



City Council  
Regular Meeting Minutes - Draft

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Tuesday, March 13, 2018

2:00 PM

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

Mayor Coursey called the closed session to order at 2:02 p.m.

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

**2. ANNOUNCEMENT OF CLOSED SESSION ITEMS**

PUBLIC COMMENT

Alicia Sanchez spoke in opposition to Item 2.3 and requested to waive the lien in a manner to keep KBBF a resource to the local community.

Enrique Mendez-Gonzalez spoke in opposition to Item 2.3 and requested to keep KBBF a resource to the local community.

Scott Wagner spoke in opposition to Item 2.3 and requested to keep KBBF a resource to the local community.

Javier Guzman spoke in opposition to Item 2.3 and requested keep KBBF a resource to the local community.

Catherine spoke in opposition to Item 2.3 and requested keep KBBF a resource to the local community.

Adrienne Lauby spoke in opposition to Item 2.3 and requested keep KBBF a resource to the local community.

Mayor Coursey recessed the meeting to closed session at 2:14 p.m. to discuss Items 2.1 through 2.3 as listed on the agenda:

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

Title: City Attorney

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

Significant exposure to litigation pursuant to paragraph (2) of subdivision (d) of Government Code Section 54956.9: one potential case.

**2.3 CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION**  
(Paragraph (1) of subdivision (d) of Government Code Section 54956.9)

Name of Case: Bilingual Broadcasting Foundation, Inc.  
City of Santa Rosa Administrative Enforcement Order

Mayor Coursey adjourned closed session at 3:45 p.m. and reconvened the meeting to open session in the Council Chamber at 4:02 p.m.

**3. STUDY SESSION - NONE.**

**4. ANNOUNCEMENT OF ROLL CALL**

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

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

City Attorney Gallagher announced that Council provided direction to staff on Items 2.1 through 2.3.

**6. PROCLAMATIONS/PRESENTATIONS - NONE.**

**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.

A brief report was provided by Paul Lowenthal, Assistant Fire

Marshal; David Guhin, Director of Planning and Economic Development Department; and Dave Gouin, Director of Housing and Community Services Department.

This item was received and filed.

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

There was nothing to report.

## **9. STATEMENTS OF ABSTENTION BY COUNCILMEMBERS**

There were no abstentions made.

## **10. MAYOR'S/COUNCILMEMBERS' REPORTS**

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

### **PUBLIC COMMENT**

Peter Tscherneff spoke regarding 10.1.3 and in support of installing a water tank at Journey's End mobile home park.

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

#### **10.1.1 Council Subcommittee Reports**

Council Member Sawyer provided a brief report on the Sesquicentennial Ad Hoc Subcommittee.

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

Mayor Coursey provided a brief report.

#### **10.1.3 Sonoma County Water Agency (SCWA) - Water Advisory Committee**

#### **10.1.4 Association of Bay Area Governments (ABAG)**

Council Member Combs provided a brief report.

#### **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 Other**

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

**12. CONSENT ITEMS - NONE.**

Seeing it was not 5:00 p.m. yet, Mayor Coursey heard Item 14.1 before Item 13 - Public Comment.

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

Peter Tscherneff spoke regarding various topics.

Scott Wagner spoke regarding housing alternatives for the homeless.

Annie O'Mallon spoke regarding the concerns of the homeless conditions.

Bob Hansen spoke in support of John Mutz as Sonoma County Sheriff.

Rodney Anderson spoke regarding the struggles of the homeless situation.

Jacob Bockman spoke in support of homeless encampments.

Annette Pierson spoke in support of homeless encampments.

Merlin Davis spoke regarding the conditions of the homeless and in support of homeless encampments.

Michael Titone spoke in opposition of using police officers to enforce homeless encampment evictions.

Nicholle Vannucci spoke in support of homeless encampments.

## 14. REPORT ITEMS

### 14.1 REPORT - SONOMA COUNTY WATER AGENCY 2018/19 WATER TRANSMISSION BUDGET AND RATE INCREASE

**BACKGROUND:** The City of Santa Rosa purchases approximately 90% of the water supplied to our customers from the Sonoma County Water Agency (Water Agency). The Water Agency is proposing to raise the wholesale rate of water by 3.67% from \$846.78 to \$877.89 per acre foot. This increase is 'passed through' to Santa Rosa customers and would result in an average increase to the water usage charge of 1.6%.

There is a Water Advisory Committee (WAC) made up of elected officials of each of the contractors to the Water Agency's wholesale water. The WAC is an advisory committee to the Water Agency Board of Directors. The City's WAC Representative is Council Member Tom Schwedhelm. On April 2, 2018 the WAC is scheduled to vote on whether or not to recommend the Water Agency budget and proposed rate increase for approval of the Water Agency Board of Directors. The City Council may advise its representative to the Water Advisory Committee (WAC) prior to a WAC vote. Ultimately, the Water Agency Board of Directors will have final authority to approve the proposed rate increase.

**RECOMMENDATION:** It is recommended by the Board of Public Utilities and the Water Department that the Council, by motion, consider the Sonoma County Water Agency (Water Agency) 2018/19 Water Transmission Budget and proposed rate increase and provide direction to its Water Advisory Committee (WAC) representative for the WAC vote on April 2, 2018.

Presented by Kimberly Zunino, Deputy Director from the Water Department, and Lynne Rosselli, with Sonoma County Water Agency.

#### PUBLIC COMMENT

Peter Tscherneff spoke in opposition to the item.

**A motion was made by Council Member Schwedhelm, seconded by Council Member Combs, to approve the report from the Sonoma County**

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**Water Agency (Water Agency) 2018/19 Water Transmission Budget. The motion carried by the following vote:**

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

**A motion was made by Mayor Coursey, seconded by Council Member Sawyer, to approve the proposed rate increase and provide direction to its Water Advisory Committee (WAC) representative for the WAC vote on April 2, 2018. The motion carried by the following vote:**

**Yes:** 6 - Mayor Coursey, Vice Mayor Rogers, Council Member Olivares, Council Member Sawyer, Council Member Schwedhelm and Council Member Tibbetts

**No:** 1 - Council Member Combs

**14.2 REPORT - ORDINANCE ADDING ARTICLE V TO CHAPTER 6-56 OF THE SANTA ROSA CITY CODE RELATING TO THE ESTABLISHMENT OF COMMUNITY BENEFIT DISTRICTS**

**BACKGROUND:** By amending City Code Section 6-56 to add Article V enabling the establishment of Community Benefit Districts (CBD) in Santa Rosa, the City could move forward with creating a new form of property based assessment districts. Any parcel of real property, regardless of zoning, may be included in a CBD and subject to assessment so long as the parcel benefits from the services and improvements funded by the district. With this ordinance, City Council may initiate proceedings to form a CBD upon the submission of a written petition, signed by property owners in the proposed district who will pay more than thirty percent of the assessment proposed to be levied. The City of Santa Rosa, as a property owner within the proposed district boundaries, would be subject to this assessment.

**RECOMMENDATION:** It is recommended by the Planning and Economic Development Department that Council, by ordinance, amend City Code Section 6-56, adding Article V enabling the establishment of Community Benefit Districts.

Presented by Raissa de la Rosa, Economic Development Manager from the Planning and Economic Development Department.

**PUBLIC COMMENT**

Peter Rumble, Executive Officer for the Santa Rosa Metro Chamber, spoke in support of the item.

Thomas Ells spoke in support of the item.

**A motion was made by Council Member Tibbetts, 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, ADDING ARTICLE V TO CHAPTER 6-56 OF THE SANTA ROSA CITY CODE RELATING TO THE ESTABLISHMENT OF COMMUNITY BENEFIT DISTRICTS**

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

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

## **15. PUBLIC HEARINGS**

### **15.1 PUBLIC HEARING - DISTRICT BASED CITY COUNCIL ELECTIONS: REVIEW OF DRAFT MAPS AND COMPOSITION OF DISTRICTS (CALIFORNIA VOTING RIGHTS ACT) - THIRD OF FIVE PUBLIC HEARINGS**

**BACKGROUND:** On August 29, 2017, the City Council adopted a resolution declaring its intent to initiate proceedings to transition the City from at-large to district-based Council member elections pursuant to Elections Code Section 10010 and Government Code Section 34886 (RES-2017-13).

Pursuant to Elections Code Section 10010, the City Council is required to hold at least five public hearings in connection with the establishment of electoral districts, before the Council moves to consider an ordinance to transition the City to district-based elections. In accordance with law, the first two public hearings were held prior to the drafting of any proposed district maps. These two initial public hearings, held on February 6, 2018 and February 13, 2018, provided the public an opportunity to provide input regarding the criteria for and composition of voting districts, as well as the sequence of elections.

On March 6, 2018, proposed maps were posted for public review on the City's website. This public hearing (the third in the series of five) will provide the public an opportunity to comment on the proposed district maps, to offer alternatives, and to weigh in on an appropriate sequencing of elections. The final two public hearings regarding the proposed maps and sequence of elections (the fourth and fifth in the series) will be held in April. At the conclusion of the final public hearing, it is anticipated that the City Council will adopt an ordinance establishing district-based elections.

RECOMMENDATION: It is recommended by the City Attorney that the City Council hold a public hearing to receive comments from the community regarding composition of new voting districts, draft maps, and the sequencing of elections to be established for the district-based election of Council members beginning in 2018, in accordance with Elections Code Section 10010.

Presented by Sue Gallagher, City Attorney; and Douglas Johnson, President and Founder of National Demographics Corporation.

Mayor Coursey opened the public hearing at 6:29 p.m.

#### PUBLIC COMMENT

John McHugh spoke in support of multiple representatives for the downtown area.

Ron Taylor, representing the outreach advocacy and legislative committee for the Sonoma County Democratic Party, spoke in support of neighborhood integrity, legal requirements of equity, and Roseland residents having representation for 2018.

Duane DeWitt spoke regarding the division of Roseland and in support of having Roseland be part of the 2018 election; and requested that a City map include the data layers.

Brian Ling, Sonoma County Alliance, spoke in support of sharing of at least three council representatives in downtown; and in support of



the incumbents districts be selected in the 2018 election.

James Duncan spoke in support of Map ID 119; in support of maps with districts not passing the Highway 12 and the 101 Freeway; and in support of the Northwest side of Santa Rosa not be part of the gubernatorial election.

Allen Thomas spoke in opposition to pull districts by hat; in support of the incumbents districts be selected in the 2018 election; in support of Map ID 108, where Coffee Park and Fountaingrove are in the same district; in support of multiple representatives in the downtown area; and in support of respecting freeway/highway boundaries and neighborhoods.

Bob Hansen spoke in support of electing representatives role-based and not district-based.

Merlin Davis spoke regarding democracy and in support of eliminating Council representatives.

Elaine B Holtz spoke in opposition for the incumbents districts be selected in the 2018 election; and in support of creating an ad hoc committee for public interaction regarding district elections.

Amile Gomez spoke regarding the City Council lacking demographic representations; and had concerns of the non-populated maps being published online.

Carolina Banuelos, representing the Sonoma County of Latino Democratic Club, spoke in support of keeping communities of interests in mind; in support of keeping neighborhoods together; and in support of Roseland be part of the 2018 election.

Jan Edwards spoke in support of keeping their neighborhoods together; and in opposition for the incumbents districts be selected in the 2018 election.

Jim Gray spoke in opposition to consider the incumbency for the 2018 election; and raised concerns to the purpose of having multiple downtown representatives.

Michaela Hamly spoke in opposition to consider the incumbency for the 2018 election; raised concerns to the purpose of having multiple downtown representatives; and spoke in support of selecting the map that consists of the community interest and shared values.

Karla Amile spoke in support of keeping neighborhoods together; and in support of holding the election from the districts that were affected by the wildfires.

Sheamus Heaton spoke in opposition to maps that have multiple downtown representation.

Seeing no one else wishing to speak, Mayor Coursey closed the public hearing at 7:02 p.m.

The City Council narrowed its selection from twenty-eight (28) draft maps to six (6) to be considered at the next public hearing: 101B, 102, 113, 114, 121, and 127B.

Mayor Coursey recessed the meeting at 7:50 p.m. and reconvened at 8:12 p.m.

**This public hearing was received and filed.**

- 15.2 PUBLIC HEARING - APPLICATION FOR REZONING FROM RR-40 (RURAL RESIDENTIAL) TO RR-20 (RURAL RESIDENTIAL) TO ALLOW SUBDIVISION OF THE 1.77-ACRE PARCEL (HENDERSON SUBDIVISION) LOCATED AT 2375 LOS OLIVOS ROAD - APN 181-010-040 - FILE NO. REZ17-009**

BACKGROUND: The project involves a rezoning of a single parcel from RR-40 (Rural Residential) zoning district to RR-20 (Rural Residential) zoning district required for subdivision of the parcel. No further development is proposed after subdivision of the site. On January 11, 2018, the Planning Commission approved a resolution recommending to

City Council rezoning of the property located at 2375 Los Olivos Road to the RR-20 zoning district.

RECOMMENDATION: It is recommended by the Planning Commission and the Planning and Economic Development Department that the Council introduce an ordinance to rezone Assessor's Parcel No. 181-010-040 from the RR-40 Zoning District to the RR-20 Zoning District.

Presented by Andrew Trippel, City Planner from the Planning and Economic Development Department.

Mayor Coursey opened the public hearing at 8:29 p.m.

#### PUBLIC COMMENT

Nathaniel Anderson spoke in support of the item.

Seeing no one else wishing to speak, Mayor Coursey closed the public hearing at 8:33 p.m.

**A motion was made by Council Member Olivares, seconded by Council Member Combs, 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 - RECLASSIFICATION OF PROPERTY LOCATED AT 2375 LOS OLIVOS ROAD, APN 181-010-040, TO THE RR-20 (RURAL RESIDENTIAL) DISTRICT - FILE NUMBER: REZ17-009**

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

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

## 16. WRITTEN COMMUNICATIONS

- 16.1 FINAL MAP - SANDALWOOD SUBDIVISION - This project will subdivide 2.43 acres into 17 lots. Provided for information.

**This item was received and filed.**

## 17. PUBLIC COMMENTS ON NON-AGENDA MATTERS

Thomas Ells spoke in support of housing development near the KBBF property; and in support of homeless encampments.

Anita Lafollette spoke in support of housing development and shelters be provided for the homeless; and in support of providing services to the homeless encampments.

**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 Coursey adjourned the meeting 8:41 p.m. The next regularly scheduled meeting will take place on March 20, 2018, 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