



City of Santa Rosa

City Hall, Council
Chamber
100 Santa Rosa Avenue
Santa Rosa, CA 95404

CITY COUNCIL REGULAR MEETING AGENDA AND SUMMARY REPORT MARCH 26, 2019

12:30 P.M. - CLOSED SESSION (MAYOR'S CONFERENCE ROOM)

2:00 P.M. - STUDY SESSION (COUNCIL CHAMBER)

4:00 P.M. - REGULAR SESSION (COUNCIL CHAMBER)

COUNCIL MAY RECESS DURING THE EVENING FOR A DINNER BREAK

PUBLIC HEARING MATTERS WILL BEGIN NO EARLIER THAN 5:00 P.M.

MATTERS ON THE AGENDA MAY BE TAKEN OUT OF ORDER

PUBLIC COMMENTS:

Except for public hearing items, comments from the public will be allowed on all agenda items at the time each item is called. Comments on public hearing items may be made when the hearing is opened.

Comments from the public on non-agenda items will be heard under Agenda Items 13 and 17. This is the time when any person may address the Council on matters not listed on this agenda, but which are within the subject matter jurisdiction of the Council. The first public comment period on non-agenda items (Agenda Item 13) will begin no earlier than 5:00 p.m. and will be limited to ten speakers selected randomly by the Mayor. Each speaker will be allowed three minutes. Speakers who do not have an opportunity to speak during this time will be allowed to make public comment under Agenda Item 17.

To address the Council you are requested to complete a yellow Speaker Card and give it to the City Clerk. If you are unable to or do not wish to wait for the public comment portion of the agenda, you are encouraged to contact the Council or City Clerk directly by submitting your comments to 100 Santa Rosa Avenue, Room 10, Santa Rosa 95404 or cityclerk@srcity.org.

12:30 P.M. (MAYOR'S CONFERENCE ROOM, ROOM 10)

1. CALL TO ORDER AND ROLL CALL

2. ANNOUNCEMENT OF CLOSED SESSION ITEMS

Following the announcement of Closed Session items and prior to recess into Closed Session, the public may speak up to three minutes on items to be addressed in Closed Session.

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

Title: City Manager

2.2 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

RECESS CLOSED SESSION(S) AND RECONVENE TO OPEN SESSION IN THE COUNCIL CHAMBER

2:00 P.M. (CITY COUNCIL CHAMBER)

3. STUDY SESSION

Study Session items are items for in-depth discussion and possible direction to staff. No action will be taken.

3.1 CASA COMPACT AND LEGISLATIVE UPDATE

This study session will provide an overview of the CASA compact and current, related legislation. CASA - The Committee to House the Bay Area is a panel of Bay Area leaders across various sectors convened by the Metropolitan Transportation Commission (MTC) and Association of Area Governments (ABAG) in 2017 to address the region's housing affordability crisis.

Attachments: [Presentation](#)
[Presentation \(Uploaded 3/25/2019\)](#)
[Presentation Revised \(Uploaded 3/26/19\)](#)

4:00 P.M. (CITY COUNCIL CHAMBER)

4. ANNOUNCEMENT OF ROLL CALL

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

6. PROCLAMATIONS/PRESENTATIONS - NONE.

7. STAFF BRIEFINGS

This time is reserved for City staff to provide a five-minute briefing to the Council on departmental issues of interest. No action will be taken on these matters except to possibly place a particular item on a future agenda for Council consideration.

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

9. STATEMENTS OF ABSTENTION BY COUNCIL MEMBERS

10. MAYOR'S/COUNCIL MEMBERS' REPORTS

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 MATTERS FROM COUNCIL REGARDING FUTURE AGENDA ITEMS

This time is reserved for Council to discuss whether to place matters on a future agenda for further discussion.

10.2.1 REQUEST FOR AGENDA ITEM REGARDING A REPORT TO ESTABLISH A COMMUNITY WILDFIRE PROTECTION PLAN - CONTINUED FROM FEBRUARY 12, 2019 MEETING

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.

10.3 SONOMA COUNTY MAYORS' AND COUNCILMEMBERS' ASSOCIATION/CITY SELECTION COMMITTEE

10.3.1 The City Council will, by motion, provide direction to the Mayor regarding letters of interest received for appointment to the following vacancies, which will be made by the City Selection Committee at its April 11, 2019 meeting:

(1) Airport Land Use Commission, two positions to fill, terms expiring in May 2019. Four-year term.

- Letter received from Sam Salmon (Windsor)

(2) Local Agency Formation Commission (LAFCO), Alternate, one position, term expiring in May 2019 . Four-year term.

- Letter received from Mark Landman (Cotati)

(3) Metropolitan Transportation Commission, one position, term expired in February 2019. Four-year term.

- Letter received from Jake Mackenzie (Rohnert Park)
- Letter received from Stephen C. Birdlebough, LLC (Not a member of the SCMCMA or an elected official in one of its member cities)

10.3.2 The City Council will, by motion, provide direction to the Mayor regarding letters of interest received for appointment to the following vacancies, which will be made by the Board of Directors of the Sonoma County Mayors' and Councilmembers' Association at its meeting on April 11, 2019:

(1) Association of Bay Area Governments Regional Planning Committee, one position. Term expires two years from appointment.

- Letter received from Julie Combs (Santa Rosa)
- Letter received from Susan Adams (Rohnert Park)

(2) North Bay Division, League of California Cities, Executive Board, one position. Term expires two years from appointment.

- Letter received from Rachel Hundley (City of Sonoma)

11. APPROVAL OF MINUTES - NONE.

12. CONSENT ITEMS

12.1 MOTION - CONTRACT AWARD - FULTON RD RECONSTRUCTION - OCCIDENTAL RD TO W 3RD ST

RECOMMENDATION: It is recommended by the Transportation and Public Works Department that the Council, by motion, award Contract No. C00780, Fulton Rd Reconstruction - Occidental Rd to W 3rd St, in the amount of \$3,824,037.50 to the lowest responsible bidder, Ghilotti Bros, Inc. of San Rafael, CA, approve a 15% contract contingency, and authorize a total contract amount of \$4,397,643.13; the source of funds are Utility Impact Fee Fund, Capital Facilities Fund and SB1 Funds and no City General Fund money is included in this project.

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

12.2 RESOLUTION - FOURTH AMENDMENT TO PROFESSIONAL SERVICES AGREEMENT NO. F001238 WITH R3 CONSULTING GROUP, INC.

RECOMMENDATION: It is recommended by the City Manager's Office that the Council, by resolution, approve the Fourth Amendment to Professional Services Agreement Number F001238 with R3 Consulting Group, Inc. to provide solid waste contract management assistance and support, prepare a Refuse Rate Index Adjustment workbook, and review and analysis of Recology's annual rate application, in an amount not to exceed \$20,500 for a total amount not to exceed \$267,000.

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

12.3 RESOLUTION - APPROVAL OF 2019 UPDATE TO SANTA ROSA CITYBUS TITLE VI PROGRAM

RECOMMENDATION: It is recommended by the Transportation and Public Works Department that the Council, by Resolution, approve the 2019 update to the Santa Rosa CityBus Title VI Program addressing the Transit Division's responsibilities under Title VI of the Civil Rights Act of 1964.

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

12.4 RESOLUTION - RESOLUTION OF THE COUNCIL OF THE CITY OF SANTA ROSA GRANTING THE APPEAL OF PHENOTOPIA (APPLICANT B) AND SELECTING PHENOTOPIA (APPLICANT B) TO MOVE FORWARD IN THE CONDITIONAL USE PERMIT PROCESS

FOR A PROPOSED COMMERCIAL CANNABIS ADULT USE RETAIL FACILITY - LOCATED AT 443 DUTTON AVENUE; APN: 125-111-039; FILE NUMBER CUP18-057

RECOMMENDATION: The Planning and Economic Development Department staff recommends that the Council adopt a resolution memorializing Council's March 12, 2019 decision, by a 5-1-1 vote, to grant the appeal of Phenotopia (Applicant B) and allow Phenotopia to move forward in the Conditional Use Permit Process for a proposed commercial cannabis adult use retail facility, located at 443 Dutton Avenue.

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](#)
[Resolution](#)
[Presentation](#)

13. PUBLIC COMMENT ON NON-AGENDA MATTERS

This is the time when any person may address the Council on matters not listed on this agenda, but which are within the subject matter jurisdiction of the Council. This public comment period will begin no earlier than 5:00 p.m. and will be limited to ten speakers selected randomly by the Mayor. Each speaker will be allowed three minutes. Speakers who do not have an opportunity to speak during this time will be allowed to make public comment under Agenda Item 17.

14. REPORT ITEMS

- 14.1** REPORT - WITHDRAWN - APPEAL OF CANNABIS POLICY SUBCOMMITTEE DECISION TO SELECT GREEN QI, LLC TO MOVE FORWARD IN THE CONDITIONAL USE PERMIT ENTITLEMENT PROCESS FOR A PROPOSED COMMERCIAL CANNABIS ADULT USE RETAIL FACILITY, LOCATED AT 925 PINER RD; ASSESSOR'S PARCEL NUMBERS 015-680-024; FILE NO. CUP18-056 (Continued from February 26, 2019 Regular Meeting) -

THIS APPEAL WAS WITHDRAWN BY THE APPELLANT AND WILL NOT BE HEARD BY THE CITY COUNCIL.

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](#)
[Resolution](#)
[Presentation](#)
[Late Correspondence \(Uploaded 2/25/2019\)](#)
[Presentation \(Uploaded 2/26/2019\)](#)

- 14.2** REPORT - SONOMA COUNTY WATER AGENCY (SCWA) 2019/20 WATER TRANSMISSION BUDGET AND RATE INCREASE

BACKGROUND: The City of Santa Rosa purchases approximately 90% of the water supplied to our customers from the SCWA. The SCWA is proposing to raise the wholesale rate of water by 4.6% from \$877.89 to

\$918.30 per acre foot for FY19/20. This increase is 'passed through' to Santa Rosa customers and would result in an average increase to the water usage charge of 1.9%. The pass through for an average family of four will equate to \$0.87 on their monthly bill.

The Board of Public Utilities reviewed the SCWA proposed budget and rate increase on March 7, 2019 and made a recommendation to City Council. The City Council may advise its representative to the Water Advisory Committee (WAC) prior to a WAC vote. The WAC is an advisory board to the SCWA. Ultimately, the SCWA Board of Directors will have final authority to approve the proposed budget and 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 (SCWA) 2019/20 Water Transmission Budget and proposed rate increase and provide direction to its Water Advisory Committee (WAC) representative for the WAC vote on April 8, 2019.

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

15. PUBLIC HEARINGS - NONE.

Public Hearing matters will begin no earlier than 5:00 p.m. or as soon thereafter as the matters are reached on the agenda.

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

17. PUBLIC COMMENTS ON NON-AGENDA MATTERS

This is the time when any person may address the Council on matters not listed on this agenda, but which are within the subject matter jurisdiction of the Council. Each speaker will be allowed three minutes.

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

20. UPCOMING MEETINGS

This schedule is tentative and subject to change pending final publication and posting of the City Council Meeting Agenda.

20.1 UPCOMING MEETINGS LIST

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

***Did not appear on the preliminary agenda.**

****Quasi-judicial or adjudicative action.**

The City of Santa Rosa does not discriminate against individuals with disabilities in its employment, services, benefits, facilities, programs, or activities. Requests for accommodations, auxiliary aids, or services necessary to participate in a City program, service, or activity, including printed information in alternate formats, are available by contacting the City Clerk's Office at 707-543-3015 (TTY Relay at 711) or cityclerk@srcity.org. Requests should be submitted as far in advance as possible, but no later than two business days before the scheduled meeting.

Meeting information can also be accessed via the internet at <http://srcity.org>

Any writings or documents provided to a majority of the City Council prior to this meeting regarding any item on this agenda, excluding closed session items, are available for public review in the City Clerk's Office, Room 10, City Hall, 100 Santa Rosa Ave, during normal business hours.