



## **City of Santa Rosa**

Utilities Field Operations  
Building  
35 Stony Point Road  
Santa Rosa, CA 95401

### **CITY COUNCIL SPECIAL MEETING NOTICE AND AGENDA**

**NOVEMBER 30, 2017**

#### **SPECIAL MEETING**

**Utilities Field Operations Building**

**35 Stony Point Road**

**Santa Rosa, CA 95401**

**3:30 P.M. - CLOSED SESSION (CONFERENCE ROOM)**

**5:00 P.M. - SPECIAL MEETING (ROOM M)**

**3:30 P.M. (CONFERENCE ROOM)**

#### **1. CALL TO ORDER AND ROLL CALL**

#### **2. PUBLIC COMMENT (Public Comment will be limited to the items listed on the Special Meeting Agenda)**

#### **3. 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.

##### **3.1 CONFERENCE WITH LEGAL COUNSEL - ANTICIPATED LITIGATION**

Initiation of litigation pursuant to paragraph (4) of subdivision (d) of Government Code Section 54956.9: potential number of cases unknown

##### **3.2 CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION (Paragraph (1) of subdivision (d) of Government Code Section 54956.9)**

Name of Case: Lena Harter, et al. v. City of Santa Rosa, et al. Sonoma County Superior Court Case No. SCV-255401

**5:00 P.M. (ROOM M)**

#### **4. ANNOUNCEMENT OF ROLL CALL**

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

## 6. CONSENT ITEMS

### 6.1 RESOLUTION - EXTENSION OF PROCLAMATION OF EXISTENCE OF LOCAL EMERGENCY DUE TO FIRES

RECOMMENDATION: It is recommended by the City Attorney's Office that the Council, by resolution, declare that the proclamation of a state of local emergency within the City of Santa Rosa has been and remains in full force and effect without interruption.

**Attachments:** [Resolution](#)

## 7. REPORT ITEMS

### 7.1 REPORT - URGENCY ORDINANCE TO PROVIDE FOR CLEAN-UP OF PARCELS THAT CONTAIN FIRE DEBRIS AND DESTROYED STRUCTURES AND THAT ARE NOT TO COMMITTED TO THE CONSOLIDATED DEBRIS REMOVAL PROGRAM OR TO A PRIVATE SANTA ROSA FIRE CLEAN-UP APPLICATION

BACKGROUND: Owners of residential parcels affected by the fires were offered two different paths for the clean-up and removal of fire debris. The Consolidated Debris Removal Program is a clean-up and wildfire debris removal service performed by the United States Army Corps of Engineers ("USACE") and paid for with public funds, with contributions from the property owner's insurance related to debris removal, if any. The last day for an owner to submit a Right of Entry ("ROE") form to participate in the Consolidated Program was November 13, 2017.

As an alternative, a property owner could pursue a private clean-up of his or her property by submitting a Santa Rosa Fire Clean-Up Application ("Application") and Work Plan to the Planning and Economic Development Department for approval. The last day for an owner to submit an Application and Work Plan to pursue a private clean-up was November 22, 2017.

As of the date of this report, approximately 85 parcels within the City have not yet committed to either the Consolidated Debris Removal Program or a private clean-up plan. To protect the public health and the environment, those remaining uncommitted parcels must be cleared of ash and debris promptly and with all appropriate health and safety precautions.

The proposed ordinances offer three alternative procedures for that clean-up.

**RECOMMENDATION:** It is recommended by the City Attorney that the Council adopt one of three alternative ordinances to provide for the clean-up of properties that contain fire debris and a destroyed structure and that are not yet committed to either the government sponsored Consolidated Debris Removal Program or a private Santa Rosa Fire Clean-up Application and Work Plan. The three alternatives are:

1. Ordinance declaring such fire debris to be a public nuisance; delegating authority to the Chief Building Official to identify those parcels that contain a public nuisance due to fire debris and the absence of a clean-up plan; and delegating authority to the Chief Building Official to cause those identified parcels to be cleared by the United States Army Corps of Engineers after two weeks notice.
2. Ordinance declaring such fire debris to be a public nuisance; delegating authority to the Chief Building Official to identify those parcels that contain a public nuisance due to fire debris and the absence of a clean-up plan; and authorizing the Chief Building Official to apply to the Superior Court for an inspection and abatement warrant, and upon issuance of such warrant, to inspect and clean the identified parcels utilizing the services of either the United States Army Corps of Engineers or private contractors.
3. Ordinance declaring such fire debris to be a public nuisance; delegating authority to the Chief Building Official to identify those parcels that contain a public nuisance due to fire debris and the absence of a clean-up plan; and directing the City Attorney to bring a

civil action in the Superior Court against the owner of the property to enjoin the maintenance of the public nuisance and to compel private action to clear the property.

**Attachments:**    [Staff Report](#)  
                              [Ordinance Opt 1 - Abatement](#)  
                              [Ordinance Opt 2 - Warrant](#)  
                              [Ordinance Opt 3 - Injunction](#)

## 8. ADJOURNMENT OF MEETING

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](mailto: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.*