



City Council
Regular Meeting Minutes - Final

Tuesday, February 28, 2017

1:30 PM

1. CALL TO ORDER AND ROLL CALL

Mayor Coursey called the Closed Session meeting to order at 1:35 p.m. Council Member Schwedhelm joined the meeting at 1:37 p.m. Council Member Sawyer was absent.

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

Absent: 1 - Council Member John Sawyer

2. ANNOUNCEMENT OF CLOSED SESSION ITEMS

Mayor Coursey recessed the meeting to Closed Session at 1:36 p.m. to discuss Item 2.1 through 2.5 as listed on the agenda:

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

Case pending before Personnel Board, case name unspecified:
Disclosure would jeopardize existing settlement negotiations

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

Name of Case: Rafael Mateos-Sandoval and Simeon Avendano Ruiz v. County of Sonoma, et al.
Court Case No.: Northern District of California Court Case No. CV 11 5817 THE

- 2.3** CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION

(Paragraph (1) of subdivision (d) of Government Code Section 54956.9)

Name of Case: CVSR Holdings, LLC v. City of Santa Rosa, et al.

Sonoma County Superior Court Case No. SCV-256350

2.4

LIABILITY CLAIM

(Government Code Section 54956.95(b))

Claimant: M. Clark

Agency Claimed Against: City of Santa Rosa

2.5

CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION

(Paragraph (1) of subdivision (d) of Government Code Section 54956.9)

Name of Case: Mark Buras v. City of Santa Rosa, et al.

Court Case No.: Northern District of California Court Case No. C 15-1070 TEH

Mayor Coursey adjourned Closed Session at 3:13 p.m. and reconvened the meeting to open session in the Council Chamber at 4:00 p.m.

3. STUDY SESSION - NONE.

4. ANNOUNCEMENT OF ROLL CALL

Mayor Coursey called the Regular Meeting to order at 4:03 p.m.

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

Absent: 1 - Council Member John Sawyer

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

There was nothing to report.

6. PROCLAMATIONS/PRESENTATIONS

6.1

PROCLAMATION - BLACK HISTORY MONTH

Mayor Coursey read the proclamation and presented it to Laura Hunter, Bridge to the Future - Rites of Passage Board President and Vivian Coffee, Assistant Chair of the Steering Committee/Board Member.

7. STAFF BRIEFINGS

7.1 QUARTERLY CAPITAL IMPROVEMENT PROGRAM PROJECTS UPDATE: OCTOBER - DECEMBER 2016

Staff will provide an update on Capital Improvement Program (CIP) projects for CIP Team 3. The briefing will summarize expenditures and major project updates from October to December 2016. CIP projects provide the infrastructure that is critical to the economic vitality and quality of life in Santa Rosa.

Presented by Tracy Duenas, Supervising Engineer.

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

There was nothing to report.

9. STATEMENTS OF ABSTENTION BY COUNCILMEMBERS

No abstentions were made.

10. MAYOR'S/COUNCILMEMBERS' REPORTS

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

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

Council Member Olivares provided a brief report from the Medical Cannabis Policy Subcommittee.

Council Member Rogers announced his appointment of Mark Debacker to be reappointed to the Cultural Heritage Board; and provided a brief report from the Medical Cannabis Policy Subcommittee.

Mayor Coursey provided a brief report on Long Term Financial Policy Subcommittee.

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

Council Member Schwedhelm provided a brief report on the Groundwater Sustainability Agency meeting.

Mayor Coursey announced the following appointments to the Ad Hoc Committees:

Ballot Arguments for Cannabis Industry Tax Measure: Mayor Coursey, Vice Mayor Tibbetts, and Council Member Olivares

Ballot Arguments for Rent Stabilization: Mayor Coursey and Council Member Rogers

Policy and Procedures for Performance Reviews of Council-Appointed Staff: Mayor Coursey, Vice Mayor Tibbetts, and Council Member Schwedhelm

11. APPROVAL OF MINUTES

11.1 January 24, 2017, Regular Meeting.

Council Member Combs requested that the language include Homeless Collective on the April 4, 2017 Upcoming Meetings List.

Approved as amended.

12. CONSENT ITEMS

Approval of the Consent Agenda

A motion was made by Vice Mayor Tibbetts , seconded by Council Member Olivares, to waive the reading of the text and adopt the following Consent Items 12.1 and 12.2. The motion carried by the following vote:

Yes: 6 - Mayor Coursey, Vice Mayor Tibbetts, Council Member Combs, Council Member Olivares, Council Member Rogers and Council Member Schwedhelm

Absent: 1 - Council Member Sawyer

12.1 RESOLUTION - AGREEMENT TO ALLOW USE OF YOUTH COMMUNITY PARK FOR EMERGENCY VEHICLE ACCESS FOR FOX HOLLOW SUBDIVISION

RECOMMENDATION: It is recommended by the Recreation and Parks Department that Council, by resolution, approve the Agreement with City Ventures Homebuilders LLC, to provide park improvements and an emergency vehicle access at Youth Community Park.

This Consent - Resolution was adopted.

RESOLUTION NO. RES-2017-027 ENTITLED: RESOLUTION OF THE COUNCIL OF THE CITY OF SANTA ROSA APPROVING AN AGREEMENT TO ALLOW USE OF YOUTH COMMUNITY PARK FOR EMERGENCY VEHICLE ACCESS FOR FOX HOLLOW SUBDIVISION

12.2 REPORT - RESOLUTION - DECLARING WEEDS AND RUBBISH IN THE SANTA ROSA CITY LIMITS A PUBLIC NUISANCE

BACKGROUND: Chapter 9-08 of the Santa Rosa City Code, Weed and Rubbish, provides for an annual Resolution declaring weeds and rubbish a public nuisance.

This Resolution shall authorize the declaration and shall authorize the Santa Rosa Fire Department to give notice directing the abatement of these nuisances in accordance with the Santa Rosa City Code.

RECOMMENDATION: It is recommended by the Fire Department that the Council, by resolution, declare weeds and

rubbish a public nuisance and authorize the Santa Rosa Fire Department to give notice directing the abatement of these nuisances as provided for in the Santa Rosa City Code Chapter 9-08 for any undeveloped parcels, developed parcels having over .5 acres of undeveloped land and/or parcels located in a Wildland Urban Interface Fire Area and are located within the City of Santa Rosa

This Consent - Resolution was adopted.

RESOLUTION NO. RES-2017-028 ENTITLED: RESOLUTION OF THE COUNCIL OF THE CITY OF SANTA ROSA DECLARING WEEDS AND RUBBISH ON CERTAIN PROPERTIES WITHIN THE SANTA ROSA CITY LIMITS TO BE A PUBLIC NUISANCE

The time not yet being 5:00 p.m., Mayor Coursey took Report Items 14.1 and 14.2 before Item 13 - Public Comment on Non-Agenda Matters.

13. PUBLIC COMMENT ON NON-AGENDA MATTERS

Duane DeWitt spoke regarding Roseland annexation and the Courthouse Square community input.

Louise Stanphill spoke regarding concerns of radiation exposure from the cell phone antenna.

Bob Dudney spoke regarding concerns of radiation exposure from the cell phone antenna.

Dave Hubert spoke regarding concerns of radiation exposure from the cell phone antenna.

Angela Merola spoke regarding concerns of radiation exposure from the cell phone antenna.

Tony Gerald spoke regarding the 71st Annual Miss Sonoma County's Outstanding Teen competition held on Saturday, March 4, 2017.

Siobhan Hauff, Miss Sonoma County 2016 Teen, spoke regarding the pageant competition to take place on Saturday, March 4, 2017.

Thomas Ells spoke regarding disabled victims of crimes deprived of

medication.

14. REPORT ITEMS

- 14.1** REPORT - PROFESSIONAL SERVICES AGREEMENT WITH DESIGN WORKSHOP, INC., FOR ROSELAND CREEK COMMUNITY PARK MASTER PLAN AND DESIGN AND ENGINEERING (This item was continued from the February 7, 2017, Regular Meeting)

BACKGROUND: The Recreation and Parks Department is seeking to complete a master plan for Roseland Creek Community Park and hire a consultant to provide services including public workshops and design. The services will build upon planning for the park that has been underway since 2009 and facilitate the continuation of public input received thus far from the processes for the Roseland Specific Area Plan, Roseland Annexation, and specific park-site conversations. A necessary step towards a master plan is to create 30% preliminary design and engineering plans. The scope of services includes community workshops and the consultant and the Recreation & Parks Department will coordinate with the Office of Community Engagement, Planning & Economic Development, and Transportation & Public Works departments among others for their assistance. This agreement also includes 100% design and engineering plans for the north section of the park, in order to fulfill the requirements of a grant agreement with the Sonoma County Agricultural Preservation and Open Space District for improvements that, at a minimum, include an accessible pathway between the east and west park boundaries and signage. Five proposals were received in response to the RFP and Design Workshop Inc., was recommended based on the scoring panel. Master planning and design and engineering costs are funded from Zone 2 parkland dedication funds and available in current year budget .

RECOMMENDATION: It is recommended by the Recreation and Parks Department that Council, by resolution, approve the Professional Services Agreement with Design Workshop, Inc., of Stateline, Nevada to provide a master plan, 30% and 100% design and engineering plans for Roseland Creek Community Park in the amount of \$187,794

Presented by Jen Santos, Deputy Director of Parks and Recreation Department.

PUBLIC COMMENT

Duane DeWitt spoke regarding the previous planning of the Roseland Creek Park master plan, design and engineering.

Bill Haluzak spoke in support of the item.

A motion was made by Council Member Olivares, seconded by Council Member Schwedhelm, to waive reading of the text and adopt:

RESOLUTION NO. 2017-029 ENTITLED: RESOLUTION OF THE COUNCIL OF THE CITY OF SANTA ROSA APPROVING A PROFESSIONAL SERVICES AGREEMENT WITH DESIGN WORKSHOP INC., FOR A MASTER PLAN AND DESIGN AND ENGINEERING PLANS FOR ROSELAND CREEK COMMUNITY PARK

The motion carried by the following vote:

Yes: 6 - Mayor Coursey, Vice Mayor Tibbetts, Council Member Combs, Council Member Olivares, Council Member Rogers and Council Member Schwedhelm

Absent: 1 - Council Member Sawyer

14.2 REPORT - PROFESSIONAL SERVICES AGREEMENT WITH DAVID J. POWERS & ASSOCIATES, INC., FOR ENVIRONMENTAL REVIEW AND DECLARATION SERVICES FOR ROSELAND CREEK COMMUNITY PARK (This item was continued from the February 7, 2017, Regular Meeting)

BACKGROUND: The Recreation and Parks Department is seeking professional services to complete an environmental analysis and final environmental declaration for Roseland Creek Community Park. Six proposals were received in response to an RFP and David J. Powers and Associates Inc., was recommended based on the scoring panel. Environmental review and declaration services costs are funded from Zone 2 parkland dedication funds and available in current fiscal year budget.

RECOMMENDATION: It is recommended by the Recreation and Parks Department that Council, by resolution, approve Professional Services Agreement with David J. Powers & Associates, Inc., of San Jose, CA to provide environmental review and declaration services for Roseland Creek Community Park in the amount of \$146,960

Presented by Jen Santos, Deputy Director of Parks and Recreation Department.

PUBLIC COMMENT

Duane DeWitt spoke regarding the previous planning for the Roseland Creek Community Park.

Bill Haluzak spoke in support of the item.

A motion was made by Council Member Schwedhelm, seconded by Council Member Olivares, to waive reading of the text and adopt:

RESOLUTION NO. RES-2017-030 ENTITLED: RESOLUTION OF THE COUNCIL OF THE CITY OF SANTA ROSA APPROVING A PROFESSIONAL SERVICES AGREEMENT WITH DAVID J. POWERS AND ASSOCIATES INC., FOR ENVIRONMENTAL REVIEW AND DECLARATION SERVICES FOR ROSELAND CREEK COMMUNITY PARK

The motion carried by the following vote:

Yes: 6 - Mayor Coursey, Vice Mayor Tibbetts, Council Member Combs, Council Member Olivares, Council Member Rogers and Council Member Schwedhelm

Absent: 1 - Council Member Sawyer

14.3

REPORT - COMMUNITY FEEDBACK TO COMMUNITY ADVISORY BOARD ON CAPITAL IMPROVEMENT PROJECTS AS REQUIRED BY RESOLUTION NO. 28174

BACKGROUND: To fulfill Resolution No. 28174, the Community Advisory Board (CAB) held a series of meetings in September and October 2016 to obtain community feedback on the City's Capital Improvement Projects (CIP). This report will present the findings along with recommendations to improve the CIP

community input process in the future.

RECOMMENDATION: It is recommended by the City Manager's Office and the Office of Community Engagement that the Council, by motion, accept the report from the Community Advisory Board on its outreach process for community input on the Capital Improvement Project budget and approve recommendations for future community engagement around the CIP budget priorities.

Presented by Danielle Ronshausen, Community Engagement Coordinator, and Tanya Narath, Community Advisory Board Chair.

A motion was made by Council Member Combs, seconded by Vice Mayor Tibbetts, to accept the report from the Community Advisory Board on its outreach process for community input on the Capital Improvement Project (CIP) budget and approve recommendations for future community engagement around the CIP budget priorities. The motion carried by the following vote:

Yes: 6 - Mayor Coursey, Vice Mayor Tibbetts, Council Member Combs, Council Member Olivares, Council Member Rogers and Council Member Schwedhelm

Absent: 1 - Council Member Sawyer

14.4 REPORT - DISCUSSION OF \$20,000 GAP FUNDING REQUEST FROM LEGAL AID OF SONOMA COUNTY

BACKGROUND: On January 10, 2017, Council agreed to request a future agenda item to consider a request for \$20,000 in gap funding for Legal Aid of Sonoma County. On January 24, 2017, the Council voted to discuss the request at a future meeting.

RECOMMENDATION: It is recommended by the Housing & Community Services Department that the Council discuss the \$20,000 gap funding request from Legal Aid of Sonoma County. Should the Council opt to provide the gap funding requested by Legal Aid of Sonoma County, staff has prepared a resolution appropriating \$20,000 for funding to Legal Aid of Sonoma County from the General Fund unassigned fund balance.

PUBLIC COMMENT

Barbara Sherrill spoke in support of the item.

Ronit Rubinoff spoke in support of the item and requested to be considered for future budgeting.

Yvonne Thomas spoke in support of the item.

Cate Griffiths spoke in support of the item.

Thomas Ells spoke in support of the item.

A motion was made by Council Member Rogers, seconded by Council Member Combs, to adopt as amended:

RESOLUTION NO. 2017-031 ENTITLED: RESOLUTION OF THE COUNCIL OF THE CITY OF SANTA ROSA PROVIDING GAP FUNDING IN THE AMOUNT OF \$20,000 TO LEGAL AID OF SONOMA COUNTY FOR A TENANT STABILIZATION PROJECT, AND APPROPRIATING FUNDS FROM THE GENERAL FUND UNASSIGNED FUND BALANCE FOR THIS PURPOSE

The motion carried by the following vote:

Yes: 4 - Mayor Coursey, Vice Mayor Tibbetts, Council Member Combs and Council Member Rogers

No: 2 - Council Member Olivares and Council Member Schwedhelm

Absent: 1 - Council Member Sawyer

15. PUBLIC HEARINGS - NONE.

16. WRITTEN COMMUNICATIONS (AND POSSIBLE COUNCIL ACTION)

16.1 QUARTERLY CAPITAL IMPROVEMENT PROGRAM PROJECTS UPDATE: OCTOBER-DECEMBER 2016. Provided for information.

Council Member Schwedhelm requested for a written communication be provided to Council regarding the transfer of funds.

16.2 FINAL MAP - WILDFLOWER SUBDIVISION - Provided for information.

Council Member Combs requested that Economic Development Subcommittee be added to the Upcoming Meetings List.

17. PUBLIC COMMENTS ON NON-AGENDA MATTERS

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 Coursey adjourned the meeting at 7:17 p.m. The next regularly scheduled meeting will take place on March 7, 2017, at a time set by the Mayor.

Approved on: March 14, 2017

/s/
Daisy Gomez
City Clerk