

**SANTA ROSA CITY COUNCIL MINUTES
REGULAR MEETING
CITY HALL, 100 SANTA ROSA AVENUE
JUNE 4, 2013**

1. CALL TO ORDER AND ROLL CALL

Mayor Bartley called the meeting to order at 2:30 p.m. in the Mayor's Conference Room. Council Members present: Mayor Bartley, Council Members Combs, Olivares, Ours, Swinth, and Wysocky. Vice Mayor Carlstrom arrived at 2:35 p.m.

2. ANNOUNCEMENT OF CLOSED SESSION ITEMS

2.1 PUBLIC COMMENT ON CLOSED SESSION ITEMS – NONE

2.2 RECESS TO CLOSED SESSION IN MAYOR'S CONFERENCE ROOM

Mayor Bartley recessed the meeting to closed session at 2:30 p.m. in the Mayor's Conference Room.

2.3 CONFERENCE WITH LABOR NEGOTIATORS

Agency Designated Representatives: Fran Elm, Human Resources Director, Chris Sliz, Employee Relations Manager.

Employee Organizations: Santa Rosa Firefighters Association – Local 1401 (representing City Employee Unit 2); Operating Engineers Local 3, Maintenance and Utility System Operators (Employee Units 3 and 16); Santa Rosa City Employees Association (Employee Units 4, 6, 7); Santa Rosa Police Officers Association, (Employee Unit 5); Service Employees International Union Local 1021, (Employee Units 8 and 14); Public Safety Management Association (Employee Unit 9); Santa Rosa City Attorneys' Association (Employee Unit 17), Santa Rosa Management Association (Employee Unit 18).

2.4 CONFERENCE WITH LABOR NEGOTIATOR

Agency Designated Representatives: Kathleen Millison, City Manager and Jennifer Phillips, Assistant City Manager. Unrepresented Executive Management, Middle Management, and Confidential Employees (Employee Units 10, 11 and 12).

2.5 PUBLIC EMPLOYEE PERFORMANCE EVALUATION

Title: City Manager

2.6 PUBLIC EMPLOYEE PERFORMANCE EVALUATION

Title: City Attorney

2.7 CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION

Significant exposure to litigation pursuant to subdivision (d)(2) of Government Code Section 54956.9: (one case regarding potential Sonoma County Landfill liability)

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

Mayor Bartley reconvened the meeting to open session at 4:05 p.m. in the City Council Chamber.

3. STUDY SESSION – NONE

4. ANNOUNCEMENT OF ROLL CALL

City Clerk Griffin announced that all Council Members were present.

5. REPORT, IF ANY, ON CLOSED SESSIONS

City Attorney Fowler reported that the Council had met in Closed Session regarding Items 2.3, 2.4, and 2.5 and there were no actions to report. City Attorney Fowler further announced that due to time constraints the Council continued Item 2.6 to a Special Meeting on June 11, 2013, and the Council will reconvene to closed session regarding Item 2.7 at the conclusion of this meeting.

6. PROCLAMATIONS/PRESENTATIONS

6.1 PROCLAMATION – LGBT PRIDE MONTH

Council Member Olivares read the proclamation and presented it to James Foster, Co-director, and other members of Positive Images.

6.2 PROCLAMATION – SENIORS INC.

Following a performance by a three-piece band, Council Member Ours read the proclamation and presented it to Carolina Spence, Executive Director, Barbara Holmes, Board President, and members of the Seniors Inc. board. Ms. Spence presented the Council with a check in the amount of \$2.2 million payable to the City of Santa Rosa for completion of the Person Senior Wing.

7. STAFF BRIEFINGS – NONE

8. APPROVAL OF MINUTES – NONE

9. MAYOR'S/COUNCILMEMBERS' REPORTS

9.1 STATEMENTS OF ABSTENTION BY COUNCILMEMBERS

Mayor Bartley announced he would be abstaining on Item 12.2 because the property owner of one of the parcels is a client of his firm.

9.2 MAYOR /COUNCILMEMBERS' REPORTS

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

9.3 REPORTS BY MAYOR/COUNCILMEMBERS REGARDING VARIOUS AGENCY MEETINGS ATTENDED AND POSSIBLE COUNCIL DIRECTION TO ITS REPRESENTATIVES ON PENDING ISSUES BEFORE SUCH BOARDS (IF NEEDED)

- a) Sonoma County Transportation Authority (SCTA) – None.
- b) Sonoma County Water Agency (SCWA) – Water Advisory Committee – None.
- c) Association of Bay Area Governments (ABAG) – None.
- d) Other: Council Member Ours reported on the June 4th meeting of the Downtown Subcommittee. Council Member Wysocky reported on a meeting of the Sonoma County Agricultural Preservation and Open Space District.

9.4 LETTER OF INTEREST FOR APPOINTMENT BY THE SONOMA COUNTY MAYOR'S AND COUNCILMEMBERS ASSOCIATION

MOVED by Council Member Wysocky, seconded by Council Member Swinth and **CARRIED** unanimously to direct Mayor Bartley to support appointment of Laurie Gallian, City of Sonoma, to the Sonoma County Agricultural Preservation and Open Space District Advisory Committee.

10. CITY MANAGER'S/CITY ATTORNEY'S REPORTS - NONE

11. CONSENT ITEMS – NONE

12. REPORT ITEMS

12.1 REPORT – SANTA ROSA TOURISM BUSINESS IMPROVEMENT AREA ANNUAL REPORT

BACKGROUND: The Santa Rosa Tourism Business Improvement Area (SRTBIA) was established on September 3, 2010, via Ordinance #3946. The ordinance requires an annual report to the City Council that details recommended changes to the Area boundaries; improvements and activities provided for Fiscal Year; an estimate of the cost of providing improvements and activities; the method and basis of levying assessments, the amount of any surplus or deficit revenues to be carried over; the amount of contributions from sources other than assessments. The Annual Report is due to the Director of Economic Development and Housing by June 1 of each year.

RECOMMENDATION: It is recommended by the Department of Economic Development and Housing, that the Council, by motion: 1) approve the 2012/2013 SRTBIA Annual Report prepared by the Department of Economic Development and Housing and approved by the SRTBIA Advisory Board and approve and adopt the SRTBIA Work Plan for 2013/2014; and 2) appoint Raissa de la Rosa from Economic Development and Housing as the City's alternative SRTBIA Advisory Board Representative.

Danielle O'Leary, Economic Development Manager, and Brad Calkins, Executive Director of the Santa Rosa Convention & Visitors Bureau, provided the staff report and responded to questions from Council Members. Jonathan Coe, President of the Santa Rosa Chamber of Commerce also responded to questions from Council Members.

PUBLIC COMMENT

Peter Tscherneff spoke in support of cactus fences and regarding various other topics.

Council Member Wysocky left the Chamber at 5:05 p.m.

MOVED by Council Member Ours, seconded by Council Member Combs, and **CARRIED** 6-0-1 (Council Member Wysocky absent) to approve the 2012/2013 SRTBIA Annual Report prepared by the Department of Economic Development and Housing and approved by the SRTBIA Advisory Board and approve and adopt the SRTBIA Work Plan for 2013/2014.

MOVED by Council Member Ours, seconded by Council Member Combs, and **CARRIED** 6-0-1 (Council Member Wysocky absent) to appoint Raissa de la Rosa from Economic Development and Housing as the City's alternative SRTBIA Advisory Board Representative.

12.2 REPORT – DAUENHAUER RANCH SUBDIVISION HOUSING ALLOCATION PLAN CONTRACT - PHASE 2 WITH MERITAGE HOMES OF CALIFORNIA, INC.

BACKGROUND: On April 2, 2013, the City Council considered approval of the proposed Housing Allocation Plan Contract with Meritage Homes of California, Inc. for the Dauenhauer Ranch Subdivision Affordable Ownership Units – Phase 2. After consideration of the proposed contract, the City Council continued consideration of the contract for 30 days. The purpose of this continuance was to allow Meritage Homes and the Christopherson Group an opportunity to see if they could agree on a proposal to have the 24-unit affordable housing units on Lot 66 built through mutual agreement between the two parties.

Meritage Home complied with the Council direction but as indicated in a letter dated May 8, 2013, Meritage was again unable to reach an agreement with the owner of Lot 66.

RECOMMENDATION: It is recommended by the Departments of Community Development, Economic Development and Housing, and the City Attorney's Office that the Council, by resolution, approve the proposed Housing Allocation Plan Contract with Meritage Homes of California, Inc. for the Dauenhauer Ranch Subdivision Affordable Ownership Units - Phase 2.

Mayor Bartley passed the gavel to Vice Mayor Carlstrom and left the Chamber at 5:09 p.m.

Council Member Wysocky returned to the dais at 5:11 p.m.

Chuck Regalia, Director of Community Development, provided the staff report and responded to questions from Council Members. Scott Kramer, Meritage Homes, and Nancy Gornowicz, Economic Development & Housing Manager, also responded to questions from Council Members.

PUBLIC COMMENT

Scott Kramer, Meritage Homes, provided additional information regarding current sales prices and mortgage interest rates.

Jack Osborne spoke regarding the matter being a business problem between two developers and not a City problem.

Anne Seeley, Concerned Citizens for Santa Rosa, spoke in favor of developing low and very low affordable housing within the development.

Keith Christopherson spoke regarding his coordinated efforts with Meritage Homes to develop the property.

David Grabill spoke in favor of developing low and very low income affordable housing within the development.

Dennis Duram spoke regarding the lack of homes selling for \$300,000.

Peter Tscherneff spoke in favor of a public meeting on the issue and regarding various other topics.

MOVED by Council Member Ours and seconded by Council Member Olivares to waive reading of the text and adopt:

RESOLUTION NO. 28285 ENTITLED: RESOLUTION OF THE COUNCIL OF THE CITY OF SANTA ROSA APPROVING A HOUSING ALLOCATION PLAN CONTRACT WITH MERITAGE HOMES, INC. FOR THE PROVISION OF AFFORDABLE OWNERSHIP UNITS IN THE DAUENHAUER RANCH SUBDIVISION PHASE 2

Following Council discussion, the motion **CARRIED** 4-2-1 (Vice Mayor Carlstrom and Council Member Combs voting no; Mayor Bartley absent/recused).

Mayor Bartley returned to the dais at 6:21 p.m.

13. PUBLIC HEARINGS – NONE

14. WRITTEN COMMUNICATIONS (AND POSSIBLE COUNCIL ACTION)

**14.1 LETTER OPPOSING AB 145 - STATE WATER RESOURCES CONTROL BOARD:
DRINKING WATER**

PUBLIC COMMENT

Anne Seeley spoke in favor of supporting AB 145 and expressed concerns that the matter was not discussed at a Council meeting.

At the request of Council Member Combs, the Council concurred to place the Council's Legislative Advocacy Policy on a future agenda for discussion.

15. PUBLIC COMMENTS ON NON-AGENDA MATTERS

Jack Osborne expressed concerns regarding labor negotiation closed sessions for unrepresented employees.

Peter Tscherneff spoke regarding various topics.

16. ANNOUNCEMENT OF CONTINUED CLOSED SESSION ITEM, RECESS TO CLOSED SESSION IN THE MAYOR'S CONFERENCE ROOM, RECONVENE TO OPEN SESSION, AND ANNOUNCEMENTS, IF ANY

Mayor Bartley recessed the meeting to closed session at 6:35 p.m. in the Mayor's Conference Room (Item 2.7) and reconvened the meeting to open session at 7:20 p.m.

17. ADJOURNMENT OF MEETING

Hearing no further business, Mayor Bartley adjourned the meeting at 7:20 p.m. The next regularly scheduled meeting will take place on June 18, 2013, at a time to be set by the Mayor.

Approved on: July 9, 2013

/s/ Terri A. Griffin, City Clerk