

**SANTA ROSA CITY COUNCIL MEETING MINUTES
TUESDAY, JANUARY 6, 2009
COUNCIL CHAMBER, CITY HALL, 100 SANTA ROSA AVENUE
REGULAR MEETING**

**2:00 P.M. (MAYOR'S CONFERENCE ROOM,
ROOM 10)**

1. CALL TO ORDER AND ROLL CALL

Mayor Gorin called the meeting to order at 2:00 p.m. in the Mayors Conference Room. Councilmembers present: Mayor Gorin; Vice Mayor Vas Dupre, Councilmembers Bender, Sawyer, Jacobi, Wysocky and Olivares.

**2. INTERVIEWS FOR BOARD OF BUILDING
REGULATION APPEALS**

The Council interviewed applicants Mark N. Obergfell, Greg Hurd, and Dan O'Rourke for four vacant positions on the Board of Building Regulation Appeals.

**3. ANNOUNCEMENT OF CLOSED SESSION
ITEM(S) AND ADJOURNMENT TO
CLOSED SESSION(S) IN MAYOR'S
CONFERENCE ROOM (ROOM 10, CITY
HALL)**

**3.1 CONFERENCE WITH LABOR
NEGOTIATORS**

Agency Designated Representatives: Greg Scoles, Deputy City Manager, Fran Elm, Human Resources Director and Chris Sliz, Human Resources Deputy Director

Employee Organizations: Santa Rosa Firefighters Association – Local 1401 (representing City Employee Unit 2); Operating Engineers Local 3, Maintenance and Utility System Operators (Employee Units 3 and 16); Santa Rosa City Employees Association (Employee Units 4, 6, 7); Santa Rosa Police Officers Association, (Employee Unit 5); Service Employees International Union Local 707, (Employee Units 8 and 14); Santa Rosa Police Management Association, (Employee Unit 9); Executive Management, Middle Management, and Confidential (Employee Units 10, 11 and 12).

**3.2 CONFERENCE WITH LEGAL COUNSEL –
ANTICIPATED LITIGATION**

Significant exposure to litigation pursuant to subdivision (b)(1) of Government Code section 54956.9. One potential case.

**3.3 CONFERENCE WITH LEGAL COUNSEL –
EXISTING LITIGATION – (Subdivision (a)
of Government Code section 54956.9)**

Name of case: Mitchel v. City of Santa Rosa, Arbitration proceeding

**3.4 ADJOURN CLOSED SESSION(S) AND
RECONVENE TO OPEN SESSION IN THE
COUNCIL CHAMBER**

**4. ANNOUNCEMENT OF ROLL CALL [4:09:58
PM](#)**

Councilmembers were present as noted above. Teen Council member Rena Wang was also in attendance.

**5. REPORT, IF ANY, ON STUDY SESSION(S)
AND CLOSED SESSION(S)**

City Attorney Fowler announced that the Council had met in closed session regarding Items 3.1 through 3.3 as listed on the agenda and that no action had been taken and there were no announcements to be made.

6. PROCLAMATIONS/PRESENTATIONS

**6.1 PROCLAMATION -- HUMAN
TRAFFICKING AWARENESS DAY [4:07:33
PM](#)**

Vice Mayor Vas Dupre presented the Human Trafficking Awareness Day proclamation to Christina Brenner, Sonoma County Human Services Commission, and Kathy Hargood, consultant on human trafficking, who spoke regarding the problem of human trafficking and announced an upcoming awareness event on January 11.

PUBLIC COMMENT [4:12:25 PM](#)

Peter Tscherneff spoke regarding human trafficking and human rights abuses.

**6.2 PRESENTATION – POLICE
COMMENDATIONS [4:14:17 PM](#)**

Councilmember Olivares introduced Police Lt. Steve Bair who presented William Midtlie and Richard Lankford with a Police Commendation for the heroic rescue of three-year-old Hailey Midtlie who had nearly drowned in the family swimming pool in August.

6.3 PRESENTATION -- ACHIEVEMENT OF EXCELLENCE IN PROCUREMENT AWARD FOR 2008 [4:19:13 PM](#)

City Purchasing Agent Jim Wright presented the Council with the City's Achievement of Excellence in Procurement Award, sponsored by the National Purchasing Institute, which had been awarded to the City for the fourth year in a row.

By consensus of the Council, Item 6.4 was added to the agenda as follows.

***6.4 PRESENTATION – SANTA ROSA CYCLING CLUB** [4:24:47 PM](#)

Craig Gaevert, President of the Santa Rosa Cycling Club, presented Mayor Susan Gorin with the Leader of the Pack Award in recognition of her advocacy on behalf of the City's cyclists.

7. STAFF BRIEFINGS

7.1 GARAGE CONVERSIONS [4:28:25 PM](#)

City Building Official Michael Whitaker briefed the Council on issues related to illegal garage conversions, the extent of reported violations and the problems associated with the permitting process.

PUBLIC COMMENT [4:38:41 PM](#)

Jack Osborne suggested roving inspectors.

Duane Dewitt suggested an amnesty program, use of redevelopment funds, and making it affordable housing.

Peter Tscherneff spoke regarding the need for housing for migrant workers.

Montana Podva asserted that people have a fundamental right to sleep where they choose.

7.2 BUDGET COMMUNITY OUTREACH [4:54:38 PM](#)

Pat Fruht, Assistant to the City Manager, reviewed the process by which community members would host small gatherings for a facilitated discussion to obtain citizen input regarding City service priorities. The community meetings would be scheduled during in January.

PUBLIC COMMENT

Duane DeWitt spoke in support.

8. APPROVAL OF MINUTES – NOVEMBER 25, 2008, DECEMBER 2, 2008 AND DECEMBER 9, 2008 REGULAR MEETING MINUTES [5:08:57 PM](#)

MOVED by Councilmember Jacobi, seconded by Councilmember Sawyer, carried 4-0-3 (Vice Mayor Vas Dupre and Councilmembers Olivares, Wysocky abstaining) to approve the minutes of the November 25, 2008 and the December 2, 2008 meetings as presented.

MOVED by Vice Mayor Vas Dupre, seconded by Councilmember Wysocky, carried 6-0-1 (Councilmember Jacobi abstaining), to approve the minutes of the December 9, 2008 meeting as corrected.

9. STATEMENTS OF ABSTENTION BY COUNCILMEMBERS

No statements of absence were given.

10. CONSENT ITEMS

PUBLIC COMMENT [5:12:58 PM](#)

Colleen Fernald encouraged use of local printers.

MOVED by Vice Mayor Vas Dupre, seconded by Councilmember John Sawyer, carried 6-1-0 (Councilmember Wysocky voting NO), to adopt and waive reading of the text of the motion in item 10.1 as follows:

10.1 MOTION -- CONTRACT EXTENSION - ADVENTURE GUIDE [5:11:24 PM](#)

MOTION AUTHORIZING THE CONTRACT EXTENSION FOR PRINTING SERVICES FOR AN ADDITIONAL ONE-YEAR TERM FOR THE ADVENTURE GUIDE TO CASEY PRINTING, KING CITY, CA, FOR A TOTAL AMOUNT OF \$40,000. FUNDS FOR THIS OPERATIONAL EXPENSE HAVE BEEN ALLOCATED IN THE FY 2008-2009 BUDGET OF THE RECREATION AND PARKS DEPARTMENT OPERATIONAL CHARGE NUMBER 3929, OBJECT CODE 54.

MOVED by Vice Mayor Vas Dupre, seconded by Councilmember John Sawyer, carried unanimously, to adopt and waive reading of the text of the resolutions in items 10.2 through 10.5 as follows:

10.2 RESOLUTION -- ASSESSMENT LIEN AGAINST THE REAL PROPERTY LOCATED AT 1737 W 3RD STREET [5:15:26 PM](#)

RESOLUTION NO. 27284 ENTITLED: RESOLUTION OF THE COUNCIL OF THE CITY OF SANTA ROSA CONFIRMING THE AMOUNT OF A SPECIAL ASSESSMENT, CONFIRMING AND ORDERING THE RECOVERY OF PENALTIES AND COSTS ASSESSED AND

IMPOSED BY THE ADMINISTRATIVE HEARING OFFICER FOR VIOLATIONS OF CITY CODE PROVISIONS OCCURRING ON THE PROPERTY AT 1737 WEST 3RD STREET, SANTA ROSA, A.P.N. 146-140-024, AND ORDERING THE ASSESSMENT BE COLLECTED ON THE TAX ROLL BY THE SONOMA COUNTY TAX COLLECTOR

10.3 RESOLUTION -- ASSESSMENT LIEN AGAINST THE REAL PROPERTY LOCATED AT 1745 W 3RD STREET

RESOLUTION NO. 27285 ENTITLED:
RESOLUTION OF THE COUNCIL OF THE CITY OF SANTA ROSA CONFIRMING THE AMOUNT OF A SPECIAL ASSESSMENT, CONFIRMING AND ORDERING THE RECOVERY OF PENALTIES AND COSTS ASSESSED AND IMPOSED BY THE ADMINISTRATIVE HEARING OFFICER FOR VIOLATIONS OF CITY CODE PROVISIONS OCCURRING ON THE PROPERTY AT 1745 WEST THIRD STREET, SANTA ROSA, A.P.N. 146-140-023, AND ORDERING THE ASSESSMENT BE COLLECTED ON THE TAX ROLL BY THE SONOMA COUNTY TAX COLLECTOR

10.4 RESOLUTION -- TWO GRANTS FOR THE EVERY 15 MINUTES PROGRAM

RESOLUTION NO. 27286 ENTITLED:
RESOLUTION OF THE COUNCIL OF THE CITY OF SANTA ROSA ACCEPTING TWO GRANTS FOR THE EVERY 15 MINUTES PROGRAM

10.5 RESOLUTION -- MID-BLOCK CROSSWALK ON STATE FARM DRIVE AND ON PEBBLECREEK DRIVE (PROPOSED STREET)

RESOLUTION NO. 27287 ENTITLED:
RESOLUTION OF THE COUNCIL OF THE CITY OF SANTA ROSA AUTHORIZING THE INSTALLATION OF A MID-BLOCK CROSSWALK ON STATE FARM DRIVE, 130 FEET EAST OF MCBRIDE LANE, AND PERMITTING A MID-BLOCK CROSSWALK ON PEBBLECREEK DRIVE, 250 FEET EAST OF BIRCH MEADOW STREET

11. REPORT ITEMS

11.1 REPORT – PARTICIPATION OF THE CITY OF SANTA ROSA IN COUNTY-WIDE RENEWABLE ENERGY FINANCING PROGRAM PURSUANT TO CALIFORNIA AB 811 [5:15:44 PM](#)

Assistant City Manager - Administrative Services Department Michael Frank said that the passage of Assembly Bill 811 authorizes cities and counties to assist willing property owners in financing the cost of installing distributed generation renewable energy sources or making energy efficient improvements that are permanently affixed to real property. He described a proposal by Sonoma County to administer a contractual assessment program which would provide this financing and, with the Council's consent, include offering it to property owners within the City of Santa Rosa.

PUBLIC COMMENT [5:30:50 PM](#)

Jack Osborne opposed the county acting as a financial institution, opposed increasing taxes, and questioned the benefit.

Duane DeWitt spoke in support and advocated making city buildings energy efficient.

Anne Seeley, Concerned Citizens for Santa Rosa, supported this as a positive, collaborative action regarding climate change.

Peter Tscherneff supported renewable energy and gardening.

John Jenkel, Graton, opposed encumbering properties.

Mr. Frank provided clarification on the financing structure, noting it is not connected to State debt, but that the County would issue bonds to be repaid through individual tax bills as property owners improve their homes with the loaned funds.

MOVED by Councilmember Jacobi, seconded by Councilmember John Sawyer, carried unanimously, to adopt and waive reading of the text of the resolution in item 11.1 as follows:

RESOLUTION NO. 27288 ENTITLED:
RESOLUTION OF THE COUNCIL OF THE CITY OF SANTA ROSA, STATE OF CALIFORNIA, CONSENTING TO INCLUSION OF PROPERTIES WITHIN THE CITY OF SANTA ROSA'S INCORPORATED AREA IN THE COUNTY OF SONOMA'S CONTRACTUAL ASSESSMENT PROGRAM TO FINANCE DISTRIBUTED GENERATION RENEWABLE ENERGY SOURCES AND ENERGY EFFICIENCY IMPROVEMENTS

12. PUBLIC APPEARANCES [5:48:44 PM](#)

The following made comments before the Council regarding items not on the agenda:

Jack Osborne encouraged car buying at this time and said limiting population was the key to green house gas reduction.

Duane Dewitt encouraged Mayor Gorin and Vice Mayor Vas Dupre to serve on the Roseland Annexation Subcommittee.

Richard Canini asked for and received clarification on certain items in the Annual Financial Report of the Redevelopment Agency, and questioned how bond debt could be repaid through tax increment when property values are flat.

John Jenkel opposed war.

Elizabeth Neylon opposed war and jail conditions.

Colleen Fernald opposed war and its impacts on domestic spending.

Peter Tscherneff spoke regarding the role of councilmembers.

Tom Krohmer opposed police abuse.

13. WRITTEN COMMUNICATIONS (AND POSSIBLE COUNCIL ACTION)

13.1 LIVABLE PLACES UPDATE [6:15:26 PM](#)

14. MAYOR'S/COUNCILMEMBERS' REPORTS

14.1 APPOINTMENTS TO CITY COUNCIL COMMITTEE ASSIGNMENTS [6:15:38 PM](#)

Mayor Gorin announced the following standing Committee assignments:

- BPU Liaison Committee: Gorin, Vas Dupre and Jacobi
- Budget & CIP: Gorin, Sawyer, Wysocky
- Downtown Committee: Bender, Gorin, Olivares
- Economic Development Subcommittee: Bender, Sawyer, Gorin
- Mayor's Gang Task Force: Olivares, Bender, Vas Dupre
- Solid Waste: Wysocky, Bender, Vas Dupre

Liaison positions were announced as follows:

- Art in Public Places: Sawyer with Gorin as alternate
- LOCC: Olivares
- LOCC Legislative Liaison: Olivares/Gorin
- Russian River Watershed: Vas Dupre

- Waterways Advisory: Sawyer, Jacobi
- Water Advisory Committee: Gorin with Vas Dupre and Jacobi as alternates

Ad Hoc Committee assignments were announced as follows:

- Budget Deficit Advisory Group: Sawyer, Gorin and, upon confirmation, Wysocky
- Courthouse Square Advisory Committee: Bender, Gorin
- Redevelopment Liaison Committee: Gorin, Sawyer (not currently functioning)
- Southwest Joint City/County Committee: Bender, Gorin, Olivares

City Department Committee appointments were announced as follows:

- Environmental Task Force: Jacobi, Bender, Gorin

The Mayor and members of the Council made announcements and reported on items of interest to the Council.

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

The City Manager and City Attorney made further announcements and reported on items of interest to the Council.

16. [IF NEEDED] – ANNOUNCEMENT OF ADDITIONAL CLOSED SESSION ITEM(S), ADJOURNMENT TO CLOSED SESSION(S), RECONVENEMENT TO OPEN SESSION, AND ANNOUNCEMENTS, IF ANY

There were no further announcements made.

17. ADJOURNMENT OF MEETING

Hearing no further business, Mayor Gorin adjourned the meeting at 6:44 p.m. The next regularly scheduled meeting will take place on January 13, 2009, at a time to be set by the Mayor.

Approved on February 3, 2009:

Susan Stoneman
City Clerk