

**SANTA ROSA CITY COUNCIL MEETING MINUTES
TUESDAY, JANUARY 13, 2009
COUNCIL CHAMBER, CITY HALL, 100 SANTA ROSA AVENUE
REGULAR MEETING**

3:00 P.M. (MAYOR'S CONFERENCE ROOM, ROOM 10)

1. CALL TO ORDER AND ROLL CALL

Mayor Gorin called the meeting to order at 3:00 p.m. Councilmembers present: Mayor Gorin; Vice Mayor Vas Dupre, Councilmembers Bender, Sawyer, and Wysocky. Absent: Councilmember Olivares. Councilmember Jacobi arrived at 3:20.

2. STUDY SESSION -- NONE

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, aintenance 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: Robert Brian Howell v. City of Santa Rosa, Sonoma County Superior Court No. SCV 240269

3.4 PUBLIC EMPLOYEE PERFORMANCE EVALUATION

Title: City Manager

3.5 PUBLIC EMPLOYEE PERFORMANCE EVALUATION

Title: City Attorney

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

4. ANNOUNCEMENT OF ROLL CALL [4:14:37 PM](#)

All members of the Council were present except Councilmember Olivares.

5. REPORT, IF ANY, ON STUDY SESSION(S) AND CLOSED SESSION(S) [4:15:18 PM](#)

City Attorney Fowler announced that the Council had met in closed session regarding Items 3.2 and 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 – HISPANIC CHAMBER OF COMMERCE [4:16:15 PM](#)

Vice Mayor Vas Dupre presented a proclamation to Juan Hernandez, President of the Hispanic Chamber of Commerce in honor of the chamber's work in the community. Board members Julio Martinez and Marco Suarez were also present.

6.2 PRESENTATION – CITY MENTORING PROGRAM [4:19:57 PM](#)

Anne Oliver made a presentation detailing the City's Mentoring program, in which protégés select mentors and develop mentoring plans.

6.3 PRESENTATION – TEEN COUNCILMEMBER RENA WANG [4:33:02 PM](#)

Mayor Gorin presented a proclamation in recognition of Teen Councilmember Rena Wang, who described what she would be doing as a Congressional Page for Congresswoman Woolsey during the next six months in Washington DC.

PUBLIC COMMENT ON CLOSED SESSION ITEMS [4:39:30 PM](#)

Jack Osborne suggested that the Council seek public input on the City Manager and City Attorney evaluations, and said he thinks they are doing a good job.

7. STAFF BRIEFINGS

7.1 URBAN FORESTRY PROCEDURES [4:41:17 PM](#)

Lisa Grant, Park Superintendent and municipal arborist, provided the Council with an overview of the City's urban forestry program and street tree services, policies and core services, and how the program would adapt to budget cuts. She also described tree removal permit policies and procedures and tree care workshops and services.

8. APPROVAL OF MINUTES – NONE

9. STATEMENTS OF ABSTENTION BY COUNCILMEMBERS [4:56:35 PM](#)

10. CONSENT ITEMS [4:56:52 PM](#)

PUBLIC COMMENT [4:57:24 PM](#)

Jack Osborne, 5636 Del Monte Court, asked for and received clarification regarding costs associated with item 10.1 and objected to the high expense and use of arbiters from out of town.

MOVED by Vice Mayor Vas Dupre, seconded by Councilmember Sawyer, carried 6-0-1 (Councilmember Olivares absent), to adopt and waive reading of the text of the resolution in item 10.1 as follows:

10.1 RESOLUTION -- AMENDMENT TO THE AGREEMENT WITH KAUFF, MCCLAIN & MCGUIRE, LLP AND A CONTRACT WITH LITTLER MENDELSON, P.C. FOR LEGAL SERVICES

RESOLUTION NO. 27289 ENTITLED:
RESOLUTION OF THE COUNCIL OF THE CITY OF SANTA ROSA APPROVING AMENDMENT TO THE AGREEMENT FOR LEGAL SERVICES WITH KAUFF, McCLAIN, & MCGUIRE, LLP, AND A CONTRACT S WITH LITTLER MENDELSON, P.C. FOR LEGAL SERVICES

11. REPORT ITEMS

11.1 REPORT – CITY COUNCIL GOALS AND STRATEGIES 2006-2008 SUMMARY REPORT [5:02:25 PM](#)

City Manager Kolin updated the Council on the City Council Goals and Strategies work plan progress

and achievements to date. The work plans were based on the City's Vision 2030, and the purpose of the update was to inform the Council of progress in preparation for the Council's upcoming goal setting sessions, which were scheduled for March 6 and 7, 2009.

MOVED by Councilmember Sawyer, seconded by Vice Mayor Vas Dupre, 6-0-1 (Councilmember Olivares absent), to adopt and waive reading of the text of the motion in item 11.1 as follows:

MOTION RECEIVING THE SUMMARY REPORT ON THE 2006 TO 2008 CITY COUNCIL GOALS AND STRATEGIES AND SCHEDULING A COUNCIL MEETING FOR MARCH 6 AND 7, 2009 TO DEVELOP NEW COUNCIL GOALS

11.2 REPORT -- UNIT DETERMINATION AND RECOGNITION OF THE SANTA ROSA CITY ATTORNEYS' ASSOCIATION AS THE MAJORITY REPRESENTATIVE FOR THE CLASSIFICATIONS OF DEPUTY AND ASSISTANT CITY ATTORNEY [5:15:44 PM](#)

Human Resources Director Fran Elm recommended that the Council recognize the Santa Rosa City Attorneys' Association as the exclusive representative for the classifications of Assistant City Attorney and Deputy City Attorney and establish a new employee Unit 17 – Professional - Attorneys.

PUBLIC COMMENT [5:17:55 PM](#)

Jack Osborne spoke in support.

MOVED by Councilmember Wysocky, seconded by Councilmember Bender, carried 6-0-1 (Councilmember Olivares absent), to adopt and waive reading of the text of the resolution in item 11.2 as follows:

RESOLUTION NO. 27290 ENTITLED:
RESOLUTION OF THE COUNCIL OF THE CITY OF SANTA ROSA FOR UNIT DETERMINATION AND RECOGNITION OF THE SANTA ROSA CITY ATTORNEYS' ASSOCIATION AS THE EXCLUSIVE REPRESENTATIVE FOR ALL CLASSIFICATIONS (ASSISTANT CITY ATTORNEY AND DEPUTY CITY ATTORNEY) WITHIN THE UNIT

11.3 REPORT -- UNIT RECOGNITION OF THE POLICE MANAGEMENT ASSOCIATION - UNIT 9, AS THE EXCLUSIVE BARGAINING REPRESENTATIVE FOR THE CITY'S CLASSIFICATIONS OF POLICE CAPTAIN, DEPUTY FIRE CHIEF, DEPUTY CHIEF - FIRE MARSHAL, BATTALION CHIEF AND

BATTALION CHIEF - TRAINING [5:20:45 PM](#)

Chris Sliz, Deputy Director of Human Resources, recommended that the Council recognize the Police Management Association - Unit 9 as the exclusive representative for the City's classifications of Police Captain, Deputy Fire Chief, Deputy Fire Chief - Fire Marshal, Battalion Chief and Battalion Chief - Training and change the name of the bargaining unit to "Public Safety Management". She noted that these positions were previously represented in Unit 11.

PUBLIC COMMENT [5:22:38 PM](#)

Jack Osborne recommended that instead of including these classifications in Unit 9 that they be recognized as their own Unit 18.

MOVED by Councilmember Jacobi, seconded by Councilmember Wysocky, carried 6-0-1 (Councilmember Olivares absent), to adopt and waive reading of the text of the resolution in item 11.3 as follows:

RESOLUTION NO. 27291 ENTITLED:
RESOLUTION OF THE COUNCIL OF THE CITY OF SANTA ROSA RECOGNIZING THE POLICE MANAGEMENT ASSOCIATION, UNIT 9, AS THE EXCLUSIVE BARGAINING REPRESENTATIVE FOR THE CITY'S CLASSIFICATIONS OF POLICE CAPTAIN, DEPUTY FIRE CHIEF, DEPUTY FIRE CHIEF – FIRE MARSHAL, BATTALION CHIEF AND BATTALION CHIEF – TRAINING

12. PUBLIC APPEARANCES [5:26:30 PM](#)

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

Jack Osborne said that mentoring should be done by supervisors.

Ricardo Gaudino, Golden State Historian, spoke regarding the Golden State History, Transportation, Ag and Education fund and efforts to promote knowledge of history and culture and the value of keeping local history alive. He presented the Council with an Alta California flag.

Patricia Foster, Junior College neighborhood resident, suggested the City consider the use of a community impact report similar to one used by Petaluma as well as community meetings for the Humboldt Bicycle Boulevard. She also requested a website calendar that shows all City meetings. She noted potential negative impacts to traffic and emergency response times created by the bicycle boulevard.

Richard Canini spoke regarding redevelopment financing and had questions regarding the comprehensive annual financial report. Staff offered to meet with him to address questions.

Colleen Fernald spoke regarding terrorism.

Kay Tokerud, Junior College neighborhood resident, said a group of residents had met regarding the Humboldt Street bike boulevard and were generally opposed.

Alan Thomas, 306 Boyce Street, reported on their neighborhood association's activities and announced the launch of their webpage (www.sr.westend.com).

Ian Miller, Graton, spoke against the war in Iraq.

John Jenkel, Graton, spoke against the war in Iraq.

Elizabeth Neylon spoke regarding President Bush.

13. WRITTEN COMMUNICATIONS (AND POSSIBLE COUNCIL ACTION) [6:07:44 PM](#)

14. MAYOR'S/COUNCILMEMBERS' REPORTS

14.1 APPOINTMENTS TO BOARDS AND COMMISSIONS [6:08:45 PM](#)

Councilmember Jacobi announced she had no changes to her established appointments.

Councilmember Sawyer announced the appointment of David Poulsen to the Planning Commission and Dan Galvin to continue on the Board of Public Utilities, and that he had three remaining appointments to make.

Vice Mayor Vas Dupre announced her appointment of Maria Canas to the Board of Community Services; Nancy Wang and Rev. Curtis Byrd to the Community Advisory Board; Stephanie Stoural to the Cultural Heritage Board; Ken MacNab to the Design Review Board; Ellen Harrington to the Luther Burbank Home and Gardens Board; Rick Meechan to the Board of Public Utilities; Caroline Banelos to the Planning Commission; Michael Morales to the Measure O Oversight Committee; and Jacob Bayless to the Bicycle and Pedestrian Advisory Committee.

Councilmember Bender announced her appointment of Beth Dadko to the Bicycle and Pedestrian Advisory Committee; Kim Costas to the Board of Community Services; Teejay Lowe to the Board of Public Utilities; Dave Johnson and Tanya Narath to the Community Advisory Board; Dan Flock to the Cultural Heritage Board; Daniel Streng to the Design Review Board; Scott Bartley

to the Planning Commission and John Taylor to the Measure O Oversight Committee.

Councilmember Wysocky announced his appointment of Michael Allen to the Planning Commission; Stephen Gale to the Board of Public Utilities; Elee Tsai to the Design Review Board; Mark Debacker to the Cultural Heritage Board; Jo Anne Cohn and Julie Combs to the Community Advisory Board; Paul Klassen to the Bicycle and Pedestrian Advisory Committee; and Lisa Maldonado to the Measure O Oversight Committee. He had not yet selected appointees to the Board of Community Services or the Luther Burbank Home and Gardens Board.

Mayor Gorin announced that all of her appointees would be returning with the exception of the following new appointees: Barbara Ramsey to the Board of Community Services and Ed Scheffield to the Measure O Oversight Committee.

There was Council consensus to advertise for Housing Authority and Redevelopment Agency Board and Personnel Board members, with the current members continuing to serve until those appointments are made by the Council.

14.2 APPOINTMENTS TO BOARD OF BUILDING REGULATIONS AND APPEALS
[6:21:47 PM](#)

MOVED by Councilmember Bender, seconded by Councilmember Vas Dupre, carried 6-0-1 (Councilmember Olivares absent), to appoint Mark Obergfell, Greg Hurd and Dan O'Rourke to the Board of Building Regulation and Appeals.

14.3 APPOINTMENTS OF CHAIRS FOR BOARDS AND COMMISSIONS [6:23:15 PM](#)

Mayor Gorin announced the following Chair appointments:

Bicycle and Pedestrian Advisory Board: Paul Klassen
Board of Building Regulation Appeals: Bill Dodson
Board of Community Services: Craig Lawson
Board of Public Utilities; Dick Dowd
Community Advisory Board: Tanya Narath
Cultural Heritage Board: Brian Much
Design Review Board: Ken MacNab
Luther Burbank Home and Gardens Board: Frank Haeg
Measure O Oversight Committee: Mark Ihde
Personnel Board: Alex Mallonee
Planning Commission: Vicki Duggan

Mayor Gorin noted that appointments may be for one year term with possible changes in the second year.

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 [6:40:01 PM](#)

Mayor Gorin adjourned the Council to closed session at 6:40 p.m. and announced the meeting would be adjourned in the memory of Jack Zeller, who had served on the Santa Rosa School Board.

17. ADJOURNMENT OF MEETING [6:40:43 PM](#)

Hearing no further business, Mayor Gorin adjourned the meeting at 7:15 p.m. The next regularly scheduled meeting will take place on January 27, 2009, at a time to be set by the Mayor.

Approved on March 3, 2009.

Susan Stoneman
City Clerk