



**City Council
Regular Meeting Minutes - Draft**

Tuesday, June 13, 2017

3:00 PM

1. CALL TO ORDER AND ROLL CALL

Mayor Coursey called the closed session to order at 3:00 p.m.

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

2. ANNOUNCEMENT OF CLOSED SESSION ITEMS

Mayor Coursey recessed the meeting to closed session at 3:00 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: Sean McGlynn, City Manager; Rhonda McKinnon, Interim Human Resources Director; and Jonathan Holtzman, Burke Dunphy, and Art Hartinger, Renne Sloan Holtzman Sakai, LLP.

Employee Organizations: Santa Rosa Firefighters Association - Local 1401 (representing City Employee Unit 2); Police Officers Association (Employee Unit 5); Transit (Employee Unit 8); Police and Fire Management (Employee Unit 9); Utility System Operators (Employee Unit 16); Attorneys (Employee Unit 17), and Santa Rosa Management Association (Employee Unit 18).

Mayor Coursey adjourned closed session at 3:38 p.m. and reconvened the meeting to open session in the Council Chamber at 4:05 p.m.

3. STUDY SESSION - NONE.

4. ANNOUNCEMENT OF ROLL CALL

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

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

City Attorney Gallagher reported on Item 2.1 that Council provided direction and that there was no action to report.

6. PROCLAMATIONS/PRESENTATIONS - NONE.

7. STAFF BRIEFINGS

7.1 CITY HALL SUSTAINABLE EDUCATION GARDEN PROJECT UPDATE

The City Hall Sustainable Education Garden Project is nearing completion. Staff will provide a brief update on the project and information on the upcoming ribbon cutting celebration which is scheduled for June 20, 2017.

Presented by Deb Lane, Water Resources Representative, and Heaven Moore, Supervising Engineer.

This Item was received and filed.

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

9. STATEMENTS OF ABSTENTION BY COUNCILMEMBERS

10. MAYOR'S/COUNCILMEMBERS' REPORTS

Mayor and Council Members made announcement and reports of interest to the Council.

Vice Mayor Tibbetts requested a future agenda item to consider increasing the amount of real property transfer tax towards the affordable housing trust. Council Member Rogers concurred.

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

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)

Council Member Combs provided a brief report.

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 Other

11. APPROVAL OF MINUTES

11.1 April 20-21, 2017, Special Meeting.

Approved as submitted.

11.2 May 9, 2017, Special Meeting.

Approved as submitted.

12. CONSENT ITEMS

Approval of the Consent Agenda

A motion was made by Vice Mayor Tibbetts, seconded by Council Member Olivares, to waive reading of the text and adopt Consent Items 12.1 through 12.4. The motion carried by the following vote:

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

12.1 MOTION - CONTRACT AWARD - NEIGHBORHOOD STREETS INITIATIVE AND ROSELAND STREET OVERLAY

RECOMMENDATION: It is recommended by the Transportation and Public Works Department that the Council, by motion, award Contract No. C02086, Neighborhood Streets Initiative and Roseland Street Overlay, in the amount of \$2,373,476.40 to the lowest responsible

bidder, Ghilotti Construction Company, Inc. of Santa Rosa, CA, approve a 10% contract contingency, and authorize a total contract amount of \$2,610,824.04. Funding for this project has been appropriated to Account No.17565. The source of funds is General Fund.

This Consent - Motion was approved.

12.2 RESOLUTION - CONTRACT EXTENSION FIRST AMENDMENT TO GENERAL SERVICES AGREEMENT - F000798 FOR UTILITY BILL PRINTING AND MAILING SERVICES

RECOMMENDATION: It is recommended by the Finance Department that the Council, by resolution, approve the First Amendment to General Services Agreement Number F000798 for utility bill printing and mailing services for a four-year extension with InfoSend, Inc., Anaheim, California, in an amount not to exceed \$321,844.

This Consent - Resolution was adopted.

RESOLUTION NO. RES-2017-092 ENTITLED: RESOLUTION OF THE COUNCIL OF THE CITY OF SANTA ROSA APPROVING THE FIRST AMENDMENT TO GENERAL SERVICES AGREEMENT NUMBER F000798 WITH INFOSEND, INC., ANAHEIM, CA

12.3 RESOLUTION - APPROPRIATIONS LIMIT FISCAL YEAR 2017-18

RECOMMENDATION: It is recommended by the Finance Department (FY) that the Council, by resolution, (1) adopt the Article XIII B appropriation limit for the City of Santa Rosa at \$249,110,000 for the FY 2017-18; and (2) approve the use of the inflation and population factors used in the calculation of the limit for FY 2017-18.

This Consent - Resolution was adopted.

RESOLUTION NO. 2017-093 ENTITLED: RESOLUTION OF THE COUNCIL OF THE CITY OF SANTA ROSA APPROVING THE FIRST AMENDMENT TO GENERAL SERVICES AGREEMENT NUMBER F000798 WITH INFOSEND, INC., ANAHEIM, CA

The time not yet being 5:00 p.m., Mayor Coursey took Report Item 14.1 before Item 13.1 - Public Comment on Non-Agenda Matters.

13. PUBLIC COMMENT ON NON-AGENDA MATTERS

Peter Tscherneff spoke regarding various topics.

Mikeal O'Toole spoke regarding homelessness.

Mandy Palmer spoke regarding homeless encampments.

Anne Seeley spoke regarding engaging the youth to local government.

Duane DeWitt spoke regarding homeless encampments.

Tom Brown spoke regarding the Chanate negotiations.

Thomas Ells spoke regarding safe parking.

14. REPORT ITEMS

14.1 REPORT - AMENDMENT TO THE MEASURE O IMPLEMENTATION PLAN FOR ALL PROGRAMS

BACKGROUND: City staff is proposing changes to the Measure O Transaction and Use Tax Implementation Plan (Implementation Plan). Staff proposes to adjust the budget and forecasted budget for all Measure O programs to align with the FY 2017-18 budget and budget assumptions. In addition, staff proposes to make a change to the Implementation Plan specific to the Violence Prevention program. The change was reviewed and approved by the Measure O Citizen Oversight Committee at their April 27, 2017 meeting.

RECOMMENDATION: It is recommended by the Finance, Police, Fire, Recreation and Parks Departments, the City Manager's Office, the Office of Community Engagement and the Measure O Citizens' Oversight Committee that the Council amend, by resolution, the Transaction and Use Tax Implementation Plan to 1) adjust for Fiscal Year (FY) 2017-18 budget and forecasted budget amounts for all Measure O programs, and 2) to make a specific Implementation Plan change to the Gang Prevention/Intervention Services (Violence Prevention Partnership) program.

Presented by Deborah Lauchner, Chief Financial Officer.

A motion was made by Council Member Rogers, seconded by Council

Member Olivares, to waive reading of the text and adopt:

RESOLUTION ENTITLED: RESOLUTION OF THE COUNCIL OF THE CITY OF SANTA ROSA AMENDING THE TRANSACTION AND USE TAX IMPLEMENTATION PLAN FOR POLICE, FIRE, AND GANG PREVENTION/INTERVENTION SERVICES.

Pursuant to Ordinance No. 3860, six affirmative votes of the City Council are necessary to approve the amendment to the Implementation Plan. The motion failed by the following vote:

Yes: 5 - Vice Mayor Tibbetts, Council Member Olivares, Council Member Rogers, Council Member Sawyer and Council Member Schwedhelm

No: 2 - Mayor Coursey and Council Member Combs

14.2 REPORT - URGENCY ORDINANCE TO IMPOSE A TEMPORARY MORATORIUM ON THE ELIGIBILITY OF THE LIMITED LIGHT INDUSTRIAL (-LIL) COMBINING DISTRICT FOR MEDICAL CANNABIS COMMERCIAL CULTIVATION

BACKGROUND: Over the past year, the Council's Cannabis Policy Subcommittee has been working with staff and with cannabis industry stakeholders to develop comprehensive policies to regulate medical cannabis businesses within the city limits. On May 25, 2017, the City Council Cannabis Policy Subcommittee directed staff to bring forward to the City Council an Urgency Ordinance to temporarily remove the Limited Light Industrial (-LIL) Combining District from the list of eligible districts for medical cannabis commercial cultivation, pending further study of the appropriateness of cannabis cultivation within that District.

Since the City's interim medical cannabis cultivation ordinance (City Code Chapter 20-46 Medical Cannabis Cultivation) went into effect in April 2016, the City has been accepting Conditional Use Permit applications for commercial medical cannabis cultivation in the Light Industrial (IL), General Industrial (IG) and LIL zoning districts. This has resulted in increased demand for properties in these zones. The current vacancy rate for industrial property is 5%, adding to the pressure on potential business operators to move quickly to purchase or lease facilities that comply with the City's Interim Cannabis Regulations.

In contrast to the two other eligible zoning districts, the LIL Combining

District is an interim combining district that overlays an area identified and zoned for future high density transit oriented housing development. Concerns have been raised regarding the appropriateness of permitting cannabis cultivation in that Combining District. While the matter is further considered, the temporary suspension of the LIL zone from list of eligible districts for medical cannabis commercial cultivation will avoid unwarranted business expenditures and will provide timely, clear and direct guidance to those looking to purchase or lease property in this zone.

The proposed moratorium is an urgency ordinance under Government Code section 65858 that would go into effect immediately upon enactment and last for an initial period of 45 days. If, after the initial period of 45 days, additional time is necessary for the issue to be studied and regulations finalized, Council may adopt a subsequent urgency ordinance to maintain the moratorium in effect for up to an additional 10 months and 15 days. Under the City Charter, five affirmative votes are necessary to adopt an urgency ordinance.

RECOMMENDATION: It is recommended by the Planning and Economic Development Department that the Council (1) adopt an urgency ordinance to impose a temporary moratorium on the eligibility of the Limited Light Industrial (-LIL) Combining District for medical cannabis commercial cultivation, and (2) direct staff to return to the Council on July 11, 2017 to present, for Council's consideration, a written report describing the measures taken to alleviate the condition leading to the adoption of the urgency ordinance and to provide Council an opportunity to determine whether to extend the temporary moratorium on the eligibility of the LIL Combining District for medical cannabis commercial cultivation for an additional 10 months and 15 days to allow additional time for study and finalization of appropriate regulations.

Presented by Clare Hartman, Deputy Director.

PUBLIC COMMENT

Duane DeWitt spoke in support of the item.

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

ORDINANCE NO. ORD-2017-009 ENTITLED: AN URGENCY AND INTERIM ORDINANCE OF THE COUNCIL OF THE CITY OF SANTA ROSA IMPOSING A FORTY-FIVE (45) DAY MORATORIUM ON THE ELIGIBILITY OF THE LIMITED LIGHT INDUSTRIAL (-LIL) COMBINING DISTRICT FOR MEDICAL CANNABIS COMMERCIAL CULTIVATION WITHIN THE CITY OF SANTA ROSA.

The motion carried by the following vote:

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

15. PUBLIC HEARINGS

15.1 PUBLIC HEARING - ADOPTION OF THE CITY OF SANTA ROSA OPERATIONS AND MAINTENANCE BUDGET FOR FY 2017-18 AND FY 2017-18 CAPITAL IMPROVEMENT PROGRAM BUDGET

BACKGROUND: The City Council will hold a public hearing to consider the FY 2017-18 Operations and Maintenance Budget, and the FY 2017-18 Capital Improvement Program (CIP) Budget. Staff will provide an overview of the Operations and Maintenance Budget and the CIP Budget along with details on any changes that have been included since the May Study Sessions.

RECOMMENDATION: It is recommended by the City Manager and the Finance Department that the Council, by four (4) resolutions, adopt the City Fiscal Year (FY) 2017-18 Operations and Maintenance Budget, and FY 2017-18 Capital Improvement Program Budget.

Presented by Deborah Lauchner, Chief Financial Officer.

PUBLIC HEARING

Mayor Coursey opened the public hearing at 7:32 p.m.

Duane DeWitt spoke regarding maintaining parks.

Norma Doyle spoke in support of funding the Roseland Library.

Colleen Fernald spoke regarding the sustainability of the budget.

Anne Seeley spoke in support of Council questioning new employee position starting range.

Thomas Ells spoke regarding in support of funding the homeless.

Seeing no one else wishing to speak, Mayor Coursey closed the public hearing at 7:47 p.m.

A motion was made by Council Member Schwedhelm, seconded by Council Member Olivares, to waive reading of the text as amended to appropriate \$350,000 from the General Fund unassigned fund balance to the Department of Housing and Community Services to provide 12 months of 50 bed Housing First focused shelter, Housing First safe parking, Housing First winter program for SAY and pilot encampment management program including storage, security, access and dump fees, Homeless Pilot Program and adopt:

RESOLUTION NO. RES-2017-094 ENTITLED: RESOLUTION OF COUNCIL OF THE CITY OF SANTA ROSA APPROVING THE BUDGET FOR THE CITY OF SANTA ROSA FOR FISCAL YEAR 2017-18, THE CAPITAL IMPROVEMENT PROGRAM BUDGET FOR FISCAL YEAR 2017-18 AND ESTABLISHING RESERVES FOR THE 2016-17 FISCAL YEAR.

The motion carried by the following vote:

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

A motion was made by Council Member Combs, seconded by Vice Mayor Tibbetts, to waive reading of the text and adopt as amended to appropriate an amount not to exceed \$75,000 from the General Fund unassigned fund balance to the Department of Housing and Community Services for tenant-landlord legal services support, education and mediation, Sub-recipient funding:

RESOLUTION NO. RES-2017-094 ENTITLED: RESOLUTION OF COUNCIL OF THE CITY OF SANTA ROSA APPROVING THE BUDGET FOR THE CITY OF SANTA ROSA FOR FISCAL YEAR 2017-18, THE CAPITAL IMPROVEMENT PROGRAM BUDGET FOR FISCAL YEAR 2017-18 AND ESTABLISHING RESERVES FOR THE 2016-17 FISCAL YEAR

The motion carried by the following vote:

Yes: 5 - Mayor Coursey, Vice Mayor Tibbetts, Council Member Combs, Council Member Rogers and Council Member Schwedhelm

No: 2 - Council Member Olivares and Council Member Sawyer

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

RESOLUTION NO. RES-2017-094 ENTITLED: RESOLUTION OF COUNCIL OF THE CITY OF SANTA ROSA APPROVING THE BUDGET FOR THE CITY OF SANTA ROSA FOR FISCAL YEAR 2017-18, THE CAPITAL IMPROVEMENT PROGRAM BUDGET FOR FISCAL YEAR 2017-18 AND ESTABLISHING RESERVES FOR THE 2016-17 FISCAL YEAR

The motion carried by the following vote:

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

A motion was made by Council Member Sawyer, seconded by Council Member Rogers, to approve a substitute motion to create the new classification of Communications and Intergovernmental Affairs Officer to the City Manager's Office. The City Manager's Office will not fill this position until such time as the Council approves the final job description and salary range. The motion carried by the following vote:

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

No: 1 - Council Member Schwedhelm

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

RESOLUTION NO. RES-2017-095 ENTITLED: RESOLUTION OF THE COUNCIL OF THE CITY OF SANTA ROSA AUTHORIZING THAT PUBLIC FACILITIES IMPROVEMENT FEES FUNDED ("PFIF") PROJECTS CONTAINED WITHIN THE CITY BUDGET AND THE CAPITAL IMPROVEMENT PROGRAM DOCUMENT CONTINUE TO REPLACE THE PFIF MAP AND LIST ON FILE WITH THE CITY ENGINEER AND MAKING CERTAIN FINDINGS WITH REGARD TO CEQA REQUIREMENTS FOR THE ADOPTION OF THE CITY BUDGET

The motion carried by the following vote:

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

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

RESOLUTION NO. RES-2017-096 ENTITLED: RESOLUTION OF THE COUNCIL OF THE CITY OF SANTA ROSA SETTING THE STORM WATER UTILITY BUDGET AND DETERMINING THE AMOUNT OF ELIGIBLE FUNDING THAT HAS BEEN RECEIVED FROM THE FLOOD CONTROL ZONE 1A BENEFIT ASSESSMENT IN FISCAL YEAR 2016-17 AND BASED THEREON SETTING THE STORM WATER ASSESSMENT PER EQUIVALENT RESIDENTIAL UNIT FOR THE FISCAL YEAR 2017-18

The motion carried by the following vote:

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

A motion was made by Council Member Schwedhelm, seconded by Vice Mayor Tibbetts, to waive reading of the text and adopt as amended:

RESOLUTION NO. RES-2017-097 ENTITLED: RESOLUTION OF THE COUNCIL OF THE CITY OF SANTA ROSA AMENDING THE CITY CLASSIFICATION AND SALARY PLAN AND AUTHORIZING THE CITY MANAGER TO IMPLEMENT THESE CHANGES INCLUDED IN THE FISCAL YEAR 2017-2018 BUDGET

The motion carried by the following vote:

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

16. WRITTEN COMMUNICATIONS - NONE.

17. PUBLIC COMMENTS ON NON-AGENDA MATTERS

Colleen Fernald spoke regarding the need of a subcommittee.

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. ADJOURN (CONTINUE IF NEEDED) REGULAR CITY COUNCIL MEETING TO RECONVENE AT 9:00 AM ON WEDNESDAY, JUNE 14, 2017, IN THE COUNCIL CHAMBER

9:00 A.M. WEDNESDAY, JUNE 14, 2017, CITY COUNCIL CHAMBER (IF NEEDED)

20. CALL TO ORDER OF ADJOURNED REGULAR CITY COUNCIL MEETING AND ROLL CALL

21. PUBLIC HEARINGS

21.1 PUBLIC HEARING - ADOPTION OF THE CITY OF SANTA ROSA OPERATIONS AND MAINTENANCE BUDGET FOR FY 2017-18 AND FY 2017-18 CAPITAL IMPROVEMENT PROGRAM BUDGET

BACKGROUND: The City Council will hold a public hearing to consider the FY 2017-18 Operations and Maintenance Budget, and the FY 2017-18 Capital Improvement Program (CIP) Budget. Staff will provide an overview of the Operations and Maintenance Budget and the CIP Budget along with details on any changes that have been included since the May Study Sessions.

RECOMMENDATION: It is recommended by the City Manager and the Finance Department that the Council, by four (4) resolutions, adopt the City Fiscal Year (FY) 2017-18 Operations and Maintenance Budget, and FY 2017-18 Capital Improvement Program Budget.

This item was adopted under Item 15.1.

22. ADJOURNMENT OF MEETING

Hearing no further business, Mayor Coursey adjourned the meeting at 8:18 p.m. The next regularly scheduled meeting will take place on June 20, 2017, at a time set by the Mayor.

Approved on:

Daisy Gomez
City Clerk