

**SANTA ROSA CITY COUNCIL MEETING MINUTES  
TUESDAY, JUNE 9, 2009  
COUNCIL CHAMBER, CITY HALL, 100 SANTA ROSA AVENUE  
REGULAR MEETING**

**2:00 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. in the Mayor's Conference Room.

Councilmembers present: Mayor Gorin; Vice Mayor Vas Dupre, Councilmembers Bender, Jacobi, Olivares, Wysocky and Sawyer.

**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. 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, 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—  
ANTICIPATED LITIGATION**

Initiation of litigation pursuant to subdivision (c) of Section 54956.9—one potential case

**3.3 PUBLIC EMPLOYEE PERFORMANCE EVALUATION**

Title: City Attorney

**3.4 PUBLIC EMPLOYEE PERFORMANCE EVALUATION**

Title: City Manager

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

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

**4. ANNOUNCEMENT OF ROLL CALL**

All members of the Council were present as noted above.

**5. REPORT, IF ANY, ON STUDY AND CLOSED SESSION(S) [4:03:31 PM](#)**

City Attorney Fowler announced that the Council had met in closed session regarding Items 3.1 through 3.4 as listed on the agenda and there had been no action taken and there were no announcements to be made.

**6. PROCLAMATIONS/PRESENTATIONS – NONE -- NONE**

**7. STAFF BRIEFINGS -- NONE**

**8. APPROVAL OF MINUTES – MAY 5, 2009 REGULAR MEETING MINUTES [4:04:12 PM](#)**

The minutes of the May 5, 2009 regular meeting were approved as submitted.

**9. STATEMENTS OF ABSTENTION BY COUNCILMEMBERS [4:04:37 PM](#)**

Councilmember Sawyer stated he would abstain from Item 11.1 due to the location of his business.

**10. CONSENT ITEMS [4:05:12 PM](#)**

**PUBLIC COMMENT**

Jack Osborne asked for and received clarification on Items 10.3 and 10.4; saying that the City is not responsible to repair the contractor's equipment

and on 10.4 that each unrepresented employee should be negotiated with individually.

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 the resolutions in items 10.2 through 10.5 as follows:

**10.1 RESOLUTION -- APPROPRIATION OF PROPOSITION 42 FUNDS FOR STREET OVERLAY PROJECT**

**RESOLUTION NO. 27400 ENTITLED:**  
RESOLUTION OF THE COUNCIL OF THE CITY OF SANTA ROSA APPROPRIATING \$1,038,057 OF PROPOSITION 42 FUNDS TO ACCOUNT NO. 4237 STREET OVERLAY – VARIOUS LOCATIONS

**10.2 APPROPRIATION OF MEASURE M FUNDS FOR SLURRY SEAL PROJECT**

**RESOLUTION NO. 27401 ENTITLED:**  
RESOLUTION OF THE COUNCIL OF THE CITY OF SANTA ROSA APPROPRIATING \$55,619 OF MEASURE M FUNDS TO PROJECT NO. 4235 – SLURRY SEAL SELECTED STREETS

**10.3 RESOLUTION -- AMENDMENT NUMBER THREE TO THE PROFESSIONAL SERVICES AGREEMENT WITH MV TRANSPORTATION TO PROVIDE ADA PARATRANSIT SERVICE FOR THE CITY OF SANTA ROSA**

**RESOLUTION NO. 27402 ENTITLED:**  
RESOLUTION OF THE COUNCIL OF THE CITY OF SANTA ROSA AUTHORIZING AMENDMENT NUMBER THREE TO PROFESSIONAL SERVICE AGREEMENT WITH MV TRANSPORTATION TO PROVIDE ADA PARATRANSIT SERVICE FOR THE CITY OF SANTA ROSA

**10.4 RESOLUTION -- REDUCING THE COMPENSATION PACKAGE FOR MIDDLE-MANAGEMENT AND CONFIDENTIAL EMPLOYEES AS DESCRIBED IN THE DOCUMENT DESCRIBING WAGES, HOURS AND WORKING CONDITIONS FOR EMPLOYEES IN THE CITY'S UNITS 10 – EXECUTIVE MANAGEMENT, 11 – MIDDLE-MANAGEMENT AND 12 – CONFIDENTIAL**

**RESOLUTION NO. 27403 ENTITLED:**  
RESOLUTION OF THE COUNCIL OF THE CITY OF SANTA ROSA MODIFYING THE COMPENSATION FOR MIDDLE-MANAGEMENT

AND CONFIDENTIAL EMPLOYEES, AS CONTAINED IN THE “DOCUMENT DESCRIBING WAGES, HOURS AND WORKING CONDITIONS FOR EMPLOYEES IN THE CITY'S UNITS 10, 11 AND 12 – EXECUTIVE MANAGEMENT, MIDDLE-MANAGEMENT AND CONFIDENTIAL”

**10.5 RESOLUTION -- REVISED AND NEW SEWER AND WATER CONSTRUCTION STANDARDS AND REVISED STREET CONSTRUCTION STANDARDS STD-215**

**RESOLUTION NO. 27404 ENTITLED:**  
RESOLUTION OF THE COUNCIL OF THE CITY OF SANTA ROSA ADOPTING REVISED AND NEW SEWER AND WATER CONSTRUCTION STANDARDS AND REVISED STREET CONSTRUCTION STANDARD STD-215

**11.1 REPORT -- FISCAL YEAR 2009/10 COMMUNITY PROMOTIONS FUNDING**  
[4:12:32 PM](#)

Kate Hook, Administrative Technician - Finance Department, presented the Community Promotions Funding recommendations. The Council policy provides for up to \$125,000 to be allocated toward Community Promotion events each year. Non-profit organizations may apply for funds and meet certain criteria, including benefit to the community, specifically in the downtown. As a part of the budget reduction measures, the amount was reduced to \$100,000 in FY 2008/09 and \$75,000 for FY 2009/10. She said that the City received seven requests for funding and all were from organizations that received funding in FY 2008/09.

She recommended approval of \$75,000 in Community Promotions funding to the following organizations/events in the following amounts:

1. Sonoma County Arts Council - \$4,611
2. Human Race - \$4,304
3. Luther Burbank Rose Parade & Festival - \$15,369
4. 4th of July Celebration - \$14,139
5. Santa Rosa Symphony - \$5,225
6. Santa Rosa Downtown Market - \$29,508
7. Sonoma County Book Festival - \$1,844

MOVED by Councilmember Wysocky, seconded by Councilmember Bender, carried 6-0-1 (Councilmember Sawyer abstaining), to adopt and waive reading of the text of the motion in item 11.1 as follows:

**MOTION:** APPROVING FUNDING IN THE AMOUNT OF \$75,000 FOR COMMUNITY PROMOTIONS EVENTS TO BE INCLUDED IN THE PROPOSED FY 2009/10 BUDGET, IN THE FOLLOWING MANNER: SONOMA COUNTY ARTS COUNCIL (\$4,611); HUMAN RACE (\$4,304); LUTHER BURBANK ROSE PARADE AND FESTIVAL (\$15,369); 4TH OF JULY CELEBRATION (\$14,139); SANTA ROSA SYMPHONY (\$5,225); SANTA ROSA DOWNTOWN MARKET (\$29,508); AND THE SONOMA COUNTY BOOK FESTIVAL (\$1,844).

**11.2 REPORT – ADOPTION OF AN ORDINANCE AMENDING SANTA ROSA CITY CODE SECTIONS 15-04.035, 15-08.100, ITEM 11 AND 15-08.567 REGARDING SEWERS [4:18:20 PM](#)**

Martin St. George, Environmental Compliance Supervisor, made staff presentation and recommended amending Santa Rosa City Code Title 15, Sewers, to revise and correct three sections of Title 15 which would expand and clarify the current description of user's sewer lateral responsibility (Section 15-04.035(C); correct the mercury limit in the Local Limits table (Section 15-08.100, Item 11); and provide the option to use a comparable amalgam separator (Section 15-08.567).

MOVED by Councilmember Jacobi, seconded by Councilmember Sawyer, carried unanimously, 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 SANTA ROSA CITY CODE SECTIONS 15-04.035, 15-08.100, Item 11, AND 15-08.567

Mayor Gorin reordered the agenda as follows:

**12. PUBLIC COMMENTS ON NON-AGENDA MATTERS [4:26:42 PM](#)**

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

Jack Osborne questioned the environmental efficacy of CFS lamps that require hazardous waste disposal due to the mercury content.

Elizabeth Neylon spoke against war and a legal dispute involving John Jenkel.

Peter Tcherneff spoke against animal cruelty.

Colleen Fernald, wants federal spending cuts before making any more local cuts.

**14. MAYOR'S/COUNCILMEMBERS' REPORTS [4:36:50 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 [4:42:18 PM](#)**

The City Manager and City Attorney made further announcements and reported on items of interest to the Council.

**11.3 PUBLIC HEARING – REZONING OF PROPERTY AT 2727 DUTTON MEADOW (MEADOW'S VIEW) [4:58:25 PM](#)**

Erin Morris, Senior Planner, made the staff presentation for the rezoning of 2727 Dutton Meadow. On May 14, 2009, the Planning Commission adopted a resolution (7-0) recommending that the Council rezone the 5.36 acre site from PD (Planned Development) District, to R-1-6, (Single Family Residential) District consistent with the General Plan, and also recommending adoption of a Mitigated Negative Declaration for the project. The Planning Commission also approved a Tentative Map (Meadow's View) and a Small Lot Conditional Use Permit to subdivide the 5.36 acre site into 52 lots, subject to the adoption of the recommended rezoning.

**PUBLIC HEARING [5:06:50 PM](#)**

Jack Osborne said that the R-1-6 district imposes an eight unit per acre limit and this proposal was for ten. He questioned the finding that the water supply was adequate and that traffic would not be impacted; and asked for clarification of CarCo Investment's interest.

Joanne Cohn, Bellevue Ranch resident, said their neighborhood group is concerned about cumulative impacts resulting from future Dutton Meadow developments, which they understand will total over 1,000 housing units. She asked that the aggregate impacts be evaluated instead of looking at each proposal on a piecemeal basis; saying that the total of the developments would impact their quality of life.

Bruce Aspinall, representing the applicant, CarCo Investments, said this is the rezoning component of the overall development proposal to allow the applicant to proceed with this moderate-scale housing proposal. He showed a drawing of the development plan features and described how it related to adjacent uses.

Hearing no further testimony, Mayor Gorin closed the public hearing at [5:16:55 PM](#).

Councilmember Jacobi stated concerns regarding water, salamander habitat and energy issues.

MOVED by Councilmember Sawyer, seconded by Councilmember Olivares, carried 6-1 (Councilmember Jacobi voting NO), to adopt and waive reading of the text of the resolution in item 11.3 as follows:

**RESOLUTION NO. 27405 ENTITLED:**  
**RESOLUTION OF THE COUNCIL OF THE CITY OF SANTA ROSA ADOPTING A MITIGATED NEGATIVE DECLARATION FOR THE MEADOW'S VIEW PROJECT AND REZONING LOCATED AT 2727 DUTTON MEADOW – ASSESSOR'S PARCEL NUMBER 043-072-018– FILE NO. MJP07-048**

MOVED by Councilmember Sawyer, seconded by Councilmember Olivares, carried 6-1 (Councilmember Jacobi voting NO), to introduce and waive reading of the text of the ordinance in item 11.3 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 2727 DUTTON MEADOW (MEADOW'S VIEW) – FILE NUMBER REZ07-028

**11.4 PUBLIC HEARING – REZONING OF PROPERTY 2803 DUTTON MEADOW (LONESTAR) [5:34:00 PM](#)**

Gillian Hayes, City Planner, made the staff presentation for the rezoning of 2803 Dutton Meadow. On November 13, 2008, the Planning Commission adopted a resolution (7-0) recommending that the Council rezone the 3.16 acre site located at 2803 Dutton Meadow from the PD (Planned Development) District to the R-1-6 (Single Family Residential) District. The proposed rezoning was consistent with the site's General Plan Low Density Residential land use designation. She recommended adoption of a Mitigated Negative Declaration for the 2803 Dutton Meadow (Lonestar) project and introduction of an ordinance rezoning the 3.16 acre site to the R-1-6 (Single Family Residential) District.

PUBLIC HEARING [5:40:30 PM](#)

Joanne Cohn, Bellevue Ranch, spoke in opposition due to traffic impacts and lack of adequate bicycle

paths and parking, particularly if garages get converted to bedrooms.

Bruce Aspinall, representing CarCo Investments, said this item was procedurally identical to the previous item, though much smaller scale with a lot of effort put into site planning. He displayed the site plan with a variety of lot sizes and shapes, saying the proposal provides connectivity in a circuitous manner which builds in traffic calming. He said the developers would accomplish about twice the number of green points required by the City.

Hearing no further testimony, Mayor Gorin closed the public hearing at [5:47:44 PM](#).

Councilmember Jacobi stated she would vote no due to wetlands on the site.

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

**RESOLUTION NO. 27406 ENTITLED:**  
**RESOLUTION OF THE COUNCIL OF THE CITY OF SANTA ROSA ADOPTING A MITIGATED NEGATIVE DECLARATION FOR THE LONE STAR SUBDIVISION AND REZONING LOCATED AT 2803 DUTTON MEADOW – ASSESSOR'S PARCEL NUMBER 043-111-001; FILE NO. MJP07-055**

MOVED by Councilmember Olivares, seconded by Councilmember Sawyer, carried 6-1 (Councilmember Jacobi voting NO), to introduce and waive reading of the text of the ordinance in item 11.4 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 2803 DUTTON MEADOW TO THE R-1-6 DISTRICT – FILE NUMBER MJP07-055

**12. PUBLIC COMMENT CONTINUED [5:50:42 PM](#)**

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

Ken Wells, President of the Sonoma County Bicycle Coalition, thanked the Council and staff for their work on the Mendocino Avenue bike lanes and asked the Council to request a review and reopening of the Sonoma County Comprehensive Transportation Plan in order to reduce the greenhouse gas emission levels, and submitted a copy of a their letter to the SCTA Directors.

The Council requested that staff agendaize the Sonoma County Comprehensive Transportation Plan's DEIR and the high occupancy toll lanes for a future meeting.

Mayor Gorin announced there would be no Council meeting on July 7, 2009.

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

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

**13.2 LIVABLE PLACES UPDATE -- APRIL 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, Mayor Gorin adjourned the meeting in honor of Josephine Nattkemper at [6:04:26 PM](#) p.m. The next regularly scheduled meeting will take place on June 16, 2009, at a time to be set by the Mayor.

Approved on June 30, 2009:

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Susan Stoneman  
City Clerk