

**SANTA ROSA CITY COUNCIL MEETING MINUTES  
TUESDAY, MARCH 31, 2009  
COUNCIL CHAMBER, CITY HALL, 100 SANTA ROSA AVENUE  
REGULAR MEETING**

**3:00 P.M. (MAYORS CONFERENCE ROOM)**

**CALL TO ORDER AND ROLL CALL**

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

**1. 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)**

Duane DeWitt recommended, prior to commencement of the closed session, to freeze wages and not cut any street lighting.

**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); Public Safety Management, (Employee Unit 9); Santa Rosa City Attorneys' Association (Employee Unit 17).

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

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

**4:00 P.M. (CITY COUNCIL CHAMBER) [4:06:38 PM](#)**

**4. ANNOUNCEMENT OF ROLL CALL**

Members of the Council were present as noted above. Teen Council member Steven Mathew was also in attendance.

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

City Attorney Fowler announced that the Council had met in closed session to discuss Item 3.1 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 – LUTHER BURBANK HOME & GARDENS DONORS [4:08:28 PM](#)**

Councilmember Sawyer presented proclamations to Luther Burbank Home and Gardens donors as listed below:

Luther Burbank Savings, accepted by Alan Milner

Master Cleaners, accepted by Peter Masi

SRJC Culinary Arts, accepted by Michael Salinger

World of Carpets, accepted by Arnie and Gayle Cartston

**7. STAFF BRIEFINGS -- NONE**

**8. APPROVAL OF MINUTES – MARCH 3, 2009 REGULAR MEETING MINUTES [4:22:30 PM](#)**

The minutes of the March 3, 2009 Regular Council meeting were approved as presented.

MOVED by Councilmember Bender, seconded by Councilmember Jacobi, carried 5-0-2 (Mayor Gorin and Vice Mayor Vas Dupre absent) to continue Item 11.2 for one week.

**9. STATEMENTS OF ABSTENTION BY COUNCILMEMBERS [4:24:01 PM](#)**

City Attorney Fowler advised Council members that unless there was a material impact on property interests it was not necessary to abstain on the bicycle lane signage item.

There were no statements of abstention made.

**10. CONSENT ITEMS [4:25:12 PM](#)**

**PUBLIC COMMENT**

Jack Osborne pointed out the language in the Item 10.2 deferral agreement implied the City was the developer. He opposed the agreement, which subordinated the City's financial position, due to the risk.

Duane DeWitt supported item 10.1 but preferred painted bike lanes.

Peter Tcherneff, spoke in favor of green projects, gardens, bikes, and horse-drawn carriages.

MOVED by Councilmember Bender, seconded by Councilmember Jacobi, carried 5-0-2 (Mayor Gorin and Vice Mayor Vas Dupre absent), to adopt and waive reading of the text of the resolutions in items 10.1 and 10.2 as follows:

**10.1 RESOLUTION -- ALLOCATION OF TRANSPORTATION DEVELOPMENT ACT, ARTICLE III GRANT FUNDS**

**RESOLUTION NO. 27330 ENTITLED:**  
REQUESTING THE ALLOCATION OF FISCAL YEAR 2009-10 TRANSPORTATION DEVELOPMENT ACT, ARTICLE 3. PEDESTRIAN/BICYCLE PROJECT FUNDING FROM THE METROPOLITAN TRANSPORTATION COMMISSION

**10.2 RESOLUTION -- AGREEMENT FOR DEFERRAL OF PAYMENT OF CERTAIN DEVELOPMENT RELATED FEES FOR AMOROSA I; BURBANK HOUSING DEVELOPMENT CORPORATION - 2740 DUTTON MEADOW**

**RESOLUTION NO. 27331 ENTITLED:**  
APPROVING AN AGREEMENT FOR DEFERRAL OF PAYMENT OF CERTAIN DEVELOPMENT RELATED FEES FOR AMOROSA I PROJECT – BURBANK HOUSING DEVELOPMENT CORPORATION

**11. REPORT ITEMS**

**11.1 REPORT -- APPROVAL OF FUNDING AGREEMENT AND BENEFIT FINDINGS FOR STONY POINT ROAD WIDENING FROM HIGHWAY 12 TO HEARN AVENUE [4:37:22 PM](#)**

Kim Nadeau, Economic Development Program Specialist, made the staff presentation for the proposed funding agreement in the amount of

\$5,395,795 which authorized expenditure of Redevelopment Agency funds and made benefit findings for the Stony Point Road widening project from Highway 12 to Hearn Avenue. She displayed a map of the Southwest Redevelopment Project Area, where the widening project was primarily located. She described the reconstruction and widening project which would improve traffic and pedestrian circulation in order to improve economic growth in the area. She outlined the project budget which had been approved by the Redevelopment Agency and was contained in the funding agreement.

**PUBLIC COMMENT [4:41:44 PM](#)**

Jack Osborne noted that tax base was falling and questioned whether the incremental tax revenue would be realized.

Duane DeWitt, opposed widening the street, favoring instead traffic calming and bike paths and other design elements to slow traffic.

Peter Tcherneff opposed changing the street in order to maintain its beauty.

MOVED by Councilmember Jacobi, seconded by Councilmember Olivares, carried 5-0-2 (Mayor Gorin and Vice Mayor Vas Dupre absent), to adopt and waive reading of the text of the resolution in item 11.1 as follows:

**RESOLUTION NO. 27332 ENTITLED:**  
APPROVING A FUNDING AGREEMENT WITH THE REDEVELOPMENT AGENCY OF THE CITY OF SANTA ROSA AND MAKING CERTAIN BENEFIT FINDINGS FOR THE STONY POINT ROAD WIDENING PROJECT

**11.2 REPORT -- BUDGET DEFICIT MEASURE: MARCH 24 LIST #3 GENERAL FUND DEFICIT REDUCTION ITEMS (Continued from the March 24, 2009 Regular Meeting)**

It had been moved by Councilmember Bender, seconded by Councilmember Jacobi, carried 5-0-2 (Mayor Gorin and Vice Mayor Vas Dupre absent) to continue this item for one week.

Councilmember Sawyer reordered the agenda as follows:

**14. MAYOR'S/COUNCILMEMBERS' REPORTS [4:53:50 PM](#)**

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.

**5:00 P.M.**

**11.3 PUBLIC HEARING – TRANSPORTATION PERMIT FEES [5:01:42 PM](#)**

Rob Sprinkle, Supervising Engineer – Public Works, made the staff presentation for the increase in the single trip oversized or overweight vehicle transportation permit fee from \$15.00 to \$16.00 and annual transportation permits from \$85.00 to \$90.00. He said the last fee change had occurred in 1991 and that the proposed change would match the State and County transportation permit fee schedule. The increase would help defray permit processing costs.

PUBLIC HEARING [5:03:23 PM](#)

Hearing no public testimony, Councilmember Sawyer closed the public hearing at [5:03:29 PM](#)

MOVED by Councilmember Wysocky, seconded by Councilmember Bender, carried 5-0-2 (Mayor Gorin and Vice Mayor Vas Dupre absent), to adopt and waive reading of the text of the motion in item 11.3 as follows:

**RESOLUTION NO. 27333 ENTITLED:**  
ADOPTING A FEE SCHEDULE FOR  
TRANSPORTATION PERMITS

**11.4 PUBLIC HEARING - WEED AND RUBBISH ABATEMENT PROGRAM [5:04:05 PM](#)**

Toby Rey, Fire Inspector, made staff presentation for the hearing to receive any public objections to the implementation of the City's Weed and Rubbish Abatement Program, which authorizes the abatement of weeds and rubbish as a public nuisance. He recommended adoption of a resolution overruling any protests and authorizing the Fire Department to abate the nuisances.

PUBLIC HEARING [5:05:08 PM](#)

Hearing no public testimony, Councilmember Sawyer closed the public hearing at [5:05:25 PM](#)

MOVED by Councilmember Bender, seconded by Councilmember Olivares, carried 5-0-2 (Mayor Gorin and Vice Mayor Vas Dupre absent), to adopt and waive reading of the text of the motion in item 11.4 as follows:

**RESOLUTION NO. 27334 ENTITLED:**  
OVERRULING PROTESTS AND AUTHORIZING  
ABATEMENT OF WEEDS OR RUBBISH UPON  
OR IN FRONT OF CERTAIN PROPERTIES  
WITHIN THE CITY OF SANTA ROSA AS A  
PUBLIC NUISANCE

**12. PUBLIC COMMENTS ON NON-AGENDA MATTERS [5:05:54 PM](#)**

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

Jack Osborne spoke against gun control.

Duane DeWitt said that although there had been support for widening Stony Point Road, there was also opposition.

Elizabeth Neylon spoke out against war.

Peter Tcherneff, spoke about law enforcement and the Mexican drug cartel.

**13. WRITTEN COMMUNICATIONS (AND POSSIBLE COUNCIL ACTION)**

**13.1 LIVABLE PLACES UPDATED – FEBRUARY 2009**

**13.2 LOCAL GOVERNMENT COMMISSION REPORT – FEBRUARY 2009**

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

**17. ADJOURNMENT OF MEETING**

Hearing no further business, Councilmember Sawyer adjourned the meeting at 5:20 p.m. The next regularly scheduled meeting will take place on April 7, 2009, at a time to be set by the Mayor.

Approved on May 5, 2009:

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Susan Stoneman  
City Clerk