

**SANTA ROSA CITY COUNCIL MEETING MINUTES  
TUESDAY, APRIL 7, 2009  
COUNCIL CHAMBER, CITY HALL, 100 SANTA ROSA AVENUE  
REGULAR MEETING**

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

**1. CALL TO ORDER AND ROLL CALL  
[4:02:58 PM](#)**

Mayor Gorin called the meeting to order at 3:05 p.m. Present: Mayor Gorin, Councilmembers Sawyer, Jacobi, Olivares and Wysocky. Absent: Vice Mayor Vas Dupre and Councilmember Bender.

**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) 3:10 pm**

Duane Dewitt supported some staffing cuts in the Police Department, freezing some large projects, and doing public education.

**3.1 CONFERENCE WITH LABOR NEGOTIATORS**

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

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 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 CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION**

**(Subdivision (a) of Government Code Section 54956.9)**

Name of case: In re: Calpine Corporation, et al., Debtors: United States Bankruptcy Court Southern District of New York; Case No. 05-60200 (BRL)

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

**4:00 P.M. (CITY COUNCIL CHAMBER) [4:08:31 PM](#)**

**4. ANNOUNCEMENT OF ROLL CALL**

Members of the Council were present as noted above. Teen Council member Bayron Urbina of Roseland Charter Middle School was also present.

**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. She reported that Item 3.2 had been continued to the April 14 Agenda.

**6. PROCLAMATIONS/PRESENTATIONS**

**6.1 PROCLAMATION – NATIONAL ARTS PROGRAM DAY [4:06:23 PM](#)**

Councilmember Sawyer presented the proclamation for the Sixth Annual National Arts Program Exhibition and Competition to Tara Matheny Schuster, Recreation and Parks Department.

**7. STAFF BRIEFINGS**

**7.1 PHOTO CONTEST [4:09:49 PM](#)**

Pat Fruiht, Assistant to the City Manager, outlined the "Give Us Your Best Shot Photo Contest" for amateur photographers, which will showcase the community and the photography talents of local residents. She directed those interested in participating to the City website for details.

**8. APPROVAL OF MINUTES – MARCH 10, 2009 REGULAR MEETING MINUTES**

**[4:14:49 PM](#)**

The minutes of the March 10, 2009 Regular Council meeting were approved as submitted.

**9. STATEMENTS OF ABSTENTION BY COUNCILMEMBERS**

Councilmember Sawyer abstained from Item 10.2 due to the location of his business in the Parking District.

City Manager Kolin recommended continuation of Item 11.2.

MOVED by Councilmember Wysocky, seconded by Councilmember Olivares, carried 5-0-2 (Vice Mayor Vas Dupre and Councilmember Bender absent) to continue Item 11.2 until April 28.

**10. CONSENT ITEMS [4:15:27 PM](#)**

**PUBLIC COMMENT**

Jack Osborne asked for and received clarification on Items 10.1 and 10.2, and objected to paying an insurance commission.

Duane DeWitt requested better bus shelters throughout the county and opposed using minors for the minor decoy program and keeping a 25 mph speed limit on W. Third Street.

Peter Tscherneff asked for and received clarification on items 10.1, 10.2 and 10.5.

MOVED by Councilmember Sawyer, seconded by Councilmember Olivares, carried 5-0-2 (Vice Mayor Vas Dupre and Councilmember Bender absent), to adopt and waive reading of the text of the motion in item 10.1 and the text in the resolutions in items 10.3 through 10.6 as follows:

**10.1 MOTION -- CONTRACT EXTENSION - EMPLOYEE BENEFITS CONSULTANT/BROKER SERVICES**

**MOTION** EXTENDING CONTRACT NO. 06-8355 FOR EMPLOYEE BENEFITS CONSULTANT/BROKER SERVICES WITH ALLIANT INSURANCE SERVICES, INC., SAN FRANCISCO, CALIFORNIA, FOR AN ADDITIONAL TWO-YEAR TERM, IN THE TOTAL AMOUNT NOT TO EXCEED \$178,000 IN COMMISSIONS.

**10.3 RESOLUTION -- FY 2009 AND FY2010 ANNUAL GOAL FOR DISADVANTAGED BUSINESS ENTERPRISES (DBE) FOR PROJECTS USING FEDERAL TRANSPORTATION FUNDS**

**RESOLUTION NO. 27335 ENTITLED:** RESOLUTION OF THE COUNCIL OF THE CITY OF SANTA ROSA APPROVING THE FISCAL YEAR 2009 AND FISCAL YEAR 2010 ANNUAL GOALS FOR DISADVANTAGED BUSINESS

ENTERPRISES FOR PROJECTS UTILIZING FEDERAL TRANSPORTATION FUNDS

**10.4 RESOLUTION -- ACCEPTANCE OF PROPOSITION 1B FUNDS FROM CALIFORNIA TRANSIT SECURITY GRANT PROGRAM – CALIFORNIA TRANSIT ASSISTANCE FUND**

**RESOLUTION NO. 27336 ENTITLED:** RESOLUTION OF THE COUNCIL OF THE CITY OF SANTA ROSA AUTHORIZING AN APPLICATION TO THE GOVERNOR’S OFFICE OF HOMELAND SECURITY, CALIFORNIA TRANSIT SECURITY GRANT PROGRAM, CALIFORNIA TRANSIT ASSISTANCE FUND (CTSGP-CTAF), AND AUTHORIZING THE DIRECTOR OF THE DEPARTMENT OF TRANSIT AND PARKING TO EXECUTE FOR AND ON BEHALF OF THE CITY OF SANTA ROSA ANY ACTIONS NECESSARY FOR THE PURPOSE OF OBTAINING FINANCIAL ASSISTANCE PROVIDED BY THE GOVERNOR’S OFFICE OF HOMELAND SECURITY

**10.5 RESOLUTION -- ACCEPTANCE OF CALIFORNIA DEPARTMENT OF ALCOHOLIC BEVERAGE CONTROL GRANT AMENDMENT FOR POLICE MINOR DECOY PROGRAM [4:18:02 PM](#)**

**RESOLUTION NO. 27337 ENTITLED:** RESOLUTION OF THE COUNCIL OF THE CITY OF SANTA ROSA ACCEPTING A CALIFORNIA DEPARTMENT OF ALCOHOLIC BEVERAGE CONTROL GRANT AMENDMENT FOR POLICE MINOR DECOY PROGRAM

**10.6 RESOLUTION -- SPEED LIMITS ON WEST THIRD STREET [4:18:07 PM](#)**

**RESOLUTION NO. 27338 ENTITLED:** RESOLUTION OF THE COUNCIL OF THE CITY OF SANTA ROSA ESTABLISHING RADAR-ENFORCEABLE SPEED LIMITS ON WEST THIRD STREET

MOVED by Councilmember Wysocky, seconded by Councilmember Olivares, carried 4-0-2-1 (Vice Mayor Vas Dupre and Councilmember Bender absent and Councilmember Sawyer abstaining), to adopt and waive reading of the text of the motion in item 10.2 as follows:

**10.2 MOTION -- CONTRACT AWARD - CITY OF SANTA ROSA PARKING STRUCTURES #1, #3 & #9 2009 REPAIRS**

**MOTION** AWARDING A CONSTRUCTION CONTRACT IN THE TOTAL AMOUNT OF

\$568,193.00 TO THE LOWEST RESPONSIVE BIDDER, ASHRON CONSTRUCTION AND RESTORATION, INC. OF MOUNTAIN VIEW, CA, AND APPROVING A CONSTRUCTION CONTINGENCY OF 15 PERCENT FOR CITY OF SANTA ROSA PARKING STRUCTURES #1, #3 & #9 2009 REPAIRS

## 11. REPORT ITEMS

### 11.1 REPORT – MARINE SANCTUARY BILL [4:35:01 PM](#)

Pat Friiht, Assistant to the City Manager, explained that Congresswoman Lynn Woolsey has requested local governments within her jurisdiction to consider endorsement of the proposed Marine Sanctuary Bill which would modify the boundary of the National Marine Sanctuary to expand the area off Sonoma and Mendocino coasts by about 3500 square nautical miles as the area is one of the richest marine life and bird nesting areas in California.

The bill would prohibit the issuance of a lease or permit authorizing mineral or hydrocarbon exploration, development, production, or transportation by pipeline within the boundaries of the sanctuaries, as modified by this Act; and direct the Secretary of Commerce to complete: a draft supplemental management plan for each of the sanctuaries that focuses on management in the areas added by this Act; and a revised management plan for each of the sanctuaries.

#### PUBLIC COMMENT

Duane DeWitt spoke in support.

Jack Osborne spoke in opposition.

Peter Tcherneff spoke in support.

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

**MOTION DIRECTING THE MAYOR TO SEND CONGRESSWOMAN WOOLSEY A LETTER IN SUPPORT OF HR 223**

### 11.2 REPORT -- BUDGET DEFICIT MEASURE: MARCH 24 LIST #3 GENERAL FUND DEFICIT REDUCTION ITEMS (Continued from the March 31, 2009 Regular Meeting)

It had been moved by Councilmember Wysocky, seconded by Councilmember Olivares, carried 5-0-

2 (Vice Mayor Vas Dupre and Councilmember Bender absent) to continue Item 11.2 until April 28.

Mayor Gorin reordered the agenda as follows:

## 12. PUBLIC COMMENTS ON NON-AGENDA MATTERS [4:44:16 PM](#)

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

Duane DeWitt spoke regarding the growth of the homeless population who have no place to go.

Carolina Spence, Seniors Inc. Outreach Coordinator, explained that one class had been moved from the Bennett Valley Senior Center to share with the Finley Center, but had not meant to create any controversy.

Steve McCullagh, Aegis Senior Living, the applicant for Fountaingrove Lodge, commented on the lengthy application process and requested that a favorable recommendation with no further requirements from staff.

Richard Canini spoke in opposition to the Courthouse Square re-design.

Tanya Nareth, Executive Director of Leadership Institute for Ecology and Economy, recommended two books: *The Big Box Swindle* by Stacy Mitchell and *The Small Mart Revolution* by Michael H. Shuman.

Peter Tscherneff spoke regarding his problems with law enforcement and requested a meeting, and the drug wars.

Elizabeth Neylon spoke out against war.

## 5:00 P.M.

### 11.3 PUBLIC HEARING – PARTICIPATION IN THE STATEWIDE COMMUNITY INFRASTRUCTURE PROGRAM (SCIP) SPONSORED BY THE CALIFORNIA STATEWIDE COMMUNITIES DEVELOPMENT AUTHORITY (CSCDA) [5:12:44 PM](#)

Marie Meredith, Deputy Director – Planning, made the staff presentation for the proposal for the City to adopt the SCIP program. The SCIP Program finances development impact fees through the issuance of tax exempt bonds by the Statewide Communities Development Authority. She said this was being brought back following Council direction on November 25, 2008, after the Council discussed deferral of impact fees. Staff had reviewed the program and recommended authorizing the City to join the program.

Nancy Manchester, Housing and Economic Department, spoke regarding the City's interests and benefits of the program.

James Hamill of Statewide Community Development authority outlined the program in detail.

**PUBLIC HEARING [5:32:05 PM](#)**

Jack Osborne said this program gets around Proposition 13, and objected to an assessment lien on the property and the 15% cost.

Hearing no further testimony, Mayor Gorin closed the public hearing at 5:35 p.m.

Staff explained that the SCIP program expands the options available to developers to assist with infrastructure and fee requirements, and had been brought forward as an alternative to requests for fee deferrals.

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

**RESOLUTION NO. 27339 ENTITLED:  
RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SANTA ROSA AUTHORIZING THE CITY TO JOIN THE STATEWIDE COMMUNITY INFRASTRUCTURE PROGRAM; AUTHORIZING THE CALIFORNIA STATEWIDE COMMUNITIES DEVELOPMENT AUTHORITY TO ACCEPT APPLICATIONS FROM PROPERTY OWNERS, CONDUCT SPECIAL ASSESSMENT PROCEEDINGS AND LEVY ASSESSMENTS WITHIN THE TERRITORY OF THE CITY OF SANTA ROSA; APPROVING FORM OF ACQUISITION AGREEMENT FOR USE WHEN APPLICABLE; AND AUTHORIZING RELATED ACTIONS**

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

**\*14.1 MAYOR'S AND COUNCILMEMBERS' ASSOCIATION APPOINTMENTS TO LAFCO, ABAG EXECUTIVE BOARD, COUNTY AGRICULTURAL PRESERVATION & OPEN SPACE DISTRICT ADVISORY COMMITTEE AND COUNTY HUMAN SERVICES COMMISSION**

MOVED by Councilmember Jacobi, seconded by Councilmember Wysocky, carried 5-0-2 (Vice Mayor Vas Dupre and Councilmember Bender

absent), to appoint Teresa Barrett to the City Selection Committee and Pam Stafford as alternate, and delegate discretion to Mayor Gorin.

MOVED by Councilmember Jacobi, seconded by Councilmember Wysocky, carried 5-0-2 (Vice Mayor Vas Dupre and Councilmember Bender absent), to appoint Petaluma Mayor Pam Torliatt to the ABAG Executive Committee and Mayor Gorin as Alternate.

MOVED by Councilmember Jacobi, seconded by Councilmember Wysocky, to appoint Lori Gallian and Janet Orchard to the Sonoma County Agricultural Preservation and Open Space District Advisory Committee.

Councilmember Wysocky and Vice Mayor Vas Dupre each volunteered to serve on the third available seat on the Sonoma County Agricultural Preservation and Open Space District Advisory Committee.

MOVED by Councilmember Sawyer, seconded by Councilmember Jacobi, carried 5-0-2 (Vice Mayor Vas Dupre and Councilmember Bender absent), to give Mayor Gorin full discretion to vote for the third position.

MOVED by Councilmember Wysocky, seconded by Councilmember Sawyer, carried 5-0-2 (Vice Mayor Vas Dupre and Councilmember Bender absent), to appoint Councilmember Jacobi to a second two-year term to the Sonoma County Human Services Commission.

**14. MAYOR'S/COUNCILMEMBERS' REPORTS**

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

Teen Councilmember Bayron Urbina reported on the Teen Council's activities.

Foreign Exchange Student Jasmine Linde of Boras, Sweden, who was being hosted by Councilmember Wysocky's family, spoke regarding her experiences as a student visiting Santa Rosa, saying she enjoyed American culture and planned to return.

**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.

**12. PUBLIC COMMENTS ON NON-AGENDA MATTERS (continued) [5:58:31 PM](#)**

Portia Sinnott, Portia ?? – sustainable practices group on how to take care of your bike, hang clothes on the line, ride the bus. Encouraged all of us on Earth Day to ride the bus (April 22<sup>nd</sup>).

**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, Mayor Gorin adjourned the meeting at 6:11 p.m. The next regularly scheduled meeting will take place on April 14, 2009, at a time to be set by the Mayor.

Approved on May 12, 2009:

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Susan Stoneman  
City Clerk