

**SANTA ROSA CITY COUNCIL MEETING MINUTES  
TUESDAY, MAY 5, 2009  
COUNCIL CHAMBER, CITY HALL, 100 SANTA ROSA AVENUE  
REGULAR MEETING**

**2:30 P.M. (MAYORS CONFERENCE ROOM)**

**1. CALL TO ORDER AND ROLL CALL**

Mayor Gorin called the meeting to order at 2:30 p.m. in the Mayors Conference Room.  
Councilmembers present: Mayor Gorin; Vice Mayor Vas Dupre, Councilmembers Bender, Jacobi, Olivares, Sawyer, and Wysocky.

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

**2.1 PUBLIC EMPLOYEE PERFORMANCE EVALUATION**

Title: City Attorney

**2.2 PUBLIC EMPLOYEE PERFORMANCE EVALUATION**

Title: City Manager

**2.3 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).

**2.4 ADJOURN CLOSED SESSION(S) AND RECONVENE TO STUDY SESSION IN THE COUNCIL CHAMBER**

**3:00 P.M. (CITY COUNCIL CHAMBER)**

Mayor Gorin reconvened the meeting in open session in the Council Chamber at 3:00 p.m. Members of the Council were present as noted above.

**3. STUDY SESSION [3:01:30 PM](#)**

**3.1 CALIFORNIA ENVIRONMENTAL QUALITY ACT**

Whit Manley, of the Sacramento law firm Remy, Thomas, Moose and Manley, specializing in environmental law. Mr. Manley's practice focuses on CEQA. He provided the Council with a broad overview of the purposes of the CEQA and the CEQA process.

**PUBLIC COMMENT**

Duane DeWitt, environmental planner, urged the Council to save local endangered species and their habitats.

**3.2 ADJOURN STUDY SESSION TO MAYOR'S CONFERENCE ROOM [4:19:46 PM](#)**

**3.3 SHORT RECEPTION FOR CHERKASSY SISTER CITY REPRESENTATIVE, SERGEI SAYENKO**

Members of the Council greeted Sergei Sayenko of Cherkassy at a reception in the Mayors Conference Room.

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

**4. ANNOUNCEMENT OF ROLL CALL [4:39:30 PM](#)**

Vice Mayor Vas Dupre reconvened the meeting in the Council Chamber at 4:39 p.m. with all members of the Council present except Mayor Gorin, who returned to the meeting at 5:18 p.m. Teen Council member Bayron Urbina was also present.

**5. REPORT, IF ANY, ON STUDY AND CLOSED SESSION(S) [4:45:55 PM](#)**

Assistant City Attorney Suzanne Rawlings reported that the Council had met in closed session regarding items 2.1 through and 2.3 as listed on the agenda and that there was no action taken or announcement to be made.

**6. PROCLAMATIONS/PRESENTATIONS**

**6.1 PRESENTATION – INTRODUCTION OF CHERKASSY, UKRAINE SISTER CITY REPRESENTATIVE, SERGEI SAYENKO**  
[4:46:45 PM](#)

Fred Ptucha introduced Mr. Sayenko, a member of the Cherkassy City Council and president of their Rotary Club. He also introduced the translator, Olga, a university student from Cherkassy. Mr. Sayenko greeted members of the Council and invited them to Cherkassy, and spoke of student interest in exchange programs.

**PUBLIC COMMENT**

Duane DeWitt supported student exchanges and visits to Cherkassy.

**6.2 PROCLAMATION – WATER AWARENESS MONTH – WATER CONSERVATION AWARDS**  
[4:47:13 PM](#)

Councilmember Jacobi presented the Water Awareness Month proclamation, which was accepted by Water Conservation Program Coordinator Dan Mulerath, who spoke regarding water conservation activities taking place during Water Awareness Month. He also presented Water Conservation Awards to John Helm who participated in the low flow program and cut landscape water use by over 50%; Francis Fagen who also participated in the Go Low Flow program and averages just 27 gallons per day per person of water use; and John Kopshever, Sonoma Mountain Landscapes, who also works hard on water conservation.

**6.3 PROCLAMATION – WELFARE LEAGUE, RAILROAD SQUARE**  
[4:56:45 PM](#)

Councilmember Bender presented the Welfare League of Santa Rosa proclamation to Jennifer Girvin, President of the Welfare League who was accompanied by League Members Erlene Reichert and Bruna Rose.

**6.4 PROCLAMATION – AFFORDABLE HOUSING WEEK**  
[5:00:29 PM](#)

Vice Mayor Vas Dupre presented the Affordable Housing proclamation which was accepted by Tom Brandon of Sonoma County Housing Coalition.

**7. STAFF BRIEFINGS**  
[5:04:14 PM](#)

**7.1 NEW EMAIL ALERT CAPABILITY NOW AVAILABLE ON SRCITY.ORG**  
[5:04:16 PM](#)

Technology Officer Eric McHenry announced that subscription based email alerts were available to help keep residents informed.

**PUBLIC COMMENT**

Duane DeWitt spoke in support.

Peter Tcherneff spoke in support and volunteered to serve on a police review board.

**8. APPROVAL OF MINUTES – MARCH 31, 2009 AND APRIL 7, 2009 REGULAR MEETING MINUTES**  
[5:15:13 PM](#)

The Minutes of the March 31, 2008 Regular Meeting were approved as submitted, with Vice Mayor Vas Dupre abstaining and Mayor Gorin absent.

The Minutes of the April 7 Regular Meeting were approved as submitted with Vice Mayor Vas Dupre and Councilmember Bender abstaining, and Mayor Gorin absent.

**9. STATEMENTS OF ABSTENTION BY COUNCILMEMBERS**  
[5:16:40 PM](#)

There were no statements of abstention made.

**10. CONSENT ITEMS**  
[5:16:55 PM](#)

Item 10.2 was pulled from the agenda.

At this point Mayor Gorin returned to the meeting.

**PUBLIC COMMENT**  
[5:18:55 PM](#)

Duane DeWitt spoke regarding Item 10.4, saying the same request should be made of MTC for the Sebastopol Road Corridor.

MOVED by Vice Mayor Vas Dupre, seconded by Councilmember Sawyer, carried unanimously, to adopt and waive reading of the text of the motion in item 10.1 and resolutions in items 10.3 and 10.4 as follows:

**10.1 MOTION -- CONTRACT EXTENSION - JANITORIAL SERVICES**

**MOTION:** EXTENDING CONTRACT NO. 05-8222 FOR JANITORIAL SERVICES FOR VARIOUS CITY FACILITIES WITH UNIVERSAL BUILDING SERVICES, INC., RICHMOND, CALIFORNIA, FOR AN ADDITIONAL ONE-YEAR TERM WITH NO INCREASE IN CONTRACT UNIT PRICE IN THE TOTAL AMOUNT OF \$364,144.54. FUNDS FOR THIS OPERATIONAL EXPENSE ARE ALLOCATED IN THE FY 09-10 BUDGETS OF VARIOUS DEPARTMENTS.

**10.3 RESOLUTION -- AMENDMENT TO THE CITY CLASSIFICATION AND SALARY PLAN TO CREATE THE CLASSIFICATION OF SENIOR WATER SYSTEMS TECHNICIAN**

**RESOLUTION NO. 27359 ENTITLED:**  
RESOLUTION OF THE COUNCIL OF THE CITY

OF SANTA ROSA AMENDING THE CITY CLASSIFICATION AND SALARY PLAN TO CREATE THE JOB CLASS OF SENIOR WATER SYSTEMS TECHNICIAN

**10.4 RESOLUTION -- AMERICAN RECOVERY AND REINVESTMENT ACT – MENDOCINO AVENUE INTELLIGENT TRANSPORTATION SYSTEM**

**RESOLUTION NO. 27360 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 MENDOCINO AVENUE INTELLIGENT TRANSPORTATION SYSTEM PROJECT AND STATING THE ASSURANCE OF THE CITY TO COMPLETE THE PROJECT

This following item appeared on the agenda but was pulled at the meeting and received no Council action:

**10.2 RESOLUTION-- ASSESSMENT LIEN AGAINST THE REAL PROPERTY LOCATED AT 417 LINCOLN STREET**

**RESOLUTION 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 OCCURING ON THE PROPERTY AT 417 LINCOLN STREET, SANTA ROSA, A.P.N. 010-011-039, AND ORDERING THE ASSESSMENT BE COLLECTED ON THE TAX ROLL BY THE SONOMA COUNTY TAX COLLECTOR

**11. REPORT ITEMS**

**11.1 REPORT -- ADOPTION OF MOU - UNIT 5 - POLICE OFFICERS [5:20:41 PM](#)**

Human Resources Director Fran Elm made the staff presentation. The City's representatives and representatives from City's Employee Unit #5 – Police Officers, represented by the Santa Rosa Police Officers Association, had met and conferred concerning a new agreement. In recognition of the City's unique financial difficulty and the Unit's interest in maintaining high service levels to the community and the optimal level of sworn personnel, the unit had agreed to forego all salary increases for the duration of its agreement. These concessions, amounting to \$3,047,020 in salary savings over two years, would fund 25 Police Officer positions for employees scheduled for layoff

on June 30, 2009. Ms. Elm recommended, on behalf of the City's Negotiating Team, that the Council adopt the Memorandum of Understanding for and on behalf of the City's Employee Unit #5 – Police Officers, effective July 1, 2009 and ending June 30, 2011.

Ken Johnson, President of Santa Rosa Police Officers Association, spoke in support.

**PUBLIC COMMENT**

John Jenke spoke against the cost of war in Iraq.

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

**RESOLUTION NO. 27361 ENTITLED:**  
RESOLUTION OF THE COUNCIL OF THE CITY OF SANTA ROSA ADOPTING A MEMORANDUM OF UNDERSTANDING FOR AND ON BEHALF OF THE EMPLOYEES IN THE CITY'S UNIT #5 – POLICE OFFICERS

**11.2 REPORT –ADOPTION OF MOU - UNIT 9 - PUBLIC SAFETY MANAGERS [5:26:17 PM](#)**

Human Resources Director Fran Elm made the staff presentation. The City's representatives and representatives from City Employee's Unit 9 – Public Safety Managers, represented by the Police Management Association, had met and conferred concerning a new agreement. Police Management negotiated in coalition with the Police Officers Association and recognized the City's unique financial difficulty. The same salary concessions of foregoing 8.9% of projected salary increases were agreed to by both groups. Police Management concessions amounted to \$735,840 in salary savings over two years and saved one Police Sergeant position scheduled for elimination on July 1, 2009. Fire Managers had agreed to take the same concessions as Firefighters Unit 2 – 1401. Effective July 2009, the Fire Managers would receive a 4.5% salary increase offset in the same manner as done by 1401. The offset methodology for Fire Managers was to be finalized and memorialized in the agreement during the scheduled contract opener. Effective July 4, 2010 the Fire Managers would receive a fixed 3.5% increase in lieu of a previously agreed-to survey based increase which was projected to be 8%. Ms. Elm recommended, on behalf of the City's Negotiating Team that the Council adopt the Memorandum of Understanding for and on behalf of the City's Employee Unit #9 – Public Safety Managements effective July 1, 2009 and ending June 30, 2011.

Steve Fraga of the Police Management Association spoke of the collaborative process and stated support for the agreement.

#### PUBLIC COMMENT

John Jenkel spoke against the cost of war.

MOVED by Councilmember Jacobi, seconded by Councilmember Sawyer, carried unanimously, to adopt and waive reading of the text of the resolution in item 11.2 as follows:

**RESOLUTION NO. 27362 ENTITLED:**  
RESOLUTION OF THE COUNCIL OF THE CITY OF SANTA ROSA ADOPTING A MEMORANDUM OF UNDERSTANDING FOR AND ON BEHALF OF THE EMPLOYEES IN THE CITY'S UNIT #9 – PUBLIC SAFETY MANAGEMENT

#### **11.3 REPORT – ADOPTION OF MOU – UNIT 14 - POLICE CIVILIAN TECHNICAL UNIT REPRESENTED BY THE SERVICE EMPLOYEES INTERNATIONAL UNION LOCAL 1021 [5:32:36 PM](#)**

Human Resources Director Fran Elm made the staff presentation. The Memorandum of Understanding for City Employee's Unit 14, Police Civilian Technical Unit, expired on June 30, 2008. Meet and confer had continued since that time and a tentative agreement had been reached on a successor contract. The tentative agreement was consistent with Council's budget reduction goals. The proposed package contained salary concessions as the Unit had agreed to forego 7% of the projected salary increases, as listed in the City's five year forecast, for the duration of the contract. This savings would help retain four employees slated for layoff on June 30, 2009. Ms. Elm recommended, on behalf of the City's Negotiating Team, that the Council adopt the Memorandum of Understanding for and on behalf of the City's Employee Unit 14, represented by the Service Employees International Union Local 1021 effective July 1, 2008 through June 30, 2011.

Paul Carroll, SEIU Union Representative, spoke in support.

Councilmembers Bender, Olivares and Sawyer stated that despite support for the important work of the dispatchers they could not support giving a raise at this time of budget deficits.

Mayor Gorin, Vice Mayor Vas Dupre and Councilmembers Jacobi and Wysocky stated support because delays in the negotiation process had resulted in the unit working without a contract and foregoing earlier salary adjustments.

MOVED by Councilmember Wysocky, seconded by Vice Mayor Vas Dupre, carried 4-3 (Councilmembers Bender, Sawyer and Olivares voting NO), to adopt and waive reading of the text of the resolution in item 11.3 as follows:

**RESOLUTION NO. 27363 ENTITLED:**  
RESOLUTION OF THE COUNCIL OF THE CITY OF SANTA ROSA ADOPTING A MEMORANDUM OF UNDERSTANDING FOR AND ON BEHALF OF THE EMPLOYEES IN THE CITY OF SANTA ROSA'S UNIT 14 - POLICE CIVILIAN TECHNICAL UNIT REPRESENTED BY THE SERVICE EMPLOYEES INTERNATIONAL UNION LOCAL 1021 FOR A THREE YEAR CONTRACT 2008-2011

#### **11.4 REPORT -- TODD ROAD UTILITY CERTIFICATE FOR CITY SEWER CONNECTION; 330 TODD ROAD [5:45:48 PM](#)**

City Planner Gillian Hayes made the staff presentation. On August 19, 2008 the Council denied a Utility Certificate application for sewer service for two single family homes on a one acre parcel at 330 Todd Road. The Council directed the applicant to have Sonoma County Environmental Health inspect the failing systems and prepare a letter stating if the condition is a health hazard, then reapply to the City for the connection.

The applicant obtained the requested letter and filed a new Utility Certificate application for 330 Todd Road, which is located outside of the City's boundaries, the City's Urban Growth Boundary, and its sphere of influence. Staff had found that extraordinary circumstances are present and recommends approval of the request in accordance with the Council policy.

MOVED by Councilmember Olivares, seconded by Councilmember Bender, carried unanimously, to adopt and waive reading of the text of the resolution in item 11.4 as follows:

**RESOLUTION NO. 27364 ENTITLED:**  
RESOLUTION OF THE COUNCIL OF THE CITY OF SANTA ROSA APPROVING A UTILITY CERTIFICATE FOR SEWER SERVICE FOR TWO SINGLE FAMILY HOMES LOCATED AT 330 TODD ROAD (134-171-006) FILE NO. UC09-001

#### **11.5 REPORT -- FY 08-09 REDEVELOPMENT AGENCY BUDGET CHANGE FOR NEW \$617,839 EDUCATION REVENUE AUGMENTATION FUND (ERAF) PAYMENT [5:50:48 PM](#)**

Joselyn Lundgren, Economic Development and Housing Manager, made the staff presentation. On

November 12, 2008, the Redevelopment Agency received a notification from the State of California Department of Finance that a payment in the amount of \$617,839 must be paid by May 10, 2009, the purpose of which was to assist in balancing the State budget (commonly known as ERAF payment). In order to make the payment to the State, revisions to the FY 08-09 Redevelopment budget (from a combination of reserves, project reductions and changes in project funding sources) were required, and needed approval by both the Redevelopment Agency and the Council in accordance with state law.

City Manager Kolin explained that they do not want to leave funds in approved project accounts where they could be expended or encumbered, so they were requesting segregating the funds so it would be clear the amount was reserved should the City have to pay, however this was under appeal and the City would have to pay the funds if the decision was upheld.

#### PUBLIC COMMENT

Duane DeWitt, Roseland, asked that this matter be followed and suggested placing the funds in an interest bearing account, and spoke of the need for southwest area parks.

John Jenkel, Graton, opposed reserving the money, wanted it taxed by the state, and spoke against war spending.

MOVED by Councilmember Bender, seconded by Councilmember Sawyer, carried 6-1 (Councilmember Wysocky voting NO), to adopt and waive reading of the text of the resolution in item 11.5 as follows:

**RESOLUTION NO. 27365 ENTITLED:**  
RESOLUTION OF THE CITY OF SANTA ROSA CITY COUNCIL APPROVING FY 08-09 REDEVELOPMENT AGENCY BUDGET CHANGES FOR A NEW \$617,839 EDUCATION REVENUE AUGMENTATION FUND (ERAF) PAYMENT

#### **11.6 REPORT -- EMPLOYEE FREE CHOICE ACT (EFCA) [6:10:56 PM](#)**

Assistant to the City Manager Pat Friiht outlined the Employee Free Choice Act (EFCA), which was bipartisan legislation under consideration in the US Senate that would require the US National Labor Relations Board to certify a union as the exclusive representative of employees where the "majority of the employees in a unit appropriate for bargaining has signed valid authorizations". She said the EFCA would not impact the City's bargaining process, since governments are exempt from the

National Labor Relations Board provisions; and is outside of the legislative priorities and principles previously adopted by Council and therefore required Council action prior to sending a resolution of letter of support.

#### PUBLIC COMMENT [6:14:45 PM](#)

Ben Weiss, spoke in support.

Marie Palusa also spoke in favor.

Councilmembers Sawyer stated he would not support as it was not within the City's jurisdiction. Councilmembers Olivares and Bender stated they would not vote for the same reason.

MOVED by Vice Mayor Vas Dupre, seconded by Councilmember Wysocky, carried 4-1-2 (Councilmember Sawyer voting NO; Councilmembers Bender and Olivares abstaining), to adopt and waive reading of the text of the resolution in item 11.6 as follows:

**RESOLUTION NO. 27366 ENTITLED:**  
RESOLUTION OF THE COUNCIL OF THE CITY OF SANTA ROSA SUPPORTING THE EMPLOYEE FREE CHOICE ACT (EFCA)

#### **11.7 PUBLIC HEARING - AUTHORIZING AN AMENDMENT TO THE 2008/2009 ACTION PLAN AND THE ACCEPTANCE OF \$516,527 IN HOMELESS PREVENTION AND RAPID RE-HOUSING PROGRAM FUNDS FROM THE U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT [6:22:54 PM](#)**

Megan Bassinger, Economic Development and Housing Program Specialist, made the staff presentation. On February 17, 2009, the American Recovery and Reinvestment Act of 2009 (ARRA) was signed into law. Through the ARRA's Homeless Prevention Fund, the City of Santa Rosa was allocated \$516,527 in Homeless Prevention and Rapid Re-Housing Program (HPRP) funds. In order to receive those funds, the City must submit a Substantial Amendment to the 2008-2009 Action Plan by May 18, 2009. Staff had met with County representatives to develop a coordinated HPRP program. In compliance with federal regulations, the City of Santa Rosa and County of Sonoma's HPRP program(s) would provide the following: 1) Case Manager/Coordinator; 2) Housing Placement Specialist; 3) One-Time Financial Assistance; 4) Rental Subsidy through the County's existing countywide Tenant Rental Assistance Program; 5) Legal Services; 6) Data Collection; and 7) Administration. The Department of Economic Development and Housing held a public meeting on April 16, 2009 to receive input on the HPRP

funds and the proposed program. The Sonoma County Community Development Commission (SCCDC) held its public meeting on April 14, 2009 to solicit input. The draft Substantial Amendment to the 2008/2009 Action Plan had been available for public review from April 20, 2009 to May 4, 2009 at various locations throughout the City and on the City's website.

Ms. Bassinger recommended that the Council authorize the submittal of the Substantial Amendment to the 2008/2009 Action Plan; authorize acceptance of \$516,527 in HPRP funds; and authorize the City Manager to execute agreements and/or related documents in conjunction with HPRP funds for submittal to the U.S. Department of Housing and Urban Development.

Councilmember Bender requested follow up information on the number of people would directly benefit from the program.

PUBLIC HEARING [6:28:34 PM](#)

Ronit Rubinoff and Jeff Hoffman, Sonoma County Legal Aid and California Rural Legal Assistance, spoke in support of the proposal, particularly services to help tenants to avoid becoming homeless as a result of foreclosures and evictions.

Duane DeWitt, Housing Advocacy Group volunteer, recommended staffing and administrative work be done with existing staff in order to redirect the funds to shelters.

Hearing no further testimony Mayor Gorin closed the public hearing at [6:37:07 PM](#).

Ms. Bassinger responded that these funds were not available for homeless shelters, only for prevention, and that administration was identified through the RFP process as an employee of the service provider who would administer the program and complete the required HUD reports.

MOVED by Councilmember Sawyer, seconded by Councilmember Olivares, carried unanimously, to adopt and waive reading of the text of the resolution in item 11.7 as follows:

**RESOLUTION NO. 27367 ENTITLED:**  
RESOLUTION OF THE COUNCIL OF THE CITY OF SANTA ROSA AUTHORIZING AN AMENDMENT TO THE 2008/2009 ACTION PLAN AND ACCEPTING \$516,527 IN HOMELESS PREVENTION AND RAPID RE-HOUSING FUNDS FROM THE U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

**11.8 PUBLIC HEARING - AUTHORIZING SUBMISSION OF THE 2009 to 2014**

**CONSOLIDATED PLAN AND THE 2009/2010 ACTION PLAN TO THE U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT [6:40:17 PM](#)**

Megan Bassinger, Economic Development and Housing Program Specialist, made the staff presentation. In 1995, the U.S. Department of Housing and Urban Development (HUD) began requiring states and local communities to prepare a Consolidated Plan (Plan) in order to receive federal housing and community development funding, which the City submits to HUD every five years. Ms. Bassinger outlined the 2009 to 2014 Plan, which established the following five goals to address the City's housing and community development needs: 1) Increase supply of affordable rental housing for the City's lowest income households; 2) Provide housing and services to special needs populations; 3) Increase homeownership for City residents; 4) Provide funding for public facilities and improvements; and 5) Preserve existing affordable housing stock. In addition to the Plan, the City must submit an annual Action Plan to HUD for the Community Development Block Grant (CDBG) and HOME Investment Partnerships Act (HOME) funds it would receive in the upcoming fiscal year and to identify the City's housing and community development needs, priorities, and how federal funds would be allocated to these activities. For FY 2009/2010, the City anticipates receiving \$1,243,697 in CDBG funds plus \$20,000 in program income and \$798,602 in HOME funds plus \$41,000 in program income. Ms. Bassinger recommended that the Council authorize the submission of the 2009 to 2014 Consolidated Plan and the 2009/2010 Action Plan to HUD; and authorize the City Manager to execute agreements and/or related documents in conjunction with the Consolidated Plan for its five-year term.

PUBLIC HEARING [6:47:07 PM](#)

Duane DeWitt requested additional money be secured to fund adequate shelter services.

Hearing no further testimony, Mayor Gorin closed the public hearing at [6:50:44 PM](#)

MOVED by Councilmember Jacobi, seconded by Vice Mayor Vas Dupre, carried unanimously, to adopt and waive reading of the text of the resolution in item 11.8 as follows:

**RESOLUTION NO. 27368 ENTITLED:**  
RESOLUTION OF THE COUNCIL OF THE CITY OF SANTA ROSA APPROVING THE 2009/2010 FUNDING ALLOCATIONS TO PUBLIC SERVICES PROVIDERS AND AUTHORIZING SUBMISSION

OF THE 2009 TO 2014 CONSOLIDATED PLAN AND THE 2009/2010 ACTION PLAN TO THE U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

**11.9 PUBLIC HEARING -- SPRING 2009  
GENERAL PLAN AMENDMENT  
PACKAGE, APPEAL AND REZONING  
[6:51:42 PM](#)**

City Planner Gillian Hayes outlined the General Plan Amendments, which are considered three times each year in accordance with General Plan policy. This General Plan Amendment package included four proposed amendments to the General Plan land use diagram, one General Plan text amendment, three rezoning requests, and associated environmental review.

**LANCE DRIVE GENERAL PLAN AMENDMENT  
AND REZONING**

Ms. Hayes then presented the proposal for the Lance Drive General Plan Amendment and Rezoning, which included a request to change the General Plan land use designation on 0.84 acres located at 1212 Lance Drive from Low Density Residential to Medium Density Residential, and to rezone the property from RR-20 (Rural Residential) to R-3-18 (Multi-Family Residential). The Planning Commission adopted resolutions (7-0) recommending adoption of the Negative Declaration, and approval of the General Plan Amendment and rezoning.

PUBLIC HEARING [6:59:43 PM](#)

Bruce Aspinall said this is viewed as a housekeeping measure and spoke in support on behalf of the applicant.

Mayor Gorin closed the hearing for testimony on this proposal at [7:01:04 PM](#)

MOVED by Wysocky, seconded by Councilmember Bender, carried unanimously, to adopt and waive reading of the text of the resolution in item 11.9A as follows:

**RESOLUTION NO. 27369 ENTITLED:**  
RESOLUTION OF THE COUNCIL OF THE CITY OF SANTA ROSA ADOPTING A NEGATIVE DECLARATION FOR A GENERAL PLAN AMENDMENT AND REZONING FOR PROPERTIES LOCATED AT 1154, 1156, 1172, 1174, 1182, 1184, 1210 & 1212 LANCE DRIVE (APNS: 152-080-049, 050, 051 & 052) – MJP09-001

MOVED by Wysocky, seconded by Councilmember Bender, carried unanimously, to

adopt and waive reading of the text of the resolution in item 11.9A as follows:

**RESOLUTION NO. 27370 ENTITLED:**  
RESOLUTION OF THE COUNCIL OF THE CITY OF SANTA ROSA APPROVING A GENERAL PLAN AMENDMENT FROM LOW DENSITY RESIDENTIAL (2 TO 8 UNITS PER ACRE) TO MEDIUM DENSITY RESIDENTIAL (8 TO 18 UNITS PER ACRE) FOR THE PROPERTIES LOCATED AT 1154, 1156, 1172, 1174, 1182, 1184, 1210 & 1212 LANCE DRIVE – FILE NUMBER GPAM08-005

MOVED by Wysocky, seconded by Councilmember Bender, carried unanimously, to introduce and waive reading of an ordinance in item 11.9A 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 PROPERTIES LOCATED AT 1154, 1156, 1172, 1174, 1182, 1184, 1210 & 1212 LANCE DRIVE – FILE NUMBER–REZ09-011

**CALVARY CATHOLIC CEMETERY GENERAL  
PLAN AMENDMENT**

City Planner Lori MacNab presented the Calvary Catholic Cemetery General Plan Amendment and Rezoning proposal, which included a request to change the General Plan land use designation for a portion of the property located at 2930 Bennett Valley Road (Assessor Parcel Numbers 049-330-014, 049-339-017 & 014 431 005) from Low Density Residential to Public Institutional and to rezone three parcels (Assessor Parcel Numbers 038-241-006, 038 261 013 & 014-431-005) so that the entire cemetery site would be within the PI (Public Institutional) District. The Planning Commission had adopted resolutions (6-0-1) recommending adoption of the Negative Declaration, and approval of the General Plan Amendment and rezoning.

PUBLIC HEARING [7:10:04 PM](#)

Kathy Donnelly, representing the applicant, said there is no proposed development at this time but this is a preparation measure as they will have to expand at some point in the future.

Colleen Fernald spoke in support of green burials.

Hearing no further testimony, Mayor Gorin closed the hearing for testimony on this item at [7:11:24 PM](#).

MOVED by Councilmember Wysocky, seconded by Councilmember Bender, carried unanimously, to

adopt and waive reading of the text of the resolution in item 11.9B as follows:

**RESOLUTION NO. 27371 ENTITLED:**  
RESOLUTION OF THE COUNCIL OF THE CITY OF SANTA ROSA ADOPTING A NEGATIVE DECLARATION FOR THE CALVARY CATHOLIC CEMETERY LOCATED AT 2930 BENNETT VALLEY ROAD – ASSESSOR'S PARCEL NUMBERS 014-431-005, 038-241-006, 049-362-001, 049-330-014, 049-330-017 & 038-261-013; FILE NO. GPAM 08-009

MOVED by Councilmember Wysocky, seconded by Councilmember Bender, carried unanimously, to adopt and waive reading of the text of the resolution in item 11.9B as follows:

**RESOLUTION NO. 27372 ENTITLED:**  
RESOLUTION OF THE COUNCIL OF THE CITY OF SANTA ROSA APPROVING A GENERAL PLAN AMENDMENT TO THE LAND USE ELEMENT, CHANGING THE DESIGNATION FOR PORTIONS OF THE PROPERTY FROM LOW DENSITY RESIDENTIAL TO PUBLIC INSTITUTIONAL FOR THE PROPERTY LOCATED AT 2930 BENNETT VALLEY ROAD KNOWN AS CALVARY CATHOLIC CEMETERY- FILE NUMBER GPAM08-004

MOVED by Councilmember Wysocky, seconded by Councilmember Bender, carried unanimously, to introduce and waive reading of the text of an ordinance in item 11.9B 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 PORTIONS OF THE PROPERTY LOCATED AT 2930 BENNETT VALLEY ROAD TO THE PI (PUBLIC INSTITUTIONAL) DISTRICT – FILE NUMBER GPAM 09-009

**KOCALIS TRUST GENERAL PLAN AMENDMENT AND REZONING**

City Planner Lori MacNab presented the Kocalis Trust General Plan Amendment and Rezoning proposal, which included a request to change the General Plan land use designation for a portion of the 0.75 acre site located at 2000 and 2100 Sebastopol Road from Low Density Residential to Retail and Business Services, and to rezone 0.43 acres from PD (Planned Development) to CG (General Commercial). The Planning Commission adopted resolutions (7-0) recommending adoption of the Negative Declaration, and approval of the General Plan Amendment and Rezoning.

PUBLIC HEARING [7:17:35 PM](#)

John Newton spoke in support.

Duane DeWitt spoke in support, and requested that residential and live/work units be part of future plans.

Steve Sharp, planning consultant, also spoke in support.

Hearing no further testimony, Mayor Gorin closed the hearing for testimony on this item at [7:25:17 PM](#).

MOVED by Councilmember Wysocky, seconded by Councilmember Bender, carried unanimously, to adopt and waive reading of the text of the resolution in item 11.9C as follows:

**RESOLUTION NO. 27373 ENTITLED:**  
RESOLUTION OF THE COUNCIL OF THE CITY OF SANTA ROSA ADOPTING A NEGATIVE DECLARATION FOR A GENERAL PLAN AMENDMENT AND REZONING FOR PROPERTIES LOCATED AT 2000 AND 2100 SEBASTOPOL ROAD (APNS: 035-113-002 AND 035-113-029) – MJP08-018

MOVED by Councilmember Wysocky, seconded by Councilmember Bender, carried unanimously, to adopt and waive reading of the text of the resolution in item 11.9C as follows:

**RESOLUTION NO. 27374 ENTITLED:**  
RESOLUTION OF THE COUNCIL OF THE CITY OF SANTA ROSA APPROVING A GENERAL PLAN AMENDMENT FOR 2000 AND 2100 SEBASTOPOL ROAD FROM LOW DENSITY RESIDENTIAL (2.0 TO 8.0 UNITS PER ACRE) TO RETAIL AND BUSINESS SERVICES – FILE NUMBER GPAM08-010

MOVED by Councilmember Wysocky, seconded by Councilmember Bender, carried unanimously, to introduce and waive reading of the text in an ordinance in item 11.9C 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 2100 SEBASTOPOL ROAD – FILE NUMBER REZ08-014

**SOUTH WRIGHT ROAD GENERAL PLAN AMENDMENT AND APPEAL**

Supervising Planning Clare Hartman presented the South Wright Road General Plan Amendment and Appeal proposal, which included an Appeal of the Planning Commission's failed motion (3-3-1) to recommend approval of a General Plan Text and Map Amendment. The text amendment

is to amend Santa Rosa 2020 General Plan, Policy LUL-E-5, to allow those properties that front on, and obtain physical access from, the west side of South Wright Road to potentially redesignate from Very Low Density Residential to Low Density Residential. The map amendment is to change the General Plan land use designation of the property located at 1055 South Wright Road from Very Low Density Residential to Low Density Residential. The Planning Commission moved (3-3-1) to recommend adoption of the Negative Declaration and General Plan text and map Amendments; however, the motion failed. The applicant subsequently filed an appeal, requesting that the Council approve the Negative Declaration and the Amendments.

PUBLIC HEARING [7:43:29 PM](#)

Bruce Aspinall, representing the applicant Charlie Traboulsi, thought the existing designation was inappropriate to the site as it doesn't encourage urban level infill development. He discussed the table showing the cost analysis of building at various density levels, noting the underlying problem of the cost of California Tiger Salamander and wetland mitigation, made lower density development cost prohibitive.

Michael Hilber spoke in opposition as it would go from zoning allowing up to 33 units to up to 198 single family residences in an environmentally sensitive area and due to the traffic impacts on Wright Road.

Duane DeWitt spoke in opposition based on the environmental sensitivity of the area and that the edge of the city should be a feathered edge, not high density, and due to Wright Road traffic impacts and lack of access to transit.

Colleen Fernald was also opposed, and stated agreement with Mr. DeWitt's comments.

Charlie Traboulsi spoke in support, saying he had experience developing wetlands and salamander habitat, and explained the mitigation requirement was met by purchasing ten acres elsewhere. He said they are not proposing a project at this time, so many of the earlier comments cannot be addressed at this point.

Hearing no further testimony, Mayor Gorin closed the hearing for testimony on this item at [8:14:58 PM](#)

MOVED by Councilmember Wysocky, seconded by Vice Mayor Vas Dupre, carried 5-2 (Councilmembers Sawyer and Olivares voting NO), to adopt and waive reading of the text of the resolution in item 11.9D as follows:

**RESOLUTION NO. 27375 ENTITLED:**  
RESOLUTION OF THE COUNCIL OF THE CITY OF SANTA ROSA DENYING AN APPEAL OF THE PLANNING COMMISSION'S FAILED MOTION FOR APPROVAL OF THE SOUTH WRIGHT ROAD GENERAL PLAN AMENDMENT TO AMEND THE TEXT OF THE 2020 GENERAL PLAN, POLICY LUL-E-5, AND TO CHANGE THE LAND USE DESIGNATION OF THE PROPERTY AT 1055 SOUTH WRIGHT ROAD FROM VERY LOW DENSITY RESIDENTIAL TO LOW DENSITY RESIDENTIAL - FILE NUMBER GPAM08-004

**12. PUBLIC COMMENTS ON NON-AGENDA MATTERS [8:31:51 PM](#)**

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

Jeffrey Bean had attended the Citizens Police Academy where he learned a great deal and encouraged others to attend.

Colleen Fernald supported rent to own programs with foreclosure housing.

Duane DeWitt spoke of the lasting impact of the Council's decisions.

Elizabeth Neylon spoke against war.

Becky Cranford spoke regarding the problems attracting retail tenants to downtown because of parking problems, noting problems created for Revolution Moto.

John Jenkel spoke against war.

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

**13.1 LOCAL GOVERNMENT COMMISSION REPORTS – MARCH 2009**

**13.2 LIVABLE PLACES UPDATE – MARCH 2009**

**14. MAYOR'S/COUNCILMEMBERS' REPORTS [8:50:45 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.

**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 [8:59:52 PM](#)**

Hearing no further business, Mayor Gorin adjourned the meeting at 9:00 p.m. The next regularly scheduled meeting will take place on May 12, 2009, at a time to be set by the Mayor.

Approved on June 9, 2009.

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Susan Stoneman  
City Clerk