

**SANTA ROSA CITY COUNCIL MEETING MINUTES
TUESDAY, MARCH 10, 2009
COUNCIL CHAMBER, CITY HALL, 100 SANTA ROSA AVENUE
REGULAR MEETING**

2:30 P.M. (CITY COUNCIL CHAMBER) [2:35:42 PM](#)

1. CALL TO ORDER AND ROLL CALL

Mayor Gorin called the meeting to order at 2:30 p.m. Councilmembers present: Mayor Gorin, Councilmembers Bender, Sawyer, Jacobi, Olivares and Wysocky. Vice Mayor Vas Dupre arrived at the meeting at 2:49 p.m.

2. STUDY SESSION

**2.1 REVENUE GENERATION OPTIONS
[2:35:49 PM](#)**

The Budget Staff presented several potential revenue generating options to the Council for review and input, focusing on adjustments to Sales Tax, Transient Occupancy Tax, and Business Tax. A parcel tax and an update to the City's Utility User's Tax were also discussed.

**2.2 EMERGENCY MEDICAL SERVICES (EMS) SUBSCRIPTION PROGRAM IMPLEMENTATION AND FEE SCHEDULE
[3:08:40 PM](#)**

Deputy Fire Chief Mark McCormick updated the Council on the department's review of a potential Emergency Medical Services (EMS) Subscription Program. The subscription cost would be \$48 per year per residence or business for each five employees with a maximum subscription cost of \$720 per year. Non-subscribers would be charged \$350 per qualified incident (a call where the City provides medical care). It was estimated that the program could generate \$1.7 to \$1.9 million and net \$1.4 to \$1.6 million.

PUBLIC COMMENT [3:36:12 PM](#)

Andrew Achison stated that he frequently sees a fully staffed engine respond to calls from the nearby Creekside convalescent center to drop off a couple of paramedics, and objected to the taxpayers funding the paramedical care at a for-profit healthcare facility. He also recommended smaller vehicles for fire officials and first responders.

Jack Thomas, president of Santa Rosa Firefighters, urged support of the concept of this program.

Members of the Council expressed support for bringing the program back for further Council consideration.

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); Police Management Association (Employee Unit 9); Santa Rosa City Attorneys' Association (Employee Unit 17), Santa Rosa Management Association (Employee Unit 18).

Unrepresented Executive Management, Middle Management, and Confidential Employees (Employee Units 10, 11 and 12).

3.2 PUBLIC EMPLOYEE PERFORMANCE EVALUATION

Title: City Attorney

3.3 PUBLIC EMPLOYEE PERFORMANCE EVALUATION

Title: City Manager

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

4. STUDY SESSION -- NONE

4:00 P.M. (CITY COUNCIL CHAMBER)

5. ANNOUNCEMENT OF ROLL CALL [4:09:19 PM](#)

Members of the Council were present as noted previously.

6. REPORT, IF ANY, ON STUDY AND CLOSED SESSION(S) [4:09:47 PM](#)

City Manager Kolin announced that the Council had previously met in study session to take up items 2.1 and 2.2. City Attorney Fowler announced that the Council had not met in closed session, but would take up the closed session items listed on the agenda at the conclusion of the open session items.

7. PROCLAMATIONS/PRESENTATIONS

6.1 PRESENTATION/PROCLAMATION -- CESAR CHAVEZ HEALTH FAIR [4:10:27 PM](#)

Councilmember Bender presented the Cesar Chavez Health Faire proclamation to event organizer Kean Witzeman of CalSERVES/Americorps, who briefed the Council on the event.

6.2 PROCLAMATION – HONORING LEVI LEIPHEIMER FOR WINNING AMGEN TOUR OF CALIFORNIA [4:17:27 PM](#)

This item was cancelled as Mr. Liepheimer was unavailable to attend the meeting.

8. STAFF BRIEFINGS

***7.1 TRANSIT REVENUE AND FUNDING UPDATE [4:17:36 PM](#)**

Transit Planner Joanne Parker updated the Council on recent developments in federal, state and local transit revenue sources in relation to the transit department's current and future year budgets, and outlined a strategic approach to developing sufficient funds for future transit service provision.

8. APPROVAL OF MINUTES – FEBRUARY 3, 2009 AND FEBRUARY 10, 2009 REGULAR MEETING MINUTES [4:50:31 PM](#)

The minutes of the February 3, 2009 and February 10, 2009 regular meetings were approved as submitted.

9. STATEMENTS OF ABSTENTION BY COUNCILMEMBERS [4:51:09 PM](#)

Councilmember Sawyer stated he would abstain from items pertaining to the Library and Courthouse Square in Item 11.1; Councilmember Jacobi stated she would abstain from discussion concerning the Round Barn on item 11.1.

10. CONSENT ITEMS -- NONE

11.1 CITYWIDE STRATEGIC PLANNING OF THE 2009 ECONOMIC STIMULUS PACKAGE (H.R. 1 - AMERICAN RECOVERY AND REINVESTMENT ACT [ARRA] OF 2009) [4:52:41 PM](#)

Assistant to the City Manager Pat Fruiht made the staff presentation for the stimulus package funding proposals going forward from the City of Santa Rosa. She provided an overview of the funding process and requirements. Staff outlined the proposed projects which included transportation infrastructure projects such as street overlays and intelligent transportation systems; transit projects such as bus replacements and preventive maintenance; emergency shelter; energy and environmental projects; and improvements to the City's water system infrastructure.

PUBLIC COMMENT [5:29:17 PM](#)

John Stewart, John Stewart Company, spoke of the housing and mixed use development they are working on in Railroad Square and are seeking Prop 1C funding to support elements of the project not expected to generate revenue. He said this and new markets tax credits are the resources they are seeking to offset the project's estimated \$25 million shortfall, and that they have been working with City staff on the application. He said that they need to have 20% match of the bond amount in stimulus funds to score sufficient points to obtain state funds.

Jack Osborne thought the City would be lucky to get \$10 million based on population.

MOVED by Vice Mayor Vas Dupre, seconded by Councilmember Sawyer, carried unanimously, to adopt and waive reading of the text of the motion and resolution in item 11.1 as follows:

MOTION: Authorizing an expedited process for recommending the award of construction contracts.

RESOLUTION NO. 27311 ENTITLED:
RESOLUTION OF THE COUNCIL OF THE CITY OF SANTA ROSA AUTHORIZING: (1) STAFF TO APPLY FOR AND ACCEPT GRANT FUNDS IN CONNECTION WITH THE AMERICAN RECOVERY AND REINVESTMENT ACT OF 2009; (2) TO EXECUTE ALL RELATED DOCUMENTS AND AGREEMENTS; AND (3) THE USE OF AN EXPEDITED CONSTRUCTION CONTRACT AWARD PROCESS

MOVED by Vice Mayor Vas Dupre, seconded by Councilmember Olivares, carried 6-0-1 (Councilmember Sawyer abstaining), to adopt and

waive reading of the text of the resolution in item 11.1 as follows:

RESOLUTION NO. 27312 ENTITLED:
RESOLUTION OF THE COUNCIL OF THE CITY OF SANTA ROSA AUTHORIZING: (1) STAFF TO APPLY FOR AND ACCEPT GRANT FUNDS IN CONNECTION WITH THE AMERICAN RECOVERY AND REINVESTMENT ACT OF 2009; (2) TO EXECUTE ALL RELATED DOCUMENTS AND AGREEMENTS; AND (3) THE USE OF AN EXPEDITED CONSTRUCTION CONTRACT AWARD PROCESS

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

RESOLUTION NO. 27313 ENTITLED:
RESOLUTION OF THE COUNCIL OF THE CITY OF SANTA ROSA AUTHORIZING: (1) STAFF TO APPLY FOR AND ACCEPT GRANT FUNDS IN CONNECTION WITH THE AMERICAN RECOVERY AND REINVESTMENT ACT OF 2009; (2) TO EXECUTE ALL RELATED DOCUMENTS AND AGREEMENTS; AND (3) THE USE OF AN EXPEDITED CONSTRUCTION CONTRACT AWARD PROCESS

MOVED by Vice Mayor Vas Dupre, seconded by Councilmember Bender, carried unanimously, to adopt and waive reading of the text of the resolution in item 11.1 as follows:

RESOLUTION NO. 27314 ENTITLED:
RESOLUTION OF THE COUNCIL OF THE CITY OF SANTA ROSA AUTHORIZING THE FILING OF AN APPLICATION FOR FEDERAL AMERICAN RECOVERY AND REINVESTMENT ACT OF 2009 FUNDING FOR THE OVERLAY PROJECT AND STATING THE ASSURANCE OF THE CITY TO COMPLETE THE PROJECT

MOVED by Vice Mayor Vas Dupre, seconded by Councilmember Bender, carried unanimously, to adopt and waive reading of the text of the resolution in item 11.1 as follows:

RESOLUTION NO. 27315 ENTITLED:
RESOLUTION OF THE COUNCIL OF THE CITY OF SANTA ROSA AUTHORIZING THE FILING OF AN APPLICATION FOR FEDERAL AMERICAN RECOVERY AND REINVESTMENT ACT OF 2009 (ARRA) FOR TRANSIT PREVENTATIVE MAINTENANCE AND BUS REPLACEMENT PROJECTS AND FOR TRANSIT FUNDING,

STATING THE ASSURANCE OF CITY TO COMPLETE THE PROJECT

11.2 PUBLIC HEARING – REZONING - MENDOCINO MARKETPLACE CONDOMINIUMS -2315-2335 LOMITAS AVENUE; APN 180-230-020 5:50:58 PM

Bill Rose, Senior Planner, made the staff presentation for the Planning Commission's approval of the Tentative Map to allow the subject property to be subdivided into 28 airspace condominium units, with common area, and their further recommendation that the Council adopt a rezoning to modify the existing PD 0429 (Mendocino Marketplace) Policy Statement to allow residential condominiums as a permitted use. He said the approved Tentative Map was conditioned upon the Council's adoption of the rezoning, which is consistent with the General Plan.

PUBLIC HEARING [5:55:51 PM](#)

Sonia Taylor opposed the rezoning, noting the project helped to convert Lomitas Avenue into a more residential street and helped meet transit oriented workforce housing needs. She said there had never been any intent for the apartments to be anything other than rentals as part of a very successful and innovative approach to affordable workforce housing achieved in cooperation with Safeway when they developed the site. She also requested that the condo conversion ordinance be addressed as soon as possible to prevent such conversions at will.

Jack Osborne objected to the lack of available information about the proposal.

Hearing no further testimony, Mayor Gorin closed the public hearing at [6:00:33 PM](#)

Mr. Rose said the applicant had indicated in the application their intent to keep the apartments as rentals for ten years; however the inception date of the ten year period was not made clear. He also indicated there was nothing in the original file committing to keep them as rentals permanently.

MOVED by Councilmember Bender, seconded by Councilmember Sawyer, motion failed 4-3 (Mayor Gorin, Vice Mayor Vas Dupre, Councilmembers Jacobi and Wysocky voting NO), to introduce and waive reading of the text of the ordinance in item 11.2 as follows:

ORDINANCE ENTITLED: ORDINANCE OF THE COUNCIL OF THE CITY OF SANTA ROSA AMENDING TITLE 20 OF THE SANTA ROSA CITY CODE – RECLASSIFICATION OF

PROPERTY LOCATED AT 2315-2335 LOMITAS AVENUE AMENDING THE POLICY STATEMENT (PD 0429 – MENDOCINO MARKETPLACE) TO ALLOW CONDOMINIUMS - FILE NUMBER REZ08-011

Approved on April 7, 2009

Susan Stoneman

12. PUBLIC COMMENTS ON NON-AGENDA MATTERS [6:07:53 PM](#)

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

Jack Osborne opposed the proposed EMS subscription program.

Kurt Bachnik requested that all as-built plans be kept on file, saying such plans would have helped him locate a costly water leak which had occurred in the planter strip in front of his house due to a tree root.

J.R. Rose requested that the Council adopt a resolution in support of changing federal eligibility rules so that seniors who receive very modest cost of living increases won't then become ineligible for needed services such as emergency food.

13. WRITTEN COMMUNICATIONS (AND POSSIBLE COUNCIL ACTION)

14. MAYOR'S/COUNCILMEMBERS' REPORTS [6:25:53 PM](#)

The Mayor and members of the Council made further 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 ITEMS(S), ADJOURNMENT TO CLOSED SESSION(S), RECONVENE TO OPEN SESSION, AND ANNOUNCEMENTS, IF ANY [6:37:54 PM](#)

The Council adjourned the open session and reconvened in closed session at 6:38 p.m. with all members of the Council present.

17. ADJOURNMENT OF MEETING

Hearing no further business, Mayor Gorin reconvened in open session and adjourned the meeting at 8:15 p.m. The next regularly scheduled meeting will take place on March 17, 2009, at a time to be set by the Mayor.