

**SANTA ROSA CITY COUNCIL MEETING MINUTES
TUESDAY, JUNE 16, 2009
COUNCIL CHAMBER, CITY HALL, 100 SANTA ROSA AVENUE
REGULAR MEETING**

**3:00 P.M. (MAYORS CONFERENCE ROOM,
ROOM 10)**

**1. CALL TO ORDER AND ROLL CALL
[4:06:33 PM](#)**

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, and Sawyer. Absent: Councilmember Wysocky.

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)

3.1 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: City of Santa Rosa v. Regional Water Quality Control Board, Sonoma

County Superior Court Case No. SCV-241194

3.3 PUBLIC EMPLOYEE PERFORMANCE EVALUATION

Title: City Manager

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

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

4. ANNOUNCEMENT OF ROLL CALL

Mayor Gorin reconvened the meeting in open session at 4:05 p.m. in the Council Chamber. Councilmembers present: Mayor Gorin; Vice Mayor Vas Dupre, Councilmembers Bender, Jacobi, Olivares, and Sawyer. Absent: Councilmember Wysocky.

5. REPORT, IF ANY, ON STUDY AND CLOSED SESSION(S) [4:06:46 PM](#)

City Attorney Fowler announced that the Council had met in closed session regarding Items 3.1 through 3.3 as listed on the agenda. She reported that on Item 3.2, by a 6-0-1 (Councilmember Wysocky absent) vote, the Council had authorized the City Attorney's Office to dismiss the identified litigation: City of Santa Rosa v. Regional Water Quality Control Board. She stated that there had been no action taken and no announcements to be made concerning Items. 3.1 and 3.2 as listed on the agenda.

6. PROCLAMATIONS/PRESENTATIONS -- NONE

6.1 PROCLAMATION – NATIONAL POLLINATOR WEEK [4:07:24 PM](#)

Vice Mayor Vas Dupre presented the National Pollinator Week proclamation which was accepted by Kathy Kellison, Executive Director of the Partnership for Sustainable Pollination.

7. STAFF BRIEFINGS

7.1 WATER SHORTAGE UPDATE [4:11:42 PM](#)

Jennifer Burke, Senior Water Resources Planner, made the presentation on the temporary water

allocations, which had just been adopted by the Sonoma County Board of Supervisors that morning. In response to two consecutive dry winters and the Sonoma County Water Agency's (SCWA) storage projections for Lake Mendocino this year, the Council had adopted Stage 1 of the City's Urban Water Shortage Contingency Plan on February 24, 2009. Ms. Burke also updated the Council on water supply, including information on the State Water Resources Control Board Order issued to SCWA on May 28, 2009; and information on the water conservation measures and outreach that the Utilities Department was implementing as part of Stage 1. There was no Council action taken on this item.

**8. APPROVAL OF MINUTES – MAY 12, 2009
REGULAR MEETING MINUTES [4:29:37 PM](#)**

The minutes of the May 12, 2009 regular meeting were approved with a spelling correction.

**9. STATEMENTS OF ABSTENTION BY
COUNCILMEMBERS [4:30:10 PM](#)**

No statements of abstention were made.

10. CONSENT ITEMS [4:30:30 PM](#)

MOVED by Councilmember Jacobi, seconded by Councilmember Sawyer, carried 6-0-1 (Councilmember Wysocky absent), to add Item 10.10, a resolution authorizing the City Attorney to cooperate with the League of California Cities in litigation challenging any seizure by the State government of the City's Street Maintenance Funds.

Mayor Gorin continued Items 10.4 and 10.5 to the June 23 agenda.

PUBLIC COMMENT [4:36:28 PM](#)

Jack Osborne asked for and received clarification on Items 10.2, 10.4, 10.5, 10.6, and 10.10.

MOVED by Vice Mayor Vas Dupre, seconded by Councilmember Sawyer, carried 6-0-1 (Councilmember Wysocky absent), to adopt and waive reading of the text of the motions in items 10.1 and 10.2 and the resolutions in items 10.3, 10.6 and the ordinance in item 10.7 and the resolution in item 10.10 as follows:

**10.1 MOTION -- CONTRACT EXTENSION -
TELEPHONE SWITCH MAINTENANCE**

MOTION: EXTENDING CONTRACT NO. 05-8219 FOR TELEPHONE SWITCH MAINTENANCE WITH STANDARD TEL NETWORKS, LLC, SIGNAL HILL, CALIFORNIA, FOR AN

ADDITIONAL ONE YEAR, WITH NO INCREASE IN CONTRACT UNIT PRICES, IN THE AMOUNT OF \$50,990.40. FUNDS FOR THIS OPERATIONAL EXPENSE WILL BE ALLOCATED IN THE FY 2009-10 BUDGET OF THE INFORMATION TECHNOLOGY DEPARTMENT OPERATIONAL CHARGE NUMBER 3534-20 (TELECOMMUNICATIONS)

**10.2 MOTION -- MICROSOFT ENTERPRISE
AGREEMENT**

MOTION: AUTHORIZING A COOPERATIVE PURCHASE AND A THREE-YEAR "ENTERPRISE AGREEMENT" WITH MICROSOFT FOR SOFTWARE LICENSES AND SUPPORT FOR DESKTOPS AND SERVERS TO BE PURCHASED THROUGH COMPUCOM SYSTEMS, RANCHO CORDOVA, CALIFORNIA, TOTALING \$406,008.69. COMPARED TO CURRENT IT BUDGET ESTIMATES, THE INCREMENTAL EXPENSE CAN BE COVERED WITHIN THE PROPOSED FY 2009/10 IT BUDGET BY RE-ALIGNING PROJECTS WITHIN IT OPERATIONS FUNDING: \$15,000 COMING FROM 0573-21 AND \$120,336.23 FROM 4576. FY 2010/11 THROUGH FY 2013/2014 WILL BE BUDGETED THROUGH THE NORMAL BUDGET PROCESS.

**10.3 RESOLUTION -- APPROPRIATIONS LIMIT
2009/10 FISCAL YEAR**

RESOLUTION NO. 27407 ENTITLED: RESOLUTION OF THE COUNCIL OF THE CITY OF SANTA ROSA ADOPTING AN APPROPRIATIONS LIMIT FOR THE CITY OF SANTA ROSA FOR THE 2009/10 FISCAL YEAR PURSUANT TO ARTICLE XIII B OF THE CALIFORNIA CONSTITUTION

**10.4 RESOLUTION -- ADOPTION OF THE CITY
OF SANTA ROSA POST RETIREMENT
MEDICAL BENEFITS DEFINED
CONTRIBUTION PLAN FOR CURRENT
AND FORMER MEMBERS OF CITY'S
UNIT #5 – POLICE OFFICERS & CITY'S
UNIT #9 – POLICE SERGEANTS AND
ESTABLISHMENT OF TRUST FOR THE
PLAN**

Item 10.4 was continued to the June 23, 2009 regular meeting.

**10.5 RESOLUTION -- AUTHORIZATION TO
TRANSFER RESERVES OF THE RISK
MANAGEMENT FUND TO US BANK FOR
RETIREE MEDICAL STIPEND TRUST**

Item 10.5 was continued to the June 23, 2009 regular meeting.

10.6 RESOLUTION -- REQUEST BY THE SANTA ROSA CITY SCHOOL DISTRICT TO AMEND THE FIR RIDGE HOLDING AGREEMENT TO EXTEND THE DEADLINE TO JUNE 30, 2011 FOR THE DISTRICT TO BEGIN CONSTRUCTION OF AFFORDABLE HOUSING ON FIR RIDGE DRIVE (APN 173-620-030)

RESOLUTION NO. 27408 ENTITLED: RESOLUTION OF THE COUNCIL OF THE CITY OF SANTA ROSA APPROVING THE SANTA ROSA CITY SCHOOL DISTRICT'S REQUEST TO EXTEND THE DEADLINE FROM JUNE 30, 2009 TO JUNE 30, 2011 FOR THE DISTRICT TO BEGIN CONSTRUCTION OF AFFORDABLE HOUSING FOR DISTRICT EMPLOYEES OF LOW AND/OR MODERATE INCOME ON THE FIR RIDGE SCHOOL DISTRICT SITE, AND AUTHORIZE EXECUTION OF A NINTH AMENDMENT TO THE FIR RIDGE HOLDING AGREEMENT

10.7 ORDINANCE ADOPTION -- ADOPTION OF AN ORDINANCE AMENDING SANTA ROSA CITY CODE SECTIONS 15-04.035, 15-08.100, ITEM 11 AND 15-08.567 REGARDING SEWERS

ORDINANCE NO. 3914 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

10.10 RESOLUTION -- COOPERATE WITH THE LEAGUE OF CALIFORNIA CITIES, OTHER CITIES AND COUNTIES IN LITIGATION CHALLENGING THE CONSTITUTIONALITY OF ANY SEIZURE BY STATE GOVERNMENT OF THE CITY'S STREET MAINTENANCE FUNDS

RESOLUTION NO. 27409 ENTITLED: RESOLUTION OF THE COUNCIL OF THE CITY OF SANTA ROSA AUTHORIZING THE CITY ATTORNEY TO COOPERATE WITH THE LEAGUE OF CALIFORNIA CITIES, OTHER CITIES AND COUNTIES IN LITIGATION CHALLENGING THE CONSTITUTIONALITY OF ANY SEIZURE BY STATE GOVERNMENT OF THE CITY'S STREET MAINTENANCE FUNDS

MOVED by Vice Mayor Vas Dupre, seconded by Councilmember Sawyer, carried 5-1-1 (Councilmember Jacobi voting NO;

Councilmember Wysocky absent), to adopt and waive reading of the ordinance in item 10.8 as follows:

10.8 ORDINANCE ADOPTION -- REZONING OF PROPERTY AT 2727 DUTTON MEADOW (MEADOW'S VIEW)

ORDINANCE NO. 3915 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

MOVED by Vice Mayor Vas Dupre, seconded by Councilmember Sawyer, carried 5-1-1 (Councilmember Jacobi voting NO; Councilmember Wysocky absent), to adopt and waive reading of the ordinance in item 10.9 as follows:

10.9 ORDINANCE ADOPTION -- REZONING OF PROPERTY 2803 DUTTON MEADOW (LONESTAR)

ORDINANCE NO. 3916 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

11. REPORT ITEMS

11.1 REPORT -- NEW ELEMENTARY SCHOOL ON BURBANK AVENUE UTILITY CERTIFICATE; 1683 BURBANK AVENUE [4:43:36 PM](#)

Bill Rose, Senior Planner, made the staff presentation for the request by the Roseland School District to access City sewer and water services at the proposed new elementary school on Burbank Avenue; and to convert the Lazzini Avenue stub, east of Comalli Street, into public right-of-way accessible only to pedestrians and emergency vehicles. The proposal also requested the waiver of sections of City Council Policy 300-02 in order to allow issuance of a Utility Certificate prior to pre-zoning and to elevate the review authority of the Utility Certificate to the Council. He displayed an aerial view of the subject property and neighboring uses, as well as the site plan and location of the adjacent pathways. He described the plans for the pedestrian access along Burbank Avenue from Sebastopol to Hearn to be constructed by the County using grant funds. Staff

recommended, as a condition of approval, that the pathway be in place prior to the setting of the utility meters. Regarding the requested Lazzini Avenue closure via an EVA gate, he recommended that the closure be granted by means of a long-term lease. Staff recommended approval of the requested policy waivers since the property was in an annexation application but annexations in the southwest area were on hold.

Tom Jones, Project Engineer with Brelje and Race Engineers, said that because Roseland is a hardship district grant funding had been obtained by the County for its construction of pathways north and south of the school and that the school would do the frontage improvements on Burbank Avenue and the pathway from the northeast corner of the school up to Hughes Avenue. He said the meters would not be set until all the pathways were in place and available for use. He said the school was also doing a segment of the creekside path including a bridge over the creek and a flashing pedestrian crossing at Burbank Avenue. He also said the school would purchase California Tiger Salamander credits because they are extending the box culvert at Roseland Creek, but that there were no wetlands on the site.

Gail Ahlas, Roseland School District Superintendent, said they are happy with the access through the Lazzini stub and said the creek area is a wonderful green ecology and outdoor classroom opportunity for the school.

Vice Mayor Vas Dupre requested a future update on the path construction.

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

RESOLUTION NO. 27410 ENTITLED:
RESOLUTION OF THE COUNCIL OF THE CITY OF SANTA ROSA WAIVING SECTIONS OF CITY COUNCIL POLICY NO. 300-02, UTILITY CERTIFICATES FOR THE EXTENSION OF CITY WATER OR SEWER SERVICE TO UNINCORPORATED AREAS, TO ALLOW AN APPLICATION FOR A UTILITY CERTIFICATE FOR SEWER AND WATER SERVICE TO A SCHOOL SITE OUTSIDE SANTA ROSA'S EXISTING CITY LIMITS; AND, GRANTING REVIEW AUTHORITY TO THE CITY COUNCIL; AND APPROVING THE UTILITY CERTIFICATE TO ALLOW SEWER AND WATER SERVICE FOR THE NEW ELEMENTARY SCHOOL TO BE

LOCATED AT 1683 BURBANK AVENUE, SANTA ROSA (ASSESSOR'S PARCEL NO. 125-321-01)

11.2 PUBLIC HEARING – ADOPTION OF EMERGENCY MEDICAL SERVICES (EMS) SUBSCRIPTION PROGRAM & FEE SCHEDULE FOR EMS SERVICES [5:06:30 PM](#)

Mark McCormick, Deputy Fire Chief, presented the proposed EMS Subscription Fee Program which had been previously reviewed by the Council at a study session held March 10, 2009. He presented the resulting final proposal for an Emergency Medical Services (EMS) Subscription Program to offset EMS program costs. The program would offer a voluntary subscription program for households and businesses at a cost of \$4.00 per month (\$48.00 per year). A discounted rate would be offered to PG&E "CARE" program participants. Those who opted not to participate would be billed a user fee, recommended at \$350.00, for EMS Basic Life Support services. Staff estimated the projected net revenue recovery to be \$1.3 million annually, and recommended adoption of the program and associated fee schedule.

City Manager Kolin discussed the City's efforts to analyze and develop options that would help to balance the City's budget in the coming fiscal year, which could be further jeopardized by the state's efforts to balance its budget with local government funds.

PUBLIC HEARING [5:40:39 PM](#)

Jack Osborne spoke in opposition, suggesting instead a service charge at the time of use.

Kay Tokerud, Santa Rosa Area Business Association, spoke in opposition to expanding bureaucracy and unfairly charges those in single family homes more than those in multi-family housing.

Anne Seeley cautioned that because this is an opt-out program extensive efforts should be made to inform the public and that staff should determine up front how hardship cases would be handled.

Janice Karrman opposed the proposal due to cost and potential for abuse and overuse by subscribers. She said that response calls involved too many EMTs and a large truck, she suggested instead coordinating services with ambulances.

Peter Tcherneff was opposed due to the cost and requested lower fees for vegetarians.

John Taylor, 326 Singing Brook Circle, objected as it places an unfair burden on senior citizens, and

because the public was already paying through Measure O.

Roger McConnell related incidents in which only an ambulance was needed but police and fire personnel were also dispatched. He suggested that in order to reduce costs that 911 dispatch only needed services, particularly if they are being billed.

Jeffrey Bean, spoke in opposition as people who need services may fear calling due to the cost or subscribers may over-use services. He objected to this as a new tax and wanted to cut wasteful spending.

John Jenkel also objected as people would not call for help due to the cost, and as it was a service the city was already obligated to provide.

Ernie Barrt Federman spoke about the Yes We Can national tourism and investment program.

Carol Ann Daniel spoke in opposition as it could deter someone from seeking needed help because they can't afford it.

Colleen Fernald concurred, saying she would be afraid to call 911 if she knew she could be charged.

Hearing no further testimony, Mayor Gorin closed the public hearing at [6:14:41 PM](#).

Deputy Chief McCormick, in response to questions raised, outlined the program's cost structure and how other cities' programs are working to bring in revenue. After checking, he had found that no similar programs had found that it deterred callers. He noted ambulances charge but people still call and there was no indication this would be different. He said single family residential was proposed for a higher rate due to the number of people and income demographics as compared to multi-family housing. He said that payment arrangements would be worked out when necessary. Chief Varner explained how REDCOMM determines whether to dispatch a Fire Department or Police Department response.

Council discussion ensued, with Councilmember Sawyer indicating he would not support charging someone for lifesaving emergency services. Councilmember Olivares also said he could not support the proposal as this was a core City service that citizens agreed to pay for with Measure O funds. Councilmember Bender also indicated she could not support it for the same reasons. Vice Mayor Vas Dupre said she would support it as she sees it as an insurance policy that residents could opt out of, but this would support

the department and these vital services.

Councilmember Jacobi didn't state her position, and Mayor Gorin requested that this be left open for future reconsideration until there is a more definite understanding of the budget cuts coming down from the state.

There was no council action taken on this item.

12. PUBLIC COMMENT (CONTINUED) [6:49:39 PM](#)

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

Jack Osborne objected to the lack of position titles of unrepresented employees on the closed session agenda announcement; and the lack of acceptance and ratification by individual unrepresented employees of an agreement, citing an AG's opinion on the matter.

James Ingegneri, George's Yellow Checker Cab, requested that the City regulate the growing taxi business in Santa Rosa which would require cabs to be marked, drivers to be screened, taxes and licenses paid, and vehicles inspected for safety.

Brian Walker asked that gas powered yard maintenance equipment be outlawed due to health and noise concerns.

Elizabeth Neylon spoke against war.

Peter Tcherneff read a poem.

John Jenkel spoke regarding a legal dispute with his neighbor.

Colleen Fernald suggested no more spending on war.

13. WRITTEN COMMUNICATIONS (AND POSSIBLE COUNCIL ACTION)

13.1 LOCAL GOVERNMENT COMMISSION REPORTS – APRIL 2009

13.2 LIVABLE PLACES UPDATE -- APRIL 2009

14. MAYOR'S/COUNCILMEMBERS' REPORTS [7:16:31 PM](#)

Councilmember Jacobi announced the resignation of Susan Clark from the Design Review Board, and thanked her for her service.

City Manager Kolin was appointed as the City's voting delegate at the League of California Cities Conference.

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

17. ADJOURNMENT OF MEETING

Hearing no further business, at 7:32 p.m. Mayor Gorin adjourned the meeting to 9:00 a.m. on Wednesday, June 17, 2009 in the Council Chamber, in memory of Phyllis Elman.

9:00 AM, WEDNESDAY, JUNE 17, 2009, CITY COUNCIL CHAMBER [9:07:21 AM](#)

18. CALL TO ORDER OF ADJOURNED REGULAR COUNCIL MEETING AND ROLL CALL [9:08:09 AM](#)

Mayor Gorin called the adjourned regular Council meeting to order at 9:07 a.m. in the Council Chamber on Wednesday, June 17.

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

18.1 CITY MANAGER'S COMMENTS ON CITY'S PROPOSED FY 2009/10 BUDGET [9:08:28 AM](#)

City Manager Kolin provided background information on the development of the year's budget.

18.2 STATEMENTS OF ABSTENTION [9:17:43 AM](#)

City Attorney Fowler entered into the record the following Council abstentions based upon project proximity to property owned or income received by the abstaining Council member. There were no further abstentions stated by any member of the Council.

Name	Project
Bender	None
Gorin	None

Name	Project
Jacobi	RP 8476 DeTurk Round Barn UT7 660 Water Main – Decker & Coulter UT 8787 Sewer Main replace – Decker/Boyce/W. 8 th – Dutton to Coulter Redevelopment: <ul style="list-style-type: none"> • Appropriations for the Gateways Redevelopment Project Area in the amount of \$125,000 for administrative costs
Olivares	PW 8225 Santa Rosa Creek Multi-use path – Streamside to Mission UT 8816 Sewer Main replace: Highway 12 – Mission Blvd. Easement
Sawyer	None
Sawyer	AS 8710 Miscellaneous Library Improvements PW 5028 Northern downtown pedestrian linkages PW 8255 Humboldt Street Bicycle Boulevard PW 8297 Courthouse Square Reunification TP 7405 Garage 4 Repairs TP 7416 Garage 5 Repairs TP 8801 Garage 7 – Design and Construction UT 7626 Water Main replace: 3 rd St – B to E UT 7630 Water Main replace: 7 th St – Humboldt to Beaver UT 7658 Water Main replace: Downtown Core Improvements, Ph II UT 8755 Sewer Main replace: 3 rd St - B to E UT 8766 Sewer Main replace: 7 th St – Humboldt to E (VCP)8801 Community Promotions: <ul style="list-style-type: none"> • Rose Parade and Festival • Santa Rosa Symphony Summer Concerts • Santa Rosa Downtown Market • Sonoma County Book Festival
Sawyer (cont.)	Redevelopment: <ul style="list-style-type: none"> • Appropriations for the Santa Rosa Center/Grace Brothers Redevelopment Project Area in the total amount of \$4,290,558, which includes funding for projects, low and moderate income housing assistance, debt service, and administrative costs. • Appropriations for the Gateways

Name	Project
	Redevelopment Project Area in the amount of \$125,000 for administrative costs
Vas Dupre	UT 8372 Water Main replace: Ridgeview/Zieber/Montecito/Woodbrae
Wysocky	UT 7636 Water Main replace: Orchard/Arbor/N Beaver – Dexter to Silva UT 8765 Sewer Main replace: Orchard/Arbor/N Beaver – Dexter to Silva

18.3 PUBLIC HEARING ON CITY'S PROPOSED BUDGET FOR FISCAL YEAR 2009/10
[9:21:55 AM](#)

Mayor Gorin announced that the Council would conduct the public hearing on the budget pursuant to the City Charter and called for public testimony on the 2009-10 Proposed City Budget.

Hearing no testimony, Mayor Gorin closed the public hearing at [9:22:21 AM](#).

18.4 STAFF PRESENTATIONS OF AN OVERVIEW OF THE PROPOSED CITY BUDGET AND BUDGET PROCESS FOR FISCAL YEAR 2009/10
[9:23:16 AM](#)

Dave Heath, Director of Finance; Jean Gill, Acting Financial Planning Manager, and Brian Cochran, Principal Financial Analyst provided a citywide budget overview. Mr. Cochran provided economic forecasting data; Ms. Gill presented the projected budget forecast indicating an \$8.4 million average annual deficit; and Mr. Heath summarized risk challenges and next steps.

18.5 PUBLIC HEARING –RECREATION FEE ADJUSTMENT- AQUATIC FEES
[10:00:18 AM](#)

Marc Richardson, Assistant City Manager – Director of Recreation and Parks, and Don Hicks, Recreation Supervisor, outlined the recommended adjustments to the Aquatic Admission and Program Fee Schedule as detailed in the staff report and resolution.

PUBLIC HEARING [10:04:58 AM](#)

Peter Tcherneff spoke against chlorine use in the pools.

Hearing no further testimony, Mayor Gorin closed the public hearing at [10:08:17 AM](#).

MOVED by Vice Mayor Vas Dupre, seconded by Councilmember Olivares, carried 6-0-1 (Councilmember Wysocky absent) to adopt and waive reading of the text of the resolution in item 18.5 as follows:

RESOLUTION NO. 27411 ENTITLED:
RESOLUTION OF THE COUNCIL OF THE CITY OF SANTA ROSA APPROVING AND ADOPTING AN ADMISSION FEE OF THE RECREATION AND PARKS DEPARTMENT

18.6 PUBLIC HEARING – BENNETT VALLEY MUNICIPAL GOLF COURSE GREEN FEES
[10:11:54 AM](#)

Marc Richardson, Assistant City Manager – Director of Recreation and Parks, outlined the proposed fee increase. On September 20, 2005, the Council awarded the contract for construction of the Bennett Valley Municipal Golf course facility improvements. An integral piece to repayment of the bonds purchased to finance that project was a commitment to three future fee increases. The first two fee increases of 10% each were implemented in 2007 and 2008. This proposed 9% increase was the third and would become effective January 1, 2010.

PUBLIC HEARING [10:28:20 AM](#)

Peter Tcherneff objected to use of water on golf courses.

Hearing no further testimony, Mayor Gorin closed the public hearing at [10:33:10 AM](#).

MOVED by Councilmember Jacobi, seconded by Councilmember Sawyer, carried 6-0-1 (Councilmember Wysocky absent) to adopt and waive reading of the text of the resolution in item 18.6 as follows:

RESOLUTION NO. 27412 ENTITLED:
RESOLUTION OF THE COUNCIL OF THE CITY OF SANTA ROSA INCREASING THE EXISTING GREEN FEES FOR BENNETT VALLEY MUNICIPAL GOLF COURSE

18.7 COUNCIL CONSIDERATION OF PROPOSED CITY BUDGET FOR FISCAL YEAR 2009-2010 AND ADOPTION OF THE CITY BUDGET FOR THE COMING FISCAL YEAR
[10:34:09 AM](#)

The Council considered the City's proposed fiscal year 2009/10 budget including the proposed fiscal year 2009/10 Operations and Maintenance Budget and proposed fiscal year 2009/10 Five-Year Capital Improvement Program and received and

considered budget reports for the City's operating departments, agencies and offices, including proposals for new and increased fees.

Each department's accomplishments in the prior fiscal year, objectives for the upcoming fiscal year, budget highlights and proposed budget were presented to the Council by the budget team and the department's management team. The individual department budgets were presented in the following order:

RECREATION AND PARKS

PUBLIC COMMENT [11:01:56 AM](#)

Peter Tcherneff read a poem about budget cuts and the national economy and other issues.

CITY ATTORNEY'S OFFICE [11:04:52 AM](#)

HUMAN RESOURCES DEPARTMENT [11:11:58 AM](#)

COMMUNITY DEVELOPMENT DEPARTMENT [11:31:02 AM](#)

Mayor Gorin recessed the meeting at [11:45:54 AM](#) and reconvened at [12:45:49 PM](#) in the Council Chamber with all members except Councilmember Wysocky present.

CITY COUNCIL [12:46:59 PM](#)

CITY MANAGER'S OFFICE [1:07:21 PM](#)

FINANCE DEPARTMENT [1:39:13 PM](#)

18.8 ADJOURN (CONTINUE) COUNCIL MEETING TO RECONVENE AT 9:00 A.M. ON THURSDAY, JUNE 18, 2009, IN THE COUNCIL CHAMBER [2:07:18 PM](#)

MOVED by Councilmember Olivares, seconded by Councilmember Sawyer, carried 6-0-1 (Councilmember Wysocky absent) to adjourn the meeting until 9:00 a.m. Thursday, June 18, 2009 in the Council Chamber.

9:00 AM, THURSDAY, JUNE 18, 2009 CITY COUNCIL CHAMBER

19. CALL TO ORDER OF ADJOURNED REGULAR COUNCIL MEETING AND ROLL CALL

Mayor Gorin called the adjourned regular Council meeting to order at 9:11 a.m., Thursday, June 18, 2009 in the Council Chamber. Councilmembers present: Mayor Gorin; Vice Mayor Vas Dupre, Councilmembers Bender, Sawyer, Jacobi, Olivares, and Wysocky.

PUBLIC COMMENT

Peter Tcherneff read a poem regarding budget cuts, the Council, and Police and Fire services.

19.1 CONTINUED - COUNCIL CONSIDERATION OF PROPOSED CITY BUDGET FOR FISCAL YEAR 2009-2010 AND ADOPTION OF THE CITY BUDGET FOR THE COMING FISCAL YEAR [9:11:05 AM](#)

The Council continued to consider the City's proposed fiscal year 2009/10 budget including the proposed fiscal year 2009/10 Operations and Maintenance Budget and proposed fiscal year 2009/10 Five-Year Capital Improvement Program and received and considered budget reports for the City's operating departments, agencies and offices, including proposals for new and increased fees.

Each department's accomplishments in the prior fiscal year, objectives for the upcoming fiscal year, budget highlights and proposed budget were presented to the Council by the budget team and the department's management team. The individual department budgets were presented in the following order:

TRANSIT DEPARTMENT

ECONOMIC DEVELOPMENT AND HOUSING AND PARKING [10:41:17 AM](#)

POLICE DEPARTMENT

FIRE DEPARTMENT [11:06:28 AM](#)

PUBLIC WORKS DEPARTMENT [11:35:26 AM](#)

Mayor Gorin recessed the meeting at [11:59:11 AM](#) and reconvened at [1:01:03 PM](#) in the Council Chamber with all members present.

UTILITIES DEPARTMENT [1:03:31 PM](#)

CAPITAL IMPROVEMENT PROGRAM (CIP) [1:24:32 PM](#)

City Manager Kolin announced that there was a new CIP project, the Stormwater Replacement Project in Railroad Square, added since the Council's study session review and two corrections to the CIP document which incorrectly showed some gas tax funding. Mr. Cochran had corrected the information in the CIP document and distributed copies.

19.2 REPORT -- MEASURE O IMPLEMENTATION PLAN ADJUSTMENTS AND APPROVAL OF LOWER LEVEL FUNDING [1:43:20 PM](#)

Alan Alton, Administrative Services Officer, made the staff presentation for the Measure O

Implementation Plan. Upon the Council's finding of Fiscal Crisis under City Code Chapter 3-26, unions representing Police Officers, Police Management, and Firefighters negotiated with the City certain concessions that would help mitigate the budget deficit facing the General Fund for FY 2009/10 and beyond. Those concessions included the one-time use of Measure O (Transaction and Use Tax, City Code Chapter 3-26) fund balances and a number of sworn police and fire positions previously funded by the General Fund to be funded by Measure O revenues through the period of Fiscal Crisis. By doing this, the burden on the General Fund was reduced for that period. Finance Department staff had analyzed the Police and Fire Measure O funds and determined there were sufficient fund balances for this purpose, and proposed several changes (amendments) to the Police and Fire portions of the Measure O Implementation Plan. The Police, Fire and Finance Departments recommended amending the Transaction and Use Tax Implementation Plan to include several changes related to the recently-declared finding of Fiscal Crisis; and to approve funding for Police Department purposes and uses and certain gang prevention and youth programs at levels lower than those in the approved budget for FY 2004/05, as adjusted annually under Chapter 3-26.

Mayor Gorin recessed the meeting at [2:27:47 PM](#) and reconvened at [2:50:42 PM](#) with all members of the Council present.

MOVED by Vice Mayor Vas Dupre, seconded by Councilmember Sawyer, carried unanimously, to adopt and waive the reading of the text of the resolution in Item 19.2 as follows, with Exhibit A amended to state they would earmark funds for the Gang Prevention supervision position until a determination was made by the Council as to the classification level.

RESOLUTION NO. 27413 ENTITLED:
RESOLUTION OF THE COUNCIL OF THE CITY OF SANTA ROSA AMENDING THE TRANSACTION AND USE TAX IMPLEMENTATION PLAN AND APPROVING LOWER LEVELS OF FUNDING FOR CERTAIN POLICE DEPARTMENT PURPOSES AND USES AND GANG PREVENTION AND YOUTH PROGRAMS

19.1 CONTINUED - COUNCIL CONSIDERATION OF PROPOSED CITY BUDGET FOR FISCAL YEAR 2009-2010 AND ADOPTION OF THE CITY BUDGET FOR THE COMING FISCAL YEAR [3:01:49 PM](#)

MOVED by Councilmember Wysocky, seconded by Councilmember Sawyer, carried unanimously, to add the Stormwater Replacement Project in Railroad Square in the amount of \$304,033 to be funded by CDBG-R funding to the cip budget for the 09-10 fiscal year.

MOVED by Vice Mayor Vas Dupre, seconded by Councilmember Sawyer, carried 7-0, to adopt and waive reading of the text of the resolution in item 19.1 as follows:

RESOLUTION NO. 27414 ENTITLED:
RESOLUTION OF COUNCIL OF THE CITY OF SANTA ROSA APPROVING THE BUDGET FOR THE CITY OF SANTA ROSA FOR FISCAL YEAR 2009/2010 AND ESTABLISHING RESERVES FOR THE 2008/2009 FISCAL YEAR

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 19.1 as follows:

RESOLUTION NO. 27415 ENTITLED:
RESOLUTION OF THE COUNCIL OF THE CITY OF SANTA ROSA APPROVING CERTAIN PROJECTS WITHIN THE 2009/2010 CAPITAL IMPROVEMENT PROGRAM BUDGET

MOVED by Vice Mayor Vas Dupre, seconded by Councilmember Wysocky, carried 6-0-1 (Councilmember Olivares abstaining), to adopt and waive reading of the text of the resolution in item 19.1 as follows:

RESOLUTION NO. 27416 ENTITLED:
RESOLUTION OF THE COUNCIL OF THE CITY OF SANTA ROSA APPROVING CERTAIN PROJECTS WITHIN THE 2009/2010 CAPITAL IMPROVEMENT PROGRAM BUDGET

MOVED by Vice Mayor Vas Dupre, seconded by Councilmember Wysocky carried 6-0-1 (Councilmember Sawyer abstaining), to adopt and waive reading of the text of the resolution in item 19.1 as follows:

RESOLUTION NO. 27417 ENTITLED:
RESOLUTION OF THE COUNCIL OF THE CITY OF SANTA ROSA APPROVING CERTAIN PROJECTS WITHIN THE 2009/2010 CAPITAL IMPROVEMENT PROGRAM BUDGET

MOVED by Councilmember Bender, seconded by Councilmember Jacobi, carried 6-0-1 (Vice Mayor Vas Dupre abstaining), to adopt and waive reading of the text of the resolution in item 19.1 as follows:

RESOLUTION NO. 27418 ENTITLED:
RESOLUTION OF THE COUNCIL OF THE CITY OF SANTA ROSA APPROVING CERTAIN PROJECTS WITHIN THE 2009/2010 CAPITAL IMPROVEMENT PROGRAM BUDGET

MOVED by Vice Mayor Vas Dupre, seconded by Councilmember Jacobi, carried 6-0-1 (Councilmember Wysocky abstaining), to adopt and waive reading of the text of the resolution in item 19.1 as follows:

RESOLUTION NO. 27419 ENTITLED:
RESOLUTION OF THE COUNCIL OF THE CITY OF SANTA ROSA APPROVING CERTAIN PROJECTS WITHIN THE 2009/2010 CAPITAL IMPROVEMENT PROGRAM BUDGET

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 19.1 as follows:

RESOLUTION NO. 27420 ENTITLED:
RESOLUTION OF THE COUNCIL OF THE CITY OF SANTA ROSA APPROVING CERTAIN PROJECTS WITHIN THE 2009/2010 CAPITAL IMPROVEMENT PROGRAM BUDGET

MOVED by Vice Mayor Vas Dupre, seconded by Councilmember Jacobi, carried 7-0, to adopt and waive reading of the text of the resolution in item 19.1 as follows:

RESOLUTION NO. 27421 ENTITLED:
RESOLUTION OF THE COUNCIL OF THE CITY OF SANTA ROSA AUTHORIZING THAT PFIF FUNDED PROJECTS CONTAINED WITHIN THE CITY BUDGET AND THE CAPITAL IMPROVEMENT PROGRAM DOCUMENT REPLACE THE PFIF MAP AND LIST ON FILE WITH THE CITY ENGINEER AND MAKING CERTAIN FINDINGS WITH REGARD TO CEQA REQUIREMENTS FOR THE ADOPTION OF THE CITY BUDGET

MOVED by Vice Mayor Vas Dupre, seconded by Councilmember Jacobi, carried 7-0, to adopt and waive reading of the text of the resolution in item 19.1 as follows:

RESOLUTION NO. 27422 ENTITLED:
RESOLUTION OF THE COUNCIL OF THE CITY OF SANTA ROSA SETTING THE STORM WATER UTILITY BUDGET AND DETERMINING THE AMOUNT OF ELIGIBLE FUNDING THAT HAS BEEN RECEIVED FROM THE FLOOD CONTROL ZONE 1A BENEFIT ASSESSMENT IN FISCAL YEAR 2008-2009 AND BASED

THEREON SETTING THE STORM WATER ASSESSMENT PER EQUIVALENT RESIDENTIAL UNIT FOR THE FISCAL YEAR 2009-2010

MOVED by Vice Mayor Vas Dupre, seconded by Councilmember Jacobi, carried 7-0, to adopt and waive reading of the text of the resolution in item 19.1 as follows:

RESOLUTION NO. 27423 ENTITLED:
RESOLUTION OF THE COUNCIL OF THE CITY OF SANTA ROSA APPROVING THE REDEVELOPMENT AGENCY BUDGET FOR FISCAL YEAR 2009/2010 AND ESTABLISHING RESERVES FOR THE 2008/2009 YEAR

MOVED by Vice Mayor Vas Dupre, seconded by Councilmember Bender, carried 5-0-2 (Councilmembers Jacobi and Sawyer abstaining), to adopt and waive reading of the text of the resolution in item 19.1 as follows:

RESOLUTION NO. 27424 ENTITLED:
RESOLUTION OF THE COUNCIL OF THE CITY OF SANTA ROSA APPROVING THE REDEVELOPMENT AGENCY BUDGET FOR FISCAL YEAR 2009/2010 AND ESTABLISHING RESERVES FOR THE 2008/2009 YEAR

MOVED by Vice Mayor Vas Dupre, seconded by Councilmember Jacobi, carried 6-0-1 (Councilmember Sawyer abstaining), to adopt and waive reading of the text of the resolution in item 19.1 as follows:

RESOLUTION NO. 27425 ENTITLED:
RESOLUTION OF THE COUNCIL OF THE CITY OF SANTA ROSA APPROVING THE REDEVELOPMENT AGENCY BUDGET FOR FISCAL YEAR 2009/2010 AND ESTABLISHING RESERVES FOR THE 2008/2009 YEAR

MOVED by Vice Mayor Vas Dupre, seconded by Councilmember Jacobi, carried 7-0, to adopt and waive reading of the text of the resolution in item 19.1 as follows:

RESOLUTION NO. 27426 ENTITLED:
RESOLUTION OF THE COUNCIL OF THE CITY OF SANTA ROSA AMENDING THE CITY CLASSIFICATION AND SALARY PLAN BY ELIMINATING, RECLASSIFYING OR ADDING CERTAIN GENERAL FUND POSITIONS AS PART OF THE FISCAL YEAR 2009/2010 BUDGET ADOPTION PROCESS

19.3 ADJOURNMENT OF COUNCIL MEETING, OR, IF NEEDED, ADJOURN AND CONTINUE REGULAR CITY COUNCIL MEETING TO RECONVENE AT 9:00 AM

**ON FRIDAY, JUNE 19 IN THE CITY
COUNCIL CHAMBER**

It was not necessary to continue the meeting to Friday, June 19.

22. ADJOURNMENT OF MEETING [3:13:35 PM](#)

Hearing no further business, Mayor Gorin adjourned the meeting at 3:13 p.m. The next regularly scheduled meeting will take place on June 23, 2009, at a time to be set by the Mayor.

Approved on July 7, 2009.

Susan Stoneman
City Clerk