



City of Santa Rosa

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

City Council Regular Meeting Minutes - Draft

Tuesday, August 13, 2019

2:00 PM

1. CALL TO ORDER AND ROLL CALL

Mayor Schwedhelm called the meeting to order at 2:07 p.m.

Present: 6 - Mayor Tom Schwedhelm, Vice Mayor Chris Rogers, Council Member Julie Combs, Council Member Victoria Fleming, Council Member Ernesto Olivares, and Council Member Jack Tibbetts

Absent: 1 - Council Member John Sawyer

2. INTERVIEWS FOR BOARDS, COMMISSIONS AND COMMITTEES

- 2.1 The Council will interview applicants for the Personnel Board's three At-Large vacancies and two Labor Representative vacancies.

3. ANNOUNCEMENT OF CLOSED SESSION ITEMS

Mayor Schwedhelm recessed the meeting to closed session at 2:32 p.m. to discuss Item 3.1 as listed on the agenda:

3.1 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

Robert Martin et. Al. v. The City of Boise

United States Court of Appeals for the Ninth Circuit, Case No. 15-35845
Request for Amicus support for City of Boise's Petition for Writ of Certiorari to the United States Supreme Court

Mayor Schwedhelm adjourned the closed session at 2:55 p.m. and reconvened the meeting at 3:10 p.m.

4. JOINT STUDY SESSION

Planning Commissioners also present: Chair Cisco, Vice Chair Weeks, Commissioner Carter, Commissioner Duggan, Commissioner Kalia, Commissioner Okrepkie, and Commissioner Peterson.

4.1 GENERAL PLAN UPDATE WORK PLAN

Joint Planning Commission and Council study session to review the proposed General Plan Update Request for Proposal (RFP) including the scope of work to complete a comprehensive update of the Santa Rosa 2035 General Plan.

Presented by Andy Gustavson, Senior Planner; Jessica Jones, Supervising Planner; and David Guhin, Assistant City Manager.

PUBLIC COMMENT

Duane DeWitt spoke regarding Item 4.1.

Mayor Schwedhelm adjourned the special joint meeting at 4:17 p.m. and reconvened the regular meeting at 4:22 p.m.

This item was received and filed.

5. ANNOUNCEMENT OF ROLL CALL

Present: 6 - Mayor Tom Schwedhelm, Vice Mayor Chris Rogers, Council Member Julie Combs, Council Member Victoria Fleming, Council Member Ernesto Olivares, and Council Member Jack Tibbetts

Absent: 1 - Council Member John Sawyer

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

City Attorney Gallagher announced that Council provided direction to staff for Item 3.1.

7. PROCLAMATIONS/PRESENTATIONS - NONE.

8. STAFF BRIEFINGS

8.1 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.

City Attorney Gallagher provided a report on Journey's End Mobilehome Park.

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

City Manager McGlynn provided a brief report on the City of Santa Rosa Street Smarts program, which is hosting a Back-to School Bike Blast event, on bike safety and traffic awareness, this Saturday, August 17, 2019 from 10:00 a.m. to 12:00 p.m., at Martin Luther King, Jr Park.

PUBLIC COMMENT

Deborah Tavares spoke regarding the Street Smarts program and e-bikes.

9.1 QUARTERLY REPORT OF SETTLEMENTS AND ACTIVE LITIGATION

The City Attorney will report on settlements over \$50,000 within the second quarter of 2019 (04/01/2019 -06/30/2019) as well as provide a summary of pending litigation against the City.

City Attorney Gallagher provided a brief report.

10. STATEMENTS OF ABSTENTION BY COUNCIL MEMBERS

Mayor Schwedhelm announced his abstention on Item 12.1.

Council Member Tibbetts announced his abstention on Item 15.1.

Council Member Combs announced her abstention on Items 11.2 and 12.1.

11. MAYOR'S/COUNCIL MEMBERS' REPORTS

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

11.1 MAYOR'S/COUNCIL MEMBERS' SUBCOMMITTEE AND LIAISON REPORTS (AND POSSIBLE COUNCIL DIRECTION TO BOARD REPRESENTATIVE ON PENDING ISSUES, IF NEEDED)

11.1.1 Council Subcommittee Reports

Mayor Schwedhelm provided a brief report on the Economic Development Subcommittee.

11.1.2 Sonoma County Transportation Authority/Regional Climate Protection Authority (SCTA/RCPA)

11.1.3 Sonoma County Water Agency (SCWA) - Water Advisory Committee

11.1.4 Association of Bay Area Governments (ABAG)

11.1.5 Sonoma County Agricultural Preservation and Open Space District Advisory Committee

11.1.6 Sonoma Clean Power Authority (SCPA)

11.1.7 Sonoma County Waste Management Agency (SCWMA)

11.1.8 Groundwater Sustainability Agency (GSA)

Mayor Schwedhelm provided a brief report.

11.1.9 Homeless System of Care (HSC)

11.1.10 Renewal Enterprise District (RED)

11.1.11 Other

11.2 BOARD, COMMISSION & COMMITTEE APPOINTMENTS

By process of elimination, the City Council appointed Eric Stephens, Ever J. Flores-Deras, and Priti Kurtz to the three (3) At-Large vacancies on the Personnel Board.

A motion was made by Vice Mayor Rogers, seconded by Council Member Olivares, to appoint Lisa Maldonado and Maria Peluso to the (2) Labor Representative vacancies on the Personnel Board.

The motion carried by the following vote:

Yes: 5 - Mayor Schwedhelm, Vice Mayor Rogers, Council Member Fleming, Council Member Olivares, and Council Member Tibbetts

Absent: 1 - Council Member Sawyer

Abstain: 1 - Council Member Combs

12. APPROVAL OF MINUTES

12.1 July 23, 2019, Regular Meeting Minutes.

Approved as submitted, with Mayor Schwedhelm and Council Member

Combs abstaining.

Mayor Schwedhelm recessed the meeting at 4:51 p.m. and reconvened at 4:57 p.m.

13. CONSENT ITEMS - NONE.

14. PUBLIC COMMENT ON NON-AGENDA MATTERS

Deborah Tavares expressed concerns regarding the susceptibility of the Mayacamas mountain range to fires, and the access to electricity and water supplies in rural areas during a fire emergency.

Shirley Bennett spoke regarding the recent Public Safety Power Shut-off presentation by Pacific Gas and Electric and its outreach to the public, and made a suggestion to Council regarding a joint City Council and County town hall to address community concerns.

Duane DeWitt spoke regarding the on-line asset maps of City-owned properties.

15. REPORT ITEMS

Council Member Tibbetts left the meeting at 5:08 p.m.

Present: 5 - Mayor Tom Schwedhelm, Vice Mayor Chris Rogers, Council Member Julie Combs, Council Member Victoria Fleming, and Council Member Ernesto Olivares

Absent: 2 - Council Member John Sawyer, and Council Member Jack Tibbetts

15.1 REPORT - AN ORDINANCE OF THE CITY COUNCIL OF SANTA ROSA AMENDING THE SANTA ROSA CITY CODE ADDING A NEW CHAPTER 10-46, HOUSING ANTI-DISCRIMINATION CODE

BACKGROUND: Santa Rosa is experiencing a housing crisis exacerbated by the wildfire disaster in 2017. The City Council adopted a Comprehensive Housing Strategy under its Tier 1 Goals, including the adoption of a local ordinance prohibiting rental housing discrimination against people using rental subsidies issued through government and non-profit agencies. Rental housing subsidies are intended to increase affordable housing opportunities by making market-rate housing affordable to qualifying families. The Santa Rosa Housing Authority (SRHA) administers Housing Choice Vouchers for approximately 2,000

households in the City; the Council has funded rental assistance through Rapid Rehousing and similar programs. Households who have rental assistance under these programs have difficulty finding landlords who are willing to accept the subsidy; SRHA reports that in the last year 61% of the households who were issued vouchers were able to use them. The proposed ordinance would give tenants using vouchers or other third-party rental assistance equal access to the rental application process and otherwise require that households using assistance programs are treated equally in rental housing.

RECOMMENDATION: It is recommended by the Housing and Community Services Department that Council introduce an ordinance adding Chapter 10-46 to the Santa Rosa City Code prohibiting rental housing discrimination based on source of income, including Section 8 Housing Choice Vouchers and other rent subsidies.

Presented by Carmelita Howard, Deputy Director of Housing and Community Services; Adam Abel, Assistant City Attorney; and David Gouin, Director of Housing and Community Services.

PUBLIC COMMENT

Keith Becker spoke in opposition to the item.

George Uberti spoke in support of the item.

Shelley Clark, Legal Aide, spoke in support of the item.

Steve Jones, Stephen Kent Jones Real Estate, spoke in opposition to the item.

Kathleen Kane spoke in support of the item. Comment provided from speaker card: I am strongly supportive of this proposed ordinance, which will enable more low-income renters to obtain stable housing.

Sarah Seitz spoke in support of the item. Comment provided from speaker card: I support ordinance that prohibits landlords refusing tenants based on voucher.

Casey Epp, Supervising Attorney with Fair Housing Advocates of Sonoma, spoke in support of the item. Comment provided from speaker card: Fair Housing Advocates of Sonoma wholeheartedly supports such a fair housing ordinance and believes it is a crucial step to preserving affordable housing for the City's most vulnerable populations protected by fair housing law.

Miles Burgin spoke in support of the item.

Alby Manuel spoke in support of the item. Comment provided from speaker card: Would like #15.1 Chapter 10.46 approved because it discriminate.

Irene Evans spoke in support of the item. Comment provided on speaker card: I have HUD. I must have it. I am disabled.

Thea Hartman spoke in support of the item.

Brian Ling spoke in opposition to the item. Comment provided from speaker card: Adding to an over regulated housing market will decrease supply and raise prices.

Michael Stanford, SEIU Local 1021, Chair Sonoma COPE, spoke in support of the item. Comment provided from speaker card: SEIU is against discrimination of any kind. Housing is a human right.

Beatrice Camacho, North Bay Organizing Project Tenant Organizer, spoke in support of the item. Comment provided from speaker card: We must support our tenants and not discriminate.

Jennifer Coleman, California Apartment Association (CAA), spoke in opposition to the item. Comment from speaker card: We (CAA) are not in alignment with Section 8 as it is now.

Deborah Tavares spoke regarding the item.

Paul Carroll spoke in support of the item. Comment from speaker card: Pro ordinance.

Isabel Fischer spoke in support of the item. Comment from speaker card: Not passing this ordinance is allowing discrimination against low-income and fixed-income people.

Victoria Yanez submitted speaker card indicating support of the item, but was not present during the comment period. Comment from speaker card: Do something for the low-income poor.

Thomas Ells spoke in support of the item.

Alex Khalfin, CAA spoke in opposition to the item.

Tom Amato, Oakmont Democrats, spoke in support of the item.

Al Liner, Tenants Union, spoke in support of the item.

Heather Dunn, Veterans Affairs - Housing and Urban Development Veterans Administration Supportive Housing (VA-HUDVASH) spoke in support of the item. Comment from speaker card: Experience of our veterans and desire to be housed.

Ben Terry, President of National Association for the Advancement of Colored People (NAACP) of Sonoma, spoke in support of the item.

Daisy Pistey Lyhne spoke in support of the item.

Clayton Engstrom spoke in opposition to the item.

Lenita Marie Johnson spoke in support of the item. Comment from speaker card: We need affordable housing in Santa Rosa.

Erin George spoke in opposition to the item.

Lisa Badenfort, Government Affairs Director for North Bay Association of Realtors, spoke regarding the item.

A motion was made by Council Member Combs, seconded by Council Member Olivares, to continue the item to a date certain of September 24, 2019.

The motion carried by the following vote:

Yes: 5 - Mayor Schwedhelm, Vice Mayor Rogers, Council Member Combs, Council Member Fleming, and Council Member Olivares

Absent: 1 - Council Member Sawyer

Abstain: 1 - Council Member Tibbetts

16. PUBLIC HEARINGS

16.1 PUBLIC HEARING - PREFERENTIAL PARKING PERMIT PROGRAM

BACKGROUND: Parking has become constrained on certain streets in the West End making it difficult for residents, employees and customers to find parking. Some business owners have asked the City to offer preferential parking permits that would allow employees of eligible businesses to park on the street in designated areas, beyond the posted time limit.

RECOMMENDATION: It is recommended by the Finance Department that the Council: 1) introduce an ordinance adding Chapter 11-26 Preferential Parking to the City Code, to establish an on-street employee permit program; and 2) by resolution, adopt the revised Schedule of Parking User Fees.

Presented by Kim Nadeau, Parking Manager

Hearing no one wishing to speak, Mayor Schwedhelm opened and closed the public hearing at 7:50 p.m.

A motion was made by Council Member Fleming, seconded by Council Member Combs, to waive reading of the text and introduce:

ORDINANCE ENTITLED: ORDINANCE OF THE COUNCIL OF THE CITY OF SANTA ROSA ADDING CHAPTER 11-26 TO THE SANTA ROSA CITY CODE, AUTHORIZING PREFERENTIAL PARKING IN DESIGNATED AREAS OF SANTA ROSA

The motion carried by the following vote:

Yes: 5 - Mayor Schwedhelm, Vice Mayor Rogers, Council Member Combs, Council Member Fleming, and Council Member Olivares

Absent: 2 - Council Member Sawyer, and Council Member Tibbetts

16.2 PUBLIC HEARING - SANTA ROSA FIRE DEPARTMENT ANNUAL WEED ABATEMENT PROGRAM REPORT

BACKGROUND: Santa Rosa City Code section, Chapter 9.08 requires a public hearing to hear objections to the cost of weeds and/or rubbish abatement. The City Council grants or overrules such protests. The City Council, by resolution, may confirm the itemized report of the costs of abatement.

The City Council authorizes the Santa Rosa Fire Department, County Auditor and Tax Collector to enact a special assessment as a lien upon respective parcels subject to the Weed and Rubbish Abatement Program.

RECOMMENDATION: It is recommended by the Santa Rosa Fire Department that the Council, by resolution, ratify and confirm the itemized report of the Fire Department of the cost of weed and rubbish abatement as provided for in Sections 9-08.020, 9-08.080, and 9-08.090 of the Santa Rosa City Code.

Presented by Paul Lowenthal, Assistant Fire Marshal.

Hearing no one wishing to speak, Mayor Schwedhelm opened and closed the public hearing at 7:57 p.m.

A motion was made by Council Member Fleming, seconded by Vice Mayor Rogers, to waive reading of the text and adopt:

RESOLUTION NO. RES-2019-126 ENTITLED: RESOLUTION OF THE COUNCIL OF THE CITY OF SANTA ROSA CONFIRMING THE ITEMIZED REPORT OF THE SANTA ROSA FIRE DEPARTMENT OF THE COST OF REMOVING WEEDS AND/OR RUBBISH FROM, UPON, OR IN FRONT OF CERTAIN LOTS OR PARCELS OF LAND WITHIN THE CITY OF SANTA ROSA

The motion carried by the following vote:

Yes: 5 - Mayor Schwedhelm, Vice Mayor Rogers, Council Member Combs, Council Member Fleming, and Council Member Olivares

Absent: 2 - Council Member Sawyer, and Council Member Tibbetts

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

18. PUBLIC COMMENTS ON NON-AGENDA MATTERS

Alex Krohn spoke regarding small cell phone towers.

19. ANNOUNCEMENT OF CONTINUED CLOSED SESSION ITEMS, RECESS TO CLOSED SESSION IN THE MAYOR'S CONFERENCE ROOM, RECONVENE TO OPEN SESSION, AND ANNOUNCEMENTS [IF NEEDED]

20. ADJOURNMENT OF MEETING

Hearing no further business, Mayor Schwedhelm adjourned the meeting at 8:02 p.m. The next regularly scheduled meeting will take place on August 27, 2019, at a time to be set by the Mayor.

21. UPCOMING MEETINGS

21.1 UPCOMING MEETINGS LIST

This item was received and filed.

Approved on:

Dina Manis
Acting City Clerk