

**SANTA ROSA CITY COUNCIL MEETING MINUTES  
TUESDAY, NOVEMBER 10, 2009  
COUNCIL CHAMBER, CITY HALL, 100 SANTA ROSA AVENUE  
REGULAR MEETING**

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

Mayor Gorin called the meeting to order at 2:30 p.m. in the Mayor's Conference Room.

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

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

**2.1 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).

**2.2 CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION**

Significant exposure to litigation pursuant to subdivision (b)(1) of Government Code section 54956.9. One potential case.

**2.3 ADJOURN CLOSED SESSION(S) AND RECONVENE TO OPEN SESSION IN THE MAYOR'S CONFERENCE ROOM**

**3:30 (MAYOR'S CONFERENCE ROOM)**

**3. JOINT STUDY SESSION WITH**

**COMMUNITY ADVISORY BOARD**

**3.1 2009 COMMUNITY ADVISORY BOARD GOALS**

All members of the Council were present as noted above. Community Advisory Board members present were: Chair Tanya Narath, Lee Dibble, Curtis Byrd, Arnie Barragan, Jo Anne Cohn, Russ Lee, and Lois Hopkins. Absent: Julie Combs, David Johnson, Nancy Wang, Marvin Mai, David McDonald and Chris Carrieri.

Staff presented an informational briefing on the Community Advisory Board's 2009 Goals and members of the Community Advisory Board and the Council discussed accomplishments to date and future goals and objectives. No action was taken on this item.

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

**4. ANNOUNCEMENT OF ROLL CALL**

Councilmembers were present as noted above. Teen Council member Rena Wang was also in attendance.

**5. REPORT, IF ANY, ON STUDY AND CLOSED SESSION(S) [4:29:45 PM](#)**

City Attorney Fowler reported that the Council had met in closed session regarding Items 2.1 and 2.2 as listed on the agenda. There was no action taken and no announcement to be made.

City Manager Kolin reported on the Community Advisory Board goals and objectives study session.

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

**7. STAFF BRIEFINGS**

**7.1 PROJECT PRIDE [4:30:17 PM](#)**

Ellen Bailey, Recreation Supervisor, introduced Mike Lucid and Dr. John Kolhoven of Sonoma County Mental Health Services, Probation Officer Sheralynn Freitas and Barry Feinberg of Sunny Hills Services. The team briefed the Council on the collaborative effort between the organizations represented to initiate the PRIDE program, a pilot project to provide community-based services for 12 Santa Rosa youth involved in or at risk of gang involvement. The PRIDE Program services are

designed to reduce juvenile incarceration terms and recidivism and to enable youth to be discharged to less restrictive settings. The program, which will include intensive treatment services, was estimated to cost \$360,000 for the current fiscal year, and include \$25,000 of Measure O funding.

**8. APPROVAL OF MINUTES – OCTOBER 12, 2009 REGULAR MEETING MINUTES**  
[4:53:53 PM](#)

The minutes were approved as presented, with Vice Mayor Vas Dupre abstaining.

**9. STATEMENTS OF ABSTENTION BY COUNCILMEMBERS** [4:54:16 PM](#)

No statements of abstention were made.

**10. CONSENT ITEMS** [4:54:30 PM](#)

Item 10.5 was pulled from the Consent Calendar at the request of Councilmember Wysocky.

**PUBLIC COMMENT** [4:58:46 PM](#)

Duane DeWitt was opposed to item 10.2 due to the removal of affordable houses along the right-of-way.

City Manager Kolin and Public Works Director Moshier responded that the extensive public process had resulted in a design for the optimal reduction of impacts, and that the quality of life for residents of the houses along Stony Point Road would significantly decline after street improvements were made if residents were to remain in the existing homes.

MOVED by Vice Mayor Vas Dupre, seconded by Councilmember Sawyer, carried unanimously, to adopt the motion in item 10.1 and adopt and waive reading of the text of the resolutions in items 10.3, 10.4, and 10.6 and adopt and waive reading of the text of the ordinance in item 10.7 as follows:

**10.1 MOTION -- COOPERATIVE PURCHASE AGREEMENT - OFFICE SUPPLIES**

**MOTION** AUTHORIZING A COOPERATIVE PURCHASE AGREEMENT FOR A ONE-YEAR CONTRACT WITH AN OPTION FOR TWO ADDITIONAL ONE-YEAR EXTENSIONS FOR OFFICE SUPPLIES FROM STAPLES CONTRACT & COMMERCIAL, INC., NEWARK, CALIFORNIA, UNDER TERMS OF THE NATIONAL PURCHASING PARTNERS CONTRACT, IN THE TOTAL AMOUNT OF \$300,000 FOR THE FIRST YEAR. FUNDS FOR THIS OPERATIONAL EXPENSE HAVE BEEN ALLOCATED IN THE

OPERATIONAL BUDGETS OF VARIOUS DEPARTMENTS.

**10.3 RESOLUTION – ADOPTION OF CITY OF SANTA ROSA VANTAGECARE RETIREMENT HEALTH SAVINGS (RHS) PLAN FOR MIDDLE MANAGEMENT (UNIT 18)**

**RESOLUTION NO. 27514 ENTITLED:**  
RESOLUTION OF THE COUNCIL OF THE CITY OF SANTA ROSA TO ADOPT THE CITY OF SANTA ROSA VANTAGECARE RETIREMENT HEALTH SAVINGS (RHS) PLAN FOR UNIT 18 MIDDLE MANAGEMENT

**10.4 RESOLUTION -- ACCEPTANCE OF A GRANT FROM THE DEPARTMENT OF HOMELAND SECURITY**

**RESOLUTION NO. 27515 ENTITLED:**  
RESOLUTION OF THE COUNCIL OF THE CITY OF SANTA ROSA AUTHORIZING THE ACCEPTANCE OF A PASS THROUGH GRANT FROM THE COUNTY OF SONOMA

**10.6 RESOLUTION -- EXTEND THE TERM OF 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 AND MODIFY THE BENEFIT PACKAGE FOR EMPLOYEES IN THE CITY'S UNIT 10 - EXECUTIVE MANAGEMENT AND UNIT 11 - MIDDLE-MANAGEMENT**

**RESOLUTION NO. 27516 ENTITLED:**  
RESOLUTION OF THE COUNCIL OF THE CITY OF SANTA ROSA TO EXTEND THE TERM OF 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 AND MODIFY THE BENEFIT PACKAGE FOR EMPLOYEES IN THE CITY'S UNIT 10 - EXECUTIVE MANAGEMENT AND UNIT 11 - MIDDLE-MANAGEMENT

**10.7 ORDINANCE ADOPTION -- ORDINANCE AMENDING CERTAIN SECTIONS OF CHAPTER 14-04 (POTABLE WATER AND RECYCLED WATER SERVICE) OF THE SANTA ROSA CITY CODE TO ADD PROVISIONS FOR RECYCLED WATER RATES FOR USERS SERVED BY INTERRUPTIBLE SUPPLY**

**ORDINANCE NO. 3922 ENTITLED:** ORDINANCE OF THE COUNCIL OF THE CITY OF SANTA ROSA AMENDING CERTAIN SECTIONS OF CHAPTER 14-04 (POTABLE WATER AND RECYCLED WATER SERVICE) OF THE SANTA ROSA CITY CODE TO ADD PROVISIONS FOR RECYCLED WATER RATES FOR USERS SERVED BY INTERRUPTIBLE SUPPLY

MOVED by Vice Mayor Vas Dupre, seconded by Councilmember Sawyer, carried 6-0-1 (Councilmember Jacobi abstaining), to adopt the motion in item 10.2 as follows:

**10.2 MOTION -- INCREASE CONTRACT CONTINGENCY – STONY POINT ROAD WIDENING AND RECONSTRUCTION PHASE 1 – HIGHWAY 12 TO SEBASTOPOL ROAD**

**MOTION** APPROVING AN INCREASE IN CONTINGENCY TO CONTRACT NUMBER 2006-001 FOR THE CONSTRUCTION OF THE STONY POINT ROAD WIDENING AND RECONSTRUCTION PHASE 1 – HIGHWAY 12 TO SEBASTOPOL ROAD, SANTA ROSA, CALIFORNIA INCREASING THE CONTRACT AMOUNT BY \$166,083. THE SOURCE OF FUNDS BEING REDEVELOPMENT AGENCY FUNDS AND SOUTHWEST AREA DEVELOPMENT IMPACT FEES TO A TOTAL OF \$2,040,647

MOVED by Vice Mayor Vas Dupre, seconded by Councilmember Sawyer, carried 6-1 (Councilmember Jacobi voting NO), to adopt and waive the reading of the text of the ordinance in item 10.8 as follows:

**10.8 ORDINANCE ADOPTION -- REZONING - 691 WEST THIRD STREET**

**ORDINANCE NO. 3923 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 691 WEST THIRD STREET TO THE R-3-18 DISTRICT

MOVED by Vice Mayor Vas Dupre, seconded by Councilmember Sawyer, carried 6-1 (Councilmember Jacobi voting NO), to adopt and waive the reading of the text of the ordinance in item 10.9 as follows:

**10.9 ORDINANCE ADOPTION -- REZONING - 2363 HARDIES LANE**

**ORDINANCE NO. 3924 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 2363 HARDIES LANE TO THE R-3-18 DISTRICT

**10.5 RESOLUTION -- AGREEMENT BETWEEN THE CITY OF SANTA ROSA AND THE SANTA ROSA JUNIOR COLLEGE DISTRICT AUTHORIZING ENFORCEMENT OF CITY CODE CHAPTER 9-20 (SMOKING ORDINANCE) BY PEACE OFFICERS EMPLOYED BY THE SANTA ROSA JUNIOR COLLEGE [5:10:59 PM](#)**

Karen Weeks, Administrative Services Officer – Police, explained this agreement would enable the SRJC officers to enforce the City’s smoking ordinance within 20 feet of the campus, which is already designated as a non-smoking campus and would thus enable SRJC officers to restrict smoking occurring on adjacent streets and sidewalks.

PUBLIC COMMENT [5:18:24 PM](#)

Richard Canini opposed criminalization as it exacerbates the problem and requested repeal of the smoking ordinance.

MOVED by Vice Mayor Vas Dupre, seconded by Councilmember Sawyer, carried 6-1 (Councilmember Wysocky voting NO), to adopt and waive the reading of the text of the ordinance in item 10.9 as follows:

**RESOLUTION NO. 27517 ENTITLED:** RESOLUTION OF THE COUNCIL OF THE CITY OF SANTA ROSA APPROVING THE AGREEMENT BETWEEN THE CITY OF SANTA ROSA AND THE SANTA ROSA JUNIOR COLLEGE DISTRICT AUTHORIZING ENFORCEMENT OF CITY CODE CHAPTER 9-20 (SMOKING ORDINANCE) BY PEACE OFFICERS EMPLOYED BY THE SANTA ROSA JUNIOR COLLEGE

**11. REPORT ITEMS**

**11.1 REPORT -- WATER EFFICIENT LANDSCAPE ORDINANCE [5:24:57 PM](#)**

Dan Mulerath, Water Conservation Coordinator, presented the proposed water efficient landscape ordinance. In 1992, the City of Santa Rosa developed and adopted the Water Efficient Landscape Policy which applies to Commercial, Industrial and Institutional development, Park and Greenbelt development, and common areas of Single Family and Multi Family development. This policy was revised in 2007 and a Residential

Landscape Policy was also created and implemented that year. The Water Conservation in Landscaping Act of 2006 (AB 1881) required the Department of Water Resources, not later than January 1, 2009, by regulation, to update the model ordinance in accordance with specified requirements, reflecting the provisions of AB 2717. AB 1881 required local agencies to adopt the updated model ordinance by January 1 or it would be automatically adopted by statute. In response to this legislation the City convened a regional stakeholder group (Napa, Marin, Sonoma and Mendocino) that reviewed and modified the State Ordinance to create a stronger more cohesive Water Efficient Landscape Ordinance. The Board of Public of Utilities and the Department of Utilities recommended the following:

1) Limit the application of the Water Efficient Landscape Policy Resolution No. 21142 and as amended by City Council Resolution No. 26846 and the Single Family Landscape Policy as adopted by City Council Resolution No. 26690, to development projects that have a completed application for Building or Grading Permit, Plan Check, Design Review or Utilities Certificate, on file prior to January 1, 2010; and

2) Enact Water Efficient Landscape Ordinance (Chapter 14-30) to the Santa Rosa City Code.

PUBLIC COMMENT [5:46:40 PM](#)

Duane DeWitt requested nature preserves be left in a natural state without irrigation or landscaping and therefore exempt; and asked for and received clarification regarding the administrative duties and costs.

Ann DuBay, Sonoma County Water Agency, said although the ordinance would come before the Board of Supervisors on December 15, but SCWA staff is in support. She also spoke regarding fish restoration and habitat enhancement projects.

Colleen Fernald suggested Community Watershed Care programs and preferred that any recycled water irrigation be subsurface, and that landscape not use water and be fire safe.

John Jenkel, Graton, spoke against mankind spoiling natural habitat, citing Enron as an example.

MOVED by Councilmember Olivares, seconded by Vice Mayor Vas Dupre, carried unanimously, to adopt and waive reading of the text of the resolution and introduce and waive reading of the text of the ordinance in item 11.1 as follows:

**RESOLUTION NO. 27518 ENTITLED:**  
RESOLUTION OF THE COUNCIL OF THE CITY OF SANTA ROSA LIMITING THE APPLICATION OF THE WATER EFFICIENT LANDSCAPE POLICY RESOLUTION NO. 21142 AND AS AMENDED BY CITY COUNCIL RESOLUTION NO. 26846 AND THE SINGLE FAMILY LANDSCAPE POLICY AS ADOPTED BY CITY COUNCIL RESOLUTION NO. 26690 TO DEVELOPMENT PROJECTS THAT HAVE A COMPLETED APPLICATION FOR A BUILDING OR GRADING PERMIT, PLAN CHECK, DESIGN REVIEW OR UTILITIES CERTIFICATE ON FILE PRIOR TO JANUARY 1, 2010 AND ADOPT A CITY OF SANTA ROSA WATER EFFICIENT LANDSCAPE ORDINANCE

**ORDINANCE ENTITLED:** ORDINANCE OF THE COUNCIL OF THE CITY OF SANTA ROSA WATER EFFICIENT LANDSCAPE ORDINANCE

5:00 P.M.

**11.2 PUBLIC HEARING -- CITY-INITIATED REZONING OF PROPERTY AT SOUTHWEST CORNER OF PETALUMA HILL ROAD AND COLGAN AVENUE**  
[5:59:07 PM](#)

Erin Morris, Senior Planner, made the staff presentation. On August 27, 2009, the Planning Commission adopted a resolution (6-0-1) recommending rezoning of the site located at 1683, 1725, 1767, 1777, and 1875 Petaluma Hill Road from R-1-6 Single Family Residential to the R-3-30 Multi-Family Residential district. The rezoning would achieve consistency with the site's Medium High Density Residential General Plan land use designation, implementing General Plan Policy H-C-4 which calls for rezoning of Medium and Medium High Density sites of two acres or more concurrent with adoption of the Housing Element to facilitate the development of higher density sites. The Planning Commission and the Community Development Department recommended Council approval of an ordinance rezoning property located at 1683, 1725, 1767, 1777 and 1875 Petaluma Hill Road to the R-3-30 Multi-Family Residential district.

PUBLIC HEARING [6:03:40 PM](#)

Hearing no public testimony, Mayor Gorin closed the public hearing at [6:04:17 PM](#).

MOVED by Councilmember Wysocky, seconded by Councilmember Bender, 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 TITLE 20 OF THE SANTA ROSA CITY CODE – RECLASSIFICATION OF PROPERTY LOCATED AT 1683, 1725, 1767, 1777, AND 1875 PETALUMA HILL ROAD TO THE R-3-30 MULTI-FAMILY RESIDENTIAL DISTRICT – FILE NUMBER REZ08-020

**11.3 PUBLIC HEARING -- CITY-INITIATED REZONING OF 1000 SECOND STREET**  
[6:05:02 PM](#)

Erin Morris, Senior Planner, made the staff presentation. On August 27, 2009, the Planning Commission adopted a resolution (6-0-1) recommending rezoning of the site located at 1000 Second Street from PD Planned Development to the R-3-30 Multi-Family Residential district. The rezoning would achieve consistency with the site's Medium High Density Residential General Plan land use designation, implementing General Plan Policy H-C-4 which calls for rezoning of Medium and Medium High Density sites of two acres or more concurrent with adoption of the Housing Element to facilitate the development of higher density sites. The Planning Commission and the Community Development Department recommended approval of an ordinance rezoning 1000 Second Street to the R-3-30 Multi-Family Residential district.

**PUBLIC HEARING** [6:08:18 PM](#)

James Wheeler, stated his preference for the property to remain undeveloped, noting access is off of Brookwood and it is in the flight path of helicopters making it undesirable for residential development.

Hearing no further testimony, Mayor Gorin closed the public hearing at [6:11:46 PM](#).

MOVED by Councilmember Jacobi, seconded by Councilmember Sawyer, carried unanimously, 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 1000 SECOND STREET TO THE R-3-30 MULTI-FAMILY RESIDENTIAL DISTRICT – FILE NUMBER REZ08-022

**12. PUBLIC COMMENTS ON NON-AGENDA MATTERS** [6:12:35 PM](#)

The following people made comments concerning items not on the agenda:

Elizabeth Rentzel, Sonoma County Bicycle Coalition, requested monitored bike parking at public events, and submitted a letter with that request.

Duane DeWitt thanked the City for the Veterans Day observance ceremony to be held the next day, and invited the public to attend. He spoke of Santa Rosans who were serving in the armed forces.

Misty Clontz spoke regarding a legal matter involving John Jenkel and against war.

Colleen Fernald spoke against war.

John Jenkel spoke regarding legal matters he is involved in and against war.

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

**13.1 BOARD OF PUBLIC UTILITIES ATTENDANCE REPORT - THIRD QUARTER, 2009**

**14. MAYOR'S/COUNCILMEMBERS' REPORTS**  
[6:31:41 PM](#)

Councilmember Jacobi announced her appointment of Ivan Chang to the Community Advisory Board.

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 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** [6:46:02 PM](#)

Hearing no further business, Mayor Gorin adjourned the meeting at 6:45 p.m. The next regularly scheduled meeting will take place on

November 17, 2009, at a time to be set by the Mayor.

Approved on: December 1, 2009

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Susan Stoneman  
City Clerk