUNITY HOMELESS ASSISTANCE PROGRAM (CHAP) AND ALTERNATIVE HOUSING OPTIONS

In October 2015, Council approved the initial Community Homeless Assistance Pilot Program (CHAPP) to allow property owners to use their properties or facilities, which meet the Zoning Code definition for "Meeting Facility, Public or Private" for safe parking, the placement of portable toilets, and temporary shelter during the winter months (November 1, 2015 to April 2016). In October 2016, under the City's declaration of homeless emergency, Council approved an expanded year-round Community Homeless Assistance Program (CHAP) to include safe parking, safe camping, the placement and maintenance of portable toilets and access to existing bathroom facilities, provision of temporary overnight shelter, and storage for personal belongings. The definition of eligible property types was also expanded to include commercial properties. In October 2018, Council requested an agenda item regarding the CHAP and alternative housing options for further discussion. Staff is seeking Council direction on the CHAP as well as its interest to discuss alternative housing options.

Attachments: [Staff Report](#)
[Attachment 1](#)
[Attachment 2](#)
[Attachment 3](#)
[Presentation](#)

Presented by Kelli Kuykendall, Housing and Community Services

Manager, and David Gouin, Director of Housing and Community Services.

PUBLIC COMMENT

Scott Wagner spoke in support of housing the homeless.

George Uberti spoke regarding efforts surrounding the homeless emergency.

Adrienne Lauby spoke regarding concern of the HEAP Pilot program scattering people.

Steve Dunnrite spoke regarding the denial of various homeless services options.

Rayne spoke regarding the need to broaden the concept of what constitutes a home.

Gregory Fearon spoke in support of safe parking options.

John Creager, First United Methodist Church Santa Rosa, spoke in support of safe parking options.

Brianna Pauha spoke in support of housing the homeless.

Thomas Ells spoke in support of safe parking and tiny homes options.

Duane DeWitt spoke regarding historical housing issues, and requested to expand safe housing and CHAP.

This item was received and filed.

5. ANNOUNCEMENT OF ROLL CALL

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 announced that Council provided direction to staff for Item 2.1.

Assistant City Manager David Guhin announced that Council provided direction to staff for Items 4.1 and 4.2.

7. PROCLAMATIONS/PRESENTATIONS

7.1 PROCLAMATION - REDWOOD EMPIRE CHINESE ASSOCIATION

Attachments: [Proclamation](#)

Council Member Sawyer read and presented the proclamation to Nancy Wang, Redwood Empire Chinese Association.

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.

Assistant City Manager Guhin provided a brief report on recovery efforts in Butte County. Deputy Director of Engineering Resources Emma Watson and Deputy Director of Water and Sewer Operations Joe Schiavone are in Butte helping with their water quality recovery efforts.

This item was received and filed.

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

Assistant City Manager Guhin provided a brief report on the police department's succession planning.

9.1 QUARTERLY REPORT OF SETTLEMENTS AND ACTIVE LITIGATION

The City Attorney will report on settlements over \$50,000 within the fourth quarter of 2018 (09/01/2018 - 12/31/2018) as well as provide a summary of pending litigation against the City.

Attachments: [Memorandum](#)
[Exhibit A-C](#)

City Attorney Gallagher provided a brief report.

This item was received and filed.

10. STATEMENTS OF ABSTENTION BY COUNCIL MEMBERS

Vice Mayor Rogers announced that he would be abstaining from Item 11.3.

Council Member Olivares announced that he would be abstaining from Item 12.1.

Council Member Sawyer announced that he would be abstaining from Items 12.1 and 16.1.

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

Vice Mayor Rogers provided a brief report on the Cannabis Subcommittee.

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)

Council Member Combs provided a brief report.

11.1.5 Sonoma County Agricultural Preservation and Open Space District Advisory Committee

11.1.6 Sonoma Clean Power Authority (SCPA)

Vice Mayor Rogers provided a brief report.

11.1.7 Sonoma County Waste Management Agency (SCWMA)

11.1.8 Groundwater Sustainability Agency (GSA)

11.1.9 Homeless System of Care

11.1.10 Renewal Enterprise District JPA

11.1.11 Other

11.2 MATTERS FROM COUNCIL REGARDING FUTURE AGENDA ITEMS

11.2.1 REQUEST FOR AGENDA ITEM REGARDING A REPORT TO ESTABLISH A COMMUNITY WILDFIRE PROTECTION PLAN

BACKGROUND: At the January 29, 2019, City Council Meeting, Council Member Combs requested a future report item to establish a community wildfire protection plan by April. Vice Mayor Rogers concurred with the request.

This item was continued to March 26, 2019 if it does not become a part of the Tier 1/Tier 2 goals at Council Goal Setting meetings of February 21 and 22, 2019.

11.3 BOARD, COMMISSION, & COMMITTEE APPOINTMENTS

By process of elimination, the City Council appointed Stephen Burke, Jeffrey Owen, and Diane Test to the three (3) At-Large vacancies on the Housing Authority.

The Tenant Commissioner vote has been continued to a future date to be determined in order to finalize interview process.

12. APPROVAL OF MINUTES

12.1 January 15, 2019, Regular Meeting.

Attachments: [Draft Minutes](#)

Approved as submitted, with Council Members Olivares and Sawyer abstaining.

12.2 January 29, 2019, Regular Meeting.

Attachments: [Draft Minutes](#)

Approved as submitted.

13. CONSENT ITEMS

PUBLIC COMMENT

Anne Seeley spoke regarding Item 13.1.

Duane DeWitt spoke regarding Item 13.2.

George Uberti spoke regarding Item 13.1.

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 13.1 through 13.3. 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 - AUTHORIZATION FOR THE CITY OF SANTA ROSA TO BECOME AN ADDITIONAL MEMBER OF THE CALIFORNIA COMMUNITY HOUSING AGENCY ("CALCHA"); AUTHORIZATION OF PURCHASE OPTION AGREEMENTS WITH CALCHA FOR MIDDLE-INCOME AFFORDABLE HOUSING TRANSACTIONS; SUPPORT FOR CALCHA'S ISSUANCE OF TAX-EXEMPT BONDS FOR THE FINANCING AND ACQUISITION OF MIDDLE-INCOME AFFORDABLE HOUSING TRANSACTIONS; AND APPROPRIATION OF ANY SURPLUS CASH RECEIVED FROM CALCHA'S MIDDLE-INCOME AFFORDABLE HOUSING TRANSACTIONS INTO FUND 2282 FOR AFFORDABLE HOUSING PURPOSES

RECOMMENDATION: It is recommended by the Housing & Community Services Department (HCS) that the Council, by resolutions: 1) authorize the City of Santa Rosa to join CalCHA as an Additional Member to allow the issuance of tax exempt bonds by CalCHA within the City limits; and 2) authorize the Director of HCS to execute a Purchase Option Agreement between the City of Santa Rosa and CalCHA associated with the acquisition of 1020 Jennings Avenue ("Property"); support CalCHA's issuance of tax-exempt bonds for the

acquisition of Property; and appropriate any surplus cash and sales proceeds received from the Property into Fund 2282 to be used by HCS for the acquisition, construction, preservation, and rehabilitation of affordable housing units in Santa Rosa.

Attachments: [Staff Report](#)
 [Attachment 1](#)
 [Resolution 1](#)
 [Exhibit A](#)
 [Resolution 2](#)
 [Presentation](#)

These Consent - Resolutions were adopted.

RESOLUTION NO. RES-2019-011 ENTITLED: RESOLUTION OF THE COUNCIL OF THE CITY OF SANTA ROSA AUTHORIZING THE CITY TO BECOME AN ADDITIONAL MEMBER OF THE CALIFORNIA COMMUNITY HOUSING AGENCY

RESOLUTION NO. RES-2019-012 ENTITLED: RESOLUTION OF THE COUNCIL OF THE CITY OF SANTA ROSA AUTHORIZING THE DIRECTOR OF HOUSING & COMMUNITY SERVICES TO ENTER INTO A PURCHASE OPTION AGREEMENT WITH CALIFORNIA COMMUNITY HOUSING AGENCY (CALCHA) FOR 1020 JENNINGS AVENUE; SUPPORTING CALCHA'S ISSUANCE OF TAX-EXEMPT BONDS FOR THE ACQUISITION OF 1020 JENNINGS AVENUE; AND APPROPRIATING ANY SURPLUS CASH RECEIVED FROM THE PROJECT INTO FUND 2282 FOR AFFORDABLE HOUSING PURPOSES

13.2 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.

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

This Consent - Resolution was adopted.

RESOLUTION NO. RES-2019-013 ENTITLED: RESOLUTION OF THE COUNCIL OF THE CITY OF SANTA ROSA EXTENDING A PROCLAMATION OF LOCAL HOMELESS EMERGENCY (Government Code Sections 8630 et

seq.)

13.3 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.

Attachments: [Resolution](#)

This Consent - Resolution was adopted.

RESOLUTION NO. RES-2019-014 ENTITLED: RESOLUTION OF THE COUNCIL OF THE CITY OF SANTA ROSA EXTENDING THE PROCLAMATION OF EXISTENCE OF A LOCAL EMERGENCY DUE TO FIRES

14. PUBLIC COMMENT ON NON-AGENDA MATTERS

Pat Mitchell spoke regarding the proposed compost facility on Llano Avenue.

Tyler-Avery Lewis, Miss Sonoma County, spoke regarding her recent service as Miss Sonoma County.

Tony Geraldi, Miss Sonoma County Program, invited council to the 73rd scholarship competition on March 5, 2019.

Pinkeo Phongsa, Miss Sonoma County Outstanding Teen 2018, expressed gratitude for the City of Santa Rosa City Council's support throughout her time of service as Miss Sonoma County Outstanding Teen 2018.

Thomas Ells in support of the Wildfire Protection Plan.

George Uberti spoke regarding state of emergency and fundamental issues with the homeless funding.

Mayor Schwedhelm recessed the meeting at 6:55 p.m. and

reconvened at 7:29 p.m.

15. REPORT ITEMS - NONE.

16. PUBLIC HEARINGS

- 16.1** PUBLIC HEARING - RESIDENCE INN BY MARRIOTT (AJAIB BHADARE) APPEAL OF THE PLANNING COMMISSION ACTION ON THE CONDITIONAL USE PERMIT FOR A PROPOSED RESIDENCE INN BY MARRIOTT HOTEL AT 3558 ROUND BARN CIRCLE, SANTA ROSA, CA 95403; ASSESSOR'S PARCEL NUMBER 173-020-008; FILE NO. PRJ17-045 AND CUP18-162.

BACKGROUND: On November 29, 2018, the Planning Commission effectively denied a Conditional Use Permit (CUP) for the proposed Residence Inn by Marriott by voting 3 ayes, 3 noes and 1 abstention on a motion to approve the hotel. The proposed 114-room hotel included 92,100 square feet of floor area in a four-story, 48 foot 8 inch tall building on a 4.6-acre site located at 3558 Round Barn Circle.

Residence Inn by Marriott/Ajaib Bhadare, the applicant, filed a timely appeal of the Planning Commission action on December 10, 2018. The grounds for the appeal include that the application meets or exceeds all requirements for approval and staff recommended its approval, that the development meets or exceeds all fire-related requirements, that the project is consistent with the General Plan and Zoning Ordinance, that the project meets all height requirements and incorporated input from two Design Review Board pre-applicating meetings, and that the project is exempt from CEQA.

RECOMMENDATION: The Planning and Economic Development Department recommends that Council, by resolution, approve the appeal and approve the Conditional Use Permit for the proposed Resident Inn by Marriott hotel located at 3558 Round Barn Circle, Santa Rosa, CA 95403; Assessor's Parcel Number 173-020-008; File No. PRJ17-045 and CUP18-162.

Attachments: [Staff Report](#)
[Attachment 1](#)
[Attachment 2](#)
[Attachment 3](#)
[Attachment 4](#)
[Attachment 5](#)
[Attachment 6](#)
[Attachment 7](#)
[Attachment 8](#)
[Attachment 9](#)
[Attachment 10](#)
[Attachment 11](#)
[Attachment 12](#)
[Attachment 13](#)
[Attachment 14](#)
[Attachment 15](#)
[Attachment 16](#)
[Attachment 17](#)
[Attachment 18](#)
[Attachment 19](#)
[Attachment 20](#)
[Resolution](#)
[Presentation](#)

EX PARTE DISCLOSURE:

Mayor Schwedhelm, Vice Mayor Rogers, and Council Members Combs and Fleming disclosed ex parte communications.

Presented by Gary Broad, Planning Consultant, and Ajaib Bhadare, Residence Inn.

Karen Weeks, Chair of the Planning Commission, spoke regarding the denial of the Conditional Use Permit for Residence Inn by Marriott Hotel.

Tina Wallais, on behalf of the applicant, presented and introduced retired Fire Chief Vern Losh, consultant.

Mayor Schwedhelm opened the public hearing at 8:23 p.m.

PUBLIC COMMENT

John Meislahn, neighbor to proposed project, spoke in support of

this project.

Teri Shore, Greenbelt Alliance, spoke in opposition of the proposed project in its current form.

Shirley Ward, Santa Rosa Memorial Hospital, on behalf of Sharon Wright, past chair of Santa Rosa Memorial Trustees, spoke in opposition of the proposed project in its current form.

Todd Salnas, President of St. Joseph Health, spoke in opposition of the proposed project in its current form.

Tyler Hedden, Chief Operating Office, St. Joseph Health, spoke in opposition of the proposed project in its current form.

Dr. Jared Holmes spoke in opposition of the proposed project in its current form.

Michelle Heron, Director of Operations, St Joseph Health Care Cancer Center, spoke in opposition of the proposed project in its current form.

Eugene Berman spoke in opposition of the proposed project in its current form.

Kent M. Wood, patient representative, spoke in opposition of the proposed project in its current form.

Laura Vogelgesang spoke in opposition of the proposed project in its current form.

Teresa Lund, Clinical Trial Coordinator, St. Joseph Health Center, spoke in opposition of the proposed project in its current form.

Mara Ventura, Executive Director of Northbay Jobs with Justice, spoke in opposition of the proposed project.

Harry Richardson spoke in opposition of the proposed project in its current form.

Peter Rumble, Santa Rosa Metro Chamber, spoke in opposition of the proposed project in its current form.

Dave Ransom, Sonoma Valley Housing Group, spoke in opposition of the proposed project in its current form.

Michele Kane, spoke in opposition of the proposed project in its current form.

Jill Guidry, Oncology Nurse, spoke in opposition of the proposed project in its current form.

Tom Conlon, Sierra Club Sonoma Group, spoke in opposition of the proposed project in its current form.

Tom Amato spoke in opposition of the proposed project in its current form.

Chris Thompson spoke in opposition of the proposed project.

George Uberti spoke in opposition of the proposed project.

Tim Schram, Civil Engineer with Adobe Associates, spoke in support of the proposed project.

Joe Dietzen spoke in support of the proposed project.

Dalene Whitlock, Civil and Traffic Engineer, W-Trans, spoke in support of the proposed project.

Thomas Ells, Civil Engineer, spoke in support of the proposed project.

Jerry Bernhaut spoke in opposition of the proposed project due to

the impacts on climate change.

Anne Seely, Concerned Citizens of Santa Rosa, spoke in opposition of the proposed project in its current form.

Hearing no further public comment, Mayor Schwedhelm closed the public hearing at 9:35 p.m.

This public hearing item was continued to a date uncertain.

17. WRITTEN COMMUNICATIONS (AND POSSIBLE COUNCIL ACTION) - NONE.

18. PUBLIC COMMENTS ON NON-AGENDA MATTERS - NONE.

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 in memory Gary Kinser, Acclaimed Santa Rosa Police Officer, at 9:48 p.m. The next regularly scheduled meeting will take place on February 26, 2019, at a time set by the Mayor.

21. UPCOMING MEETINGS

21.1 UPCOMING MEETINGS LIST

Attachments: [Upcoming Meetings List.pdf](#)

This item was received and filed.

Approved on: March 12, 2019
/s/ Dina Manis, Deputy City Clerk