

**SANTA ROSA CITY COUNCIL MEETING MINUTES
TUESDAY, DECEMBER 1, 2009
COUNCIL CHAMBER, CITY HALL, 100 SANTA ROSA AVENUE
REGULAR MEETING**

**2:30 P.M. (MAYORS CONFERENCE ROOM,
ROOM 10)**

**1. CALL TO ORDER AND ROLL CALL
[4:03:17 PM](#)**

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

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 LEGAL COUNSEL -
EXISTING LITIGATION**

(Subdivision (a) of Government Code section 54956.9)

City of Santa Rosa v. Sonoma County Water Agency, et al., Sonoma County Superior Court Case Number SCV – 245844

3.2 PUBLIC EMPLOYEE APPOINTMENT:

Title: City Manager

**3.3 ADJOURN CLOSED SESSION(S) AND
RECONVENE TO OPEN SESSION IN THE
COUNCIL CHAMBER 4:00 P.M. (CITY
COUNCIL CHAMBER)**

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)**

City Attorney Fowler announced that Council had met in closed session regarding items 3.1 and 3.2 as listed on the agenda and that no action had been taken and there were no announcements to be made.

6. PROCLAMATIONS/PRESENTATIONS

**6.1 PRESENTATION – TOYS FOR KIDS
[4:04:06 PM](#)**

Firefighter Daryl Sager outlined for Council the Toys for Kids program and upcoming special events.

**6.2 PROCLAMATION – CELEBRATION OF 30
YEARS OF SERVICE AT LUTHER
BURBANK HOME & GARDENS [4:12:04 PM](#)**

Councilmember Sawyer presented volunteers Jean Brown and Dee Blackman with proclamations recognizing their many years of service to the Luther Burbank Home & Gardens. Carol Skold accepted the proclamation on behalf of the volunteers. Lisa Grant made a brief presentation and invited everyone to the annual Luther Burbank Home & Gardens Open House on December 5th and 6th.

7. STAFF BRIEFINGS -NONE

**8. APPROVAL OF MINUTES – OCTOBER 27,
NOVEMBER 3, AND NOVEMBER 10, 2009
REGULAR MEETING MINUTES [4:24:36 PM](#)**

The minutes for the October 27, 2009 meeting were approved 5-0-2 (Councilmembers Sawyer and Jacobi abstaining) as submitted. The minutes for the November 3rd and November 10th meeting were approved as submitted.

**9. STATEMENTS OF ABSTENTION BY
COUNCILMEMBERS [4:25:32 PM](#)**

No statements of abstention were made.

10. CONSENT ITEMS [4:25:48 PM](#)

PUBLIC COMMENT

Jack Osborne spoke in opposition to items 10.2, 10.6 and 10.8.

MOVED by Vice Mayor Wysocky, seconded by Councilmember Sawyer, carried unanimously, to adopt the motion in item 10.1, adopt and waive reading of the text of the resolutions in items 10.2 through 10.8 as follows:

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**10.1 MOTION -- CONTRACT AWARD - 2010
CAB & CHASSIS AND LUBE/FUEL BODY**

MOTION: AUTHORIZING THE AWARD AND ISSUANCE OF A PURCHASE ORDER FOR ONE 2010 INTERNATIONAL CAB & CHASSIS WITH VALEW LUBE AND FUEL SERVICE BODY TO THE LOWEST RESPONSIVE AND RESPONSIBLE BIDDER, BAYSHORE INTERNATIONAL, ROHNERT PARK, CA, IN THE AMOUNT OF \$129,261. FUNDING HAS BEEN ALLOCATED IN FY 2009-10 - PUBLIC WORKS DEPARTMENT, EQUIPMENT REPLACEMENT PURCHASES, CHARGE NUMBER 3016-84.

**10.2 RESOLUTION -- BURBANK HOUSING
DEVELOPMENT CORPORATION,
CAPITAL FACILITIES FEE (CFF) FEE
CREDIT AGREEMENT—CATALINA
TOWNHOMES AND AMOROSA VILLAGE**

RESOLUTION NO. 27523 ENTITLED:
RESOLUTION OF THE COUNCIL OF THE CITY OF SANTA ROSA APPROVING AN AGREEMENT WITH BURBANK HOUSING DEVELOPMENT CORPORATION FOR FEE CREDITS IN CONNECTION WITH THE CAPITAL FACILITIES FEE PROGRAM FOR RIGHT OF WAY AND INFRASTRUCTURE IMPROVEMENTS TO NORTHPOINT PARKWAY, FOR THE CATALINA TOWNHOMES AND AMOROSA VILLAGE PROJECTS LOCATED AT 2740 DUTTON MEADOW

**10.3 RESOLUTION -- ACCEPTING GRANT
FROM TARGET FOR SHOP WITH A COP
PROGRAM**

RESOLUTION NO. 27524 ENTITLED:
RESOLUTION OF THE COUNCIL OF THE CITY OF SANTA ROSA AUTHORIZING THE ACCEPTANCE OF A GRANT FROM TARGET FOR "SHOP WITH A COP"

**10.4 RESOLUTION -- TRANSFER OF
UNCLAIMED FUNDS TO THE GENERAL
FUND**

RESOLUTION NO. 27525 ENTITLED:
RESOLUTION OF THE COUNCIL OF THE CITY OF SANTA ROSA AUTHORIZING TRANSFER OF UNCLAIMED FUNDS TO THE GENERAL FUND

**10.5 RESOLUTION -- APPLICATION TO THE
ENVIRONMENTAL ENHANCEMENT AND
MITIGATION PROGRAM FOR GRANT
FUNDS FOR THE COLGAN CREEK
RESTORATION PROJECT**

RESOLUTION NO. 27526 ENTITLED:
RESOLUTION OF THE COUNCIL OF THE CITY OF SANTA ROSA APPROVING AN APPLICATION TO THE ENVIRONMENTAL ENHANCEMENT AND MITIGATION PROGRAM FOR GRANT FUNDS FOR THE COLGAN CREEK RESTORATION PROJECT

**10.6 RESOLUTION -- APPROVAL OF FUNDING
AGREEMENT AND BENEFIT FINDINGS
FOR CONSTRUCTION OF LEDDY
AVENUE SEWER AND WATER MAIN
EXTENSION**

RESOLUTION NO. 27527 ENTITLED:
RESOLUTION OF THE COUNCIL OF THE CITY OF SANTA ROSA APPROVING A FUNDING AGREEMENT WITH THE REDEVELOPMENT AGENCY OF THE CITY OF SANTA ROSA AND MAKING CERTAIN BENEFIT FINDINGS FOR THE CONSTRUCTION OF THE LEDDY AVENUE SEWER AND WATER MAIN EXTENSION

**10.7 RESOLUTION -- APPROPRIATION OF
\$2,500 ENVIRONMENTAL COMPLIANCE
FINE TO ACCOUNT 4841,
ENVIRONMENTAL COMPLIANCE
TRAINING**

RESOLUTION NO. 27528 ENTITLED:
RESOLUTION OF THE COUNCIL OF THE CITY OF SANTA ROSA FOR THE APPROPRIATION OF \$2,500 ENVIRONMENTAL COMPLIANCE FINE TO ACCOUNT 4841, ENVIRONMENTAL COMPLIANCE TRAINING

**10.8 RESOLUTION -- AMENDMENT TO
AGREEMENT WITH BRUCE KILDAY OF
ANGELO KILDAY & KILDUFF FOR LEGAL
SERVICES**

RESOLUTION NO. 27529 ENTITLED:
RESOLUTION OF THE COUNCIL OF THE CITY OF SANTA ROSA APPROVING AMENDMENT TO THE AGREEMENT FOR LEGAL SERVICES WITH BRUCE KILDAY OF ANGELO KILDAY & KILDUFF FOR LEGAL SERVICES

MOVED by Vice Mayor Wysocky seconded by Councilmember Sawyer to adopt and waive reading of the text of the ordinances in items 10.9 and 10.10 as follows:

**10.9 ORDINANCE ADOPTION -- CITY-
INITIATED REZONING OF 1590 HEARN
AVENUE**

ORDINANCE NO. 3928 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 1590 HEARN AVENUE TO THE R-3-18 MULTI-FAMILY RESIDENTIAL DISTRICT – FILE NUMBER REZ08-016

10.10 ORDINANCE ADOPTION -- CITY-INITIATED REZONING OF 1385 WEST COLLEGE AVENUE

ORDINANCE NO. 3929 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 1385 WEST COLLEGE AVENUE TO THE R-3-30 MULTI-FAMILY RESIDENTIAL DISTRICT – FILE NUMBER REZ08-021

11. REPORT ITEMS

11.1 REPORT -- BUDGET DEFICIT REDUCTION MEASURE: POSITION ELIMINATIONS
[4:36:07 PM](#)

Chuck Regalia, Director Community Development, and Rick Moshier, Director Public Works made the staff presentation. The City's General Fund currently has a structural deficit approximating \$9 million annually. Part of the reason for this deficit is the rapid and significant decline of development related revenue. Because development revenue is no longer sufficient to support costs, it is necessary to reduce spending in that area in the current fiscal year. Mr. Regalia recommended on behalf of the Community Development and Public Works Departments and the City Manager's Office that the Council by resolution, following the meet and confer process, eliminate 24 positions.

PUBLIC COMMENT

Jack Osborne spoke in opposition to eliminating positions and recommended cutting salaries and COLA citywide.

Keith Woods, North Coast Builders Exchange, spoke in favor of having a re-entry strategy to increase staff as revenues increase.

John Bly, Construction Coalition, expressed concern that position eliminations would negatively impact the construction industry and he would like to see eliminations citywide.

Judy Kennedy expressed concern for the loss of City Planner Heather Hines' knowledge and value to the community with respect to historic districts.

MOVED by Councilmember Vas Dupre, seconded by Councilmember Bender, carried 6-0-1 (Councilmember Jacobi voting NO), to adopt and waive reading of the text of the resolution as follows:

RESOLUTION NO. 27530 ENTITLED: RESOLUTION OF THE COUNCIL OF THE CITY OF SANTA ROSA AMENDING THE CITY CLASSIFICATION AND SALARY PLAN BY ELIMINATING CERTAIN POSITIONS, AND AUTHORIZING THE CITY MANAGER TO IMPLEMENT THESE CHANGES SUBJECT TO COMPLETION OF THE MEET AND CONFER PROCESS

11.2 PUBLIC HEARING – GOOD GUYS PLAZA REZONING – 1301, 1311 & 1331 GUERNEVILLE ROAD
[5:25:47 PM](#)

Gillian Hayes, City Planner, made the staff presentation. On August 27, 2009, the Planning Commission adopted a resolution (5-0-1) recommending the Rezoning of the 2.67 acre site located at 1301, 1311 & 1331 Guerneville Road from the PD (Planned Development) to the CG (General Commercial) District, consistent with the General Plan land use designation of Retail & Business Services. Ms. Hayes recommended on behalf of the Planning Commission and Community Development Department that the Council introduce an ordinance rezoning property located at 1301, 1311 & 1331 Guerneville Road to the CG (General Commercial) District.

PUBLIC HEARING

Hearing no public comment, Mayor Gorin closed the public hearing [5:30:00 PM](#)

MOVED by Councilmember Olivares, seconded by Councilmember Sawyer, carried unanimously, to introduce and waive reading of the text of the ordinance 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 1301, 1311 & 1331 GUERNEVILLE ROAD TO THE CG (GENERAL COMMERCIAL) DISTRICT – FILE NUMBER REZ08-015

12. PUBLIC COMMENTS ON NON-AGENDA MATTERS

Approved on January 12, 2010

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

Jack Osborne spoke in favor of cutting salaries and about greenhouse gases.

Colleen Fernald, Sebastopol, spoke for peace.

Sue Stoneman
City Clerk

13. WRITTEN COMMUNICATIONS (AND POSSIBLE COUNCIL ACTION)

13.1 LIVABLE PLACES UPDATE – OCTOBER 2009

13.2 LOCAL GOVERNMENT COMMISSION REPORTS – OCTOBER 2009

14. MAYOR'S/COUNCILMEMBERS' REPORTS

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

14.1 JENNINGS AVENUE SMART STATION ALTERNATIVE LOCATION [5:38:10 PM](#)

MOVED by Vice Mayor Wysocky, seconded by Councilmember Bender, carried unanimously, to forward the letter as signed by the Mayor to SMART Real Estate Committee.

14.2 DISCUSSION OF COUNCIL MEETING SCHEDULE FOR 2010 [5:45:47 PM](#)

Council directed staff to provide a recommendation for a modified meeting schedule eliminating one council meeting per month.

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, Mayor Gorin adjourned the meeting at 6:00 p.m. The next regularly scheduled meeting will take place on December 8, 2009, at a time to be set by the Mayor.

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