

**SANTA ROSA CITY COUNCIL MEETING MINUTES
THURSDAY, NOVEMBER 10, YEAR
COUNCIL CHAMBER, CITY HALL, 100 SANTA ROSA AVENUE
SPECIAL MEETING**

5:00 PM (CITY COUNCIL CHAMBER) [5:04:40 PM](#)

**1. CALL TO ORDER AND ROLL CALL
[5:09:16 PM](#)**

Mayor Olivares called the meeting to order at 5:04 p.m. Council Members present: Mayor Olivares, Vice Mayor Ours, Council Members Bartley, Gorin, Sawyer, Vas Dupre and Wysocky.

Mayor Olivares outlined the procedure for the meeting presentations and stated that 10 members from Occupy Santa Rosa had forfeited their two minutes to a representative from Occupy Santa Rosa to make a 20 minute presentation.

Council reordered the agenda to move public comment to after the Staff Report Presentation.

3. STATEMENTS OF ABSTENTION - None

4. REPORT ITEMS

**4.1 REPORT – ADOPTION OF URGENCY ORDINANCE – CAMPING ON PUBLIC PROPERTY (Continued from the November 8, 2011, Regular Meeting)
[5:37:52 PM](#)**

BACKGROUND: The City currently has an ordinance which was adopted in 1994 that prohibits camping on Public Property except on public campgrounds or by authority of a written permit. The City does not operate any public campgrounds at this time. The ordinance currently does not specify the requirements for a permit or a process for obtaining a permit. The issue of camping on public property has become an urgent issue for the City as a result of the Occupy Santa Rosa protest and the public health and safety conditions that have resulted from the camping that is occurring at City Hall. The Council has been provided information and comment from staff and the public at its meetings of November 1 and November 8. The council directed that a special meeting be called on this date to provide a resolution of this issue in order to provide direction

to staff and address the public health and safety concerns.

Two alternate Urgency Ordinances on Camping on Public Property are being presented for council consideration. One ordinance would eliminate the permitting option and establish a prohibition on any camping on public property unless the City designates a public campground. The second ordinance would set forth standards for issuance of a permit to allow for camping in designated areas on public property.

The City has an interest in protecting the public health and safety and in providing convenient and unobstructed access to and from City Hall and to preserve the aesthetics of City Hall including its landscaped areas. The City also desires to maintain, preserve and protect its property to prevent dangerous, unlawful or incompatible uses.

Neither of these ordinances would prohibit the right to assemble for free speech if the assembly does not include camping, camping facilities or camping paraphernalia.

RECOMMENDATION: It is the recommendation of the City Manager and the City Attorney that the Council adopt an Urgency Ordinance on Public Camping. It is a matter of council discretion as to which of these Urgency Ordinances should be adopted. The City Manager made the staff presentation.

City Manager Kathy Millison gave the presentation on two ordinances for Council consideration and updated the Council on the most recent meeting with Occupy Santa Rosa.

Walt Kruse from Sonoma County Environmental Health reported on his findings from a site visit of the Occupy Santa Rosa site.

Bill Shubin reported on the Fire Department concerns for public safety of the Occupy Santa Rosa site and the efforts of the Occupy Santa Rosa participants to mitigate those. Council discussion ensued.

Police Chief Tom Schwedhelm gave an update on the report given by Lt. Soares at the City Council meeting on Tuesday, November 8. Discussion ensued by the Council on the update.

City Attorney Caroline Fowler outlined the details of the two ordinances before the Council. Discussion ensued on the details of the ordinances.

MOVED by Council Member Wysocky seconded by Council Member Gorin, carried 5-2 vote (Mayor Olivares and Vice Mayor Sawyer voting NO), to adopt and waive reading of the text of

ORDINANCE NO. 3977 ENTITLED: URGENCY ORDINANCE OF THE COUNCIL OF THE CITY OF SANTA ROSA AMENDING SECITONS 11-20.010 AND 11-22.030 OF THE SANTA ROSA CITY CODE TO PROHIBIT CAMPING ON PUBLIC PROPERTY.

2. PUBLIC COMMENTS [6:44:41 PM](#)

The following people forfeited their two minutes of public comment to allow representatives of Occupy Santa Rosa to give a 20 minute presentation:

T. Ryan

Tom Mariani

Henry Brandwein

Adam Zucker

Maggi Munot

Elizabeth Gibbs

Maureen Washburn

Sebastian Edwards

Erin Lochman

Tandara Gray

Ben Browner and Arrow Flora gave a 20 minute presentation.

The following persons spoke in support to allow camping to the Occupy Santa Rosa movement:

Richard Canini

Peter Tscherneff

Anne Seeley

Michael Rupert

Patrick Murray

Ernie Carpenter

David Grabill

Shawn Hensley

Al Liner

Tom Krohmer

Andy Adam son

John Sharp

Alice Waco

James Curtis

Carol Guffanti Notley

Donald E. Garrison

Damon

Kenneth Bilecki

Attila Nagy

Martin Edwards

Carl Patrick

Lev Woolf

Marty McReynolds

Joseph Borges

William Kelly

Jackie Leonard

Donald Pruitt

Ellen Skagerberg

Tucker Johnson

Tess McDermott

Colleen Fernald

Nicko Wible

Robert Chernoff

Ellen Gordon

Crista Doty

Shawn Jones

Alex Davis
Richardo Roybal
Johnny King
Liz Basile
Casey Olson
Kevin Schneider
David Parks
Rachel Quintana
Tanya Brannan
Jorge Rebagliati
Rosie Farian
David Modesto
Frank Anderson
Nathan Musser
Philip Harlan
Gabriel Mandel-Leh
Kyle LaRue

Approved on: December 6, 2011

Stephanie Williams
Deputy City Clerk

The following persons spoke in opposition to allow camping to the Occupy Santa Rosa movement:

Jeanette McFall

Kirstin Merrihew

Council took a short break at 8:20 p.m.

The Mayor reconvened the meeting at 8:29 p.m.

Nick Baker from Catholic Charities reported on the services provided to the homeless in the community.

Council discussion ensued on the agenda item.

15. ADJOURNMENT OF SPECIAL [9:23:59 PM](#)

No other business was considered by the City Council at this Special Meeting.

Hearing no further business, Mayor Olivares adjourned the meeting at 9:24 p.m.