

City Council Questions
January 14, 2020 Council Meeting

ITEM 3.1 CONDUCT ENVIRONMENTAL PLANNING COMMISSION APPLICANT INTERVIEWS

1. Were the special meetings on the adopted meeting schedule, or were they added after adoption of the meeting schedule? It would be good to know attendance at the meetings on the adopted schedule, meaning excluding meetings that were added to the schedule during the year.

The special meetings in 2016, 2018 and 2019 were not on the adopted meeting calendar. Only regular meetings (first and third Wednesday of the month) were listed on the adopted calendars. A meeting calendar was not adopted in 2017. Regular meetings are cancelled and special meetings are added throughout the year as needed.

2. In the Incumbent Attendance Report, what percentage of absences were unexcused?

Staff tracking of attendance did not note unexcused absences. Absences for which notification was provided in advance were considered to be excused.

The advisory body attendance requirements in Council Policy K-2 *Council Advisory Body Appointments* were reviewed by the Council Policy and Procedures Committee (CPPC) in December 2019. Per CPPC direction, staff will be returning to the CPPC for further discussion and clarification regarding attendance requirements including the definition of excused and unexcused absences and an allowable percentage of absences. Following CPPC review, the policy will go to the full Council for consideration. If the revisions are approved by Council, the City Clerk's Office will provide training on the revised policy to advisory body members and key advisory body support staff.

3. Can staff provide the attendance record of the other members of the EPC to provide a comparison point?

Attached is a report of attendance for all current EPC members. Attendance is reported for the current term through December 31, 2019.

ITEM 4.1 AMEND MCKELVEY PARK DETENTION BASIN SCVWD COORDINATION, PROJECT 14-54

1. Are furnishings typically paid for by the Construction/Conveyance Tax Fund?

Yes, when furnishings are purchased as part of a capital improvement project, Construction/Conveyance Tax funds can be used.

ITEM 6.1 ROWHOUSE DEVELOPMENT AT 851 AND 853 SIERRA VISTA AVENUE

1. The staff report says, “The DRC recommended approval of the project with design conditions requiring that the applicant provide additional landscape and pavers in the design.” Did that include pavers or some kind of permeable pavement on the driveway/ally and also the common area?

DRC recommendation was to add decorative pavers in both common open space areas and at the driveway entrance, guest parking spaces, and the area on the driveway connecting the two common open spaces areas. The applicant revised the plans since the DRC recommendation and these enhancements are included in the plan set (see Sheet AS-8).

2. Is the ground floor space on the homes designed so that they can be converted into JADUs?

The project has not been designed with a focus on future JADU creation, but the floor plan has the ability to create a JADU with minimal modifications.

3. Are any of the units currently rented to low-income households? Although TRAO benefits are not required because these are single-family homes, can we require some moving benefits as we are changing the zoning designation?

The three single-family homes are not covered under the CSFRA and none of the current tenants are low-income households. Anything beyond code requirements could be requested by Council.

4. Page 6 of staff report – rear setbacks – if the minimum required setback is 15’ for all three stories, why are the requirements broken out into the first two stories, and the third story?

The staff report has a typo. The rear setback requirement is a minimum of 10 feet for the first and the second stories and a minimum of 15 feet for the third story, similar to the side setback requirements.

5. Page 7 of staff report – the number of trees is going from 20 to 25, and the canopy coverage is going from 21% to 57%. This is a small increase in the number of trees, but a large increase in the canopy coverage. Can you provide more details on this?

The existing trees that are proposed for removal have small canopies based on a combination of their health, poor maintenance, and tree type. The replacement trees will result in greater canopy coverage at maturity due to the selection of replacement trees that have larger canopies than the existing tree types and the preservation of three large mature trees on site.

6. Pages 4 and 7 of staff report – is the “property” with three single family homes actually three “parcels”?

Yes, the three single family homes are located on three separate parcels.

**ITEM 7.2 ACCEPT CERTIFICATION OF REFERENDUM PETITION AGAINST ORDINANCE
15.19 AND TAKE
ACTION TO REPEAL THE ORDINANCE OR SUBMIT IT TO THE VOTERS**

1. Page 6 of staff report – is there any flexibility in the wording of the ballot question? In Santa Rosa a similar situation existed and the ballot question was different from the title of the ordinance. See attached document.

The City has some discretion in how the chief points and purposes of the ordinance are characterized. The ballot question must be objective and impartial, 75 words or less, and must follow the standard form prescribed in Elections Code Section 13120, “Shall the ordinance (stating the nature thereof, including any identifying number and title) be adopted?” For example, the title of the ordinance could be summarized or condensed in the ballot question.

2. Page 6 of staff report – in the priority section, does citizen mean US citizen or does this just mean in individual?

There is no case law interpreting the term “citizen” within the phrase “bona fide association of citizens” in the Elections Code. Election Code Section 9287 outlines the process by which the elections official must qualify the association. There is no explicit requirement that the members be U.S. citizens. Rather, the requirements focus on the valid formation of the association itself (articles of incorporation, bylaws, a Form 410 Statement of Organization, etc.). In light of these parameters, we do not believe a U.S. citizenship requirement exists in this context.

**Environmental Planning Commission Member Attendance
Period Covered: Current Term through December 31, 2019**

Incumbent Name	Number of Regular Meetings Attended	Total Number of Regular Meetings Held	Percentage of Attendance at Regular Meetings	Number of Special Meetings Attended	Total Number of Special Meetings Held	Percentage of Attendance at Special Meetings	Total Number of Regular and Special Meetings Attended	Total Number of Regular and Special Meetings Held	Percentage of Attendance at Regular and Special Meetings	Current Term Start
Pamela Baird	44	47	94%	6	7	86%	50	54	93%	4/5/2016
Margaret Capriles	11	12	92%	4	5	80%	15	17	88%	1/3/2019
Robert Cox	38	39	97%	6	6	100%	44	45	98%	1/1/2017
William Cranston	12	12	100%	4	5	80%	16	17	94%	1/3/2019
Preeti Hehmeyer	42	52	81%	4	7	57%	46	59	78%	1/1/2016
Kammy Lo	11	12	92%	4	5	80%	15	17	88%	1/3/2019
Joyce Yin	10	12	83%	5	5	100%	15	17	88%	1/3/2019