

**SANTA ROSA CITY COUNCIL MEETING MINUTES
TUESDAY, DECEMBER 8, 2009
COUNCIL CHAMBER, CITY HALL, 100 SANTA ROSA AVENUE
REGULAR MEETING**

10:30 A.M. (MAYORS CONFERENCE ROOM, ROOM 10)

1. CALL TO ORDER AND ROLL CALL

Mayor Gorin called the meeting to order at 10:30 a.m. Councilmembers present: Mayor Gorin, Vice Mayor Wysocky, Councilmembers Bender, Sawyer, Jacobi, Vas Dupre 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 PUBLIC EMPLOYEE APPOINTMENT:

Title: City Manager

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

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

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

3. STUDY SESSION [3:05:21 PM](#)

3.1 2009 STRATEGIC PLAN [3:05:25 PM](#)

Annette Townley and members of the planning and facilitation team provided an overview of the 2009 Strategic Planning Session, entitled "The Spirit of Innovation" held in October, 2009. The two-day forum brought together key staff and community members to identify key impactful trends that could affect the ability of Santa Rosa to deliver the desired (and/or expected) level of service to our residents, visitors and businesses. Staff highlighted the process, results and accomplishments resulting in the following Strategic Planning goals as listed in Item 11.1 below.

4:00 P.M. (CITY COUNCIL CHAMBER) [4:17:36 PM](#)

4. ANNOUNCEMENT OF ROLL CALL

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

5. REPORT, IF ANY, ON STUDY AND CLOSED SESSION(S) [4:18:03 PM](#)

City Manager Kolin reported that the Council had met in study session to receive the 2009 Strategic Action Planning overview.

City Attorney Fowler announced that the Council had met in closed session to discuss Item 2.1 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 – HISPANIC CHAMBER OF COMMERCE / NEIGHBORHOOD REVITALIZATION PROGRAM COMPUTER COURSE UPDATE [4:18:47 PM](#)

Juan Hernandez, President of the Hispanic Chamber of Commerce, accompanied by Neighborhood Revitalization Program (NRP) staff Mali Lopez and Carmelita Howard, updated the Council on the NRP computer course which utilizes surplus City computer equipment to offer computer courses to students ranging in age from teens to seniors. Students in the program were present and spoke regarding the program benefits.

7. STAFF BRIEFINGS -- NONE

8. APPROVAL OF MINUTES – NONE

9. STATEMENTS OF ABSTENTION BY COUNCILMEMBERS [4:35:30 PM](#)

Councilmember Sawyer stated he would abstain from Item 10.3 due to the location of his business within the Parking District.

10. CONSENT ITEMS [4:35:45 PM](#)

PUBLIC COMMENT [4:37:37 PM](#)

Jack Osborne requested and received clarification on Item 10.1.

MOVED by Vice Mayor Wysocky, seconded by Councilmember Olivares, carried unanimously, to

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adopt and waive reading of the text of the resolutions in items 10.1, 10.2, 10.4 and adopt and waive reading of the text of the ordinance in item 10.5 as follows:

10.1 RESOLUTION -- EXTENSION OF LIMITED TERM CUSTOMER SERVICE REPRESENTATIVES END DATE

RESOLUTION NO. 27531 ENTITLED:
RESOLUTION OF THE COUNCIL OF THE CITY OF SANTA ROSA EXTENDING THE END DATE FOR TWO LIMITED TERM CUSTOMER SERVICE REPRESENTATIVES IN THE FINANCE DEPARTMENT

10.2 RESOLUTION -- RESOLUTION -- AUTHORIZATION FOR SUBMITTAL OF THE TERM 2, YEAR 6 ANNUAL REPORT FOR STORM WATER PERMIT COMPLIANCE TO THE NORTH COAST REGIONAL WATER QUALITY CONTROL BOARD

RESOLUTION NO. 27532 ENTITLED:
RESOLUTION OF THE COUNCIL OF THE CITY OF SANTA ROSA AUTHORIZING SUBMITTAL OF THE TERM 2, YEAR 6 ANNUAL REPORT FOR STORM WATER PERMIT COMPLIANCE TO THE NORTH COAST REGIONAL WATER QUALITY CONTROL BOARD

10.4 RESOLUTION -- RESOLUTION -- CITIES OF SERVICE GRANT

RESOLUTION NO. 27533 ENTITLED:
RESOLUTION OF THE OF COUNCIL OF THE CITY OF SANTA ROSA DIRECTING STAFF TO SUBMIT A CITIES OF SERVICES GRANT APPLICATION

10.5 ORDINANCE ADOPTION -- -- GOOD GUYS PLAZA REZONING -- 1301, 1311 & 1331 GUERNEVILLE ROAD

ORDINANCE NO. 3930 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

MOVED by Vice Mayor Wysocky, seconded by Councilmember Olivares, carried 6-0-1 (Councilmember Sawyer abstaining), to adopt and

wave reading of the text of the resolution in items 10.3 as follows:

10.3 RESOLUTION -- DISCOUNTED PARKING VALIDATION PROGRAM CONTINUATION

RESOLUTION NO. 27534 ENTITLED:
RESOLUTION OF THE COUNCIL OF THE CITY OF SANTA ROSA APPROVING CONTINUATION OF THE DISCOUNTED PARKING VALIDATION PROGRAM

11. REPORT ITEMS

11.1 REPORT -- RECOMMENDATION TO ADOPT STRATEGIC GOALS FROM THE 2009 STRATEGIC PLAN [4:39:19 PM](#)

City Manager Kolin made the staff presentation and recommended Council adoption of the seven goals, listed below, coming out of the October, 2009 strategic leadership summit entitled "The Spirit of Innovation".

1. Develop and implement an aggressive and consistent economic development plan that balances business and the environment.
2. Make Santa Rosa an attractive, dynamic, safe, urban regional center and destination.
3. Develop a long-term sustainable budget and funding strategy for efficient city services.
4. Create greater civic engagement through increased partnership with our community.
5. Increase opportunities, equality, involvement and trust across our diverse communities.
6. Lead the effort to expand and implement a model climate action plan and sustainability program.
7. Foster an environment that encourages employee participation in organizational success.

PUBLIC COMMENT

Jack Osborne stated his belief that a Brown Act violation had occurred due to the Sierra Club settlement requirement for disclosure of reports nine days prior to a Council meeting.

City Manager Kolin clarified that the summit meetings had been noticed public meetings and

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the materials of the meeting had been made available in a timely fashion and actually exceeded the requirements of the Brown Act.

MOVED by Councilmember Bender, seconded by Councilmember Sawyer, carried unanimously, to adopt the motion in Item 11.1 as follows:

MOTION: TO ADOPT THE SEVEN STRATEGIC GOALS THAT RESULTED FROM THE SPIRIT OF INNOVATION: A COMMUNITY LEADERSHIP SUMMIT TO CREATE SANTA ROSA'S NEXT STRATEGIC PLAN

11.2 REPORT -- ADOPTION OF MOU – UNIT 17 – PROFESSIONAL - ATTORNEYS REPRESENTED BY THE SANTA ROSA CITY ATTORNEYS' ASSOCIATION [4:50:31 PM](#)

Chris Sliz, Employee Relations Manager, made the staff presentation, summarizing the content of the two-year MOU and recommended adoption.

Mike Casey, Santa Rosa City Attorney's Association, commented on the commitment of the six attorneys in the association to delivering the highest quality service to City departments, and that the MOU meets the Council goals of no salary increases and a two-tiered retirement system.

PUBLIC COMMENT

Jack Osborne questioned the payment of overtime for professionals and also disagreed with the provision for an increase in hours of the administrative leave benefit.

Ms. Sliz responded that professional staff do not receive overtime wages and that many consistently put in a 50 to 60 hour week.

Councilmember Wysocky stated he could not support an increase in compensation where they can take money out and work less hours.

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

RESOLUTION NO. 27535 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 17 – PROFESSIONAL – ATTORNEYS REPRESENTED BY THE SANTA

ROSA CITY ATTORNEYS' ASSOCIATION FOR A TWO YEAR CONTRACT 2009-2011

11.3 PUBLIC HEARING – ACACIA LANE AFFORDABLE SENIOR HOUSING DENSITY BONUS [5:07:08 PM](#)

Erin Morris, Senior Planner, made the staff presentation. On November 12, 2009 the Planning Commission adopted resolutions (7-0) recommending adoption of a Negative Declaration and approval of a Density Bonus and concession for the Acacia Lane Affordable Senior Housing project located at 657 Acacia Lane. The Density Bonus would allow a density increase from 30 to 33.33 units per acre in order to develop 44 senior apartments for low, very low, and extremely low income households; the concession would allow a parking reduction. The Planning Commission had recommended adoption of the Negative Declaration and the Density Bonus for Acacia Lane Affordable Senior Housing at 657 Acacia Lane.

PUBLIC HEARING [5:10:38 PM](#)

Mayor Gorin opened the public hearing. Hearing no testimony, the hearing was closed at [5:10:50 PM](#).

MOVED by Councilmember Vas Dupre, seconded by Councilmember Sawyer, carried unanimously, to introduce and waive reading of the text of the resolution in Item 11.3 as follows:

RESOLUTION NO. 27536 ENTITLED:
RESOLUTION OF THE COUNCIL OF THE CITY OF SANTA ROSA ADOPTING A NEGATIVE DECLARATION FOR THE ACACIA LANE AFFORDABLE SENIOR HOUSING LOCATED AT 657 ACACIA LANE – ASSESSOR'S PARCEL NUMBER 182-520-087; FILE NUMBER MNP09-019

MOVED by Councilmember Vas Dupre, seconded by Councilmember Olivares, carried unanimously, to introduce and waive reading of the text of the resolution in Item 11.3 as follows:

RESOLUTION NO. 27537 ENTITLED:
RESOLUTION OF THE COUNCIL OF THE CITY OF SANTA ROSA APPROVING A DENSITY BONUS AND CONCESSION FOR ACACIA LANE AFFORDABLE SENIOR HOUSING LOCATED AT 657 ACACIA LANE, FILE NUMBER MNP09-019

Mayor Gorin then recessed the meeting at [5:14:41 PM](#), reconvening at [5:46:52 PM](#) with all members of the Council present.

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11.4 PUBLIC HEARING -- WATER, RECYCLED WATER AND WASTEWATER RATE INCREASES [5:47:03 PM](#)

Director of Utilities Miles Ferris initiated the staff presentation with an overview of the biological opinion on the Russian River resulting in an operating agreement with the Sonoma County Water Agency and its users to protect three endangered species in river. He described how the water was currently sourced to the system, and how the reduction in supply had precipitated a rate increase by the SCWA in order to cover the agency's operating expenses at existing levels while delivering 25% less water to the wholesale water users.

Administrative Services Officer Linda Reed outlined the proposed water and wastewater rate increases which were the subject of the public hearing, and the cost drivers, budget, and revenues.

Bob Reed, Consultant with the Reed Group, outlined other Board of Public Utilities goals, the wholesale rate pass through, and the tiered rate change recommendations before the Council. He discussed the effect of the proposed water rate structure on family, multi-family and commercial accounts.

Ms. Reed presented comparison data showing Santa Rosa's rates to be slightly above average of comparable cities.

PUBLIC HEARING [6:59:51 PM](#)

Richard Canini spoke regarding banks profiting from bond earnings, stated that sewer and water funds had been misappropriated to things other than sewer and water, objected to the amount charged for administration, and objected to funding water and sewer lines with redevelopment funds.

Frank Wolfe reported that his water bill was not commensurate with his water use and asked for assistance in ascertaining that the readings were correct.

Holger Gantz stated he understands the need to raise rates but asked that the rates be escalated at a slower rate given the current recession. He also requested that the SCWA be denied the price they are asking.

Colleen Fernald, Sebastopol, spoke against growth and recommended education and outreach.

Steve Pasian-Caigni, a 30 year resident of Santa Rosa, had sharply reduced his water use and suggested that the ratepayers increasing water use in order to solve the City's revenue problem. He opposed the rate increase.

Stan Paule also opposed the increase based on the impacts to health, safety, quality of life, and economic hardship.

Stephen Fuller-Rowell supported the rate increase, saying that water is too cheap in relation to its value and that the rate is lower than Los Angeles. He stated the pricing was necessary to balance supply and demand. He supported all but the last proposal, the increase scheduled for January, 2011. He suggested 7%, 9%, 11% and 13% increases each year instead of 8% each year.

Kathleen Emery recommended more emphasis on use of reclaimed water in order to preserve large trees. She also recommended against more wells for fear of decreasing groundwater levels.

Susan Hybak suggested obtaining a higher payment from users of reclaimed water, noting many large vineyards receive that water at no charge, saying it could be a significant source of revenue.

Allen Appell spoke regarding the increase from \$400 to \$2300 per month for his apartment complex, and opposed the increase due to adverse impacts on affordable housing. He said the cost data supporting the proposed increase should have been available in a more understandable format comparable to a business plan.

Jim Brown opposed the increased rates due to the fact that Santa Rosa's rates were already in the top 5% of rates statewide, attributed the rise in rates to decisions restricting growth, and requested that since they were paying for the water delivery system that the promises made to deliver water be required of the SCWA.

Michael Gough requested delaying the decision for six months, and spoke regarding the impacts to the quality of life and the blighted effect created by brown.

Joe Wally objected to the rate increase, seeing it as an end run of the provisions of Proposition 213, and a way to enrich the general fund.

Ben Taylor requested a delayed decision until more information was available. He questioned the amount required to fund SCWA, suggested

refinancing some of its debt at more favorable rates, and simply denying the SCWA's request for an increase.

Mr. Brisley opposed the rate increase and recommended using recycled water for fire hydrants, and the use of greywater for irrigation.

J.K. Karrman said that in 1987 her water and sewer bill was \$5.79. She objected to the rate of increase and opposed further increases saying they were driven by retirement costs.

Steve Padovan objected to the rate increase and the cost of water system, questioning the amount since the infrastructure was already in place. He recommended that the City, as the SCWA's largest customer, use that position of strength to negotiate a better deal. He also recommended a tiered rate structure which slightly subsidizes the lowest users and charges a premium to large users.

Deborah Padovan also objected to allowing SCWA as a monopoly not subject to Proposition 218 to pass through rate increases. She asked for checks and balances on the SCWA.

Dan Lozano, objected to the rates, as the dead lawns degrade the community.

Larry Williams also objected to the rate increase due to the loss of green lawns and the lack of capacity for further reduction and financial impacts on households, especially the elderly.

Gerry Niimi opposed the rate increase as it is outstripping the rate of inflation and the increasing cost of delivery, and requested the federal government be asked to mitigate the costs to implement their policies.

Bill Hand said his background in environmental sciences provided unique insights into the issue, but objected to the rate increase citing Santa Barbara's lower rate as a desert city, and requested a balance sheet be presented to support the request.

Rick Hoierman spoke in opposition to the rate increase, noting the significant rate increases over the last ten years, and objected to the prohibitive cost of having a garden or trees and the high cost when compared to other cities.

John Jenkel suggested raising revenue instead of raising taxes and suggested pumping water going to Jenner back up to Lake Sonoma.

Jim Bennett, also opposed the proposed increase.

Debby DeWitt, Kenwood, said she purchased a Santa Rosa home and was shocked at the cost compared to Kenwood. She also opposed the rate increase.

Mr. Parker objected to the rate increase as it could not be passed on to tenants due to market constraints.

Jean Palmer objected to the rate increase due to cost and suggested the use of greywater for yards and suggested using recycled water instead of sending it to the geysers, or to sell the water to Calpine to raise revenue.

Drisca Inglo, objected to the rate increase as she was at the limit of what she could conserve and the cost imposes a financial hardship.

Hearing no further testimony, Mayor Gorin closed the public hearing at [8:19:38 PM](#).

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

RESOLUTION NO. 27538 ENTITLED:
RESOLUTION OF THE COUNCIL OF THE CITY OF SANTA ROSA LEVYING AND ASSESSING WASTEWATER SERVICE CHARGES AND REPEALING RESOLUTION NO. 26981

MOVED by Councilmember Olivares, seconded by Councilmember Sawyer, carried unanimously, 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 SECTIONS 14-04.090 AND 14-08.010 AND ADDING SECTION 14-08.15 TO THE SANTA ROSA CITY CODE, REVISING MONTHLY

12. PUBLIC COMMENTS ON NON-AGENDA MATTERS [9:46:23 PM](#)

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

Colleen Fernald spoke against war

Rachel Bell spoke against war.

John Jenkel spoke against war and a civil suit he was a party to.

13. WRITTEN COMMUNICATIONS (AND POSSIBLE COUNCIL ACTION)

14. MAYOR'S/COUNCILMEMBERS' REPORTS

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**14.1 DISCUSSION OF COUNCIL MEETING
SCHEDULE FOR 2010 9:56:48 PM**

Mayor Gorin presented a proposed Council meeting schedule which would reduce meeting frequency by one meeting per month. The Council reviewed and finalized the proposed schedule.

PUBLIC COMMENT

John Jenkel opposed any reduction to the number of meetings.

Colleen Fernald was also opposed and suggested a monthly town hall meeting.

The schedule was set as follows:

No meetings: March 23, April 27, May 18, June 1, July 6, August 24, September 7, October 26, November 23, and December 21, 2010.

MOVED by Councilmember Bender, seconded by Vice Mayor Wysocky, carried unanimously to adopt the above meeting schedule.

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 also 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**

There were no further announcements made.

17. ADJOURNMENT OF MEETING

Hearing no further business, Mayor Gorin adjourned the meeting at 10:10 p.m. in the memory of former Santa Rosa Fire Chief Tony Pini. The next regularly scheduled meeting will take place on December 15, 2009, at a time to be set by the Mayor.

Approved on January 12, 2010.

Susan Stoneman, City Clerk