



**CITY COUNCIL
REGULAR MEETING AGENDA AND
SUMMARY REPORT
FEBRUARY 14, 2017**

2:00 P.M. CLOSED SESSION (MAYOR'S CONFERENCE ROOM 10)

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

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.

2:00 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 EMPLOYEES - EVALUATION OF PERFORMANCE

(Government Code section 54957(b))

Titles: City Manager and Interim City Attorney

2.2 CONFERENCE WITH LABOR NEGOTIATORS
(Government Code Section 54957.6)

Agency Designated Representatives: Rhonda McKinnon, Interim Human Resources Director, Jon Holtzman and Adam Benson of Renne Sloan Holtzman Sakai Public Law Group.

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); Executive Management (Employee Unit 10); Middle Management (Employee Unit 11); Confidential (Employee Unit 12); Mechanics (Employee Unit 13); City Attorney (Employee Unit 15); Santa Rosa City Attorneys' Association (Employee Unit 17), Santa Rosa Management Association (Employee Unit 18).

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

3. STUDY SESSION - NONE.

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

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

4. ANNOUNCEMENT OF ROLL CALL

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

6. PROCLAMATIONS/PRESENTATIONS

6.1 PROCLAMATION - CENTRAL SANTA ROSA LIBRARY DAY

Attachments [Proclamation](#)

7. STAFF BRIEFINGS - NONE.

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.

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

9. STATEMENTS OF ABSTENTION BY COUNCILMEMBERS

10. MAYOR'S/COUNCILMEMBERS' REPORTS

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)

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

**10.2 MATTERS FROM COUNCIL REGARDING FUTURE AGENDA ITEMS
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 POLICE

DEPARTMENT POLICY 428 AND OBLIGATIONS WITH RESPECT
TO COUNTY JAIL

BACKGROUND: At the February 7, 2017 City Council meeting, Council Member Combs requested a future agenda item to consider revising Santa Rosa Police Department Policy 428 and to consider obligations with respect to the County jail. Vice Mayor Tibbetts concurred with the request.

11. APPROVAL OF MINUTES

12. CONSENT ITEMS

- 12.1** RESOLUTION - APPROVAL OF THE ACQUISITION OF 2810 FOURTH STREET, SANTA ROSA AND AUTHORIZATION FOR THE DIRECTOR OF TRANSPORTATION AND PUBLIC WORKS TO EXECUTE ALL DOCUMENTS NECESSARY TO COMPLETE THE ACQUISITION

RECOMMENDATION: It is recommended by the Transportation and Public Works Department that the Council, by resolution, approve the acquisition of 2810 Fourth Street, Santa Rosa and authorize the Director of Transportation and Public Works to execute all documents necessary to complete the acquisition.

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

- 12.2** RESOLUTION - FISCAL YEAR 2016-17 BUDGET AMENDMENT
CLERICAL CORRECTION

RECOMMENDATION: It is recommended by the Finance Department that the Council, by resolution, amend Fiscal Year (FY) 2016-17 salary plan and number of authorized positions correcting a clerical error in the January 24, 2017 resolution that amended the FY 2016-17 salary plan and number of authorized positions.

Attachments [Staff Report](#)
[Resolution](#)
[Presentation](#)

- 12.3** RESOLUTION - FIRST AMENDMENT TO HOMELESS OUTREACH

SERVICES TEAM (HOST) AGREEMENT TO PROVIDE ADDITIONAL RAPID RE-HOUSING RESOURCES IN THE AMOUNT OF \$125,000 TO CATHOLIC CHARITIES OF THE DIOCESE OF SANTA ROSA

RECOMMENDATION: It is recommended by the Housing and Community Services Department that the Council, by resolution, 1) approve the First Amendment to Grant Agreement for Homeless Outreach Services Team (HOST) with Catholic Charities of the Diocese of Santa Rosa (Fiscal Year 2016/2017) to provide additional rapid re-housing resources in the amount of \$125,000, bringing the total amount under the agreement to \$591,450; 2) authorize the Mayor to sign the agreement; and 3) appropriate funds from the General Fund unassigned fund balance for this purpose.

Attachments [Staff Report](#)
[Resolution](#)
[Exhibit A](#)
[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 - AMENDMENT TO COUNCIL POLICY 300-04 - DEVELOPMENT OF TELECOMMUNICATION FACILITIES ON CITY PROPERTY AND INSTALLATION OF ANTENNAS ON CITY FACILITIES

BACKGROUND: Over the past year, the City has been contacted by a handful of wireless communications service providers expressing strong interest in accessing and using City-controlled spaces on utility poles and streetlight poles for the purpose of installing wireless antennas and related infrastructure. Wireless communications companies are experiencing increasing demand for fourth generation ("4G") wireless

communications services and are expanding their wireless antenna networks to improve both broadband facilities' capacity and coverage in Santa Rosa. The City has been supportive of the placement of advanced wireless communications facilities in Santa Rosa since Congress enacted the Telecommunications Act of 1996 (the "1996 Act"). In July 2000, the Council adopted Policy 300-04 ("Development of telecommunications Facilities on City Property and Installation of antennas on City Facilities"), which set forth a process and parameters for allowing wireless services to access City properties.

RECOMMENDATION: It is recommended by the Information Technology and Transportation and Public Works Departments that the Council, by resolution, amend Council Policy 300-04, "Development of Telecommunication Facilities on City Property and Installation of Antennas on City Facilities" and exclude telecommunications encroachments from other continuing encroachments addressed pursuant to Council Resolution No. 26620.

Attachments [Staff Report](#)
[Attachment](#)
[Resolution](#)
[Exhibit A](#)
[Presentation 1](#)
[Presentation 2](#)

14.2 REPORT - AGREEMENT WITH SONOMA COUNTY LIBRARY FOR FUNDING TO ASSIST IN THE CREATION OF VIDEO PUBLIC ACCESS FACILITIES

BACKGROUND: The City desires to enter into an agreement with Sonoma County Library, under which City will assist in the creation of new video public access facilities in library branches within the territorial limits of the City of Santa Rosa through the provision of PEG fees in the annual amount of \$150,000 to Sonoma County Library.

RECOMMENDATION: It is recommended by the Information Technology Department that the Council, by resolution, approve an agreement with the Sonoma County Library for funding to assist in the creation of video public access facilities.

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

- 14.3** REPORT - ADMINISTRATIVE AGREEMENT FOR COLLECTION OF ASSESSMENTS FOR SONOMA COUNTY TOURISM BUSINESS IMPROVEMENT AREA, RETROACTIVE TO THE TERMINATION DATE OF THE LAST AGREEMENT ON JUNE 30, 2015, TO ACCOMMODATE ASSESSMENTS REMITTED BETWEEN JULY 2015 AND MARCH 2016; AND REMITTANCE OF ANY ASSESSMENT FUNDS COLLECTED BUT NOT REMITTED BETWEEN JUNE 30, 2015, AND THE SIGNING OF A NEW AGREEMENT

BACKGROUND: Through Sonoma County Code Chapter 33, the County has formed a Tourism Business Improvement Area (SCTBIA) that allows a levy of two percent (2%) of rent charged by lodging operators to be assessed on lodging operators generating total gross rent greater than \$350,000 in the preceding fiscal year (July 1 to June 30). The City of Santa Rosa (City) consented to the formation of the SCTBIA and to the collection of BIA assessments from lodging operators located within the City through Resolution No. 25954, passed by a vote of 6-0-1 by City Council on May 4, 2004. The Sonoma County Tourism Bureau administers the funds through marketing and promotions programs that encourage tourism and overnight stay to the benefit of the assessed lodging establishments.

Due to a gap between the June 30, 2015, termination date of the last SCTBIA administrative agreement between the County and the City, and this newly proposed agreement, assessments totaling \$870,735.49 were collected by the City and remitted out of contract between July 2015 and March 2016. An additional \$740,191.94 was collected but not remitted between April to September 2016. Hence the request to approve a new agreement retroactive to the termination date of the last agreement and the additional request of Council to release the remaining unremitted funds. The new agreement waives any penalty for late remittance of the funds through March 2017. The October to December 2016 assessments will be collected and reconciled in February 2017, and are unknown at the writing of this report.

Tourism is one of the key industry sectors in Santa Rosa, and a focus of the Economic Sustainability Strategy as it produces a revenue stream through Transient Occupancy Tax, sales tax, and the Santa Rosa Tourism Business Improvement Area assessment. As such, programs that increase tourism and enhance destination awareness are consistent with and further Council Goal One: Create a Strong, Sustainable Economic Base.

RECOMMENDATION: It is recommended by the Planning and Economic Development Department that the Council, by resolution, approve a retroactive agreement for collection of assessments on Santa Rosa lodging establishments resulting from Santa Rosa's participation in the Sonoma County Tourism Business Improvement Area (SRTBIA) per Resolution Number 25954. It is further recommended that the Council, by resolution, authorize the remittance of any assessment funds collected but not remitted between June 30, 2015, and the signing of a new agreement.

Attachments [Staff Report](#)

[Attachment 1 - Sonoma County Ordinance 5525](#)

[Attachment 2 - Santa Rosa City Council Resolution 25954](#)

[Attachment 3 - Admin Agreement](#)

[Resolution](#)

[Exhibit A](#)

[Exhibit B](#)

[Exhibit C](#)

[Presentation](#)

14.4 REPORT - BALLOT ARGUMENTS FOR CANNABIS INDUSTRY TAX MEASURE

BACKGROUND: Under the California Elections Code, the City Council has the first priority to submit ballot arguments in favor of the proposed measure, and if any opposition argument is filed against the measure, to submit a rebuttal argument to that opposition argument. Alternatively, under the Elections Code, the Council may authorize one or more of its members to submit the argument. If the City Council chooses not to submit, or have its members submit, an argument in favor of the measure, then under the Elections Code, the arguments may be authored either by a bona fide association of citizens or by individual

voters who are eligible to vote on the measure.

RECOMMENDATION: Staff recommends that the Council, by motion, determine whether it wishes to submit a ballot argument and rebuttal argument in favor of a proposed measure for the June 6, 2017 ballot to authorize the Council to impose a local business tax on the cannabis industry at rates high enough to cover the costs to the City of allowing this emerging industry to operate in Santa Rosa; and determine the process by which Council will draft the ballot arguments, should it choose to submit arguments for the measure.

Attachments [Staff Report](#)
[Presentation](#)

14.5 REPORT - BALLOT ARGUMENTS FOR RENT STABILIZATION MEASURE

BACKGROUND: Under the California Elections Code, the City Council has the first priority to submit ballot arguments in favor of the proposed measure, and if any opposition argument is filed against the measure, to submit a rebuttal argument to that opposition argument. Alternatively, under the Elections Code, the Council may authorize one or more of its members to submit the argument. If the City Council chooses not to submit, or have its members submit, an argument in favor of the measure, then under the Elections Code, the arguments may be authored either by a bona fide association of citizens or by individual voters who are eligible to vote on the measure.

RECOMMENDATION: Staff recommends that the Council, by motion, determine whether it wishes to submit a ballot argument and rebuttal argument in favor of the measure for the June 6, 2017 ballot to make effective those portions of Ordinance No. 4072 (Rent Stabilization and Other Tenant Protections Ordinance) suspended by the previous submission of a qualified referendum petition; and determine the process by which Council will draft the ballot arguments, should it choose to submit arguments for the measure.

Attachments [Staff Report](#)
[Presentation](#)

15. PUBLIC HEARINGS

Public Hearing matters will begin no earlier than 5:00 p.m. or as soon

thereafter as the matters are reached on the agenda.

15.1 PUBLIC HEARING - RESOLUTION AUTHORIZING FILING OF APPLICATION FOR FTA SECTION 5310-ENHANCED MOBILITY OF SENIORS AND INDIVIDUALS WITH DISABILITIES GRANT FUNDING WITH CALTRANS FOR THE PURCHASE OF REPLACEMENT VEHICLES AND ANTENNA EQUIPMENT

BACKGROUND: Federal Transit Administration Section 5310 program funds are appropriated to urbanized area (UZA) across the United States. Santa Rosa area applications are managed by Caltrans with technical assistance provided by Metropolitan Transportation Commission (MTC) and Sonoma County Transportation Authority (SCTA). The Santa Rosa urbanized area is allotted a three-year programming amount of about \$680,000. Caltrans requires a public hearing as well as a resolution adopted by the governing board to be included in the grant application. This item relates to Council Goal 3.1: "Improve transportation network to reduce vehicle miles traveled and promote multi-modal transportation."

RECOMMENDATION: It is recommended by the Transportation and Public Works Department that the Council: 1) hold a public hearing and find that no private non-profit is readily available to provide paratransit services in the region; and, 2) by resolution, authorize the City Manager or designee to execute and file a grant application with the California Department of Transportation (Caltrans) under Federal Transit Act Section 5310 (49 U.S.C. § 5310) Enhanced Mobility of Seniors and Individuals with Disabilities program to purchase four replacement ADA paratransit vehicles, one Oakmont Senior Community vehicle and antenna equipment for paratransit vehicles.

Attachments [Staff Report](#)
[Attachment 1](#)
[Attachment 2](#)
[Resolution](#)
[Public Notice](#)
[Presentation](#)

15.2 PUBLIC HEARING - RESOLUTION FOR THE ESTABLISHMENT OF AN UNDERGROUND UTILITY DISTRICT ON FULTON ROAD BETWEEN GUERNEVILLE ROAD AND PINER ROAD

BACKGROUND: The procedure for forming an Underground Utility District (UUD), consistent with the California Public Utility Commission (CPUC), is defined in the Santa Rosa City Code Chapter 13-12 Underground Utilities. Formation of the UUD will allow PG&E to utilize Rule 20A funds it has collected from the Santa Rosa rate payers to underground the overhead utilities within the district boundaries.

The purpose of establishing an UUD is to define the boundaries of all affected parcels. The proposed Fulton Road UUD, between Guerneville Road and Piner Road, would underground the overhead PG&E electrical, AT&T, and Comcast communication lines and remove all of the utility poles within the proposed district boundary.

RECOMMENDATION: It is recommended by the Transportation and Public Works Department that Council, by resolution, approve the establishment of an Underground Utility District on Fulton Road between Guerneville Road and Piner Road.

Attachments [Staff Report](#)
[Attachment 1](#)
[Resolution](#)
[Presentation](#)
[Public Hearing Notice](#)

16. WRITTEN COMMUNICATIONS - 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 [List](#)

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

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

The City of Santa Rosa does not discriminate on the basis of disability in the admissions or access to, or treatment of or employment in, its programs or activities. Disability-related aids or services, including printed information in alternate formats, to enable persons with disabilities to participate in public meetings are available by contacting the City Clerk Office at 543-3015 or cityclerk@srcity.org one week prior to the meeting. TDD 543-3063

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.