



**City Council  
Regular Meeting Minutes - Final**

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Tuesday, August 15, 2017

3:00 PM

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

Mayor Coursey called the closed session to order at 3:05 p.m.

**Present:** 6 - Mayor Chris Coursey, Vice Mayor Jack Tibbetts, Council Member Ernesto Olivares, Council Member Chris Rogers, Council Member John Sawyer and Council Member Tom Schwedhelm

**Absent:** 1 - Council Member Julie Combs

**2. ANNOUNCEMENT OF CLOSED SESSION ITEMS**

Mayor Coursey recessed the meeting to closed session at 3:05 p.m. to discuss Items 2.1 and 2.2 as listed on the agenda:

**2.1 CONFERENCE WITH LABOR NEGOTIATORS  
(Government Code Section 54957.6)**

Agency Designated Representatives: golbou ghassemieh, Human Resources Director, Anthony Gossner, Fire Chief, Art Hartinger of Renne Sloan Holtzman Sakai LLP, and Deborah Lauchner, Chief Financial Officer.

Employee Organizations: Santa Rosa Firefighters Association - Local 1401 (representing City Employee Unit 2).

**2.2 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-2563504

Mayor Coursey adjourned closed session at 4:05p.m. and reconvened the meeting to open session in the Council Chamber at 4:13 p.m.

**3. STUDY SESSION - NONE.**

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

**Present:** 6 - Mayor Chris Coursey, Vice Mayor Jack Tibbetts, Council Member Ernesto Olivares, Council Member Chris Rogers, Council Member John Sawyer and Council Member Tom Schwedhelm

**Absent:** 1 - Council Member Julie Combs

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

City Attorney Gallagher reported on Items 2.1 and 2.2 that Council provided direction and that there was no action to report.

#### **6. PROCLAMATIONS/PRESENTATIONS - NONE.**

#### **7. STAFF BRIEFINGS - NONE.**

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

##### **8.1 QUARTERLY REPORT OF SETTLEMENTS AND ACTIVE LITIGATION**

The City Attorney will report on settlements over \$50,000 within the second quarter of 2017 (04/01/2017 - 06/30/2017) as well as provide a summary of pending litigation against the City.

**Attachments:** [Memorandum](#)  
[Exhibits](#)

Presented by Sue Gallagher, City Attorney.

**This item was received and filed.**

#### **9. STATEMENTS OF ABSTENTION BY COUNCILMEMBERS**

Council Member Olivares announced he will be abstaining from Item 11.1.

Council Member Schwedhelm announced he will be abstaining from Item 11.1.

#### **10. MAYOR'S/COUNCILMEMBERS' REPORTS**

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

Mayor Coursey provided condolences and comments regarding the

violent rally that took place in Charlottesville, Virginia.

## **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 Schwedhelm provided a brief report on the Santa Rosa Violence Prevention Partnership meeting and Groundwater Sustainability Committee.

Council Member Sawyer provided a brief report on the Long Term Financial Audit 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 Groundwater Sustainability Agency (GSA)**

### **10.1.9 Other**

## **10.2 MATTERS FROM COUNCIL REGARDING FUTURE AGENDA ITEMS**

### **10.2.1 REQUEST FOR AGENDA ITEM REGARDING MAKING A CONTRIBUTION TO THE SONOMA COUNTY SECURE FAMILIES FUND**

BACKGROUND: At the August 8, 2017, City Council meeting, Vice Mayor Tibbetts requested a future agenda item to discuss making a contribution to the Sonoma County Secure Families Fund. Mayor Coursey concurred with the request.

Attachments: [Council Resolution No. RES-2017-017](#)

## PUBLIC COMMENT

Peter Tscherneff spoke in support of the item.

Chris Grabill spoke in support of the item.

**A motion was made by Vice Mayor Tibbetts, seconded by Mayor Coursey, to approve a future agenda item to discuss making a contribution to the Sonoma County Secure Families Fund. The motion carried by the following vote:**

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

**No:** 1 - Council Member Sawyer

**Absent:** 1 - Council Member Combs

## 11. APPROVAL OF MINUTES

11.1 July 18, 2017, Regular Meeting.

**Attachments:** [Draft Minutes](#)

**A motion was made by Council Member Sawyer, seconded by Mayor Coursey, to be approved as submitted. The motion carried by the following vote:**

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

**Absent:** 1 - Council Member Combs

**Abstain:** 2 - Council Member Olivares and Council Member Schwedhelm

## 12. CONSENT ITEMS

Approval of the Consent Agenda

**A motion was made by Vice Mayor Tibbetts, seconded by Council Member Olivares, to waive reading of the text and adopt Consent Items 12.1 through 12.3. The motion carried by the following vote:**

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

**Absent:** 1 - Council Member Combs

**12.1 RESOLUTION - CONTRACT AWARD - TYPE 1 FIRE APPARATUS**

RECOMMENDATION: It is recommended by the Finance and Fire Departments that the Council, by resolution, approve contract award for the purchase of two (2) Type 1 Fire Apparatus, construction progress meetings, training, warranty services, and a ten-year purchase plan option for future apparatus purchases to Hi-Tech Emergency Vehicle Service, Inc., of Oakdale, California, in the total amount not to exceed \$1,247,412.50.

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

**This Consent - Resolution was adopted.**

**12.2 RESOLUTION - REVOCABLE NON-EXCLUSIVE LICENSE AGREEMENT WITH ZIPCAR, INC**

RECOMMENDATION: It is recommended by the Finance Department that the Council, by resolution, approve a Revocable Non-Exclusive License Agreement with Zipcar, Inc., San Francisco, California, to park two car share vehicles in City owned parking lots.

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

**This Consent - Resolution was adopted.**

**RESOLUTION NO. RES-2017-158 ENTITLED: RESOLUTION OF THE COUNCIL OF THE CITY OF SANTA ROSA APPROVING A REVOCABLE NON-EXCLUSIVE LICENSE AGREEMENT WITH ZIPCAR, INC.**

**12.3 RESOLUTION - APPROVAL OF THIRD AMENDMENT TO PROFESSIONAL SERVICES AGREEMENT F001134 WITH RENNE SLOAN HOLTZMAN SAKAI LLP AND AMENDMENT TO THE FISCAL YEAR 2017-18 ADOPTED BUDGET**

RECOMMENDATION: It is recommended that the Council, by

resolution, (1) approve a Third Amendment to Professional Services Agreement F001134 with Renne Sloan Holtzman Sakai LLP, Public Law Group, to extend the Agreement for six months to June 30, 2018 and add additional funding in the amount of \$400,000 for a total Agreement amount not to exceed \$800,000 which includes \$192,423.46 in services performed in excess of the original not to exceed amount of \$400,000 for the period of April 2017 through June 2017 and (2) amend the fiscal year (FY) 2017-18 General Fund adopted budget in the Human Resources Department.

**Attachments:** [Staff Report](#)  
[Staff Report Revised 8/14/2017](#)  
[Resolution](#)  
[Resolution Revised 8/14/2017](#)  
[Exhibit A](#)  
[Presentation](#)

**This Consent - Resolution was adopted.**

**RESOLUTION NO. RES-2017-159 ENTITLED: RESOLUTION OF THE COUNCIL OF THE CITY OF SANTA ROSA APPROVING A THIRD AMENDMENT TO PROFESSIONAL SERVICES AGREEMENT F001134 WITH RENNE SLOAN HOLTZMAN SAKAI LLP AND AMENDING THE FISCAL YEAR 2017-18 ADOPTED BUDGET**

**12.4 RESOLUTION - EXTENSION OF PROCLAMATION OF LOCAL HOMELESS EMERGENCY**

RECOMMENDATION: It is recommended by the Housing and Community Services Department that the Council, by resolution, approve an extension of Resolution No. 28839 which formally proclaimed a local homeless emergency within Santa Rosa.

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

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

**RESOLUTION NO. RES-2017-160 ENTITLED: RESOLUTION OF THE COUNCIL OF THE CITY OF SANTA ROSA EXTENDING A PROCLAMATION OF LOCAL HOMELESS EMERGENCY (Government Code Sections 8630 et seq.)**

**The motion carried by the following vote:**

**Yes:** 5 - Mayor Coursey, Council Member Olivares, Council Member Rogers, Council Member Sawyer and Council Member Schwedhelm

**Absent:** 1 - Council Member Combs

**Recused:** 1 - Vice Mayor Tibbetts

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

**13. PUBLIC COMMENT ON NON-AGENDA MATTERS**

Della Lambert spoke regarding the safety concerns of crosswalk needed on the corners of Yulupa Avenue and Sacramento Avenue.

Colleen Fernald spoke regarding the events that took place in Charlottesville, Virginia.

Canini spoke regarding the fountains removed from the Courthouse Square.

Duane DeWitt spoke regarding the support of the Roseland annexation; and homelessness.

**14. REPORT ITEMS**

**14.1 REPORT - ADOPTION OF EMERGENCY OPERATIONS PLAN AND CONTINUITY OF OPERATIONS PLAN**

BACKGROUND: The Emergency Operations Plan (EOP) outlines how the City of Santa Rosa-its government, stakeholder agencies, community-based organizations, business community and residents-coordinate their response to major emergencies and disasters. This EOP is the ultimate authority for coordinating response and recovery operations in the City of Santa Rosa. Its primary intent is to govern such operations following incidents that require the involvement of multiple City departments, external organizations/jurisdictions, community stakeholders, other levels of government, or mutual aid.

The purpose of a Continuity of Operations Plan (COOP) is to provide the framework for City departments and divisions to restore mission essential functions and City operations if an emergency disrupts City services.

RECOMMENDATION: It is recommended by the Fire Department that the Council, by resolution, adopt the City of Santa Rosa Emergency Operations Plan - Part I (Base Plan) and City of Santa Rosa Continuity of Operations Plan.

**Attachments:**    [Staff Report](#)  
                          [Resolution](#)  
                          [Exhibit A](#)  
                          [Exhibit B](#)  
                          [Presentation](#)

Presented by Neil Bregman, Emergency Preparedness Coordinator.

#### PUBLIC COMMENT

Colleen Fernald spoke regarding her concerns to the safety of the community.

Canini spoke regarding the concerns of the city's infrastructure.

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

**RESOLUTION NO. RES-2017-161 ENTITLED: RESOLUTION OF THE COUNCIL OF THE CITY OF SANTA ROSA ADOPTING THE CITY OF SANTA ROSA EMERGENCY OPERATIONS PLAN, PART I (BASE PLAN) AND THE CITY OF SANTA ROSA CONTINUITY OF OPERATIONS PLAN**

**The motion carried by the following vote:**

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

**Absent:** 1 - Council Member Combs

**14.2      REPORT - CONFIRMATION OF THE CITY'S POSITION ON  
UPCOMING STATE HOUSING BILL LEGISLATION**



**BACKGROUND:** This is an opportunity for the Council to provide staff direction regarding the City's position related to the upcoming Housing Bill Package. While the list of bills to be included in the package have not been finalized, they are anticipated to include these twelve bills:

Possible funding proposals:

- SB 2 (Atkins): Building Homes and Jobs Act.
- SB 3 (Beall): Affordable Housing Bond Act of 2018.
- AB 71 (Chiu): Income taxes: credits: low-income housing: farmworker housing.
- ACA 11 (Caballero): California Middle Class Affordable Housing and Homeless Shelter: funding.

Possible streamlining/regulatory reform proposals:

- SB 35 (Weiner): Planning and zoning: affordable housing: streamlined approval process.
- SB 167 (Skinner)/AB 678: (Bocanegra): Housing Accountability Act.
- SB 540 (Roth): Workforce Housing Opportunity Zone.
- AB 72 (Santiago): Housing.
- AB 73 (Chiu): Planning and zoning: housing sustainability districts.
- AB 879 (Grayson): Planning and zoning: housing element.
- AB 1397 (Low): Local planning: housing element: inventory of land for residential development.
- AB 1515 (Daly): Planning and zoning: housing.

The finalized package is anticipated to be announced when the State Legislature returns from summer recess on August 21st.

**RECOMMENDATION:** It is recommended by the City Manager's Office that the Council, by motion, confirm its direction related to the upcoming Housing Bill Package.

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**Attachments:** [Staff Report](#)  
[Letter - Support SB2 - Building Homes & Jobs Act \(Atkins\)](#)  
[Letter - Support SB3 - Affordable Housing Bond Act of 2018](#)  
[Letter - Oppose SB35 - Planning and zoning affordable housing \(Weiner\)](#)  
[Bill Text - AB71](#)  
[Bill Text - AB72](#)  
[Bill Text - AB73](#)  
[Bill Text - AB879](#)  
[Bill Text - AB1397](#)  
[Bill Text - AB1515](#)  
[Bill Text - ACA11](#)  
[Bill Text - SB2](#)  
[Bill Text - SB3](#)  
[Bill Text - SB35](#)  
[Bill Text - SB167](#)  
[Bill Text - SB540](#)  
[Presentation](#)

Presented by David Guhin, Assistant City Manager, and David Gouin, Director of Housing and Community Services Department.

## PUBLIC COMMENT

Bob Hansen spoke in support of increasing housing development and the need of preserving water.

**A motion was made by Council Member Rogers, seconded by Council Member Schwedhelm, that the City support or oppose legislation consistent with the City's adopted housing action plan, encourage additional funding for affordable housing, prevent unfounded mandates, maintain local control over locally generated funding, and to be cognizant of size classifications that may adversely affect Santa Rosa's ability to compete. The motion carried by the following vote:**

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

**Absent:** 1 - Council Member Combs

### 14.2.1 REPORT - LEGISLATION - "MAKING CONSERVATION A CALIFORNIA WAY OF LIFE"

BACKGROUND: In May 2016, Governor Brown issued Executive Order B-37-16 requiring the development of a water conservation framework for California. In April 2017, the Governor released the final framework. AB 968 and AB 1654 (Rubio) were introduced to implement the water

conservation framework while preserving local control of water resources. In April 2017, the Mayor signed a letter of support for both AB 1654 and AB 968. AB 968 was held in the Assembly; AB 1654 was passed to the Senate. On July 11, 2017, the Senate Natural Resources and Water Committee, chaired by Senator Hertzberg, passed stripped down versions of the bills with the intent to amend the bills with input from the Senate, Assembly, Brown Administration and stakeholder groups. At the Committee hearing, Senator Hertzberg requested stakeholders to submit comments on the Committee's intent to develop legislation to implement the framework.

**RECOMMENDATION:** It is recommended by the Water Department that the Council, by motion, submit a letter providing comments to the Legislature regarding the development of legislation implementing the Governor's "Making Conservation a California Way of Life" framework.

**Attachments:**    [Staff Report](#)  
                          [Attachment 1](#)  
                          [Attachment 2](#)  
                          [Presentation](#)

Presented by Jennifer Burke, Deputy Director of the Water Department.

**A motion was made by Council Member Schwedhelm, seconded by Council Member Rogers, to submit a letter providing comments to the Legislature regarding the development of legislation implementing the Governor's "Making Conservation a California Way of Life" framework. The motion carried by the following vote:**

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

**Absent:** 1 - Council Member Combs

## 15. PUBLIC HEARINGS

- 15.1 PUBLIC HEARING - PARK LANE II APARTMENTS - REZONING REQUEST TO AMEND THE COURTSIDE VILLAGE POLICY STATEMENT TO ALLOW THE DEVELOPMENT OF A THREE-STORY, 24-UNIT APARTMENT COMPLEX LOCATED AT 1001 DOUBLES DRIVE, ASSESSOR'S PARCEL NO. 035-690-103, FILE NO. MJP14-010

**BACKGROUND:** This project proposes to construct a 24-unit, three story apartment building, accessory structures, and associated site improvements. The project requires a Rezoning to modify the Courtside Village Policy Statement to allow a density increase from 18 to 24 units per acre, a Conditional Use Permit for a multi-family residential use, and Design Review.

On June 22, 2017, the Planning Commission approved three resolutions adopting a Mitigated Negative Declaration for the project; a recommendation that Council approve an amendment to the Courtside Village Policy Statement, and a Conditional Use Permit for a density transfer and multi-family for the Development of the Park Lane II Apartments.

**RECOMMENDATION:** It is recommended by the Planning Commission and the Planning and Economic Development Department that the Council introduce a Rezoning ordinance to modify the language of the Courtside Village Planned Development Policy Statement to allow a density transfer for the development of Park Lane II Apartments, File No. MJP14-010.

**Attachments:** [Staff Report](#)  
[Attachment 1 - Disclosure Form](#)  
[Attachment 2 - Location Map](#)  
[Attachment 3a - Project Plans](#)  
[Attachment 3b - Project Plans](#)  
[Attachment 4 - Policy Statement \(Redlined, May 30, 2017\)](#)  
[Attachment 5 - Commission Supporting Docs](#)  
[Attachment 6 - Design Review Board Minutes - 03-20-2014](#)  
[Attachment 7 - Public Correspondence Ordinance Presentation](#)

Presented by Bill Rose, Supervisor Planner.

## PUBLIC HEARING

Seeing no one wishing to speak, Mayor Coursey opened and closed the public hearing at 6:25 p.m.

**A motion was made by Council Member Sawyer, seconded by Vice Mayor Tibbetts, to waive reading of the text and introduce:**

**ORDINANCE ENTITLED: ORDINANCE OF THE COUNCIL OF THE CITY OF**

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**SANTA ROSA APPROVING A REZONING REQUEST TO ALLOW A MODIFICATION TO THE COURTSIDE VILLAGE POLICY STATEMENT TO ALLOW A DENSITY TRANSFER FOR THE DEVELOPMENT OF THE PARK LANE II APARTMENTS, LOCATED AT 1001 DOUBLES DRIVE, ASSESSOR'S PARCEL NO. 035-690-103, FILE NO. MJP14-010**

**The motion carried by the following vote:**

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

**Absent:** 1 - Council Member Combs

**16. WRITTEN COMMUNICATIONS (AND POSSIBLE COUNCIL ACTION)**

- 16.1** QUARTERLY BOARDS, COMMISSIONS AND COMMITTEES ATTENDANCE REPORT - Provided for information.

Attachments: [Report](#)

This item was received and filed.

**17. PUBLIC COMMENTS ON NON-AGENDA MATTERS - NONE.**

**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 8:27 p.m. The next regularly scheduled meeting will take place on August 29, 2017, at a time set by the Mayor.

Approved on: September 5, 2017

/s/

Daisy Gomez  
City Clerk