



**City Council
Regular Meeting Minutes - Final**

Tuesday, March 26, 2019

12:30 PM

1. CALL TO ORDER AND ROLL CALL

Mayor Schwedhelm called the meeting to order at 12:30 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

2. ANNOUNCEMENT OF CLOSED SESSION ITEMS

Duane DeWitt spoke regarding Item 2.1 and requested that Council consider a citywide salary freeze or minimal increases due to the budget shortfall.

Mayor Schwedhelm recessed the meeting to closed session at 12:33 p.m. to discuss Items 2.1 and 2.2 as listed on the agenda:

**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

Mayor Schwedhelm adjourned the closed session at 1:55 p.m. and reconvened the meeting at 2:02 p.m.

3. STUDY SESSION

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 \(Uploaded 3/26/19\)](#)

Presented by Rebecca Long, Government Relations Manager,
Metropolitan Transportation Commission.

PUBLIC COMMENT

Anne Seeley, Santa Rosa Together, spoke regarding concerns about the legislation specifics of the CASA compact.

Ann Colichidas, Sonoma Valley Housing Group, spoke regarding the concerns about the specifics of the compact and logistics of moving forward with the items in the compact.

Dave Ransom, Sonoma Valley Housing Group, spoke regarding placing the conversation in context to developing regional housing authorities.

Duane DeWitt spoke regarding concerns of the CASA compact and how it relates to existing ordinances, programs for affordable housing, and building additional affordable housing units.

Jake Mackenzie, Rohnert Park Councilmember, spoke regarding the purpose of the authorization of the CASA compact to enable the commission to be proactively engaged as the process to implement the CASA compact goes through the state legislature.

George Uberti spoke regarding the concern of the rising cost of housing market.

Thomas Ells spoke regarding housing dynamics and pricing equilibrium for affordable housing.

Daisy Pistey Lyhne, Executive Director at Sonoma County Conservation Action, spoke regarding housing as a regional issue.

Mayor Schwedhelm recessed the meeting at 3:43 p.m. and reconvened at 4:06 p.m.

This item was received and filed.

4. 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

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

City Attorney Gallagher announced that Council provided direction to staff for Items 2.1 and 2.2.

Deputy City Manager Hurtado announced that Council provided input to presenter, Rebecca Long, for Item 3.1.

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.

Jason Nutt, Director of Transportation and Public Works, provided a brief report.

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

Deputy City Manager Hurtado provided a brief report on the new appointment of Amy Reeves as the new Human Resources Director; and that Transit Division is celebrating Transit Driver Appreciation Day.

9. STATEMENTS OF ABSTENTION BY COUNCIL MEMBERS

Mayor Schwedhelm announced that he will be abstaining from Item 12.4.

10. MAYOR'S/COUNCIL MEMBERS' REPORTS

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

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)

Council Member Sawyer provided a brief report.

10.1.8 Groundwater Sustainability Agency (GSA)

10.1.9 Homeless System of Care (HSC)

10.1.10 Renewal Enterprise District (RED)

Council Member Combs provided a brief report.

10.1.11 Other

Vice Mayor Rogers provided a brief report on SMART and Metropolitan Transportation Commission (MTC).

Council Member Fleming provided a brief report on the First 5 Sonoma County Commission.

Mayor Schwedhelm provided a brief report on the Sonoma County Community Development Commission.

Mayor Schwedhelm announced the appointments of Mayor

Schwedhelm, Council Members Fleming and Sawyer to the Goal Setting Subcommittee.

10.2 MATTERS FROM COUNCIL REGARDING FUTURE AGENDA ITEMS

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.

Council Member Combs withdrew this item.

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)

A motion was made by Council Member Sawyer, seconded by Council Member Olivares, to approve the nomination of Sam Salmon, of Windsor, to the Airport Land Use Commission in the first position. 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

A motion was made by Vice Mayor Rogers, seconded by Council Member Combs, to approve the nomination of Jack Tibbetts, of Santa Rosa, to the Airport Land Use Commission in the second position. 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

A motion was made by Vice Mayor Rogers, seconded by Council Member Combs, to approve the nomination of Mark Landman, of Cotati, to the Local Agency Formation Commission (LAFCO), as the Alternate. 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

A motion was made by Council Member Sawyer, seconded by Council Member Tibbetts, to approve the nomination of Jake Mackenzie, of Rohnert Park, to the Metropolitan Transportation Commission. 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

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)

A motion was made by Vice Mayor Rogers, seconded by Council Member Fleming, to approve the nomination of Julie Combs, of Santa Rosa, to the Association of Bay Area Governments Regional Planning Committee. 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

A motion was made by Vice Mayor Rogers, seconded by Council Member Tibbetts, to approve the nomination of Rachel Hundley, City of Sonoma, to the North Bay Division, League of California Cities, Executive Board. 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

11. APPROVAL OF MINUTES - NONE.

12. CONSENT ITEMS

PUBLIC COMMENT

Duane DeWitt spoke regarding Items 12.3, 12.4, public involvement, and spoke in support from Phenotopia and in opposition of additional cannabis dispensaries in the area.

George Uberti spoke regarding Item 12.2.

Approval of the Consent Agenda

A motion was made by Vice Mayor Rogers, seconded by Council Member Sawyer, to waive reading of the text and adopt Consent Items 12.1 through 12.3. The motion carried by the following vote:

Yes: 6 - Mayor Schwedhelm, Vice Mayor Rogers, Council Member Combs, Council Member Fleming, Council Member Olivares, and Council Member Sawyer

Absent: 1 - Council Member Tibbetts

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

This Consent - Motion was approved.

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

This Consent - Resolution was adopted.

RESOLUTION NO. RES-2019-030 ENTITLED: RESOLUTION OF THE COUNCIL OF THE CITY OF SANTA ROSA APPROVING THE FOURTH AMENDMENT TO PROFESSIONAL SERVICES AGREEMENT NUMBER F001238 BETWEEN THE CITY OF SANTA ROSA AND R3 CONSULTING GROUP, INC.

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

This Consent - Resolution was adopted.

RESOLUTION NO. RES-2019-031 ENTITLED: RESOLUTION OF THE COUNCIL OF THE CITY OF SANTA ROSA APPROVING THE 2019 UPDATE TO THE SANTA ROSA CITYBUS TITLE VI PROGRAM

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](#)

A motion was made by Council Member Sawyer, seconded by Council Member Fleming, to waive reading of the text and adopt Consent Item 12.4:

RESOLUTION NO. RES-2019-032 ENTITLED: RESOLUTION OF THE COUNCIL OF THE CITY OF SANTA ROSA GRANTING THE APPEAL OF PHENOTOPIA (APPLICANT B) AND SELECTING PHENOTOPIA 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

The motion carried by the following vote:

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

Abstain: 1 - Mayor Schwedhelm

The time not being 5:00 p.m., Mayor Schwedhelm took Report Item 14.2 before Item 13 - Public Comment on non-agenda items.

13. PUBLIC COMMENT ON NON-AGENDA MATTERS

Duane DeWitt spoke regarding Congressman Thompson letter correction of the Roseland Veterans Grove to the Roseland Veterans Trail; and requested that the City reach out to Vietnam Veterans of America for funding for the Veteran's Trail in Roseland.

Nancy Wang spoke regarding the Chinese New Year event.

Steve Dunnrite spoke regarding various topics.

Kate Gros-Balthazard spoke regarding the bus routes.

Victoria Yanez spoke in opposition to Catholic Charities roofing project.

Elizabeth Ridlington spoke regarding the safety concerns for the bicyclists and pedestrians throughout the city, requested that speed limits be reduced and enforced at Stony Point Road, and the Vision Zero be adopted as part of the Bicycle and Pedestrian Master Plan.

Eris Weaver spoke regarding the safety concerns for the bicyclists and pedestrians throughout the city, requested that speed limits be reduced and enforced at Stony Point Road, and the Vision Zero be adopted as part of the Bicycle and Pedestrian Master Plan.

Thomas Ells spoke regarding various topics.

Bicrea Pauha spoke regarding various topics.

Meredith Caplan spoke regarding the bicycle and pedestrian safety infrastructure.

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](#)

Presented by Jennifer Burke, Interim Water Director.

PUBLIC COMMENT

George Uberti spoke regarding the concerns of the faucet water quality.

A motion was made by Council Member Fleming, seconded by Council Member Tibbetts, to approve 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. The motion carried by the following vote:

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

No: 1 - Council Member Combs

15. PUBLIC HEARINGS - NONE.

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

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

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 Schwedhelm adjourned the meeting, at 5:30 p.m. The next regularly scheduled meeting will take place on April 2, 2019, at a time set by the Mayor.

20. UPCOMING MEETINGS

20.1 UPCOMING MEETINGS LIST

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

Approved on: May 21, 2019
/s/ Daisy Gomez, City Clerk